**SB 374, Postsecondary Education**

**Vetoed June 14, 2017**

**General**

Cites act as “Florida Excellence in Higher Education Act of 2017”.

Adds “wasteful duplication of programs” as part of the mission of Florida’s K-20 education system.

Requires the DOE provide the same level of support to the SBCC as it does to the BOG.

Removes the Division of Florida Colleges from the DOE.

Requires the HECC also submit its annual report to the State Board of Community Colleges.

Establishes the primary mission of a career center is to promote advances and innovations in workforce preparation and economic development.

Requires each district school board to notify students who enroll in articulated acceleration mechanism courses or take examinations of the credit-by- examination equivalency list adopted by rule by the SBE and the dual enrollment course and high school subject area equivalencies approved by the state board.

Clarifies developmental education instruction pursuant to the instructional strategies described in s.1008.02(1), F.S.

**Tuition, Fees, Grants, and Scholarships**

Clarifies that the technology fee may not be included in a Bright Futures Scholarship Program award except for the Florida Academic Scholars award.

***Bright Futures*** - provides for funds in the GAA to support, at a minimum, summer term enrollment for a Florida Academic Scholars (FAS) award.

***Florida Academic Scholars Award*** – Modifies the FAS award amount to include 100% of public postsecondary institution tuition and certain tuition-indexed fees plus $300 for textbooks and college-related expenses during fall and spring terms, beginning in the fall 2017 semester.

***First Generation Matching Grant Program*** - Expands need-based financial aid by revising the state-to-private match requirements from a 1:1 match to a 2:1 match.

***FRAG*** - Changes the name of the program from the Florida Resident Access Grant (FRAG) to the Effective Access to Student Education (EASE) Program.

***Benacquisto Scholarship Program*** – Expands student eligibility to out-of-state students.

***Florida Farmworker Student Scholarship Program*** – Creates a program where DOE may award up to 50 scholarships annually to farmworkers, as defined in s. 420.503, and the children of such farmworkers, who meet the scholarship eligibility criteria.  Clarifies that undocumented immigrants are not eligible for the scholarship.

***Florida Prepaid College Program*** – Specifies that a Florida prepaid College Program plan purchased prior to July 1, 2024, is only obligated to pay for the credit hours in which a student is enrolled.

***Courtelis University Facility Enhancement Challenge Grant Program*** – Maintains the temporary suspension of state matching funds and clarifies the Legislature may prioritize funding for specified projects.

**Block Tuition**

Requires each university board of trustees adopt a block tuition policy for implementation beginning in the fall 2018 academic semester.

The policy must apply to the entering freshman class of full-time, FTIC  students and may be extended to include other enrolled students, and must meet the following criteria:

o must include block tuition and any required fees, including, but not limited to, activity and service fees, financial aid fees, capital improvement fees, health fees, and technology fees;

o must require the university to maximize the application of appropriate accelerated credits to minimize unnecessary credits and excess hours; and

o must enable students to have the flexibility to earn credits across all terms of the entire academic year.

Requires each university board of trustees, by Oct 1, 2017, adopt a block tuition and fee policy, for implementation by the fall 2018 academic semester and submit the policy, including, but not limited to, information on the potential impact of the policy on students, to the Board of Governors.

By Dec 1, 2017, the Chancellor of the SUS shall submit to the Governor, the President, and the Speaker a summary report of such policies, the status of the board’s review and approval of such policies, and the board’s recommendations for improving block tuition and fee benefits for students.

**Direct Support Organization (DSO)**

Beginning July 1, 2022, a state university board of trustees may not permit any university direct-support organization to use personal services.

Prohibits the use of state funds for travel expenses by any university direct-support organization.

Requires (rather than permit) the chair of each board of trustees appoint at least one (versus one) representative to the board of directors and the executive committee of a DSO.

Prohibits a university DSO from giving to a political committee, without exception.

Requires disclosure of all expenditures from state funds and disclosure of all **travel** expenditures from private funds.

**Performance-based funding Model (universities)**

Requires the Board of Governors conduct a study of state investment allocation methodologies for the performance-based funding model. The study must include various options, including options in which each university may be eligible to receive some portion of the state investment based on benchmarks that reflect the institutional mission of each university and irrespective of their performance-based funding model score relative to other university scores.

The Board shall submit a report describing the study, and any action taken by the Board relative to the study, to the chairs of the House and Senate Education Appropriations Subcommittees by Dec 31, 2017.

Changes PF graduation rate metric from 6-year to 4-year.

Changes PF access rate metric to require benchmarks that reward institutions with access rates at or above 50%.

Changes in PF metrics (graduation rate and access rate) do not apply to the Board’s 2017 determination of ratings and funding.  The Board will use metrics and benchmarks in place on January 1, 2017.

**Board of Governors Strategic Plan**

Requires the Board strategic plan to require state universities to use data-driven gap analyses to identify internship opportunities in high demand fields.

**Preeminent State Research Universities**

Revises the full-time FTIC student graduation rate metric to a 4-year rate of 60%.

For the Board’s 2017 determination of preeminence status and funding, current statutory metrics apply (6-year graduation rate of 70%).  The Board will use metrics and benchmarks in place on January 1, 2017.

Changes funding for emerging preeminent state research universities **from one-half to one-fourth** of total increased preeminence funding.

Eliminates preeminent state universities’ authority to require FTIC students take a 6-credit unique set of courses.

Requires the Board establish standards and measures for programs of excellence, and requires recommendations to the Legislature by September 1, 2017.

Changes graduation criteria from a 6-year to a 4-year rate for full-time, FTIC students to determine tuition differential.

Clarifies that state university tuition differential fee may not be included in a Bright Futures award except as authorized for the FAS award.

**World Class Faculty & Scholar Program**

Creates a program to support the efforts of state universities to recruit and retain exemplary faculty and research scholars.

Retention, recruitment, and recognition efforts, activities, and investments may include, but are not limited to, investments in research-centric cluster hires, faculty research and research commercialization efforts, instructional and research infrastructure, undergraduate student participation in research, professional development, awards for outstanding performance, and postdoctoral fellowships.

Requires each state university use the funds only for the purpose and investments authorized. These funds may not be used for the construction of buildings.

Requires the Board submit a report by March 15 of each year to the Governor, President, and Speaker summarizing the information from the universities that includes:

o Specific expenditure information as it relates to investments.

o The impact of those investments in elevating the national competitiveness of the universities specifically relating to:

✓ The success in recruiting research faculty and the resulting research funding;

✓ The 4-year graduation rate;

✓ The number of undergraduate courses offered with fewer than 50 students; and

✓ The increased national academic standing of targeted 6795 programs, specifically advancement among top 50 universities in the targeted programs in well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, which reflect national preeminence, using the most recent rankings.

**State University Professional and Graduate Degree Excellence Program**

Creates a program to support the efforts of state universities to enhance the quality and excellence of professional and graduate schools and degree programs in medicine, law, and business and expand the economic impact of state universities.

Quality improvement efforts may include, but are not limited to, targeted investments in faculty, students, research, infrastructure, and other strategic endeavors to elevate the national and global prominence of state university medicine, law, and graduate-level business programs.

Requires each state university use the funds only for the purpose and investments authorized. These funds may not be used for the construction of buildings.

Requires the Board submit a report by March 15 of each year to the Governor, President, and Speaker summarizing the information from the universities that includes:

o Specific expenditure information as it relates to investments.

o The impact of those investments in elevating the national and global prominence of the state university medicine, law, and graduate-level business programs, specifically relating to:

✓ The first-time pass rate on the United States Medical Licensing Examination;

✓ The first-time pass rate on The Florida Bar Examination;

✓ The percentage of graduates enrolled or employed at a wage threshold that reflects the added value of a graduate-level business degree;

✓ The advancement in the rankings of the state university medicine, law, and graduate-level programs in well-known and highly respected national graduate-level university rankings, including, but not limited to, the U.S. News and World Report rankings, which reflect national preeminence, using the most recent rankings; and

✓ The added economic benefit of the universities to the state.

**2+2 Targeted Pathways**

Requires each FCCS institution, by the 2018-19 academic year, execute at least one “2+2” targeted pathway articulation agreement with one or more state universities to establish “2+2” targeted pathway programs.

The agreement must provide students who graduate with an associate in arts degree and who meet specified requirements guaranteed access to the state university and a degree program at that university.  Lists requirements for both the FCCS institutions and state universities.

Requires the BOG and SBCC assist the universities and community colleges with implementing these targeted pathway programs effectively by collaborating to eliminate barriers to their execution.

**Florida College Community System (FCCS) and Board (SBCC)**

Renames the Florida College System to the Florida Community College System and changes all references.

Creates a State Board of Community Colleges (SBCC) with 13 members serving 4-year staggered terms, appointed by the Governor, with Senate confirmation.

Directs the Division of Florida Colleges provide administrative support to the SBCC until Sept 30, 2017.  On Oct 1 all powers, duties, functions, etc are transferred from the SBE to the SBCC.

Requires the state board appoint a chancellor by Nov 1, 2017.

Requires the state board have an organizational meeting by Sept 30, 2017.

Restricts a citizen member of the SBCC or a citizen member of the FCCS  board of trustees from having or holding employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 115 11.045.

Deletes the SBE’s authority to develop a common placement test and gives it to the SBCC.

Gives the SBCC authority to implement new FCS institutions/mergers, evaluate presidents, authorize baccalaureate degrees, propose additional campuses, set tuition and fees, etc.

Requires the board develop performance metrics for the System and delineates what those metrics must include.

Makes changes to the FCCS performance-based funding model.

Makes changes to the Distinguished Florida Community College System Institution Program.

**FCCS Baccalaureate Degrees**

Prohibits the FCCS institutions from offering a Bachelor of Arts degree program.

Deletes St Petersburg College’s authority to establish bachelor of ap plied science degree programs. Additionally, the bill deletes the Board of Trustees of SPC independent authorization to establish additional baccalaureate degree programs.

Increases the notice of intent for FCCS institutions to propose a baccalaureate degree program from 100 days to at least 180 days before the submission of the proposal.

Requires the notice of interest be entered into a shared postsecondary database for preview and feedback.

Requires a written notice of intent submitted to the Chancellor of the FCCS at least 100 days before submitting the baccalaureate degree proposal.

The Chancellor of the FCCS must forward notice of intent and justification for the proposed program to the Chancellor of the SUS within 10 days.

Requires the Chancellor of the SUS review the objection raised by the university and inform the BOG before the university submits its objection to the SBCC. The Chancellor of the SBCC must review with the Chancellor of the SUS and consider the objection before approving or denying the proposal.

Makes a proposed alternate proposal optional.

Requires each FCCS institution submit a baccalaureate degree program proposal at least 100 days after submitting the notice of intent.

Requires an FCCS institution that is proposing a new baccalaureate degree program include a justification in the proposal that includes a data-driven analysis of workforce demand and how the program will meet that demand and unmet need.  Delineates requirements in the justification, and requires the analysis be verified by more than one independent third-party professional entity.

The justification must be provided to the SBCC within 90 days after submitting a notice of proposal for a new degree program. The state board has 10 business days to forward the justification to the Chancellor of the SUS.

Requires new degree program proposals not to exceed $10,000 for the entire degree program.

Requires the state board require the FCCS institution’s board of trustees terminate a program that has indicated negative program performance and/or fails a needs assessment.

Establishes upper-level FTE enrollment threshold at 10%; authorizes growth at 4% for institutions above that threshold, and 8% for institutions below that threshold.

Establishes an institution upper-level FTE enrollment cap of 15%.

Within the 4% and 8% growth, for any planned and purposeful expansion of existing baccalaureate degree programs or creation of a new baccalaureate program, a community college must demonstrate satisfactory performance in fulfilling its primary mission, complying with 2+2 targeted pathways, and meeting performance standards.

Requires the review of all academic programs in FCCS institutions at least every 7 years.

**Joint tasks of the BOG and FCCS**

Requires the BOG work in tandem with the SBE and the SBCC on avoiding the wasteful duplication of facilities or programs.

Requires the SBCC to establish and review, in consultation with the SBE and BOG, minimum and uniform standards of college-level communication and computation skills generally associated with successful performance and progression through the baccalaureate level, to identify college-preparatory high school coursework and postsecondary-level coursework that prepares students with the academic skills necessary to succeed in postsecondary education.

Requires the board develop a 5-year strategic plan in coordination with the SBE and BOG in order to coordinate the roles of the school districts and universities to best meet state needs and reflect cost-effective use of state resources, and must consider reports and recommendations of the HECC and Articulation Coordinating Committee.  A report from the SBCC must be submitted with the LBR.

Requires the BOG, SBE, and FCCS jointly develop long-range plans and annual reports for financial aid in this state. The long-range plans must establish goals and objectives for a comprehensive program of financial aid for students and shall be updated every 5 years.  Lists requirements in the plan.  Requires the long-range plan be submitted to the Legislature by July 1, 2018 and every 5 years thereafter, and a report on the same date in each successive year a plan is not submitted.

Encourages the FCCS institutions to enter into agreements with state universities which allow a FCCS institution student to complete upper-division-level courses at a FCCS institution.

**SUMMARY OF REQUIRED REPORTS**

**Universities:**

Oct 1, 2017 – (Block Tuition) - Requires each university board of trustees adopt a block tuition and fee policy, for implementation by the fall 2018 academic semester and submit the policy, including, but not limited to, information on the potential impact of the policy on students, to the Board of Governors.

**Board of Governors:**

Sep 1, 2017 – (Programs of Excellence) - Requires Board submit recommendations to the Legislature

Dec 1, 2017  - (Block Tuition) - Requires the Chancellor of the SUS shall submit to the Governor, the President, and the Speaker a summary report of university block tuition policies, the status of the board’s review and approval of such policies, and the board’s recommendations for improving block tuition and fee benefits for students.

Dec 31, 2017 - (PF state investment allocation methodologies) - The Board shall submit a report describing the study, and any action taken by the Board relative to the study, to the chairs of the House and Senate Education Appropriations Subcommittees.

March 15, 2018 – (World Class Faculty & Scholar Program) – Requires Board submit a report summarizing the information from the universities on this program.

March 15, 2018 – (State University Professional and Graduate Degree Excellence Program) – Requires Board submit a report summarizing the information from the universities on this program.

July 1, 2018 – (Joint strategic plan) - Requires the joint long-range plan (BOG, SBE, FCCS) be submitted to the Legislature by July 1, 2018 and every 5 years thereafter, and a report on the same date in each successive year a plan is not submitted.

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