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**DFC Memo: 2020-07**  
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## MEMORANDUM

**TO:** Florida College System Presidents

**FROM:** Kathy Hebda 

**DATE:** June 30, 2020

**SUBJECT:** SB 72 – Higher Education

The 2020 Florida Legislature passed Senate Bill (SB) 72, an act related to Higher Education, which has implications for Florida College System (FCS) and State University System (SUS) institutions related to rules and regulations in building projects, grant programs and academic/research standards and establishes the Florida Institute of Politics and the Adam Smith Center for the Study of Economic Freedom.

### **The following sections of the legislation are relevant to FCS Institutions:**

#### Modified Public Education Capital Outlay (PECO) list criteria for FCS institutions' projects.

SB 72 amended section (s.) 1001.03, Florida Statutes (F.S.), as it relates to the State Board of Education's (SBOE) authority to develop and submit the prioritized PECO list of FCS institution projects for funding consideration by the Florida Legislature, under s. 1013.64(4), F.S.

Specifically, the legislation will require the SBOE to modify the process in which it develops its priority funding recommendation list that is provided to the legislature for new construction, remodeling or renovation projects that have not received prior state funding. Previously, a new project could only be included on the list if there were sufficient excess funds pursuant to s. 1013.60, F.S. However, as of July 1, 2020, the SBOE will prioritize new projects if sufficient capacity within the bonding estimate from the Revenue Estimating Conference exists. Essentially, this provision puts the FCS on equal footing with the SUS in the ability to add new projects.

#### Provisions for postsecondary students relating to innovative pricing techniques and payment options.

Additionally, SB 72 amended s. 1004.085, F.S., dealing with textbook and instructional materials affordability. Currently, institutions may not automatically enroll students in services that provide textbooks and instructional materials electronically; rather, students must "opt in" to take advantage of cost-savings measures for programs. As of July 1, 2020, pricing techniques and payment options must include an opt-in OR opt-out provision for students. If an institution adopts an opt-out policy, the institution may automatically assign all students in a course to receive digital materials or other pricing payment options unless the student opts out of the policy. Students selecting the opt-out provision would be responsible for acquiring any necessary course materials on their own.

KATHRYN S. HEBDA  
FLORIDA COLLEGE SYSTEM CHANCELLOR

Institutions should be aware of the new provision and may wish to consider using an opt-out policy if there is documented evidence that the options reduce the cost of textbooks and instructional materials for students. Institutions should document which course sections use the opt-out model as well as the number of students choosing to opt-out for annual reporting purposes pursuant to s. 1004.085(7), F.S.

Modifies provisions relating to the carry forward of operational funds by SUS and FCS institutions.

SB 72 amended s. 1013.841, F.S., modifying reporting dates. This provision extends the time for institutions to submit their spending plans for carry forward balances in excess of 5 or 7 percent, based on FTE enrollment of less than 15,000 and 15,000 or greater, respectively.

- New deadlines:
  - The carry forward spending plans shall be submitted to the Boards of Trustees for review and approval by September 30, 2020, and each September 30 thereafter.
  - The SBOE shall review and publish the carry forward spending plans for FCS institutions by November 15, 2020, and each November 15 thereafter.

Additionally, the legislation allows institutions to have a commitment of funds in a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor (e.g. costs of donating medical supplies during COVID-19).

Modifies provisions related to Florida's Grant and Scholarship programs.

SB 72 modifies multiple Florida Grant and Scholarship programs to increase access, eligibility and attainment as follows:

Florida Student Assistance Grant (FSAG) Program:

- Priority in the distribution of summer awards must be given to students who are within one semester of completing a degree or certificate program, as applicable (the FSAG Public program also includes priority for students who have not yet earned nine semester hours in summer terms).
- Priority in the distribution of grant funds may be given to students who are within one semester of completing a degree or certificate program, as applicable.
- Timely distribution of funding is ensured by allowing the department to suspend or revoke future term funding if institutions fail to timely remit refunds due to the department.

Benacquisto Scholarship Program:

- Modifies requirements for initial eligibility and scholarship renewal provisions for students who wish to participate in the program:
  - Removes the National Achievement Scholarship calculation when determining the award amount for students.

- Requires students to be enrolled fulltime; however, an eligible student who has fewer than 12 credits remaining to completion, may receive funding for one term in order to complete the degree.
- Provides that renewal is not affected by changes to the student's residency status.
- Establishes time constraints on eligibility: students would be eligible for five years after high school graduation and could only receive the award for 10 semesters.
- Provides that exceptions to renewal requirements may be granted in cases of verifiable illness or other documented emergency that hindered the student's ability to maintain eligibility.

Florida Bright Futures Program:

- Modifies the Florida Academic Scholars award to specify an annual stipend for textbooks, as appropriated in the General Appropriations Act (GAA). Previously students were only eligible for \$300 for each fall and spring semester.
- Modifies the Florida Medallion Scholars award to specify that beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at an FCS institution is eligible for an award equal to the amount necessary to pay 100 percent of tuition and fees.

**The following topics were included in SB 72 and relate to SUS institutions and to nonpublic colleges and universities.**

- Extends the term a board member can serve until a successor is appointed for the Phosphate Research and Activities Board.
- Establishes the Florida Institute of Politics at Florida State University and the Adam Smith Center for the Study of Economic Freedom at Florida International University.
- Modifies provisions related to the Board of Governors, its legislative budget requests and employee contracts.
- Expands agency contract criteria for services with nonpublic colleges or universities.

KH/chh

Attachment

cc: FCS Council of Business Affairs

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1  
2 An act relating to higher education; amending s.  
3 287.057, F.S.; authorizing state agencies to contract  
4 with independent, nonprofit colleges and universities  
5 that meet specified requirements; amending s. 1001.03,  
6 F.S.; revising requirements for certain new  
7 construction, remodeling, or renovation projects;  
8 amending s. 1001.7065, F.S.; revising standards for  
9 the preeminent state research universities program;  
10 requiring such standards to be reported annually in a  
11 specified plan; repealing the programs of excellence  
12 designation within the State University System;  
13 creating the "state universities of distinction"  
14 designation within the State University System;  
15 requiring the Board of Governors to establish  
16 standards and measures for specific state university  
17 competencies; providing requirements for such  
18 standards and measures; authorizing the Board of  
19 Governors to annually submit such programs to the  
20 Legislature for funding by a specified date; amending  
21 s. 1001.92, F.S.; revising the performance-based  
22 metrics for state universities to include specific  
23 data; authorizing the Board of Governors to approve  
24 other metrics; prohibiting the adjustment of such  
25 metrics and benchmarks once specified data has been  
26 received; amending s. 1004.085, F.S.; requiring  
27 innovative pricing techniques and payment options to  
28 include an opt-out provision; amending s. 1004.346,  
29 F.S.; removing a limitation on the length of time a

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30 Phosphate Research and Activities Board member may  
31 serve after expiration of his or her term; creating s.  
32 1004.6499, F.S.; creating the Florida Institute of  
33 Politics within Florida State University College of  
34 Social Sciences and Public Policy; providing the  
35 purpose and goals of the institute; creating s.  
36 1004.64991, F.S.; creating the Adam Smith Center for  
37 the Study of Economic Freedom; providing a purpose and  
38 goals of the center; amending s. 1009.50, F.S.;

39 requiring that grants administered through the Florida  
40 Public Student Assistance Grant Program not exceed a  
41 certain amount; authorizing students who receive an  
42 award in the fall or spring term to receive an award  
43 in the summer term, subject to the availability of  
44 funds; providing for the prioritization of eligible  
45 summer awards; prohibiting institutions from  
46 dispensing grants to students whose expected family  
47 contribution exceeds a certain amount; requiring the  
48 formula used to distribute funds for the program to  
49 account for changes in the number of eligible students  
50 across all student assistance grant programs;

51 requiring institutions to certify the amount of funds  
52 disbursed within a specified timeframe; requiring  
53 institutions to remit any undisbursed advances within  
54 a specified timeframe; providing an exception;

55 requiring institutions that receive moneys through the  
56 program to prepare and submit to the department by a  
57 specified date a biennial report that includes a  
58 financial audit conducted by the Auditor General;

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59 authorizing the department to conduct its own annual  
60 or biennial audit under certain circumstances;  
61 authorizing the department to suspend or revoke an  
62 institution's eligibility or request a refund of  
63 moneys overpaid to the institution under certain  
64 circumstances; providing a timeframe for such refunds;  
65 amending s. 1009.505, F.S.; requiring grants  
66 administered through the Florida Public Postsecondary  
67 Career Education Student Assistance Grant Program to  
68 not exceed a certain amount; authorizing students who  
69 receive an award in the fall or spring term to receive  
70 an award in the summer term, subject to the  
71 availability of funds; providing for the  
72 prioritization of eligible summer awards; requiring  
73 the formula used to distribute funds for the program  
74 to account for changes in the number of eligible  
75 students across all student assistance grant programs;  
76 requiring institutions to certify the amount of funds  
77 disbursed within a specified timeframe; requiring  
78 institutions to remit any undisbursed advances within  
79 a specified timeframe; providing an exception;  
80 requiring institutions that receive moneys through the  
81 program to prepare and submit to the department by a  
82 specified date a biennial report that includes a  
83 financial audit conducted by the Auditor General;  
84 authorizing the department to conduct its own annual  
85 or biennial audit under certain circumstances;  
86 authorizing the department to suspend or revoke an  
87 institution's eligibility or request a refund of

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88 moneys overpaid to the institution under certain  
89 circumstances; providing a timeframe for such refunds;  
90 authorizing funds appropriated for state student  
91 assistance grants to be deposited in a specified trust  
92 fund; requiring that any balance in the trust fund at  
93 the end of any fiscal year which has been allocated to  
94 the Florida Public Postsecondary Career Education  
95 Student Assistance Grant Program remain in the trust  
96 fund, subject to certain statutory exceptions;  
97 amending s. 1009.51, F.S.; requiring that grants  
98 administered through the Florida Private Student  
99 Assistance Grant Program not exceed a certain amount;  
100 authorizing students who receive an award in the fall  
101 or spring term to receive an award in the summer term,  
102 subject to the availability of funds; providing for  
103 the prioritization of eligible summer awards;  
104 prohibiting institutions from dispensing grants to  
105 students whose expected family contribution exceeds a  
106 certain amount; requiring the formula used to  
107 distribute funds for the program to account for  
108 changes in the number of eligible students across all  
109 student assistance grant programs; requiring  
110 institutions to certify the amount of funds disbursed  
111 within a specified timeframe; requiring institutions  
112 to remit any undisbursed advances within a specified  
113 timeframe; providing an exception; revising a  
114 requirement for a biennial report; amending s.  
115 1009.52, F.S.; requiring that grants administered  
116 through the Florida Postsecondary Student Assistance

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117 Grant Program not exceed a certain amount; authorizing  
118 students who receive an award in the fall or spring  
119 term to receive an award in the summer term, subject  
120 to the availability of funds; providing for the  
121 prioritization of eligible summer awards; prohibiting  
122 institutions from dispensing grants to students whose  
123 expected family contribution exceeds a certain amount;  
124 requiring the formula used to distribute funds for the  
125 program to account for changes in the number of  
126 eligible students across all student assistance grant  
127 programs; requiring institutions to certify the amount  
128 of funds disbursed within a specified timeframe;  
129 requiring institutions to remit any undisbursed  
130 advances within a specified timeframe; providing an  
131 exception; revising a requirement for a biennial  
132 report; amending s. 1009.534, F.S.; revising  
133 provisions relating to additional funds for textbooks  
134 under Florida Academic Scholars award; amending s.  
135 1009.535, F.S.; revising the amount of an award  
136 certain Florida Medallion Scholars may receive under  
137 certain circumstances; amending s. 1009.893, F.S.;  
138 revising and specifying eligibility for initial awards  
139 under the Benacquisto Scholarship Program; revising  
140 requirements for a student to receive a renewal award;  
141 providing a timeframe within which students may  
142 receive an award; providing an exception to renewal  
143 requirements; amending s. 1011.45, F.S.; revising the  
144 date by which a university must annually submit a  
145 spending plan to the university's board of trustees



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146 for approval; revising the date by which the Board of  
147 Governors must annually review and approve such plan;  
148 authorizing certain expenditures in a carry forward  
149 spending plan to include a commitment of funds to a  
150 contingency reserve for certain purposes; amending s.  
151 1011.90, F.S.; providing requirements for a specified  
152 legislative budget request; requiring the Board of  
153 Governors to define specified classifications by  
154 regulation and report such definitions in such budget  
155 requests; creating s. 1012.977, F.S.; providing for  
156 the disclosure of contracts that affect the integrity  
157 of state universities or entities; providing  
158 definitions; providing penalties for failure to  
159 disclose such information; amending s. 1013.841, F.S.;  
160 revising the date by which a Florida College System  
161 institution must annually submit a spending plan to  
162 the institution's board of trustees for approval;  
163 revising the date by which the State Board of  
164 Education must annually review and publish such plans;  
165 authorizing certain expenditures in a carry forward  
166 spending plan to include a commitment of funds to a  
167 contingency reserve for certain purposes; providing  
168 effective dates.

169  
170 Be It Enacted by the Legislature of the State of Florida:

171  
172 Section 1. Subsection (21) of section 287.057, Florida  
173 Statutes, is amended to read:

174 287.057 Procurement of commodities or contractual

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175 services.—

176 (21) An agency may contract for services with any  
177 independent, nonprofit college or university which is located  
178 within the state on the same basis as it may contract with any  
179 state university or college if the independent, nonprofit  
180 college or university:

181 (a) and Is accredited by the Southern Association of  
182 Colleges and Schools; ~~or, on the same basis as it may contract~~  
183 ~~with any state university and college~~

184 (b) Is authorized to operate within this state pursuant to  
185 chapter 1005, offers a professional degree, and is accredited by  
186 the Middle States Commission on Higher Education.

187 Section 2. Paragraph (c) of subsection (18) of section  
188 1001.03, Florida Statutes, is amended to read:

189 1001.03 Specific powers of State Board of Education.—

190 (18) PUBLIC EDUCATION CAPITAL OUTLAY.—The State Board of  
191 Education shall develop and submit the prioritized list required  
192 by s. 1013.64(4). Projects considered for prioritization shall  
193 be chosen from a preliminary selection group which shall include  
194 the list of projects maintained pursuant to paragraph (d) and  
195 the top two priorities of each Florida College System  
196 institution.

197 (c) A new construction, remodeling, or renovation project  
198 that has not received an appropriation in a previous year shall  
199 not be considered for inclusion on the prioritized list required  
200 by s. 1013.64(4), unless:

201 1. A plan is provided to reserve funds in an escrow  
202 account, specific to the project, into which shall be deposited  
203 each year an amount of funds equal to 0.5 percent of the total

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204 value of the building for future maintenance;

205 2. There exists ~~are~~ sufficient capacity within the cash and  
206 bonding estimate of funds by the Revenue Estimating Conference  
207 to accommodate the project ~~excess funds from the allocation~~  
208 ~~provided pursuant to s. 1013.60~~ within the 3-year Public  
209 Education Capital Outlay funding cycle ~~planning period~~ which are  
210 ~~not needed to complete the projects listed pursuant to paragraph~~  
211 ~~(d); and~~

212 3. The project has been recommended pursuant to s. 1013.31.

213 Section 3. Effective upon this act becoming a law,  
214 subsections (2), (5), and (7) of section 1001.7065, Florida  
215 Statutes, are amended to read:

216 1001.7065 Preeminent state research universities program.—

217 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The  
218 following academic and research excellence standards are  
219 established for the preeminent state research universities  
220 program and shall be reported annually in the Board of Governors  
221 Accountability Plan:

222 (a) An average weighted grade point average of 4.0 or  
223 higher on a 4.0 scale and an average SAT score of ~~1800 or higher~~  
224 ~~on a 2400-point scale or 1200 or higher on a 1600-point scale~~ or  
225 an average ACT score of 25 or higher on a 36 score scale, using  
226 the latest published national concordance table developed  
227 jointly by the College Board and ACT, Inc., for fall semester  
228 incoming freshmen, as reported annually.

229 (b) A top-50 ranking on at least two well-known and highly  
230 respected national public university rankings, including, but  
231 not limited to, the U.S. News and World Report rankings,  
232 reflecting national preeminence, using most recent rankings.

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233 (c) A freshman retention rate of 90 percent or higher for  
234 full-time, first-time-in-college students, ~~as reported annually~~  
235 ~~to the Integrated Postsecondary Education Data System (IPEDS).~~

236 (d) A 4-year graduation rate of 60 percent or higher for  
237 full-time, first-time-in-college students, ~~as reported annually~~  
238 ~~to the IPEDS. However, for the 2018 determination of a state~~  
239 ~~university's preeminence designation and the related~~  
240 ~~distribution of the 2018-2019 fiscal year appropriation~~  
241 ~~associated with preeminence and emerging preeminence, a~~  
242 ~~university is considered to have satisfied this graduation rate~~  
243 ~~measure by attaining a 6-year graduation rate of 70 percent or~~  
244 ~~higher by October 1, 2017, for full-time, first-time-in-college~~  
245 ~~students, as reported to the IPEDS and confirmed by the Board of~~  
246 ~~Governors.~~

247 (e) Six or more faculty members at the state university who  
248 are members of a national academy, ~~as reported by the Center for~~  
249 ~~Measuring University Performance in the Top American Research~~  
250 ~~Universities (TARU) annual report or the official membership~~  
251 ~~directories maintained by each national academy.~~

252 (f) Total annual research expenditures, including federal  
253 research expenditures, of \$200 million or more, ~~as reported~~  
254 ~~annually by the National Science Foundation (NSF).~~

255 (g) Total annual research expenditures in diversified  
256 nonmedical sciences of \$150 million or more, ~~based on data~~  
257 ~~reported annually by the NSF.~~

258 (h) A top-100 university national ranking for research  
259 expenditures in five or more science, technology, engineering,  
260 or mathematics fields of study, ~~as reported annually by the NSF.~~

261 (i) One hundred or more total patents awarded by the United

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262 States Patent and Trademark Office for the most recent 3-year  
263 period.

264 (j) Four hundred or more doctoral degrees awarded annually,  
265 including professional doctoral degrees awarded in medical and  
266 health care disciplines, ~~as reported in the Board of Governors~~  
267 ~~Annual Accountability Report.~~

268 (k) Two hundred or more postdoctoral appointees annually,  
269 ~~as reported in the TARU annual report.~~

270 (l) An endowment of \$500 million or more, ~~as reported in~~  
271 ~~the Board of Governors Annual Accountability Report.~~

272 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM  
273 SUPPORT.—

274 (a) A state university that is designated as a preeminent  
275 state research university shall submit to the Board of Governors  
276 a 5-year benchmark plan with target rankings on key performance  
277 metrics for national excellence. Upon approval by the Board of  
278 Governors, and upon the university's meeting the benchmark plan  
279 goals annually, the Board of Governors shall award the  
280 university its proportionate share of any funds provided  
281 annually to support the program created under this section.

282 (b) A state university designated as an emerging preeminent  
283 state research university shall submit to the Board of Governors  
284 a 5-year benchmark plan with target rankings on key performance  
285 metrics for national excellence. ~~Upon approval by the Board of~~  
286 ~~Governors, and upon the university's meeting the benchmark plan~~  
287 ~~goals annually, the Board of Governors shall award the~~  
288 ~~university its proportionate share of any funds provided~~  
289 ~~annually to support the program created under this section.~~

290 (c) The award of funds under this subsection is contingent

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291 upon funding provided by the Legislature to support the  
292 preeminent state research universities program created under  
293 this section. Funding increases appropriated beyond the amounts  
294 funded in the previous fiscal year shall be distributed to ~~as~~  
295 ~~follows:~~

296 ~~1.~~ each designated preeminent state research university  
297 that meets the criteria in paragraph (a). Each designated  
298 preeminent state research university shall receive an equal  
299 amount of funding.

300 ~~2. Each designated emerging preeminent state research~~  
301 ~~university that meets the criteria in paragraph (b) shall,~~  
302 ~~beginning in the 2018-2019 fiscal year, receive an amount of~~  
303 ~~funding that is equal to one-fourth of the total increased~~  
304 ~~amount awarded to each designated preeminent state research~~  
305 ~~university.~~

306 (7) STATE UNIVERSITIES PROGRAMS OF DISTINCTION EXCELLENCE  
307 THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors  
308 shall establish standards and measures whereby state  
309 universities that focus on one core competency unique to the  
310 State University System that achieves excellence at the national  
311 or state level, meets state workforce needs, and fosters an  
312 innovation economy that focuses on areas such as health care,  
313 security, transportation, and science, technology, engineering,  
314 and mathematics (STEM), including supply chain management,  
315 individual undergraduate, graduate, and professional degree  
316 programs in state universities which objectively reflect  
317 national excellence can be identified. The Board of Governors  
318 may annually submit such programs, excluding those from  
319 preeminent state research universities, and make recommendations

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320 to the Legislature by January ~~September~~ 1 for funding, ~~2018,~~ as  
321 ~~to how any such programs could be enhanced and promoted.~~

322 Section 4. Subsection (1) of section 1001.92, Florida  
323 Statutes, is amended to read:

324 1001.92 State University System Performance-Based  
325 Incentive.—

326 (1) A State University System Performance-Based Incentive  
327 shall be awarded to state universities using performance-based  
328 metrics adopted by the Board of Governors of the State  
329 University System. Beginning with the Board of Governors'  
330 determination of each university's performance improvement and  
331 achievement ratings ~~for 2018,~~ and the related distribution of  
332 annual ~~the 2018-2019~~ fiscal year appropriation, the performance-  
333 based metrics must include:

334 (a) The 4-year graduation rate for first-time-in-college  
335 students;

336 (b) Beginning in fiscal year 2021-2022, the 2-year  
337 graduation rate for associate in arts transfer students ~~rates;~~

338 (c) Retention rates;

339 (d) Postgraduation education rates;

340 (e) Degree production;

341 (f) Affordability;

342 (g) Postgraduation employment and salaries, including wage  
343 thresholds that reflect the added value of a baccalaureate  
344 degree;

345 (h) Access rate, based on the percentage of undergraduate  
346 students enrolled during the fall term who received a Pell Grant  
347 during the fall term; and

348 (i) Beginning in fiscal year 2021-2022, the 6-year

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349 graduation rate for students who are awarded a Pell Grant in  
350 their first year.

351  
352 The Board of Governors may approve and other metrics ~~approved by~~  
353 ~~the board~~ in a publicly ~~formally~~ noticed meeting. The board  
354 shall adopt benchmarks to evaluate each state university's  
355 performance on the metrics to measure the state university's  
356 achievement of institutional excellence or need for improvement  
357 and minimum requirements for eligibility to receive performance  
358 funding. Benchmarks and metrics may not be adjusted after  
359 university performance data has been received by the Board of  
360 Governors ~~Access rate benchmarks must be differentiated and~~  
361 ~~scored to reflect the varying access rate levels among the state~~  
362 ~~universities; however, the scoring system may not include bonus~~  
363 ~~points.~~

364 Section 5. Subsection (4) of section 1004.085, Florida  
365 Statutes, is amended to read:

366 1004.085 Textbook and instructional materials  
367 affordability.—

368 (4) Each Florida College System institution and state  
369 university board of trustees is authorized to adopt policies in  
370 consultation with providers, including bookstores, which allow  
371 for the use of innovative pricing techniques and payment options  
372 for textbooks and instructional materials. Such policies may  
373 include bulk pricing arrangements that enable students to  
374 purchase course materials or texts that are delivered digitally;  
375 delivered through other technologies that are, or the licenses  
376 of which are, required for use within a course; or delivered in  
377 a print format. Innovative pricing techniques and payment



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378 options must include an opt-in or opt-out provision for students  
379 and may be approved only if there is documented evidence that  
380 the options reduce the cost of textbooks and instructional  
381 materials for students taking a course.

382 Section 6. Effective upon this act becoming a law,  
383 paragraph (c) of subsection (2) of section 1004.346, Florida  
384 Statutes, is amended to read:

385 1004.346 Florida Industrial and Phosphate Research  
386 Institute.—

387 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate  
388 Research and Activities Board is created to monitor the  
389 expenditure of funds appropriated to the university from the  
390 Phosphate Research Trust Fund.

391 (c) Members of the board appointed by the Governor shall be  
392 appointed to 3-year terms. A board member may continue to serve  
393 until a successor is appointed, ~~but not more than 180 days after~~  
394 ~~the expiration of his or her term~~. A board member is eligible  
395 for reappointment to subsequent terms.

396 Section 7. Section 1004.6499, Florida Statutes, is created  
397 to read:

398 1004.6499 Florida Institute of Politics.—

399 (1) The Florida Institute of Politics is established at the  
400 Florida State University within the College of Social Sciences  
401 and Public Policy. The purpose of the institute is to provide  
402 the southeastern region of the United States with a world class,  
403 bipartisan, nationally renowned institute of politics.

404 (2) The goals of the institute are to:

405 (a) Motivate students throughout the Florida State  
406 University to become aware of the significance of government and

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407 civic engagement at all levels and politics in general.

408 (b) Provide students with an opportunity to be politically  
409 active and civically engaged.

410 (c) Nurture a greater awareness and passion for public  
411 service and politics.

412 (d) Plan and host forums to allow students and guests to  
413 hear from and interact with experts from government, politics,  
414 policy, and journalism on a frequent basis.

415 (e) Become a national and state resource on polling  
416 information and survey methodology.

417 (f) Provide fellowships and internship opportunities to  
418 students in government, nonprofit organizations, and community  
419 organizations.

420 (g) Provide training sessions for newly elected state and  
421 local public officials.

422 (h) Organize and sponsor conferences, symposia, and  
423 workshops throughout this state to educate and inform citizens,  
424 elected officials, and appointed policymakers regarding  
425 effective policymaking techniques and processes.

426 (i) Create and promote research and awareness regarding  
427 politics, citizen involvement, and public service.

428 (j) Collaborate with related policy institutes and research  
429 activities at the Florida State University and other  
430 institutions of higher education to motivate, increase, and  
431 sustain citizen involvement in public affairs.

432 Section 8. Section 1004.64991, Florida Statutes, is created  
433 to read:

434 1004.64991 The Adam Smith Center for the Study of Economic  
435 Freedom.—

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436           (1) The Adam Smith Center for the Study of Economic Freedom  
437 at Florida International University, is hereby created.

438           (2) The goals of the center are to:

439           (a) Study the effect of government and free-market  
440 economies on individual freedom and human prosperity.

441           (b) Conduct and promote research on the effect of political  
442 and economic systems on human prosperity.

443           (c) Plan and host research workshops and conferences to  
444 allow, students, scholars, and guests to exchange in civil  
445 discussion of democracy and capitalism.

446           (d) Provide fellowship and mentoring opportunities to  
447 students engaged in scholarly studies of the effect of political  
448 and economic systems on human prosperity.

449           Section 9. Section 1009.50, Florida Statutes, is amended to  
450 read:

451           1009.50 Florida Public Student Assistance Grant Program;  
452 eligibility for grants.—

453           (1) There is hereby created a Florida Public Student  
454 Assistance Grant Program. The program shall be administered by  
455 the participating institutions in accordance with rules of the  
456 state board.

457           (2) (a) State student assistance grants through the program  
458 may be made only to degree-seeking students who enroll in at  
459 least 6 semester hours, or the equivalent per term, and who meet  
460 the general requirements for student eligibility as provided in  
461 s. 1009.40, except as otherwise provided in this section. The  
462 grants shall be awarded annually for the amount of demonstrated  
463 unmet need for the cost of education and may not exceed the  
464 maximum annual award ~~an amount equal to the average prior~~

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465 ~~academic year cost of tuition fees and other registration fees~~  
466 ~~for 30 credit hours at state universities or such other amount~~  
467 ~~as specified in the General Appropriations Act, to any~~  
468 ~~recipient.~~ A demonstrated unmet need of less than \$200 shall  
469 render the applicant ineligible for a state student assistance  
470 grant. Recipients of the grants must have been accepted at a  
471 state university or Florida College System institution  
472 authorized by Florida law. If funds are available, a student who  
473 received an award in the fall or spring term may receive an  
474 award in the summer term. Priority in the distribution of summer  
475 awards shall be given to students who are within one semester of  
476 completing a degree program and students who have not yet earned  
477 at least 9 semester hours by attendance at one or more summer  
478 sessions. A student is eligible for the award for 110 percent of  
479 the number of credit hours required to complete the program in  
480 which enrolled, except as otherwise provided in s. 1009.40(3).

481 (b) A student applying for a Florida public student  
482 assistance grant shall be required to apply for the Pell Grant.  
483 The Pell Grant entitlement shall be considered when conducting  
484 an assessment of the financial resources available to each  
485 student.

486 (c) Priority in the distribution of grant moneys may be  
487 given to students who are within one semester of completing a  
488 degree program. ~~shall be given to students with the lowest total~~  
489 ~~family resources, in accordance with a nationally recognized~~  
490 ~~system of need analysis. Using the system of need analysis, the~~  
491 ~~department shall establish a maximum expected family~~  
492 ~~contribution.~~ An institution may not make a grant from this  
493 program to a student whose expected family contribution exceeds

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494 one and one-half times the maximum Pell Grant-eligible family  
495 contribution level established by the department. An institution  
496 may not impose additional criteria to determine a student's  
497 eligibility to receive a grant award.

498 (d) Each participating institution shall report~~7~~ to the  
499 department by the established date~~7~~ the eligible students  
500 eligible for the program for to whom grant moneys are disbursed  
501 each academic term. Each institution shall also report to the  
502 department necessary demographic and eligibility data for such  
503 students.

504 (3) Based on the unmet financial need of an eligible  
505 applicant, the amount of a Florida public student assistance  
506 grant must be between \$200 and the ~~weighted average of the cost~~  
507 ~~of tuition and other registration fees for 30 credit hours at~~  
508 ~~state universities per academic year or the amount specified in~~  
509 the General Appropriations Act.

510 (4) (a) The funds appropriated for the Florida Public  
511 Student Assistance Grant shall be distributed to eligible  
512 institutions in accordance with a formula approved by the State  
513 Board of Education. The formula must ~~shall~~ consider at least the  
514 prior year's distribution of funds, the number of ~~full-time~~  
515 eligible applicants who did not receive awards, the  
516 standardization of the expected family contribution, and  
517 provisions for unused funds. The formula must account for  
518 changes in the number of eligible students across all student  
519 assistance grant programs established pursuant to this section  
520 and ss. 1009.505, 1009.51, and 1009.52.

521 (b) Payment of Florida public student assistance grants  
522 shall be transmitted to the president of the state university or

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523 Florida College System institution, or to his or her  
524 representative, in advance of the registration period.  
525 Institutions shall notify students of the amount of their  
526 awards.

527 (c) The eligibility status of each student to receive a  
528 disbursement shall be determined by each institution as of the  
529 end of its regular registration period, inclusive of a drop-add  
530 period. Institutions shall not be required to reevaluate a  
531 student's eligibility status after this date for purposes of  
532 changing eligibility determinations previously made.

533 (d) Institutions shall certify to the department within 30  
534 days after the end of regular registration each term the amount  
535 of funds disbursed to each student and shall remit to the  
536 department any undisbursed advances within 60 days after the end  
537 of regular registration each spring term. An exception to the  
538 remittance deadline may be granted if the institution documents  
539 to the department how it plans to disburse awards to students  
540 for the subsequent summer term. An institution that uses funds  
541 for the summer term shall certify to the department the amount  
542 of funds disbursed to each student and shall remit to the  
543 department any undisbursed advances within 30 days after the end  
544 of the summer term.

545 (e) Each institution that receives moneys through the  
546 Florida Public Student Assistance Grant Program shall prepare a  
547 biennial report that includes a financial audit, conducted by  
548 the Auditor General, of the institution's administration of the  
549 program and a complete accounting of moneys allocated to the  
550 institution for the program. Such report shall be submitted to  
551 the department by March 1 every other year. The department may

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552 conduct its own annual or biennial audit of an institution's  
553 administration of the program and its allocated funds in lieu of  
554 the required biennial report and financial audit report. The  
555 department may suspend or revoke an institution's eligibility to  
556 receive future moneys for the program or may request a refund of  
557 any moneys overpaid to the institution for the program if the  
558 department finds that an institution has not complied with this  
559 section. Any refund requested pursuant to this paragraph shall  
560 be remitted within 60 days after notification by the department  
561 ~~any advances by June 1 of each year.~~

562 (5) Funds appropriated by the Legislature for state student  
563 assistance grants may be deposited in the State Student  
564 Financial Assistance Trust Fund. Notwithstanding ~~the provisions~~  
565 ~~of~~ s. 216.301 and pursuant to s. 216.351, any balance in the  
566 trust fund at the end of any fiscal year which has been  
567 allocated to the Florida Public Student Assistance Grant Program  
568 shall remain therein and shall be available for carrying out the  
569 purposes of this section.

570 (6) The State Board of Education shall establish rules  
571 necessary to implement this section.

572 Section 10. Subsections (5) and (6) of section 1009.505,  
573 Florida Statutes, are renumbered as subsections (6) and (7),  
574 respectively, a new subsection (5) is added to that section, and  
575 subsections (3) and (4) of that section are amended, to read:

576 1009.505 Florida Public Postsecondary Career Education  
577 Student Assistance Grant Program.—

578 (3) (a) Student assistance grants through the program may be  
579 made only to certificate-seeking students enrolled at least  
580 half-time in a public postsecondary career certificate program

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581 who meet the general requirements for student eligibility as  
582 provided in s. 1009.40, except as otherwise provided in this  
583 section. The grants shall be awarded annually to any recipient  
584 for the amount of demonstrated unmet need for the cost of  
585 education and may not exceed the ~~average annual cost of tuition~~  
586 ~~and registration fees or such other~~ amount as specified in the  
587 General Appropriations Act. Priority in the distribution of  
588 grant moneys may be given to students who are within one  
589 semester of completing a certificate program. A demonstrated  
590 unmet need of less than \$200 shall render the applicant  
591 ineligible for a grant under this section. Recipients of the  
592 grants must have been accepted at a Florida College System  
593 institution authorized by Florida law or a career center  
594 operated by a district school board under s. 1001.44. If funds  
595 are available, a student who received an award in the fall or  
596 spring term may receive an award in the summer term. Priority in  
597 the distribution of summer awards shall be given to students who  
598 are within one term of completing a certificate program. A  
599 student is eligible for the award for 110 percent of the number  
600 of clock hours required to complete the program in which  
601 enrolled.

602 (b) A student applying for a Florida public postsecondary  
603 career education student assistance grant shall be required to  
604 apply for the Pell Grant. A Pell Grant entitlement shall be  
605 considered when conducting an assessment of the financial  
606 resources available to each student; however, a Pell Grant  
607 entitlement shall not be required as a condition of receiving a  
608 grant under this section.

609 (c) Each participating institution shall report~~7~~ to the



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610 department by the established date, ~~the eligible students~~  
611 eligible for the program for to whom grant moneys are disbursed  
612 each academic term. Each institution shall also report to the  
613 department necessary demographic and eligibility data for such  
614 students.

615 (4) (a) The funds appropriated for the Florida Public  
616 Postsecondary Career Education Student Assistance Grant Program  
617 shall be distributed to eligible Florida College System  
618 institutions and district school boards in accordance with a  
619 formula approved by the department. The formula must account for  
620 changes in the number of eligible students across all student  
621 assistance grant programs established pursuant to this section  
622 and ss. 1009.50, 1009.51, and 1009.52.

623 (b) Payment of Florida public postsecondary career  
624 education student assistance grants shall be transmitted to the  
625 president of the Florida College System institution or to the  
626 district school superintendent, or to the designee thereof, in  
627 advance of the registration period. Institutions shall notify  
628 students of the amount of their awards.

629 (c) The eligibility status of each student to receive a  
630 disbursement shall be determined by each institution as of the  
631 end of its regular registration period, inclusive of a drop-add  
632 period. Institutions shall not be required to reevaluate a  
633 student's eligibility status after this date for purposes of  
634 changing eligibility determinations previously made.

635 (d) Participating institutions shall certify to the  
636 department within 30 days after the end of regular registration  
637 each term the amount of funds disbursed to each student and  
638 shall remit to the department any undisbursed advances within 60

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639 days after the end of regular registration each spring term. An  
640 exception to the remittance deadline may be granted if the  
641 institution documents to the department how it plans to disburse  
642 awards to students for the subsequent summer term. An  
643 institution that uses funds for the summer term shall certify to  
644 the department the amount of funds disbursed to each student and  
645 shall remit to the department any undisbursed advances within 30  
646 days after the end of the summer term.

647 (e) Each institution that receives moneys through the  
648 Florida Public Postsecondary Career Education Student Assistance  
649 Grant Program shall prepare a biennial report that includes a  
650 financial audit, conducted by the Auditor General, of the  
651 institution's administration of the program and a complete  
652 accounting of moneys allocated to the institution for the  
653 program. Such report shall be submitted to the department by  
654 March 1 every other year. The department may conduct its own  
655 annual or biennial audit of an institution's administration of  
656 the program and its allocated funds in lieu of the required  
657 biennial report and financial audit report. The department may  
658 suspend or revoke an institution's eligibility to receive future  
659 moneys for the program or may request a refund of any moneys  
660 overpaid to the institution if the department finds that an  
661 institution has not complied with this section. Any refund  
662 requested pursuant to this paragraph shall be remitted within 60  
663 days after notification by the department.

664 (5) Funds appropriated by the Legislature for state student  
665 assistance grants may be deposited in the State Student  
666 Financial Assistance Trust Fund. Notwithstanding s. 216.301 and  
667 pursuant to s. 216.351, any balance in the trust fund at the end

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668 of any fiscal year which has been allocated to the Florida  
669 Public Postsecondary Career Education Student Assistance Grant  
670 Program shall remain therein and shall be available for carrying  
671 out the purposes of this section by June 1 of each year.

672 Section 11. Section 1009.51, Florida Statutes, is amended  
673 to read:

674 1009.51 Florida Private Student Assistance Grant Program;  
675 eligibility for grants.—

676 (1) There is created a Florida Private Student Assistance  
677 Grant Program. The program shall be administered by the  
678 participating institutions in accordance with rules of the State  
679 Board of Education.

680 (2) (a) Florida private student assistance grants ~~from the~~  
681 ~~State Student Financial Assistance Trust Fund~~ may be made only  
682 to full-time degree-seeking students who meet the general  
683 requirements for student eligibility as provided in s. 1009.40,  
684 except as otherwise provided in this section. Such grants shall  
685 be awarded for the amount of demonstrated unmet need for tuition  
686 and fees and may not exceed the maximum annual award ~~an amount~~  
687 ~~equal to the average tuition and other registration fees for 30~~  
688 ~~credit hours at state universities plus \$1,000 per academic~~  
689 ~~year, or as specified in the General Appropriations Act, to any~~  
690 ~~applicant~~. A demonstrated unmet need of less than \$200 shall  
691 render the applicant ineligible for a Florida private student  
692 assistance grant. Recipients of such grants must have been  
693 accepted at a baccalaureate-degree-granting independent  
694 nonprofit college or university, which is accredited by the  
695 Commission on Colleges of the Southern Association of Colleges  
696 and Schools and which is located in and chartered as a domestic

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697 corporation by the state. If funds are available, a student who  
698 received an award in the fall or spring term may receive an  
699 award in the summer term. Priority in the distribution of summer  
700 awards shall be given to students who are within one semester of  
701 completing a degree or certificate program. No student may  
702 receive an award for more than the equivalent of 9 semesters or  
703 14 quarters of full-time enrollment, except as otherwise  
704 provided in s. 1009.40(3).

705 (b) A student applying for a Florida private student  
706 assistance grant shall be required to apply for the Pell Grant.  
707 The Pell Grant entitlement shall be considered when conducting  
708 an assessment of the financial resources available to each  
709 student.

710 (c) Priority in the distribution of grant moneys may be  
711 given to students who are within one semester of completing a  
712 degree or certificate program shall be given to students with  
713 the lowest total family resources, in accordance with a  
714 nationally recognized system of need analysis. Using the system  
715 of need analysis, the department shall establish a maximum  
716 expected family contribution. An institution may not make a  
717 grant from this program to a student whose expected family  
718 contribution exceeds one and one-half times the maximum Pell  
719 Grant-eligible family contribution ~~the level established by the~~  
720 ~~department.~~ An institution may not impose additional criteria to  
721 determine a student's eligibility to receive a grant award.

722 (d) Each participating institution shall report, to the  
723 department by the established date, ~~the eligible students~~  
724 eligible for the program for to whom grant moneys are disbursed  
725 each academic term. Each institution shall also report to the

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726 department necessary demographic and eligibility data for such  
727 students.

728 (3) Based on the unmet financial need of an eligible  
729 applicant, the amount of a Florida private student assistance  
730 grant must be between \$200 and ~~the average cost of tuition and~~  
731 ~~other registration fees for 30 credit hours at state~~  
732 ~~universities plus \$1,000 per academic year or~~ the amount  
733 specified in the General Appropriations Act.

734 (4) (a) The funds appropriated for the Florida Private  
735 Student Assistance Grant shall be distributed to eligible  
736 institutions in accordance with a formula approved by the State  
737 Board of Education. The formula must ~~shall~~ consider at least the  
738 prior year's distribution of funds, the number of ~~full-time~~  
739 eligible applicants who did not receive awards, the  
740 standardization of the expected family contribution, and  
741 provisions for unused funds. The formula must account for  
742 changes in the number of eligible students across all student  
743 assistance grant programs established pursuant to this section  
744 and ss. 1009.50, 1009.505, and 1009.52.

745 (b) Payment of Florida private student assistance grants  
746 shall be transmitted to the president of the college or  
747 university, or to his or her representative, in advance of the  
748 registration period. Institutions shall notify students of the  
749 amount of their awards.

750 (c) The eligibility status of each student to receive a  
751 disbursement shall be determined by each institution as of the  
752 end of its regular registration period, inclusive of a drop-add  
753 period. Institutions shall not be required to reevaluate a  
754 student's eligibility status after this date for purposes of

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755 changing eligibility determinations previously made.

756 (d) Institutions shall certify to the department within 30  
757 days after the end of regular registration each term the amount  
758 of funds disbursed to each student and shall remit to the  
759 department any undisbursed advances within 60 days after the end  
760 of regular registration each spring term. An exception to the  
761 remittance deadline may be granted if the institution documents  
762 to the department how it plans to disburse awards to students  
763 for the subsequent summer term. An institution that uses funds  
764 for the summer term shall certify to the department the amount  
765 of funds disbursed to each student and shall remit to the  
766 department any undisbursed advances within 30 days after the end  
767 of the summer term ~~by June 1 of each year.~~

768 (e) Each institution that receives moneys through the  
769 Florida Private Student Assistance Grant Program shall prepare a  
770 biennial report that includes a financial audit, conducted by an  
771 independent certified public accountant, of the institution's  
772 administration of the program and a complete accounting of  
773 moneys ~~in the State Student Financial Assistance Trust Fund~~  
774 allocated to the institution for the program. Such report shall  
775 be submitted to the department by March 1 every other year. The  
776 department may conduct its own annual or biennial audit of an  
777 institution's administration of the program and its allocated  
778 funds in lieu of the required biennial report and financial  
779 audit report. The department may suspend or revoke an  
780 institution's eligibility to receive future moneys ~~from the~~  
781 ~~trust fund~~ for the program or request a refund of any moneys  
782 overpaid to the institution ~~through the trust fund~~ for the  
783 program if the department finds that an institution has not

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784 complied with ~~the provisions of~~ this section. Any refund  
785 requested pursuant to this paragraph shall be remitted within 60  
786 days after notification by the department.

787 (5) Funds appropriated by the Legislature for Florida  
788 private student assistance grants may be deposited in the State  
789 Student Financial Assistance Trust Fund. Notwithstanding ~~the~~  
790 ~~provisions of~~ s. 216.301 and pursuant to s. 216.351, any balance  
791 in the trust fund at the end of any fiscal year which has been  
792 allocated to the Florida Private Student Assistance Grant  
793 Program shall remain therein and shall be available for carrying  
794 out the purposes of this section and as otherwise provided by  
795 law.

796 (6) The State Board of Education shall adopt rules  
797 necessary to implement this section.

798 Section 12. Section 1009.52, Florida Statutes, is amended  
799 to read:

800 1009.52 Florida Postsecondary Student Assistance Grant  
801 Program; eligibility for grants.-

802 (1) There is created a Florida Postsecondary Student  
803 Assistance Grant Program. The program shall be administered by  
804 the participating institutions in accordance with rules of the  
805 State Board of Education.

806 (2) (a) Florida postsecondary student assistance grants  
807 ~~through the State Student Financial Assistance Trust Fund~~ may be  
808 made only to full-time degree-seeking students who meet the  
809 general requirements for student eligibility as provided in s.  
810 1009.40, except as otherwise provided in this section. Such  
811 grants shall be awarded for the amount of demonstrated unmet  
812 need for tuition and fees and may not exceed the maximum annual

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813 ~~award an amount equal to the average prior academic year cost of~~  
814 ~~tuition and other registration fees for 30 credit hours at state~~  
815 ~~universities plus \$1,000 per academic year, or as specified in~~  
816 ~~the General Appropriations Act, to any applicant.~~ A demonstrated  
817 unmet need of less than \$200 shall render the applicant  
818 ineligible for a Florida postsecondary student assistance grant.  
819 Recipients of such grants must have been accepted at a  
820 postsecondary institution that is located in this ~~the~~ state and  
821 that is:

822 1. A private nursing diploma school approved by the Florida  
823 Board of Nursing; or

824 2. A college or university licensed by the Commission for  
825 Independent Education, excluding those institutions the students  
826 of which are eligible to receive a Florida private student  
827 assistance grant pursuant to s. 1009.51.

828  
829 If funds are available, a student who received an award in the  
830 fall or spring term may receive an award in the summer term.  
831 Priority in the distribution of summer awards shall be given to  
832 students who are within one semester of completing a degree or  
833 certificate program. No student may receive an award for more  
834 than the equivalent of 9 semesters or 14 quarters of full-time  
835 enrollment, except as otherwise provided in s. 1009.40(3).

836 (b) A student applying for a Florida postsecondary student  
837 assistance grant shall be required to apply for the Pell Grant.  
838 The Pell Grant entitlement shall be considered when conducting  
839 an assessment of the financial resources available to each  
840 student.

841 (c) Priority in the distribution of grant moneys may be



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842 given to students who are within one semester of completing a  
843 degree or certificate program shall be given to students with  
844 the lowest total family resources, in accordance with a  
845 nationally recognized system of need analysis. Using the system  
846 of need analysis, the department shall establish a maximum  
847 expected family contribution. An institution may not make a  
848 grant from this program to a student whose expected family  
849 contribution exceeds one and one-half times the maximum Pell  
850 Grant-eligible family contribution ~~the level established by the~~  
851 ~~department.~~ An institution may not impose additional criteria to  
852 determine a student's eligibility to receive a grant award.

853 (d) Each participating institution shall report, to the  
854 department by the established date, the eligible students  
855 eligible for the program for to whom grant moneys are disbursed  
856 each academic term. Each institution shall also report to the  
857 department necessary demographic and eligibility data for such  
858 students.

859 (3) Based on the unmet financial need of an eligible  
860 applicant, the amount of a Florida postsecondary student  
861 assistance grant must be between \$200 and ~~the average cost of~~  
862 ~~tuition and other registration fees for 30 credit hours at state~~  
863 ~~universities plus \$1,000 per academic year or~~ the amount  
864 specified in the General Appropriations Act.

865 (4) (a) The funds appropriated for the Florida Postsecondary  
866 Student Assistance Grant shall be distributed to eligible  
867 institutions in accordance with a formula approved by the State  
868 Board of Education. The formula must ~~shall~~ consider at least the  
869 prior year's distribution of funds, the number of ~~full-time~~  
870 eligible applicants who did not receive awards, the

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871 standardization of the expected family contribution, and  
872 provisions for unused funds. The formula must account for  
873 changes in the number of eligible students across all student  
874 assistance grant programs established pursuant to this section  
875 and ss. 1009.50, 1009.505, and 1009.51.

876 (b) Payment of Florida postsecondary student assistance  
877 grants shall be transmitted to the president of the eligible  
878 institution, or to his or her representative, in advance of the  
879 registration period. Institutions shall notify students of the  
880 amount of their awards.

881 (c) The eligibility status of each student to receive a  
882 disbursement shall be determined by each institution as of the  
883 end of its regular registration period, inclusive of a drop-add  
884 period. Institutions shall not be required to reevaluate a  
885 student's eligibility status after this date for purposes of  
886 changing eligibility determinations previously made.

887 (d) Institutions shall certify to the department within 30  
888 days after the end of regular registration each term the amount  
889 of funds disbursed to each student and shall remit to the  
890 department any undisbursed advances within 60 days after the end  
891 of regular registration each spring term. An exception to the  
892 remittance deadline may be granted if the institution documents  
893 to the department how it plans to disburse awards to students  
894 for the subsequent summer term. An institution that uses funds  
895 for the summer term shall certify to the department the amount  
896 of funds disbursed to each student and shall remit to the  
897 department any undisbursed advances within 30 days after the end  
898 of the summer term ~~by June 1 of each year.~~

899 (e) Each institution that receives moneys through the

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900 Florida Postsecondary Student Assistance Grant Program shall  
901 prepare a biennial report that includes a financial audit,  
902 conducted by an independent certified public accountant, of the  
903 institution's administration of the program and a complete  
904 accounting of moneys ~~in the State Student Financial Assistance~~  
905 ~~Trust Fund allocated to the institution~~ for the program. Such  
906 report shall be submitted to the department by March 1 every  
907 other year. The department may conduct its own annual or  
908 biennial audit of an institution's administration of the program  
909 and its allocated funds in lieu of the required biennial report  
910 and financial audit report. The department may suspend or revoke  
911 an institution's eligibility to receive future moneys ~~from the~~  
912 ~~trust fund~~ for the program or request a refund of any moneys  
913 overpaid to the institution ~~through the trust fund~~ for the  
914 program if the department finds that an institution has not  
915 complied with ~~the provisions of~~ this section. Any refund  
916 requested pursuant to this paragraph shall be remitted within 60  
917 days after notification by the department.

918 (5) Any institution that was eligible to receive state  
919 student assistance grants on January 1, 1989, and that is not  
920 eligible to receive grants pursuant to s. 1009.51 is eligible to  
921 receive grants pursuant to this section.

922 (6) Funds appropriated by the Legislature for Florida  
923 postsecondary student assistance grants may be deposited in the  
924 State Student Financial Assistance Trust Fund. Notwithstanding  
925 ~~the provisions of~~ s. 216.301 and pursuant to s. 216.351, any  
926 balance in the trust fund at the end of any fiscal year which  
927 has been allocated to the Florida Postsecondary Student  
928 Assistance Grant Program shall remain therein and shall be

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929 available for carrying out the purposes of this section and as  
930 otherwise provided by law.

931 (7) The State Board of Education shall adopt rules  
932 necessary to implement this section.

933 Section 13. Subsection (2) of section 1009.534, Florida  
934 Statutes, is amended to read:

935 1009.534 Florida Academic Scholars award.-

936 (2) A Florida Academic Scholar who is enrolled in a  
937 certificate, diploma, associate, or baccalaureate degree program  
938 at a public or nonpublic postsecondary education institution is  
939 eligible, ~~beginning in the 2017-2018 academic year,~~ for an award  
940 equal to the amount necessary to pay 100 percent of tuition and  
941 fees established under ss. 1009.22(3), (5), (6), and (7);  
942 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-  
943 (13), (14)(r), and (16), as applicable, and is eligible for an  
944 additional stipend ~~\$300 each fall and spring academic semester~~  
945 ~~or the equivalent~~ for textbooks, to assist with the payment of  
946 educational expenses as funds are specifically appropriated in  
947 the General Appropriations Act.

948 Section 14. Subsection (2) of section 1009.535, Florida  
949 Statutes, is amended to read:

950 1009.535 Florida Medallion Scholars award.-

951 (2) A Florida Medallion Scholar who is enrolled in a  
952 certificate, diploma, associate, or baccalaureate degree program  
953 at a public or nonpublic postsecondary education institution is  
954 eligible, beginning in the fall 2018 semester, for an award  
955 equal to the amount necessary to pay 75 percent of tuition and  
956 fees established under ss. 1009.22(3), (5), (6), and (7);  
957 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-

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958 (13), (14)(r), and (16), as applicable, to assist with the  
959 payment of educational expenses. Beginning in the fall 2021  
960 semester, a Florida Medallion Scholar who is enrolled in an  
961 associate degree program at a Florida College System institution  
962 is eligible for an award equal to the amount necessary to pay  
963 100 percent of tuition and fees established under s. 1009.23(3),  
964 (4), (7), (8), (10), and (11) to assist with the payment of  
965 educational expenses.

966 Section 15. Subsections (2), (4), (5), and (6) of section  
967 1009.893, Florida Statutes, are amended to read:

968 1009.893 Benacquisto Scholarship Program.—

969 (2) The Benacquisto Scholarship Program is created to  
970 reward a high school graduate who receives recognition as a  
971 National Merit Scholar ~~or National Achievement Scholar~~ and who  
972 initially enrolls in the 2014-2015 academic year or, later, in a  
973 baccalaureate degree program at an eligible Florida public or  
974 independent postsecondary educational institution.

975 (4) In order to be eligible for an initial award under the  
976 scholarship program, a student must meet the requirements of  
977 paragraph (a) or paragraph (b).

978 (a) A student who is a resident of this state, as  
979 determined in s. 1009.40 and rules of the State Board of  
980 Education, must:

981 1. Earn a standard Florida high school diploma or its  
982 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,  
983 or s. 1003.435 unless:

984 a. The student completes a home education program according  
985 to s. 1002.41; or

986 b. The student earns a high school diploma from a non-

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987 Florida school while living with a parent who is on military or  
988 public service assignment out of this state;

989 2. Be accepted by and enroll in a Florida public or  
990 independent postsecondary educational institution that is  
991 regionally accredited; and

992 3. Be enrolled full-time in a baccalaureate degree program  
993 at an eligible regionally accredited Florida public or  
994 independent postsecondary educational institution during the  
995 fall academic term following high school graduation.

996 (b) A student who initially enrolls in a baccalaureate  
997 degree program in the 2018-2019 academic year or later and who  
998 is not a resident of this state, as determined in s. 1009.40 and  
999 rules of the State Board of Education, must:

1000 1. Physically reside in this state on or near the campus of  
1001 the postsecondary educational institution in which the student  
1002 is enrolled;

1003 2. Earn a high school diploma from a school outside Florida  
1004 which is comparable to a standard Florida high school diploma or  
1005 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.  
1006 1003.4282, or s. 1003.435 or must complete a home education  
1007 program in another state; and

1008 3. Be accepted by and enrolled full-time in a baccalaureate  
1009 degree program at an eligible regionally accredited Florida  
1010 public or independent postsecondary educational institution  
1011 during the fall academic term following high school graduation.

1012 (5) (a) 1. An eligible student who meets the requirements of  
1013 paragraph (4) (a), who is a National Merit Scholar ~~or National~~  
1014 ~~Achievement Scholar~~, and who attends a Florida public  
1015 postsecondary educational institution shall receive a

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1016 scholarship award equal to the institutional cost of attendance  
1017 minus the sum of the student's Florida Bright Futures  
1018 Scholarship and National Merit Scholarship ~~or National~~  
1019 ~~Achievement Scholarship.~~

1020 2. An eligible student who meets the requirements of  
1021 paragraph (4) (b), who is a National Merit Scholar, and who  
1022 attends a Florida public postsecondary educational institution  
1023 shall receive a scholarship award equal to the institutional  
1024 cost of attendance for a resident of this state minus the  
1025 student's National Merit Scholarship. Such student is exempt  
1026 from the payment of out-of-state fees.

1027 (b) An eligible student who is a National Merit Scholar ~~or~~  
1028 ~~National Achievement Scholar~~ and who attends a Florida  
1029 independent postsecondary educational institution shall receive  
1030 a scholarship award equal to the highest cost of attendance for  
1031 a resident of this state enrolled at a Florida public  
1032 university, as reported by the Board of Governors of the State  
1033 University System, minus the sum of the student's Florida Bright  
1034 Futures Scholarship and National Merit Scholarship ~~or National~~  
1035 ~~Achievement Scholarship.~~

1036 (6) (a) To be eligible for a renewal award, a student must  
1037 be enrolled full time, earn all credits for which he or she was  
1038 enrolled, and maintain a 3.0 or higher grade point average. An  
1039 eligible Benacquisto Scholar who has fewer than 12 credits  
1040 remaining to complete his or her first baccalaureate degree may  
1041 receive funding for one term in order to complete the degree.

1042 (b) A student's renewal status is not affected by  
1043 subsequent changes in the residency status of the student or the  
1044 residency status of the student's family.

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1045        (c) ~~(b)~~ A student may receive the scholarship award for a  
1046 maximum of 100 percent of the number of credit hours required to  
1047 complete a baccalaureate degree program, or until completion of  
1048 a baccalaureate degree program, whichever comes first.

1049        (d) A student may receive an award for up to 5 years  
1050 following high school graduation and may not receive the award  
1051 for more than 10 semesters.

1052        (e) A student who receives an award under this program and  
1053 fails to meet the renewal requirements due to a verifiable  
1054 illness or other documented emergency may be granted an  
1055 exception pursuant to s. 1009.40(1)(b)4.

1056        Section 16. Subsection (2) and paragraphs (e) and (f) of  
1057 subsection (3) of section 1011.45, Florida Statutes, are  
1058 amended, and paragraph (g) is added to subsection (3) of that  
1059 section, to read:

1060        1011.45 End of year balance of funds.—Unexpended amounts in  
1061 any fund in a university current year operating budget shall be  
1062 carried forward and included as the balance forward for that  
1063 fund in the approved operating budget for the following year.

1064        (2) Each university that retains a state operating fund  
1065 carry forward balance in excess of the 7 percent minimum shall  
1066 submit a spending plan for its excess carry forward balance. The  
1067 spending plan shall be submitted to the university's board of  
1068 trustees for review, approval, or, if necessary, amendment by  
1069 September 30 ~~1~~, 2020, and each September 30 ~~1~~ thereafter. The  
1070 Board of Governors shall review, approve, and amend, if  
1071 necessary, each university's carry forward spending plan by  
1072 November 15 ~~October 1~~, 2020, and each November 15 ~~October 1~~  
1073 thereafter.



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1074 (3) A university's carry forward spending plan shall  
1075 include the estimated cost per planned expenditure and a  
1076 timeline for completion of the expenditure. Authorized  
1077 expenditures in a carry forward spending plan may include:

1078 (e) Operating expenditures that support the university  
1079 mission and that are nonrecurring; ~~and~~

1080 (f) Any purpose specified by the board or in the General  
1081 Appropriations Act; and

1082 (g) A commitment of funds to a contingency reserve for  
1083 expenses incurred as a result of a state of emergency declared  
1084 by the Governor pursuant to s. 252.36.

1085 Section 17. Subsection (4) of section 1011.90, Florida  
1086 Statutes, is amended to read:

1087 1011.90 State university funding.—

1088 (4) The Board of Governors shall establish and validate a  
1089 cost-estimating system consistent with the requirements of  
1090 subsection (1) and shall report as part of its legislative  
1091 budget request the actual expenditures for the fiscal year  
1092 ending the previous June 30. The legislative budget request must  
1093 also include 5-year trend information on the number of faculty  
1094 and administrators at each university and the proportion of FTE  
1095 dedicated to instruction and research compared to  
1096 administration. The Board of Governors, by regulation, shall  
1097 define faculty and administrator classifications and shall also  
1098 report the definitions in the legislative budget request.

1099 Expenditure analysis, operating budgets, and annual financial  
1100 statements of each university must be prepared using the  
1101 standard financial reporting procedures and formats prescribed  
1102 by the Board of Governors. These formats shall be the same as

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1103 used for the 2000-2001 fiscal year reports. Any revisions to  
1104 these financial and reporting procedures and formats must be  
1105 approved by the Executive Office of the Governor and the  
1106 appropriations committees of the Legislature jointly under ~~the~~  
1107 ~~provisions of~~ s. 216.023(3). The Board of Governors shall  
1108 continue to collect and maintain at a minimum management  
1109 information existing on June 30, 2002. The expenditure analysis  
1110 report shall include total expenditures from all sources for the  
1111 general operation of the university and shall be in such detail  
1112 as needed to support the legislative budget request.

1113 Section 18. Section 1012.977, Florida Statutes, is created  
1114 to read:

1115 1012.977 Disclosure of contracts that affect the integrity  
1116 of state universities or entities; penalties.—

1117 (1) Any person employed by a state university or entity  
1118 engaging in research which was created or authorized pursuant to  
1119 part II of chapter 1004 consents to the policies of the  
1120 university or entity, the regulations of the Board of Governors,  
1121 and the laws of this state. At a minimum, such policies shall  
1122 require employees engaged in the design, conduct, or reporting  
1123 of research to disclose and receive a determination that the  
1124 outside activity or financial interest does not affect the  
1125 integrity of the state university or entity.

1126 (2) (a) "Financial interest" includes anything of value  
1127 other than that provided directly by the university or entity.

1128 (b) "Outside activity" includes anything an employee does  
1129 for an organization or an individual, other than the university  
1130 or entity, that is related to the employee's expertise.

1131 (3) An employee who has failed to disclose any outside

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1132 activity or financial interest as required by subsection (1)  
1133 shall be suspended without pay pending the outcome of an  
1134 investigation which shall not exceed 60 days. Upon conclusion of  
1135 the investigation, the university or entity may terminate the  
1136 contract of the employee.

1137 Section 19. Paragraph (b) of subsection (2), paragraph (b)  
1138 of subsection (3), and subsection (4) of section 1013.841,  
1139 Florida Statutes, are amended to read:

1140 1013.841 End of year balance of Florida College System  
1141 institution funds.-

1142 (2)

1143 (b) Each Florida College System institution with a final  
1144 FTE less than 15,000 for the prior year that retains a state  
1145 operating fund carry forward balance in excess of the 5 percent  
1146 minimum shall submit a spending plan for its excess carry  
1147 forward balance. The spending plan shall include all excess  
1148 carry forward funds from state operating funds. The spending  
1149 plan shall be submitted to the Florida College System  
1150 institution's board of trustees for approval by September 30 †,  
1151 2020, and each September 30 † thereafter. The State Board of  
1152 Education shall review and publish each Florida College System  
1153 institution's carry forward spending plan by November 15 ~~October~~  
1154 ~~1~~, 2020, and each November 15 ~~October 1~~ thereafter.

1155 (3)

1156 (b) Each Florida College System institution with a final  
1157 FTE of 15,000 or greater for the prior year that retains a state  
1158 operating fund carry forward balance in excess of the 7 percent  
1159 minimum shall submit a spending plan for its excess carry  
1160 forward balance. The spending plan shall include all excess

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1161 carry forward funds from state operating funds. The spending  
1162 plan shall be submitted to the Florida College System  
1163 institution's board of trustees for approval by September 30 ~~1~~,  
1164 2020, and each September 30 ~~1~~ thereafter. The State Board of  
1165 Education shall review and publish each Florida College System  
1166 institution's carry forward spending plan by November 15 ~~October~~  
1167 ~~1~~, 2020, and each November 15 ~~October~~ ~~1~~ thereafter.

1168 (4) A Florida College System institution identified in  
1169 paragraph (3)(b) ~~(3)(a)~~ must include in its carry forward  
1170 spending plan the estimated cost per planned expenditure and a  
1171 timeline for completion of the expenditure. Authorized  
1172 expenditures in a carry forward spending plan may include:

1173 (a) Commitment of funds to a public education capital  
1174 outlay project for which an appropriation was previously  
1175 provided, which requires additional funds for completion, and  
1176 which is included in the list required by s. 1001.03(18)(d);

1177 (b) Completion of a renovation, repair, or maintenance  
1178 project that is consistent with the provisions of s. 1013.64(1),  
1179 up to \$5 million per project;

1180 (c) Completion of a remodeling or infrastructure project,  
1181 up to \$10 million per project, if such project is survey  
1182 recommended pursuant to s. 1013.31;

1183 (d) Completion of a repair or replacement project necessary  
1184 due to damage caused by a natural disaster for buildings  
1185 included in the inventory required pursuant to s. 1013.31;

1186 (e) Operating expenditures that support the Florida College  
1187 System institution's mission which are nonrecurring; ~~and~~

1188 (f) Any purpose approved by the state board or specified in  
1189 the General Appropriations Act; and

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1190           (g) A commitment of funds to a contingency reserve for  
1191 expenses incurred as a result of a state of emergency declared  
1192 by the Governor pursuant to s. 252.36.

1193           Section 20. Except as otherwise expressly provided in this  
1194 act and except for this section, which shall take effect upon  
1195 this act becoming a law, this act shall take effect July 1,  
1196 2020.