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1 A bill to be entitled
2 An act relating to higher education; amending s.
3 1001.03, F.S.; providing that a Florida College System
4 institution that fails to comply with requirements
5 relating to intellectual freedom and viewpoint
6 diversity is not eligible to receive certain
7 performance-based funding; creating s. 1001.644, F.S.;
8 requiring the State Board of Education to develop and
9 annually deliver a training program for its members
10 and each Florida College System institution board of
11 trustees; providing the purposes of the training;
12 requiring each member of the State Board of Education
13 and each member of a Florida College System
14 institution board of trustees to participate in the
15 training program within a specified timeframe;
16 requiring specified content to be included in the
17 training; authorizing the State Board of Education to
18 adopt rules; amending s. 1001.71, F.S.; requiring
19 public notice and agendas for state university boards
20 of trustees meetings to be published in a specified
21 manner; amending s. 1001.706, F.S.; deleting
22 authorization for state university boards of trustees
23 to adopt rules or regulations under certain
24 circumstances; requiring the Board of Governors and
25 state universities to publish notices of the proposed
26 adoption, amendment, or repeal of regulations in a
27 specified manner; making technical changes; requiring
28 the Board of Governors to ensure that state university
29 students have access to certain civic literacy courses

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30 and assessments; revising Board of Governors
31 procedures for review and approval of certain
32 programs; revising requirements for certain training
33 the Board of Governors must develop and deliver;
34 authorizing the Board of Governors to transfer certain
35 unused appropriations if authorized by a specific
36 appropriation in the General Appropriations Act;
37 requiring the Chancellor of the State University
38 System to immediately notify and regularly apprise the
39 Governor and the Legislature if the Board of Governors
40 determines that a state university president or board
41 of trustees is under investigation regarding certain
42 allegations; revising the Board of Governors' powers
43 and duties relating to personnel; revising the Board
44 of Governors' powers and duties relating to property;
45 providing that a state university that fails to comply
46 with requirements relating to intellectual freedom and
47 viewpoint diversity is not eligible to receive certain
48 performance-based funding; making technical changes;
49 creating s. 1001.725, F.S.; specifying requirements
50 for university boards of trustees and university
51 presidents relating to selection and reappointment of
52 certain personnel; requiring each university president
53 to annually present to his or her board of trustees
54 the results of performance evaluations and associated
55 salaries for certain personnel; amending s. 1004.03,
56 F.S.; requiring the State Board of Education and the
57 Board of Governors to establish, for the Florida
58 College System and the State University System,

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59 respectively, a schedule for the regular review of
60 postsecondary educational programs; specifying
61 requirements for the reviews; providing for the usage
62 of review results; requiring the State University
63 System and Florida College System, to the extent
64 possible, to coordinate the prioritization and timing
65 of subject area degree and program review cycles to
66 maximize the benefits of multijurisdictional
67 collaboration; amending s. 1004.04, F.S.; requiring
68 the Commissioner of Education to conduct an audit of
69 state-approved teacher preparation programs,
70 processes, and systems; providing the purposes of the
71 audit; specifying audit requirements; requiring the
72 Commissioner of Education to submit to the Governor
73 and the State Board of Education audit findings and
74 recommendations at specified intervals; amending s.
75 1004.085, F.S.; requiring the Chancellor of the
76 Florida College System and the Chancellor of the State
77 University System, as applicable, to provide a summary
78 of the information from institutions certifying their
79 compliance with certain public posting requirements;
80 amending s. 1007.24, F.S.; requiring the Commissioner
81 of Education to recommend to the State Board of
82 Education the general education courses authorized for
83 inclusion in the statewide course numbering system and
84 the levels for the courses; revising the maintenance
85 requirements of the statewide course numbering system;
86 requiring certain postsecondary educational
87 institutions to accept and apply general education

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88 courses and credit in a specified manner; requiring
89 the State Board of Education to adopt rules;
90 specifying requirements for the rules; amending s.
91 1007.25, F.S.; requiring faculty committees to submit
92 reviews and recommendations on general education core
93 courses to the Articulation Coordinating Committee and
94 the Commissioner of Education at specified intervals;
95 requiring public postsecondary students, beginning
96 with a certain academic year, to complete certain
97 courses as part of general education core course
98 requirements; requiring all public postsecondary
99 educational institutions to accept certain courses;
100 creating s. 1007.55, F.S.; providing legislative
101 findings; providing principles that specified entities
102 must apply when approving or recommending for approval
103 general education courses, general education core
104 courses, and substitute or equivalency credit for such
105 courses; requiring students initially entering a
106 public postsecondary educational institution in a
107 specified school year to complete at least one core
108 course in specified subject areas as part of general
109 education core course requirements; specifying
110 standards for core courses; requiring that, to the
111 greatest extent possible, certain civic literacy
112 courses be available as core courses in each of the
113 general education subject areas; providing standards
114 to be considered in the approval of a course as a
115 general education course; requiring all public
116 postsecondary educational institutions to offer all

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117 approved general education core courses; requiring
118 general education courses to be accepted as such, in
119 the same subject area, by all public postsecondary
120 educational institutions; providing that public
121 postsecondary educational institution boards of
122 trustees and presidents are responsible for annually
123 reviewing and approving, at a public meeting, the
124 general education course and general education core
125 course requirements at their respective institutions;
126 prohibiting public postsecondary educational
127 institutions that fail to comply with certain
128 requirements from receiving performance-based funding;
129 amending s. 1008.32, F.S.; requiring the Commissioner
130 of Education to consider any response to allegations
131 of noncompliance received by the commissioner;
132 granting the state board the authority to require that
133 certain entities comply with specified requirements;
134 amending s. 1008.322, F.S.; requiring the Chancellor
135 of the State University System to consider any
136 response to allegations of noncompliance received by
137 the chancellor; granting the Board of Governors the
138 authority to require that a university comply with
139 specified requirements; creating s. 1008.325, F.S.;
140 providing legislative intent; requiring the State
141 Board of Education and the Board of Governors to
142 determine each Florida College System institution's
143 and each state university's eligibility, respectively,
144 to receive performance-based funding; requiring the
145 Chancellor of the Florida College System and the

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146 Chancellor of the State University System to publicly
147 report to their respective state boards each public
148 postsecondary educational institution's compliance
149 with applicable state laws, rules, and regulations;
150 requiring the State Board of Education and the Board
151 of Governors to report quarterly to the Governor and
152 the Legislature the compliance status of each public
153 postsecondary educational institution in this state
154 with respect to state laws, rules, and regulations;
155 requiring the State Board of Education or the Board of
156 Governors, as applicable, to seek a remedy for any
157 public postsecondary educational institution that is
158 not in compliance; requiring the State Board of
159 Education or the Board of Governors, as applicable, to
160 withhold performance-based funding from a public
161 postsecondary educational institution that is unable
162 or unwilling to comply with applicable state laws,
163 rules, or regulations; requiring the State Board of
164 Education and the Board of Governors to adopt rules
165 and regulations, respectively; amending s. 1008.45,
166 F.S.; revising the requirements of the Florida College
167 System institution accountability process; amending s.
168 1008.46, F.S.; requiring the Board of Governors to
169 address within the annual evaluation of the
170 performance of the Chancellor of the State University
171 System, and each state university board of trustees to
172 address within its annual evaluation of its university
173 president, the extent of system and institutional
174 compliance with statutory and regulatory requirements

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175 of law, respectively; amending ss. 1009.23 and
176 1009.24, F.S.; prohibiting boards of trustees of
177 Florida College System institutions and state
178 universities, respectively, from increasing specified
179 student fees after a specified date; providing that
180 Florida College System institutions and state
181 universities, respectively, may increase certain fees
182 by a specified amount under certain conditions after a
183 specified date; providing exceptions; requiring
184 certain boards of trustees to report to the Chancellor
185 of the State University system the total amount of
186 revenue generated by certain fees by a specified date;
187 requiring the Chancellors of the Florida College
188 System and the State University System, respectively,
189 to submit to the Governor and the Legislature a report
190 concerning revenue generated by certain fees;
191 specifying requirements for the report; requiring
192 Florida College System institutions and state
193 universities, respectively, to post specified
194 information relating to tuition and fee rates and
195 proposed changes to such rates on their websites and
196 in a press release e-mailed to enrolled students;
197 requiring each Florida College System institution and
198 each state university to annually submit a fee
199 schedule to the State Board of Education and the Board
200 of Governors, respectively, for approval by a date
201 established by State Board of Governors rule or Board
202 of Governors regulation, respectively; requiring
203 submission of an amended fee schedule under certain

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204 circumstances; amending s. 1011.81, F.S.; requiring
205 the State Board of Education to collaborate with the
206 Board of Governors in creating a template for use by
207 Florida College System Institutions in creating an
208 annual report on revenue sources; requiring that the
209 report detail specified information; requiring Florida
210 College System institutions to submit their reports to
211 the Governor and the Legislature by a certain date;
212 requiring the reports to be published prominently on
213 the State Board of Education's website; revising the
214 limitations imposed on the use of certain funds by
215 Florida College System institutions; providing that an
216 allegation of noncompliance is subject to certain
217 investigatory, enforcement, and sanction provisions;
218 amending s. 1011.90, F.S.; requiring the Board of
219 Governors to collaborate with the State Board of
220 Education in creating a template for use by state
221 universities in creating an annual report on revenue
222 sources; requiring that the reports detail specified
223 information; requiring state universities to submit
224 their reports to the Governor and the Legislature by a
225 certain date; requiring the reports to be published
226 prominently on the Board of Governors' website;
227 revising the limitations imposed on the use of certain
228 funds by state universities; providing that an
229 allegation of noncompliance is subject to certain
230 investigatory, enforcement, and sanction provisions;
231 amending s. 1011.91, F.S.; authorizing the Chancellor
232 of the State University System to monitor and

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233 periodically review university expenditures; amending
234 s. 1012.80, F.S.; requiring policies adopted by
235 Florida College System institutions and state
236 universities to be adopted in accordance with State
237 Board of Education rule and Board of Governors
238 regulation, respectively; requiring such policies to
239 include discretionary penalties for participation in
240 disruptive activities at public postsecondary
241 educational institutions; authorizing the State Board
242 of Education or the Board of Governors, as applicable,
243 to apply authorized sanctions after formal
244 investigation has established that an employee of a
245 public postsecondary educational institution has
246 participated in disruptive activities; requiring the
247 State Board of Education and the Board of Governors to
248 jointly develop and codify in rule and regulation the
249 term "disruptive activities"; amending ss. 1012.886
250 and 1012.976, F.S.; requiring the State Board of
251 Education and the Board of Governors, respectively, to
252 report to the Governor and the Legislature each public
253 postsecondary educational institution's compliance
254 with certain provisions by a specified date each year;
255 providing effective dates.

256

257 Be It Enacted by the Legislature of the State of Florida:

258

259 Section 1. Paragraph (d) is added to subsection (19) of
260 section 1001.03, Florida Statutes, to read:

261 1001.03 Specific powers of State Board of Education.—

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262 (19) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY
263 ASSESSMENT.—

264 (d) A Florida College System institution that fails to
265 comply with the requirements of this subsection is not eligible
266 to receive any performance-based funding pursuant to s.
267 1008.325.

268 Section 2. Section 1001.644, Florida Statutes, is created
269 to read:

270 1001.644 Florida College System institution boards of
271 trustees; training.—The State Board of Education shall develop
272 and annually deliver a training program for its members and each
273 Florida College System institution board of trustees which
274 addresses the role and responsibilities of such boards and their
275 executive leadership in overseeing the Florida College System
276 and its institutional resources and in protecting the public
277 interest.

278 (1) Each member of the State Board of Education and each
279 member of a Florida College System institution's board of
280 trustees shall participate in the training program within 1 year
281 after appointment or reappointment.

282 (2) The training must include information on the
283 responsibilities of the Governor and individual members of the
284 State Board of Education, Florida College System institution
285 board of trustees, and Florida College System institution
286 executive leadership relating to all of the following:

287 (a) Meeting applicable statutory, regulatory, and fiduciary
288 requirements.

289 (b) Establishing internal controls and accountability
290 mechanisms for the Chancellor of the Florida College System, a

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291 Florida College System institution's president, and other
292 administrative officials.

293 (c) Practicing oversight of a Florida College System
294 institution's planning, construction, maintenance, expansion,
295 and renovation projects.

296 (d) Establishing policies that promote college
297 affordability, including ensuring that the costs of fees,
298 textbooks, and instructional materials are minimized whenever
299 possible.

300 (e) Creating and implementing systemwide rules and
301 policies.

302 (f) Maintaining ethical standards and avoiding conflicts of
303 interest.

304 (g) Implementing best practices for board governance.

305 (h) Understanding current national and state issues in
306 higher education and in workforce education.

307 (i) Incorporating any additional board responsibilities
308 that the State Board of Education finds to be necessary or
309 appropriate.

310 (3) The State Board of Education may adopt rules to
311 implement this section.

312 Section 3. Subsection (5) of section 1001.71, Florida
313 Statutes, is amended to read:

314 1001.71 University boards of trustees; membership.—

315 (5) Public notice of board meetings and agendas for each
316 meeting must be published prominently on the university's
317 website and timely published in the Florida Administrative
318 Register. Each university board of trustees shall keep and,
319 within 2 weeks after a board meeting, publish ~~post~~ prominently

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320 on the university's website detailed meeting minutes for all
321 meetings, including the vote history and attendance of each
322 trustee. The Board of Governors shall adopt regulations to
323 implement this subsection.

324 Section 4. Paragraphs (b) and (c) of subsection (2),
325 paragraphs (a) through (h) and (j) of subsection (3), subsection
326 (4), paragraphs (f) and (g) of subsection (5), paragraphs (a)
327 and (c) of subsection (6), and subsections (7), (8), and (11) of
328 section 1001.706, Florida Statutes, are amended, and paragraph
329 (d) is added to subsection (13) of that section, to read:

330 1001.706 Powers and duties of the Board of Governors.—

331 (2) REGULATORY AUTHORITY.—

332 (b) The Board of Governors shall be subject to the
333 provisions of chapter 120 when acting pursuant to statutory
334 authority derived from the Legislature, except that the Board of
335 Governors may adopt regulations if expressly authorized or
336 required by law. Such regulations must be adopted pursuant to a
337 development procedure that complies with paragraph (c). ~~If the~~
338 ~~Board of Governors delegates a power or duty to a university~~
339 ~~board of trustees as the designee, the authority to adopt rules~~
340 ~~or regulations is included in the delegation. If the Board of~~
341 ~~Governors delegates a statutory power or duty to a university~~
342 ~~board of trustees, the university board of trustees shall be~~
343 ~~subject to the provisions of chapter 120 but may adopt~~
344 ~~regulations to the same extent as the Board of Governors under~~
345 ~~this subsection.~~

346 (c) The development procedure for regulations authorized or
347 required by law must provide for notice to the public of, and an
348 opportunity for public comment on, the proposed adoption,

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349 amendment, or repeal of a regulation; a process for a
350 substantially affected person to challenge a statement of
351 general applicability that has not been properly adopted as a
352 regulation; a process for a substantially affected person to
353 challenge an unlawful regulation; and a process for the adoption
354 of and challenges to emergency regulations that are necessary to
355 protect the public interest in the emergency. Judicial review
356 shall be sought in the appellate district in which the
357 headquarters of the Board of Governors is located or in which
358 the main campus of the state university is located, as
359 applicable. The regulation development procedure shall be
360 published prominently on the websites of the Board of Governors
361 and the state universities. Public notice of the Board of
362 Governors' and the state universities' proposed adoption,
363 amendment, or repeal of any regulation must be published
364 prominently on the websites of the Board of Governors and the
365 state universities and timely published in the Florida
366 Administrative Register.

367 (3) POWERS AND DUTIES RELATING TO ORGANIZATION AND
368 OPERATION OF STATE UNIVERSITIES.—

369 (a) The Board of Governors, ~~or the board's designee,~~ shall
370 adopt regulations ~~develop guidelines~~ and procedures related to
371 data and technology, including information systems,
372 communications systems, computer hardware and software, and
373 networks.

374 (b) The Board of Governors shall adopt regulations ~~develop~~
375 ~~guidelines~~ relating to divisions of sponsored research, pursuant
376 to the provisions of s. 1004.22, to serve the function of
377 administration and promotion of the programs of research.

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378 (c) The Board of Governors shall adopt regulations
379 prescribing ~~prescribe~~ conditions for direct-support
380 organizations and university health services support
381 organizations to be certified and to use university property and
382 services. Conditions relating to certification must provide for
383 audit review and oversight by the Board of Governors.

384 (d) The Board of Governors shall adopt regulations ~~develop~~
385 guidelines for supervising faculty practice plans for the
386 academic health science centers.

387 (e) The Board of Governors shall ensure that students at
388 state universities have access to general education courses as
389 provided in the statewide articulation agreement, pursuant to s.
390 1007.23, and civic literacy courses and assessments, pursuant to
391 s. 1007.25.

392 (f) The Board of Governors shall do all of the following:

393 1. Establish criteria for the review and approval of
394 proposed new programs at state universities in accordance with
395 s. 1004.03(1).

396 2. Approve baccalaureate degree programs that require more
397 than 120 semester credit hours of coursework prior to such
398 programs being offered by a state university. At least half of
399 the required coursework for any baccalaureate degree must be
400 offered at the lower-division level, except in program areas
401 approved by the Board of Governors.

402 3. Establish a schedule, conduct program reviews, and
403 consider recommendations resulting from the reviews conducted in
404 accordance with s. 1004.03(3).

405 (g) The Board of Governors, ~~or the board's designee,~~ shall
406 adopt a written antihazing policy, appropriate penalties for

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407 violations of such policy, and a program for enforcing such
408 policy.

409 (h) The Board of Governors shall review and approve each
410 state university's, ~~or the board's designee,~~ may establish a
411 uniform code of conduct and ~~appropriate~~ penalties for violations
412 of its regulations by students and student organizations,
413 including regulations governing student academic honesty. Such
414 penalties, unless otherwise provided by law, may include
415 reasonable fines, the withholding of diplomas or transcripts
416 pending compliance with regulations or payment of fines, and the
417 imposition of probation, suspension, or dismissal.

418 (j) The Board of Governors shall develop and annually
419 deliver a training program for members of the Board of Governors
420 and each state university board of trustees which ~~that~~ addresses
421 the role and responsibilities of such boards and their executive
422 leadership in governing institutional resources and protecting
423 the public interest. At a minimum, each governor and trustee
424 must participate in the training program within 1 year after ~~of~~
425 appointment or and reappointment to the Board of Governors or a
426 university board of trustees, respectively. The program must
427 include information on governor, trustee, and executive
428 leadership responsibilities relating to all of the following:

429 1. Meeting the statutory, regulatory, and fiduciary
430 obligations of the board.

431 2. Establishing internal process controls and
432 accountability mechanisms for the institution's president and
433 other administrative officers.

434 3. Oversight of planning, construction, maintenance,
435 expansion, and renovation projects that impact the university's

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436 consolidated infrastructure, physical facilities, and natural
437 environment, including its lands, improvements, and capital
438 equipment.

439 4. Establishing policies that promote college
440 affordability, including ensuring that the costs of university
441 fees, textbooks, and instructional materials are minimized
442 whenever possible.

443 5. Creation and implementation of institutionwide rules and
444 regulations.

445 6. Institutional ethics and conflicts of interest.

446 7. Best practices for board governance.

447 8. Understanding current national and state issues in
448 higher education.

449 9. Any other responsibilities the Board of Governors deems
450 necessary or appropriate.

451 (4) POWERS AND DUTIES RELATING TO FINANCE.—

452 (a) The Board of Governors, ~~or the board's designee,~~ shall
453 account for expenditures of all state, local, federal, and other
454 funds. Such accounting systems shall have appropriate audit and
455 internal controls in place that will enable the constituent
456 universities to satisfactorily and timely perform all accounting
457 and reporting functions required by state and federal law and
458 rules.

459 (b) The Board of Governors shall prepare the legislative
460 budget requests for the State University System, including a
461 request for fixed capital outlay, and submit them to the State
462 Board of Education for inclusion in the Early Learning-20
463 legislative budget request. The Board of Governors shall provide
464 the state universities with fiscal policy requirements,

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465 guidelines, formats, and instruction for the development of
466 individual university budget requests.

467 (c) The Board of Governors, ~~or the board's designee,~~ shall
468 establish tuition and fees pursuant to ss. 1009.24 and 1009.26,
469 unless otherwise provided in law.

470 (d) The Board of Governors, ~~or the board's designee,~~ is
471 authorized to secure comprehensive general liability insurance
472 pursuant to s. 1004.24.

473 (e) The Board of Governors, if authorized by a specific
474 appropriation in the General Appropriations Act, may transfer
475 unused appropriations from the Education/General Student and
476 Other Fees Trust Fund, pursuant to s. 1011.4106(2), between
477 institutions.

478 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

479 (f) If the Board of Governors of the State University
480 System determines that a state university president or board of
481 trustees is unwilling or unable to address substantiated
482 allegations made by any person relating to waste, fraud, or
483 financial mismanagement within the state university, the Office
484 of the Inspector General shall investigate the allegations. In
485 such cases, the Chancellor of the State University System must
486 immediately notify and regularly apprise the Governor, the
487 President of the Senate, and the Speaker of the House of
488 Representatives of the allegations and the status of the
489 investigation.

490 (g) The Board of Governors may consider waiving its
491 regulations and may waive or modify the tuition differential use
492 requirements under s. 1009.24(16)(a), subject to the development
493 procedure for regulations established under paragraph (2)(c). If

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494 not currently authorized, the Board of Governors may request
495 authority from the Legislature to waive or modify specific
496 statutory requirements, including percentages and dollar amount
497 limitations in s. 1009.24, in order to reduce barriers and
498 support the attainment of goals identified in institutional
499 plans, as necessary for advancing system priorities and unique
500 institutional priorities. Regulatory flexibilities authorized
501 and statutory flexibilities authorized or requested by the Board
502 of Governors pursuant to this paragraph must be included in the
503 accountability plan prepared and submitted pursuant to paragraph
504 (c).

505 (6) POWERS AND DUTIES RELATING TO PERSONNEL.—

506 (a) The Board of Governors, ~~or the board's designee,~~ shall
507 establish the personnel program for all employees of a state
508 university. The Board of Governors shall confirm the
509 presidential selection and reappointment by a university board
510 of trustees as a means of acknowledging that system cooperation
511 is expected.

512 (c) 1. Except as otherwise provided by law, university
513 employees are public employees for purposes of chapter 112, and
514 any payment for travel and per diem expenses may ~~shall~~ not
515 exceed the level specified in s. 112.061.

516 2. State university administrative employees are subject to
517 the remuneration requirements of s. 1012.976.

518 (7) POWERS AND DUTIES RELATING TO PROPERTY.—

519 (a) The Board of Governors shall adopt regulations ~~develop~~
520 ~~guidelines~~ for university boards of trustees relating to the
521 acquisition of real and personal property and the sale and
522 disposal thereof and the approval and execution of contracts for

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523 the purchase, sale, lease, license, or acquisition of
524 commodities, goods, equipment, contractual services, leases of
525 real and personal property, and construction. The acquisition
526 may include purchase by installment or lease-purchase. Such
527 contracts may provide for payment of interest on the unpaid
528 portion of the purchase price. Title to all real property
529 acquired prior to January 7, 2003, and to all real property
530 acquired with funds appropriated by the Legislature shall be
531 vested in the Board of Trustees of the Internal Improvement
532 Trust Fund and shall be transferred and conveyed by it.
533 Notwithstanding any other provisions of this subsection, each
534 board of trustees shall comply with the provisions of s. 287.055
535 for the procurement of professional services as defined therein.
536 Any acquisition pursuant to this paragraph is subject to the
537 provisions of s. 1010.62.

538 (b) The Board of Governors shall adopt regulations ~~develop~~
539 ~~guidelines~~ for university boards of trustees relating to the
540 use, maintenance, protection, and control of university-owned or
541 university-controlled buildings and grounds, property and
542 equipment, name, trademarks and other proprietary marks, and the
543 financial and other resources of the university. Such authority
544 may include placing restrictions on activities and on access to
545 facilities, firearms, food, tobacco, alcoholic beverages,
546 distribution of printed materials, commercial solicitation,
547 animals, and sound. The authority provided ~~the board of trustees~~
548 in this subsection includes the prioritization of the use of
549 space, property, equipment, and resources and the imposition of
550 charges for those items.

551 (c) The Board of Governors, ~~or the board's designee,~~ shall

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552 administer a program for the maintenance and construction of
553 facilities pursuant to chapter 1013.

554 (d) The Board of Governors, ~~or the board's designee,~~ shall
555 ensure compliance with the provisions of s. 287.09451 for all
556 procurement and ss. 255.101 and 255.102 for construction
557 contracts, and rules adopted pursuant thereto, relating to the
558 utilization of minority business enterprises, except that
559 procurements costing less than the amount provided for in
560 CATEGORY FIVE as provided in s. 287.017 are not ~~shall not be~~
561 subject to s. 287.09451.

562 (e) Notwithstanding ~~the provisions of~~ s. 253.025 but
563 subject to ~~the provisions of~~ s. 1010.62, the Board of Governors,
564 ~~or the board's designee,~~ may, with the consent of the Board of
565 Trustees of the Internal Improvement Trust Fund, sell, convey,
566 transfer, exchange, trade, or purchase real property and related
567 improvements necessary and desirable to serve the needs and
568 purposes of the university.

569 1. The Board of Governors, ~~or the board's designee,~~ may
570 secure appraisals and surveys. The Board of Governors, ~~or the~~
571 ~~board's designee,~~ shall comply with the rules of the Board of
572 Trustees of the Internal Improvement Trust Fund in securing
573 appraisals. Whenever the Board of Governors, ~~or the board's~~
574 ~~designee,~~ finds it necessary for timely property acquisition, it
575 may contract, without the need for competitive selection, with
576 one or more appraisers whose names are contained on the list of
577 approved appraisers maintained by the Division of State Lands in
578 the Department of Environmental Protection.

579 2. The Board of Governors, ~~or the board's designee,~~ may
580 negotiate and enter into an option contract before an appraisal

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581 is obtained. The option contract must state that the final
582 purchase price may not exceed the maximum value allowed by law.
583 The consideration for such an option contract may not exceed 10
584 percent of the estimate obtained by the Board of Governors, ~~or~~
585 ~~the board's designee,~~ or 10 percent of the value of the parcel,
586 whichever is greater, unless otherwise authorized by the Board
587 of Governors ~~or the board's designee.~~

588 3. This paragraph is not intended to abrogate in any manner
589 the authority delegated to the Board of Trustees of the Internal
590 Improvement Trust Fund or the Division of State Lands to approve
591 a contract for purchase of state lands or to require policies
592 and procedures to obtain clear legal title to parcels purchased
593 for state purposes. Title to property acquired by a university
594 board of trustees prior to January 7, 2003, and to property
595 acquired with funds appropriated by the Legislature shall vest
596 in the Board of Trustees of the Internal Improvement Trust Fund.

597 (f) The Board of Governors, ~~or the board's designee,~~ shall
598 prepare and adopt a campus master plan pursuant to s. 1013.30.

599 (g) The Board of Governors, ~~or the board's designee,~~ shall
600 prepare, adopt, and execute a campus development agreement
601 pursuant to s. 1013.30.

602 (h) Notwithstanding ~~the provisions of~~ s. 216.351, the Board
603 of Governors, ~~or the board's designee,~~ may authorize the rent or
604 lease of parking facilities provided that such facilities are
605 funded through parking fees or parking fines imposed by a
606 university. The Board of Governors, ~~or the board's designee,~~ may
607 authorize a university board of trustees to charge fees for
608 parking at such rented or leased parking facilities.

609 (8) COMPLIANCE WITH LAWS, RULES, REGULATIONS, AND

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610 REQUIREMENTS.—The Board of Governors has responsibility for
611 complying with, and overseeing and ensuring the compliance of
612 each state university president and board of trustees with,
613 state and federal laws, rules, regulations, and requirements.

614 (11) AUTHORIZATION TO REVOKE OR MODIFY.—The Board of
615 Governors may revoke or modify the scope of any power or duty it
616 has delegated through regulatory action.

617 (13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY
618 ASSESSMENT.—

619 (d) A state university that fails to comply with the
620 requirements of this subsection is not eligible to receive any
621 performance-based funding pursuant to s. 1008.325.

622 Section 5. Section 1001.725, Florida Statutes, is created
623 to read:

624 1001.725 University boards of trustees; personnel.—

625 (1) Each university board of trustees is responsible for
626 hiring faculty. The president may provide hiring recommendations
627 to the board; however, the president or the board is not bound
628 by recommendations or opinions of faculty or other individuals
629 or groups. The board may delegate its hiring authority to the
630 president; however, the board shall approve or deny any
631 selection by the president.

632 (2) Each university board of trustees shall confirm its
633 president's selection and reappointment of the university's
634 executive management team members and their respective contracts
635 and annual salaries, in accordance with the university's
636 personnel program established by the Board of Governors.
637 Contracts and responsibilities of the president and executive
638 team members, including, but not limited to, provost positions,

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639 must explicitly delineate that the duties of positions, other
640 than the president, are limited to administrative oversight and
641 operational supervision of curricular, instructional, and
642 research affairs, as applicable to the position.

643 (3) Each university president shall annually present to his
644 or her board of trustees for review the results of performance
645 evaluations and associated salaries of all evaluated personnel
646 earning an annual compensation of \$100,000 or more.

647 Section 6. Subsection (3) is added to section 1004.03,
648 Florida Statutes, to read:

649 1004.03 Program approval.—

650 (3) The State Board of Education and the Board of Governors
651 shall establish, for the Florida College System and the State
652 University System, respectively, a schedule for the regular
653 review and evaluation of nondegree, certificate, nondegree
654 certificate, associate degree, baccalaureate degree, and
655 graduate degree academic programs to determine program adequacy,
656 compliance, and performance. The schedule established must
657 require such review to occur at least once every 3 years.

658 (a) Reviews conducted pursuant to this section, at a
659 minimum, must determine program alignment and compliance with
660 program subject area and course content, program length, general
661 education requirements, and common prerequisite requirements
662 established by faculty committees pursuant to ss. 1007.24,
663 1007.25, and 1007.55; confirm authorized and reasonable course
664 and program fees; and affirm satisfactory attainment of student
665 enrollment and student performance and outcomes.

666 (b) The results of program reviews conducted pursuant to
667 this section must be used to inform the respective system

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668 chancellor's recommendation to the Commissioner of Education,
669 the State Board of Education, and the Board of Governors, as
670 applicable, regarding program continuation, corrective action,
671 or termination. Each chancellor shall consult with the
672 respective institution presidents regarding the results of the
673 reviews before recommending actions. The chancellor shall
674 solicit the input of the Articulation Coordinating Committee
675 when recommended actions raise multijurisdictional program
676 conflicts, in accordance with ss. 1007.25 and 1007.55.

677 (c) To the extent possible, the State University System and
678 the Florida College System shall coordinate the prioritization
679 and timing of subject area degree and program review cycles to
680 maximize the benefits of multijurisdictional collaboration.

681 Section 7. Present subsection (6) of section 1004.04,
682 Florida Statutes, is redesignated as subsection (7), and a new
683 subsection (6) is added to that section, to read:

684 1004.04 Public accountability and state approval for
685 teacher preparation programs.—

686 (6) STATEWIDE TEACHER PREPARATION PROGRAM AUDIT.—The
687 Commissioner of Education shall conduct an audit of state-
688 approved teacher preparation programs, processes, and systems to
689 determine their performance and identify opportunities for
690 improvement. The audit applies to programs approved pursuant to
691 this section, postsecondary educator preparation institutes
692 approved pursuant to s. 1004.85, and professional development
693 certification and education competency programs approved
694 pursuant to s. 1012.56(8).

695 (a) The audit must include, but is not limited to:

696 1. An analysis of the programs to identify their

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697 performance in meeting the demands of the state's public
698 schools.

699 2. An analysis of the programs to determine their impact on
700 the production of quality teachers.

701 3. An analysis of the programs' accountability systems to
702 identify programmatic strengths, weaknesses, and opportunities
703 for improvement.

704 4. An evaluation of the initial and continued program
705 approval processes, including a review of content and curriculum
706 to ensure compliance with law and state board rules.

707 (b) The commissioner shall, by December 1, 2022, and by
708 December 1 every 5 years thereafter, submit to the Governor and
709 to the State Board of Education audit findings and
710 recommendations, including, at minimum, recommendations
711 regarding new or improved standards, curriculum, process, and
712 accountability requirements.

713 Section 8. Subsection (7) of section 1004.085, Florida
714 Statutes, is amended to read:

715 1004.085 Textbook and instructional materials
716 affordability.—

717 (7) The board of trustees of each Florida College System
718 institution and state university shall report, by September 30
719 of each year, to the Chancellor of the Florida College System or
720 the Chancellor of the State University System, as applicable,
721 the textbook and instructional materials selection process for
722 high-enrollment courses; specific initiatives of the institution
723 designed to reduce the costs of textbooks and instructional
724 materials; policies implemented in accordance with subsection
725 (5); the number of courses and course sections that were not

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726 able to meet the textbook and instructional materials posting
727 deadline for the previous academic year; and any additional
728 information determined by the chancellors. By November 1 of each
729 year, each chancellor shall provide a summary of the information
730 provided by institutions, including certification of compliance
731 from each institution with the public posting requirements of
732 this section, to the State Board of Education and the Board of
733 Governors, as applicable.

734 Section 9. Present subsection (8) of section 1007.24,
735 Florida Statutes, is redesignated as subsection (9) and amended,
736 a new subsection (8) is added to that section, and subsections
737 (3), (4), and (5) of that section are amended, to read:

738 1007.24 Statewide course numbering system.—

739 (3) The Commissioner of Education shall recommend to the
740 State Board of Education the general education courses
741 authorized for inclusion in the statewide course numbering
742 system and the levels for the courses. The State Board of
743 Education, with input from the Board of Governors, shall approve
744 the general education courses and the levels for the courses.

745 (4) The statewide course numbering system must be
746 maintained electronically and regularly updated by the
747 department and shall include the courses at the recommended
748 levels, statewide course numbers, titles, credits awarded, and
749 other identifiable information by institution and academic year,
750 as required by state board rule.

751 (5) The registration process at each state university and
752 Florida College System institution shall include the courses at
753 their designated levels, ~~and~~ statewide course numbers, titles,
754 credits awarded, and other identifiable information by

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755 institution and academic year, as required by state board rule.

756 (8) Participating postsecondary educational institutions
757 receiving transfer course credit shall accept and apply general
758 education courses and credit in accordance with this section,
759 ss. 1007.25 and 1007.55, and other provisions of law, including
760 credit earned through dual enrollment, course equivalencies, and
761 other acceleration mechanisms, as first satisfying general
762 education core course credit requirements and other general
763 education subject area course credit requirements before
764 applying the course credit as elective credit.

765 (9)~~(8)~~ The State Board of Education shall adopt rules that
766 provide for the collection of course information from
767 participating institutions, identifiable information required
768 for each course, and the conduct of regularly scheduled faculty
769 committee reviews and recommendations. At a minimum, the rules
770 must address all of the following:

771 (a) Required institutional reporting formats, timelines,
772 and procedures for the timely and uniform collection and
773 publication of course information.

774 (b) Regularly scheduled faculty committee reviews and
775 recommendations to the commissioner for the alignment or
776 realignment of courses, course numbers, titles, designated
777 levels, credits awarded, and other identifiable information for
778 the purpose of facilitating credit transfer and acceptance for
779 substantially similar courses at receiving institutions.

780 (c) Regularly scheduled faculty committee reviews and
781 recommendations to the commissioner for the classification or
782 reclassification of courses as satisfying general education,
783 general education core, prerequisite, substitution, equivalency,

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784 civic literacy, or other course types, pursuant to ss. 1007.25
785 and 1007.55, consistent with subject area, course content,
786 programmatic, and other requirements outlined in rule.

787 (d) Purges of courses that are listed in the statewide
788 course numbering system but have not been taught at an
789 institution for the preceding 5 years. These rules must include
790 waiver provisions that allow course continuation if an
791 institution has reasonable cause for having not offered a course
792 within the 5-year limit and an expectation that the course will
793 be offered again within the following 5 years.

794 Section 10. Subsection (3) of section 1007.25, Florida
795 Statutes, is amended to read:

796 1007.25 General education courses; common prerequisites;
797 other degree requirements.—

798 (3) The chair of the State Board of Education and the chair
799 of the Board of Governors, or their designees, shall jointly
800 appoint faculty committees to review and recommend to the
801 Articulation Coordinating Committee and the commissioner for
802 approval ~~identify~~ statewide general education core course
803 options for inclusion in the statewide course numbering system
804 established under s. 1007.24. Faculty committees shall, by
805 December 1, 2022, and by December 1 every 3 years thereafter,
806 review and submit recommendations to the Articulation
807 Coordinating Committee and the commissioner for the removal,
808 alignment, realignment, or addition of general education core
809 courses that satisfy the requirements of s. 1007.55 and this
810 subsection.

811 (a) General education core course options shall consist of
812 a maximum of five courses within each of the subject areas of

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813 communication, mathematics, social sciences, humanities, and
814 natural sciences. The core courses may be revised, ~~or the five-~~
815 ~~course maximum within each subject area may be exceeded,~~ if
816 approved by the State Board of Education and the Board of
817 Governors, as recommended by the subject area faculty committee
818 and approved by the Articulation Coordinating Committee as
819 necessary for a subject area, in accordance with s. 1007.55.

820 (b) Each general education core course option must contain
821 high-level academic and critical thinking skills and common
822 competencies that students must demonstrate to successfully
823 complete the course, consistent with the principles, standards,
824 and content requirements established in s. 1007.55.

825 (c) Beginning with students initially entering a Florida
826 College System institution or state university in 2015-2016 and
827 thereafter, each student must complete at least one identified
828 core course in each subject area as part of the general
829 education course requirements. Beginning in the 2022-2023
830 academic year and thereafter, students entering a technical
831 degree education program as defined in s. 1004.02(13) must
832 complete at least one identified core course in each subject
833 area as part of the general education course requirements before
834 a degree is awarded. Beginning with students initially entering
835 a Florida College System institution or state university in the
836 2023-2024 academic year and thereafter, each student must
837 complete at least one core course in each subject area as part
838 of general education core course requirements, in accordance
839 with s. 1007.55(3).

840 (d) All public postsecondary educational institutions shall
841 accept these courses as meeting general education core course

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842 requirements, regardless of whether the receiving institution
843 offers the identical general education core course. The
844 remaining general education course requirements shall be
845 identified by each institution from among the authorized courses
846 listed in the statewide course numbering system and reported to
847 the department by their statewide course number.

848 (e) The general education core course options shall be
849 adopted in rule by the State Board of Education and in
850 regulation by the Board of Governors.

851 Section 11. Section 1007.55, Florida Statutes, is created
852 to read:

853 1007.55 General education course principles, standards, and
854 content.—

855 (1) The Legislature finds it necessary to ensure that every
856 undergraduate student of a Florida public postsecondary
857 educational institution graduates as an informed citizen through
858 participation in rigorous general education courses that promote
859 democratic values through traditional, historically accurate,
860 and high-quality coursework. Courses with a curriculum based on
861 unproven, theoretical, or exploratory content are best suited as
862 elective or specific program prerequisite credit, not general
863 education credit.

864 (2) In performing their duties under ss. 1007.24 and
865 1007.25, the State Board of Education, Board of Governors,
866 Commissioner of Education, Articulation Coordinating Committee,
867 and faculty committees, when approving or recommending for
868 approval general education courses, general education core
869 courses, and substitute or equivalency credit for such courses,
870 shall apply the following principles:

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871 (a) General education courses must promote the
872 philosophical underpinnings of Western civilization and include
873 studies of this nation's historical documents, such as the
874 United States Constitution, the Bill of Rights and subsequent
875 amendments, and the Federalist Papers.

876 (b) General education courses may not suppress or distort
877 significant historical events or include a curriculum that
878 teaches identity politics, such as Critical Race Theory, or
879 defines American history as contrary to the creation of a new
880 nation based on universal principles stated in the Declaration
881 of Independence.

882 (3) Beginning with students initially entering a Florida
883 College System institution or state university in the 2023-2024
884 academic year and thereafter, each student must complete at
885 least one core course in each subject area as part of general
886 education core course requirements.

887 (a) General education core courses must meet the following
888 standards:

889 1. Communications courses must afford students the ability
890 to communicate effectively, including the ability to write
891 clearly and engage in public speaking, through the engagement
892 with the Western literary tradition.

893 2. Humanities courses must afford students the ability to
894 think critically through mastering propositional logic and
895 analyzing ethical arguments from classical works on logic,
896 rhetoric, and ethics.

897 3. Natural science courses must afford students the ability
898 to critically examine and evaluate the principles of the
899 scientific method, model construction, and use the scientific

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900 method to explain natural experiences and phenomena.

901 4. Social science courses must afford students an
902 understanding of the basic principles of government of the
903 American republic and conditions for the success of self-rule,
904 including an understanding of basic behavioral science concepts
905 used in sociology.

906 5. Mathematics courses must afford students a mastery of
907 foundational mathematical and computational models and methods
908 by applying such models and methods in problem solving.

909 (b) To the greatest extent possible, civic literacy courses
910 established pursuant to s. 1007.25(5) must be available as core
911 courses in each of the general education subject areas.

912 (4) To be considered for approval as a general education
913 course, a course must be offered by at least half of all public
914 postsecondary educational institutions. All public postsecondary
915 educational institutions must offer all approved general
916 education core courses. If a course is approved as a general
917 education course, that course must be accepted as a general
918 education course, in the same subject area, by all public
919 postsecondary educational institutions.

920 (5) Public postsecondary educational institution boards of
921 trustees and presidents are responsible for annually reviewing
922 and approving, at a public meeting, general education course and
923 general education core course requirements, as authorized and
924 approved in accordance with ss. 1007.24 and 1007.25, at their
925 respective institutions. Public postsecondary educational
926 institutions that fail to comply with the requirements of this
927 section are not eligible to receive performance-based funding
928 pursuant to s. 1008.325.

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929 Section 12. Paragraph (a) of subsection (2) and paragraph
930 (b) of subsection (4) of section 1008.32, Florida Statutes, are
931 amended to read:

932 1008.32 State Board of Education oversight enforcement
933 authority.—The State Board of Education shall oversee the
934 performance of early learning coalitions, district school
935 boards, and Florida College System institution boards of
936 trustees in enforcement of all laws and rules. District school
937 boards and Florida College System institution boards of trustees
938 shall be primarily responsible for compliance with law and state
939 board rule.

940 (2) (a) The Commissioner of Education may investigate
941 allegations of noncompliance with law or state board rule and
942 determine probable cause. The commissioner shall consider any
943 response to allegations of noncompliance which the commissioner
944 receives. The commissioner shall report determinations of
945 probable cause to the State Board of Education which shall
946 require the early learning coalition, district school board, or
947 Florida College System institution board of trustees to document
948 compliance with law or state board rule.

949 (4) If the State Board of Education determines that an
950 early learning coalition, a district school board, or a Florida
951 College System institution board of trustees is unwilling or
952 unable to comply with law or state board rule within the
953 specified time, the state board shall have the authority to
954 initiate any of the following actions:

955 (b) Withhold the transfer of state funds, discretionary
956 grant funds, discretionary lottery funds, or any other funds
957 specified as eligible for this purpose by the Legislature until

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958 the early learning coalition, school district, or Florida
959 College System institution complies with the law or state board
960 rule, including, but not limited to, complying with the
961 requirements of s. 1008.325.

962 Section 13. Paragraph (a) of subsection (3) and paragraph
963 (a) of subsection (5) of section 1008.322, Florida Statutes, are
964 amended to read:

965 1008.322 Board of Governors oversight enforcement
966 authority.—

967 (3) (a) The Chancellor of the State University System may
968 investigate allegations of noncompliance with any law or Board
969 of Governors' rule or regulation and determine probable cause.
970 The chancellor shall consider any response to allegations of
971 noncompliance which the chancellor receives. The chancellor
972 shall report determinations of probable cause to the Board of
973 Governors, which may require the university board of trustees to
974 document compliance with the law or Board of Governors' rule or
975 regulation.

976 (5) If the Board of Governors determines that a state
977 university board of trustees is unwilling or unable to comply
978 with any law or Board of Governors' rule or regulation or audit
979 recommendation within the specified time, the Board of
980 Governors, in addition to actions constitutionally authorized,
981 may initiate any of the following actions:

982 (a) Withhold the transfer of state funds, discretionary
983 grant funds, discretionary lottery funds, or any other funds
984 appropriated to the Board of Governors by the Legislature for
985 disbursement to the state university until the university
986 complies with the law or Board of Governors' rule or regulation,

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987 including, but not limited to, complying with the requirements
988 of s. 1008.325.

989 Section 14. Effective July 1, 2022, section 1008.325,
990 Florida Statutes, is created to read:

991 1008.325 Public postsecondary educational institution
992 funding eligibility conditioned on compliance with law.—

993 (1) The Legislature intends that the eligibility of public
994 postsecondary educational institutions to receive discretionary
995 state funding be contingent upon the receiving institution's
996 compliance with applicable state laws, rules, and regulations,
997 as determined by the State Board of Education and the Board of
998 Governors, as applicable.

999 (2) The State Board of Education shall determine each
1000 Florida College System institution's eligibility to receive
1001 performance-based funding pursuant to ss. 1001.66 and 1001.67
1002 and as prescribed in the General Appropriations Act, and other
1003 performance-based funding distributed by the state board, based
1004 on the institution's compliance with applicable state laws and
1005 rules.

1006 (3) The Board of Governors shall determine each state
1007 university's eligibility to receive performance-based funding
1008 pursuant to ss. 1001.7065, 1001.92, and 1011.905, and other
1009 performance-based funding distributed by the board, based on the
1010 university's compliance with applicable state laws and
1011 regulations.

1012 (4) The Chancellor of the Florida College System and the
1013 Chancellor of the State University System shall publicly report
1014 to the State Board of Education and the Board of Governors,
1015 respectively, each public postsecondary educational

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1016 institution's compliance with applicable state laws, rules, and
1017 regulations.

1018 (5) The State Board of Education and the Board of Governors
1019 shall report quarterly to the Governor and the Legislature the
1020 compliance status of each public postsecondary educational
1021 institution in this state with respect to applicable state laws,
1022 rules, and regulations. If a public postsecondary educational
1023 institution is not in compliance, the State Board of Education
1024 or the Board of Governors, as applicable, must seek a remedy to
1025 the noncompliance pursuant to s. 1008.32 or s. 1008.322.

1026 (6) If a public postsecondary educational institution fails
1027 to comply with applicable state laws, rules, or regulations and
1028 is unwilling or unable to remedy its noncompliance, then the
1029 State Board of Education and the Board of Governors,
1030 respectively, must withhold the institution's performance-based
1031 funding until the institution returns to compliance.

1032 (7) The State Board of Education shall adopt rules, and the
1033 Board of Governors shall adopt regulations, to implement this
1034 section.

1035 Section 15. Subsection (3) of section 1008.45, Florida
1036 Statutes, is amended to read:

1037 1008.45 Florida College System institution accountability
1038 process.—

1039 (3) The State Board of Education shall address within the
1040 annual evaluation of the performance of the Chancellor of the
1041 Florida College System ~~executive director~~, and the Florida
1042 College System institution boards of trustees shall address
1043 within the annual evaluation of the presidents, the achievement
1044 of the performance goals established by the accountability

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1045 process and the extent of system and institutional compliance,
1046 respectively, with statutory and regulatory requirements.

1047 Section 16. Present subsection (2) of section 1008.46,
1048 Florida Statutes, is redesignated as subsection (3), and a new
1049 subsection (2) is added to that section, to read:

1050 1008.46 State university accountability process.—It is the
1051 intent of the Legislature that an accountability process be
1052 implemented that provides for the systematic, ongoing evaluation
1053 of quality and effectiveness of state universities. It is
1054 further the intent of the Legislature that this accountability
1055 process monitor performance at the system level in each of the
1056 major areas of instruction, research, and public service, while
1057 recognizing the differing missions of each of the state
1058 universities. The accountability process shall provide for the
1059 adoption of systemwide performance standards and performance
1060 goals for each standard identified through a collaborative
1061 effort involving state universities, the Board of Governors, the
1062 Legislature, and the Governor's Office, consistent with
1063 requirements specified in s. 1001.706. These standards and goals
1064 shall be consistent with s. 216.011(1) to maintain congruity
1065 with the performance-based budgeting process. This process
1066 requires that university accountability reports reflect measures
1067 defined through performance-based budgeting. The performance-
1068 based budgeting measures must also reflect the elements of
1069 teaching, research, and service inherent in the missions of the
1070 state universities.

1071 (2) The Board of Governors shall address within the annual
1072 evaluation of the performance of the Chancellor of the State
1073 University System, and each state university board of trustees

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1074 shall address within its annual evaluation of its university
1075 president, the extent of system and institutional compliance,
1076 respectively, with statutory and regulatory requirements.

1077 Section 17. Subsection (7), paragraph (a) of subsection
1078 (8), subsection (10), paragraph (a) of subsection (11),
1079 paragraph (a) of subsection (12), subsection (15), paragraph (b)
1080 of subsection (16), subsection (17), paragraph (a) of subsection
1081 (18), and subsection (20) of section 1009.23, Florida Statutes,
1082 are amended to read:

1083 1009.23 Florida College System institution student fees.—

1084 (7) Each Florida College System institution board of
1085 trustees may establish a separate activity and service fee not
1086 to exceed 10 percent of the tuition fee, according to rules of
1087 the State Board of Education. The student activity and service
1088 fee must ~~shall~~ be collected as a component part of the tuition
1089 and fees. The student activity and service fees must ~~shall~~ be
1090 paid into a student activity and service fund at the Florida
1091 College System institution and must ~~shall~~ be expended for lawful
1092 purposes to benefit the student body in general. These purposes
1093 include, but are not limited to, student publications and grants
1094 to duly recognized student organizations, the membership of
1095 which is open to all students at the Florida College System
1096 institution without regard to race, sex, or religion. A ~~No~~
1097 Florida College System institution may not ~~shall~~ be required to
1098 lower any activity and service fee approved by the board of
1099 trustees of the Florida College System institution and in effect
1100 prior to October 26, 2007, in order to comply with ~~the~~
1101 ~~provisions of~~ this subsection. Beginning July 1, 2022, a Florida
1102 College System institution board of trustees may not increase a

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1103 student activity and service fee established pursuant to this
1104 subsection.

1105 (8) (a) Each Florida College System institution board of
1106 trustees is authorized to establish a separate fee for financial
1107 aid purposes in an additional amount up to, but not to exceed, 5
1108 percent of the total student tuition or out-of-state fees
1109 collected. Each Florida College System institution board of
1110 trustees may collect up to an additional 2 percent if the amount
1111 generated by the total financial aid fee is less than \$500,000.
1112 If the amount generated is less than \$500,000, a Florida College
1113 System institution that charges tuition and out-of-state fees at
1114 least equal to the average fees established by rule may transfer
1115 from the general current fund to the scholarship fund an amount
1116 equal to the difference between \$500,000 and the amount
1117 generated by the total financial aid fee assessment. No other
1118 transfer from the general current fund to the loan, endowment,
1119 or scholarship fund, by whatever name known, is authorized.
1120 Beginning July 1, 2022, a Florida College System institution
1121 board of trustees may not increase a financial aid fee
1122 established pursuant to this paragraph.

1123 (10) Each Florida College System institution board of
1124 trustees is authorized to establish a separate fee for
1125 technology, which may not exceed 5 percent of tuition per credit
1126 hour or credit-hour equivalent for resident students and may not
1127 exceed 5 percent of tuition and the out-of-state fee per credit
1128 hour or credit-hour equivalent for nonresident students.
1129 Revenues generated from the technology fee must ~~shall~~ be used to
1130 enhance instructional technology resources for students and
1131 faculty. The technology fee may apply to both college credit and

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1132 developmental education. Fifty percent of technology fee
1133 revenues may be pledged by a Florida College System institution
1134 board of trustees as a dedicated revenue source for the
1135 repayment of debt, including lease-purchase agreements, not to
1136 exceed the useful life of the asset being financed. Revenues
1137 generated from the technology fee may not be bonded. Beginning
1138 July 1, 2022, a Florida College System institution board of
1139 trustees may not increase a technology fee established pursuant
1140 to this subsection.

1141 (11) (a) Each Florida College System institution board of
1142 trustees may establish a separate fee for capital improvements,
1143 technology enhancements, equipping student buildings, or the
1144 acquisition of improved real property which may not exceed 20
1145 percent of tuition for resident students or 20 percent of the
1146 sum of tuition and out-of-state fees for nonresident students.
1147 ~~The fee for resident students shall be limited to an increase of~~
1148 ~~\$2 per credit hour over the prior year.~~ Funds collected by
1149 Florida College System institutions through the fee may be
1150 bonded only as provided in this subsection for the purpose of
1151 financing or refinancing new construction and equipment,
1152 renovation, remodeling of educational facilities, or the
1153 acquisition and renovation or remodeling of improved real
1154 property for use as educational facilities. The fee must ~~shall~~
1155 be collected as a component part of the tuition and fees, paid
1156 into a separate account, and expended only to acquire improved
1157 real property or construct and equip, maintain, improve, or
1158 enhance the educational facilities of the Florida College System
1159 institution. Projects and acquisitions of improved real property
1160 funded through the use of the capital improvement fee must ~~shall~~

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1161 meet the survey and construction requirements of chapter 1013.
1162 Pursuant to s. 216.0158, each Florida College System institution
1163 shall identify each project, including maintenance projects,
1164 proposed to be funded in whole or in part by such fee. Beginning
1165 July 1, 2022, a Florida College System institution board of
1166 trustees may not increase a technology fee established pursuant
1167 to this paragraph.

1168 (12) (a) In addition to tuition, out-of-state, financial
1169 aid, capital improvement, student activity and service, and
1170 technology fees authorized in this section, each Florida College
1171 System institution board of trustees is authorized to establish
1172 fee schedules for the following user fees and fines: laboratory
1173 fees, which do not apply to a distance learning course; parking
1174 fees and fines; library fees and fines; fees and fines relating
1175 to facilities and equipment use or damage; access or
1176 identification card fees; duplicating, photocopying, binding, or
1177 microfilming fees; standardized testing fees; diploma
1178 replacement fees; transcript fees; application fees; graduation
1179 fees; and late fees related to registration and payment. Such
1180 user fees and fines may ~~shall~~ not exceed the cost of the
1181 services provided and may ~~shall~~ only be charged to persons
1182 receiving the service. A Florida College System institution may
1183 not charge any fee except as authorized by law. Parking fee
1184 revenues may be pledged by a Florida College System institution
1185 board of trustees as a dedicated revenue source for the
1186 repayment of debt, including lease-purchase agreements, with an
1187 overall term of not more than 7 years, including renewals,
1188 extensions, and refundings, and revenue bonds with a term not
1189 exceeding 20 years and not exceeding the useful life of the

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1190 asset being financed. Florida College System institutions shall
 1191 use the services of the Division of Bond Finance of the State
 1192 Board of Administration to issue any revenue bonds authorized by
 1193 this subsection. Any such bonds issued by the Division of Bond
 1194 Finance must ~~shall~~ be in compliance with the provisions of the
 1195 State Bond Act. Bonds issued pursuant to the State Bond Act may
 1196 be validated in the manner established in chapter 75. The
 1197 complaint for such validation must ~~shall~~ be filed in the circuit
 1198 court of the county where the seat of state government is
 1199 situated, the notice required to be published by s. 75.06 must
 1200 ~~shall~~ be published only in the county where the complaint is
 1201 filed, and the complaint and order of the circuit court must
 1202 ~~shall~~ be served only on the state attorney of the circuit in
 1203 which the action is pending. Beginning July 1, 2023, a Florida
 1204 College System institution board of trustees may not increase a
 1205 fee established pursuant to this paragraph by more than 3
 1206 percent. Beginning with the 2023-2024 academic year, a fee
 1207 established pursuant to this paragraph may be increased only
 1208 once every 3 years. Fees assessed as a result of a vendor
 1209 contract may exceed the 3 percent cap only after the Florida
 1210 College System institution has made every effort, and has
 1211 followed the competitive solicitation process pursuant to s.
 1212 287.057(1), to minimize the cost. Any fee assessed by a Florida
 1213 College System institution under this paragraph may not exceed
 1214 the cost of the service provided.

1215 (15) Each Florida College System institution may assess a
 1216 service charge for the payment of tuition and fees in
 1217 installments and a convenience fee for the processing of
 1218 automated or online credit card payments. However, the amount of

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1219 the convenience fee may not exceed the total cost charged by the
1220 credit card company to the Florida College System institution.
1221 Such service charge or convenience fee must be approved by the
1222 Florida College System institution board of trustees. Beginning
1223 July 1, 2022, a Florida College System institution board of
1224 trustees may not increase a service charge established pursuant
1225 to this subsection.

1226 (16)

1227 (b) The amount of the distance learning course user fee may
1228 not exceed the additional costs of the services provided which
1229 are attributable to the development and delivery of the distance
1230 learning course. If a Florida College System institution
1231 assesses the distance learning course user fee, the institution
1232 may not assess any other fees to cover the additional costs.
1233 Beginning July 1, 2023, a Florida College System institution
1234 board of trustees may not increase a distance learning course
1235 user fee established under this subsection by more than 3
1236 percent of the amount assessed the prior year. By each September
1237 ~~1 of each year,~~ each board of trustees shall report to the
1238 Division of Florida Colleges the total amount of revenue
1239 generated by the distance learning course user fee for the prior
1240 fiscal year and how the revenue was expended. By November 1 of
1241 each year, the Chancellor of the Florida College System shall
1242 report the total amount of revenue generated by the distance
1243 learning course user fee for the prior fiscal year and how the
1244 revenue was expended, both systemwide and by institution, to the
1245 Governor, the President of the Senate, and the Speaker of the
1246 House of Representatives.

1247 (17) Each Florida College System institution that accepts

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1248 transient students, pursuant to s. 1006.73, may establish a
1249 transient student fee not to exceed \$5 per course for processing
1250 the transient student admissions application. Beginning July 1,
1251 2022, a Florida College System institution board of trustees may
1252 not increase a transient student fee established pursuant to
1253 this subsection.

1254 (18) (a) The Board of Trustees of Santa Fe College may
1255 establish a transportation access fee. Revenue from the fee may
1256 be used only to provide or improve access to transportation
1257 services for students enrolled at Santa Fe College. The fee may
1258 not exceed \$6 per credit hour. ~~An increase in the transportation~~
1259 ~~access fee may occur only once each fiscal year and must be~~
1260 ~~implemented beginning with the fall term.~~ A referendum must be
1261 held by the student government to approve the application of the
1262 fee. Beginning July 1, 2022, the Board of Trustees of Santa Fe
1263 College may not increase the transportation access fee
1264 established pursuant to this paragraph.

1265 (20) (a) All tuition and fees described in this section, and
1266 any proposed changes to them, must be published prominently on
1267 the Florida College System institution's website, as applicable.

1268 Each Florida College System institution shall publicly notice
1269 and notify all enrolled students of any proposal to increase
1270 tuition or fees at least 28 days before its consideration for a
1271 vote taken at a board of trustees meeting. The notice must:

1272 1.-(a) Include the date and time of the meeting at which the
1273 proposal will be considered.

1274 2.-(b) Specifically outline the details of existing tuition
1275 and fees, the rationale for the proposed increase, and how the
1276 funds from the proposed increase will be used.

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1277 3.(e) Be posted on the institution's website and issued in
1278 a press release. The press release must also be enclosed in an
1279 e-mail sent to all enrolled students.

1280 (b) Each Florida College System institution shall annually
1281 submit a fee schedule to the State Board of Education for its
1282 approval by a date established by state board rule. A Florida
1283 College System institution must submit for approval by the state
1284 board by a date established by state board rule an amended fee
1285 schedule when a fee is changed pursuant to paragraph (12) (a).

1286 Section 18. Paragraph (d) of subsection (4) and subsections
1287 (7) through (17) and (20) of section 1009.24, Florida Statutes,
1288 are amended to read:

1289 1009.24 State university student fees.—

1290 (4)

1291 (d) The sum of the activity and service, health, and
1292 athletic fees a student is required to pay to register for a
1293 course may not exceed 40 percent of the tuition established in
1294 law or in the General Appropriations Act. A No university may
1295 not shall be required to lower any fee in effect on the
1296 effective date of this act in order to comply with this
1297 subsection. Within the 40 percent cap, universities may not
1298 increase the aggregate sum of activity and service, health, and
1299 athletic fees more than 5 percent per year unless specifically
1300 authorized in law or in the General Appropriations Act.

1301 Beginning July 1, 2022, a university may not increase its
1302 athletic fee ~~to defray the costs associated with changing~~
1303 ~~National Collegiate Athletic Association divisions. Any such~~
1304 ~~increase in the athletic fee may exceed both the 40 percent cap~~
1305 ~~and the 5 percent cap imposed by this subsection. Any such~~

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1306 ~~increase must be approved by the athletic fee committee in the~~
 1307 ~~process outlined in subsection (12) and may not exceed \$2 per~~
 1308 ~~credit hour. Notwithstanding ss. 1009.534, 1009.535, and~~
 1309 ~~1009.536, that portion of any increase in an athletic fee~~
 1310 ~~pursuant to this subsection which causes the sum of the activity~~
 1311 ~~and service, health, and athletic fees to exceed the 40 percent~~
 1312 ~~cap or the annual increase in such fees to exceed the 5 percent~~
 1313 ~~cap may not be included in calculating the amount a student~~
 1314 ~~receives for a Florida Academic Scholars award, a Florida~~
 1315 ~~Medallion Scholars award, or a Florida Gold Seal Vocational~~
 1316 ~~Scholars award. Notwithstanding this paragraph and subject to~~
 1317 ~~approval by the board of trustees, each state university may~~
 1318 ~~exceed the 5 percent cap on the annual increase to the aggregate~~
 1319 ~~sum of activity and service, health, and athletic fees for the~~
 1320 ~~2010-2011 fiscal year. Any such increase may not exceed 15~~
 1321 ~~percent or the amount required to reach the 2009-2010 fiscal~~
 1322 ~~year statewide average for the aggregate sum of activity and~~
 1323 ~~service, health, and athletic fees at the main campuses,~~
 1324 ~~whichever is greater. The aggregate sum of the activity and~~
 1325 ~~service, health, and athletic fees may not exceed 40 percent of~~
 1326 ~~tuition. Any increase in the activity and service fee, health~~
 1327 ~~fee, or athletic fee must be approved by the appropriate fee~~
 1328 ~~committee pursuant to subsection (10), subsection (11), or~~
 1329 ~~subsection (12).~~

1330 (7) A university board of trustees is authorized to collect
 1331 for financial aid purposes an amount not to exceed 5 percent of
 1332 the tuition and out-of-state fee. Beginning July 1, 2022, a
 1333 university board of trustees may not increase a financial aid
 1334 fee established pursuant to this subsection. The revenues from

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1335 fees are to remain at each campus and replace existing financial
 1336 aid fees. Such funds must ~~shall~~ be disbursed to students as
 1337 quickly as possible. A minimum of 75 percent of funds from the
 1338 student financial aid fee must ~~shall~~ be used to provide
 1339 financial aid based on absolute need. The Board of Governors
 1340 shall develop criteria for making financial aid awards. Each
 1341 university shall report annually to the Board of Governors and
 1342 the Department of Education on the revenue collected pursuant to
 1343 this subsection, the amount carried forward, the criteria used
 1344 to make awards, the amount and number of awards for each
 1345 criterion, and a delineation of the distribution of such awards.
 1346 The report must ~~shall~~ include an assessment by category of the
 1347 financial need of every student who receives an award,
 1348 regardless of the purpose for which the award is received.
 1349 Awards ~~which are~~ based on financial need must ~~shall~~ be
 1350 distributed in accordance with a nationally recognized system of
 1351 need analysis approved by the Board of Governors. An award for
 1352 academic merit must ~~shall~~ require a minimum overall grade point
 1353 average of 3.0 on a 4.0 scale or the equivalent for both initial
 1354 receipt of the award and renewal of the award.

1355 (8)(a) The Capital Improvement Trust Fund fee is
 1356 established as \$4.76 per credit hour per semester.

1357 ~~(b) Beginning with the 2012 fall term, each university~~
 1358 ~~board of trustees may increase the Capital Improvement Trust~~
 1359 ~~Fund fee. Any increase in the fee must be recommended by a~~
 1360 ~~Capital Improvement Trust Fund committee, at least half of whom~~
 1361 ~~are students appointed by the student body president. The~~
 1362 ~~remainder of the committee shall be appointed by the university~~
 1363 ~~president. A chair, appointed jointly by the university~~

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1364 ~~president and the student body president, shall vote only in the~~
1365 ~~ease of a tie. The recommendations of the committee shall take~~
1366 ~~effect only after approval by the university president, after~~
1367 ~~consultation with the student body president, with final~~
1368 ~~approval by the university board of trustees. An increase in the~~
1369 ~~fee may occur only once each fiscal year and must be implemented~~
1370 ~~beginning with the fall term. The Board of Governors shall adopt~~
1371 ~~regulations and timetables to implement the fee.~~

1372 ~~(e)~~ The fee may not exceed 10 percent of the tuition for
1373 resident students or 10 percent of the sum of tuition and out-
1374 of-state fees for nonresident students. ~~The fee for resident~~
1375 ~~students shall be limited to an increase of \$2 per credit hour~~
1376 ~~over the prior year. The Capital Improvement Trust Fund fee may~~
1377 be used to fund any project or real property acquisition that
1378 meets the requirements of chapter 1013. The Division of Bond
1379 Finance of the State Board of Administration shall analyze any
1380 proposed reductions to the Capital Improvement Trust Fund fee to
1381 ensure consistency with prudent financial management of the bond
1382 program associated with the revenues from the fee. Beginning
1383 July 1, 2022, a university board of trustees may not increase
1384 the fee established pursuant to this subsection ~~The Board of~~
1385 ~~Governors shall approve any proposed fee reductions provided~~
1386 ~~that no such reduction reduces the fee below the level~~
1387 ~~established in paragraph (a).~~

1388 (9) Each university board of trustees is authorized to
1389 establish separate activity and service, health, and athletic
1390 fees. Beginning July 1, 2022, a university board of trustees may
1391 not increase a service, health, or athletic fee established
1392 pursuant to this subsection. When duly established, the fees

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1393 must ~~shall~~ be collected as component parts of tuition and fees
1394 and must ~~shall~~ be retained by the university and paid into the
1395 separate activity and service, health, and athletic funds.
1396 Notwithstanding any other ~~provision of~~ law to the contrary, a
1397 university may transfer revenues derived from the fees
1398 authorized pursuant to this subsection to a university direct-
1399 support organization of the university to be used only for the
1400 purpose of paying and securing debt on projects approved
1401 pursuant to s. 1010.62 and pursuant to a written agreement
1402 approved by the Board of Governors. The amount transferred may
1403 not exceed the amount authorized for annual debt service
1404 pursuant to s. 1010.62.

1405 (10) (a) Each university board of trustees shall establish a
1406 student activity and service fee on the main campus of the
1407 university. The university board may also establish a student
1408 activity and service fee on any branch campus or center.
1409 Beginning July 1, 2022, a university board of trustees may not
1410 increase a student activity and service fee established pursuant
1411 to this paragraph ~~Any subsequent increase in the activity and~~
1412 ~~service fee must be recommended by an activity and service fee~~
1413 ~~committee, at least one-half of whom are students appointed by~~
1414 ~~the student body president. The remainder of the committee shall~~
1415 ~~be appointed by the university president. A chairperson,~~
1416 ~~appointed jointly by the university president and the student~~
1417 ~~body president, shall vote only in the case of a tie. The~~
1418 ~~recommendations of the committee shall take effect only after~~
1419 ~~approval by the university president, after consultation with~~
1420 ~~the student body president, with final approval by the~~
1421 ~~university board of trustees. An increase in the activity and~~

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1422 ~~service fee may occur only once each fiscal year and must be~~
1423 ~~implemented beginning with the fall term.~~ The Board of Governors
1424 shall adopt ~~is responsible for adopting~~ the regulations and
1425 timetables necessary to implement this fee.

1426 (b) The student activity and service fee must ~~fees shall~~ be
1427 expended for lawful purposes to benefit the student body in
1428 general. This includes ~~shall include~~, but is ~~shall~~ not be
1429 limited to, student publications and grants to duly recognized
1430 student organizations, the membership of which is open to all
1431 students at the university without regard to race, sex, or
1432 religion. The fund may not benefit activities for which an
1433 admission fee is charged to students, except for student-
1434 government-association-sponsored concerts. The allocation and
1435 expenditure of the fund shall be determined by the student
1436 government association of the university, except that the
1437 president of the university may veto any line item or portion
1438 thereof within the budget when submitted by the student
1439 government association legislative body. The university
1440 president has ~~shall have~~ 15 school days after ~~from~~ the date of
1441 presentation of the budget to act on the allocation and
1442 expenditure recommendations, which are ~~shall be~~ deemed approved
1443 if no action is taken within the 15 school days. If any line
1444 item or portion thereof within the budget is vetoed, the student
1445 government association legislative body must ~~shall~~ within 15
1446 school days make new budget recommendations for expenditure of
1447 the vetoed portion of the fund. If the university president
1448 vetoes any line item or portion thereof within the new budget
1449 revisions, the university president may reallocate by line item
1450 that vetoed portion to bond obligations guaranteed by activity

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1451 and service fees. Unexpended funds and undisbursed funds
1452 remaining at the end of a fiscal year must ~~shall~~ be carried over
1453 and remain in the student activity and service fund and be
1454 available for allocation and expenditure during the next fiscal
1455 year.

1456 (11) Each university board of trustees shall establish a
1457 student health fee on the main campus of the university. The
1458 university board of trustees may also establish a student health
1459 fee on any branch campus or center. Beginning July 1, 2022, a
1460 university board of trustees may not increase ~~Any subsequent~~
1461 ~~increase in the health fee~~ established pursuant to this
1462 subsection ~~must be recommended by a health committee, at least~~
1463 ~~one half of whom are students appointed by the student body~~
1464 ~~president. The remainder of the committee shall be appointed by~~
1465 ~~the university president. A chairperson, appointed jointly by~~
1466 ~~the university president and the student body president, shall~~
1467 ~~vote only in the case of a tie. The recommendations of the~~
1468 ~~committee shall take effect only after approval by the~~
1469 ~~university president, after consultation with the student body~~
1470 ~~president, with final approval by the university board of~~
1471 ~~trustees. An increase in the health fee may occur only once each~~
1472 ~~fiscal year and must be implemented beginning with the fall~~
1473 ~~term. The Board of Governors~~ shall adopt ~~is responsible for~~
1474 ~~adopting~~ the regulations and timetables necessary to implement
1475 this fee.

1476 (12) Each university board of trustees shall establish a
1477 separate athletic fee on the main campus of the university. The
1478 university board may also establish a separate athletic fee on
1479 any branch campus or center. Beginning July 1, 2022, a

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1480 university board of trustees may not increase an ~~Any subsequent~~
1481 ~~increase in the athletic fee~~ established pursuant to this
1482 subsection ~~must be recommended by an athletic fee committee, at~~
1483 ~~least one-half of whom are students appointed by the student~~
1484 ~~body president. The remainder of the committee shall be~~
1485 ~~appointed by the university president. A chairperson, appointed~~
1486 ~~jointly by the university president and the student body~~
1487 ~~president, shall vote only in the case of a tie. The~~
1488 ~~recommendations of the committee shall take effect only after~~
1489 ~~approval by the university president, after consultation with~~
1490 ~~the student body president, with final approval by the~~
1491 ~~university board of trustees. An increase in the athletic fee~~
1492 ~~may occur only once each fiscal year and must be implemented~~
1493 ~~beginning with the fall term. The Board of Governors shall adopt~~
1494 ~~is responsible for adopting the regulations and timetables~~
1495 necessary to implement this fee.

1496 (13) Each university board of trustees may establish a
1497 technology fee of up to 5 percent of the tuition per credit
1498 hour. Beginning July 1, 2022, a university board of trustees may
1499 not increase a technology fee established pursuant to this
1500 subsection. The revenue from this fee must ~~shall~~ be used to
1501 enhance instructional technology resources for students and
1502 faculty.

1503 (14) Except as otherwise provided in subsection (15), each
1504 university board of trustees is authorized to establish the
1505 following fees:

1506 (a) A nonrefundable application fee in an amount not to
1507 exceed \$30.

1508 (b) An orientation fee in an amount not to exceed \$35.

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1509 (c) A fee for security, access, or identification cards.
1510 The annual fee for such a card may not exceed \$10 per card. The
1511 maximum amount charged for a replacement card may not exceed
1512 \$15.

1513 (d) Registration fees for audit and zero-hours
1514 registration; a service charge, which may not exceed \$15, for
1515 the payment of tuition and fees in installments; and a late-
1516 registration fee in an amount not less than \$50 nor more than
1517 \$100 to be imposed on students who fail to initiate registration
1518 during the regular registration period.

1519 (e) A late-payment fee in an amount not less than \$50 nor
1520 more than \$100 to be imposed on students who fail to pay or fail
1521 to make appropriate arrangements to pay (by means of installment
1522 payment, deferment, or third-party billing) tuition by the
1523 deadline set by each university. Each university may adopt
1524 specific procedures or policies for waiving the late-payment fee
1525 for minor underpayments.

1526 (f) Fees for transcripts and diploma replacement, not to
1527 exceed \$10 per item.

1528 (g) A nonrefundable admissions deposit for undergraduate,
1529 graduate, and professional degree programs in an amount not to
1530 exceed \$200. The admissions deposit shall be imposed at the time
1531 of an applicant's acceptance to the university and shall be
1532 applied toward tuition upon enrollment. If the applicant does
1533 not enroll in the university, the admissions deposit must ~~shall~~
1534 be deposited in an auxiliary account of the university and used
1535 to expand financial assistance, scholarships, and student
1536 academic and career counseling services at the university. The
1537 Board of Governors shall adopt a policy that provides for the

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1538 waiver of such admissions deposit on the basis of financial
1539 hardship.

1540 (h) A fee for miscellaneous health-related charges for
1541 services provided at cost by the university health center which
1542 are not covered by the health fee set under subsection (11).

1543 (i) Materials and supplies fees to offset the cost of
1544 materials or supplies that are consumed in the course of the
1545 student's instructional activities, excluding the cost of
1546 equipment replacement, repairs, and maintenance.

1547 (j) Housing rental rates and miscellaneous housing charges
1548 for services provided by the university at the request of the
1549 student.

1550 (k) A charge representing the reasonable cost of efforts to
1551 collect payment of overdue accounts.

1552 (l) A service charge on university loans in lieu of
1553 interest and administrative handling charges.

1554 (m) A fee for off-campus course offerings when the location
1555 results in specific, identifiable increased costs to the
1556 university.

1557 (n) Library fees and fines, including charges for damaged
1558 and lost library materials, overdue reserve library books,
1559 interlibrary loans, and literature searches.

1560 (o) Fees relating to duplicating, photocopying, binding,
1561 and microfilming; copyright services; and standardized testing.
1562 These fees may be charged only to those who receive the
1563 services.

1564 (p) Fees and fines relating to the use, late return, and
1565 loss and damage of facilities and equipment.

1566 (q) A returned-check fee as authorized by s. 832.07(1) for

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1567 unpaid checks returned to the university.

1568 (r) Traffic and parking fines, charges for parking decals,
1569 and transportation access fees. Only universitywide
1570 transportation access fees may be included in any state
1571 financial assistance award authorized under part III of this
1572 chapter, as specifically authorized by law or the General
1573 Appropriations Act.

1574 (s) An Educational Research Center for Child Development
1575 fee for child care and services offered by the center.

1576 (t) A transient student fee that may not exceed \$5 per
1577 course for accepting a transient student and processing the
1578 transient student admissions application pursuant to s. 1006.73.

1579
1580 Beginning July 1, 2023, a university board of trustees may not
1581 increase any fee established pursuant to this subsection by more
1582 than 3 percent. Beginning with the 2023-2024 academic year, a
1583 fee may be increased only once every 3 years. Fees assessed as a
1584 result of a vendor contract may exceed the 3 percent cap only
1585 after the institution has made every effort available, and has
1586 followed the competitive solicitation process pursuant to s.
1587 287.057(1), to minimize the cost. Any fee assessed by an
1588 institution under this subsection may not exceed the cost of the
1589 service provided ~~With the exception of housing rental rates and~~
1590 ~~except as otherwise provided, fees assessed pursuant to~~
1591 ~~paragraphs (h) (s) shall be based on reasonable costs of~~
1592 ~~services.~~ The Board of Governors shall adopt regulations and
1593 timetables necessary to implement the fees and fines authorized
1594 under this subsection. The fees assessed under this subsection
1595 may be used for debt only as authorized under s. 1010.62.

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1596 (15) (a) The Board of Governors may approve:

1597 ~~1. A proposal from a university board of trustees to~~
1598 ~~establish a new student fee that is not specifically authorized~~
1599 ~~by this section.~~

1600 ~~2. A proposal from a university board of trustees to~~
1601 ~~increase the current cap for an existing fee authorized pursuant~~
1602 ~~to paragraphs (14) (a) - (g).~~

1603 ~~3.~~ a proposal from a university board of trustees to
1604 implement flexible tuition policies, such as undergraduate or
1605 graduate block tuition, block tuition differential, or market
1606 tuition rates for graduate-level online courses or graduate-
1607 level courses offered through a university's continuing
1608 education program. A block tuition policy for resident
1609 undergraduate students or undergraduate-level courses must ~~shall~~
1610 be based on the per-credit-hour undergraduate tuition
1611 established under subsection (4). A block tuition policy for
1612 nonresident undergraduate students must ~~shall~~ be based on the
1613 per-credit-hour undergraduate tuition and out-of-state fee
1614 established under subsection (4). Flexible tuition policies,
1615 including block tuition, may not increase the state's fiscal
1616 liability or obligation.

1617 (b) A proposal developed pursuant to paragraph (a) must
1618 ~~shall~~ be submitted in accordance with guidelines established by
1619 the Board of Governors. Approval by the Board of Governors of
1620 such proposal must be made in accordance with ~~the provisions of~~
1621 this subsection.

1622 (c) ~~In reviewing a proposal to establish a new fee under~~
1623 ~~subparagraph (a)1., the Board of Governors shall consider:~~

1624 ~~1. The purpose to be served or accomplished by the new fee.~~

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1625 ~~2. Whether there is a demonstrable student-based need for~~
1626 ~~the new fee that is not currently being met through existing~~
1627 ~~university services, operations, or another fee.~~

1628 ~~3. Whether the financial impact on students is warranted in~~
1629 ~~light of other charges assessed to students for tuition and~~
1630 ~~associated fees.~~

1631 ~~4. Whether any restrictions, limitations, or conditions~~
1632 ~~should be placed on the use of the fee.~~

1633 ~~5. Whether there are outcome measures to indicate if the~~
1634 ~~purpose for which the fee was established is accomplished.~~

1635 ~~(d) In reviewing a proposal to increase or exceed the~~
1636 ~~current cap for an existing fee under subparagraph (a)2., the~~
1637 ~~Board of Governors shall consider:~~

1638 ~~1. The services or operations currently being funded by the~~
1639 ~~fee.~~

1640 ~~2. Whether those services or operations can be performed~~
1641 ~~more efficiently to alleviate the need for any increase.~~

1642 ~~3. The additional or enhanced services or operations to be~~
1643 ~~funded by the increase.~~

1644 ~~4. Whether any alternative resources are available to meet~~
1645 ~~the need.~~

1646 ~~5. Whether the financial impact on students is warranted in~~
1647 ~~light of other charges assessed to students for tuition and~~
1648 ~~associated fees.~~

1649 ~~(e) In reviewing a proposal to implement a flexible tuition~~
1650 ~~policy under paragraph (a) ~~subparagraph (a)3.~~, the Board of~~
1651 ~~Governors shall consider:~~

1652 ~~1. Whether the proposed tuition flexibility policy is~~
1653 ~~aligned with the mission of the university.~~

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1654 2. Whether the proposed tuition flexibility policy
1655 increases the state's fiscal liabilities or obligations and, if
1656 so, the proposal must ~~shall~~ be denied.

1657 3. Whether any restrictions, limitations, or conditions
1658 should be placed on the policy.

1659 4. How the proposed tuition flexibility policy will be
1660 implemented to honor the advance payment contracts of students
1661 who are beneficiaries of prepaid tuition contracts under s.
1662 1009.98.

1663 ~~(d)(f)~~ The Board of Governors shall submit an annual report
1664 to the President of the Senate, the Speaker of the House of
1665 Representatives, and the Governor summarizing the proposals
1666 received by the board during the preceding year and actions
1667 taken by the board in response to such proposals. ~~The Board of~~
1668 ~~Governors shall also include in the annual report the following~~
1669 ~~information for each fee established pursuant to subparagraph~~
1670 ~~(a)1.:~~

1671 ~~1. The amount of the fee.~~

1672 ~~2. The total revenues generated by the fee.~~

1673 ~~3. Detailed expenditures of the revenues generated by the~~
1674 ~~fee.~~

1675 ~~(g) The aggregate sum of any fees established pursuant to~~
1676 ~~subparagraph (a)1. that a student is required to pay to register~~
1677 ~~for a course shall not exceed 10 percent of tuition.~~

1678 ~~(h) Any fee established pursuant to subparagraph (a)1.~~
1679 ~~shall not be included in any award under the Florida Bright~~
1680 ~~Futures Scholarship Program established pursuant to ss. 1009.53-~~
1681 ~~1009.538.~~

1682 ~~(i) The revenues generated by a fee established pursuant to~~

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1683 ~~subparagraph (a)1. may not be transferred to an auxiliary~~
1684 ~~enterprise or a direct-support organization and may not be used~~
1685 ~~for the purpose of paying or securing debt.~~

1686 ~~(j) If the Board of Governors approves a university~~
1687 ~~proposal to establish a fee pursuant to subparagraph (a)1., a~~
1688 ~~fee committee shall be established at the university to make~~
1689 ~~recommendations to the university president and the university~~
1690 ~~board of trustees regarding how the revenue from the fee is to~~
1691 ~~be spent and any subsequent changes to the fee. At least one-~~
1692 ~~half of the committee must be students appointed by the student~~
1693 ~~body president. The remainder of the committee shall be~~
1694 ~~appointed by the university president. A chair, appointed~~
1695 ~~jointly by the university president and the student body~~
1696 ~~president, shall vote only in the case of a tie.~~

1697 ~~(k) An increase to an existing fee or a fee established~~
1698 ~~pursuant to subparagraph (a)1. may occur no more than once each~~
1699 ~~fiscal year and must be implemented beginning with the fall~~
1700 ~~term.~~

1701 (16) Each university board of trustees may establish a
1702 tuition differential for undergraduate courses upon receipt of
1703 approval from the Board of Governors. However, beginning July 1,
1704 2014, the Board of Governors may only approve the establishment
1705 of or an increase in tuition differential for a state research
1706 university designated as a preeminent state research university
1707 pursuant to s. 1001.7065(3). The tuition differential must ~~shall~~
1708 promote improvements in the quality of undergraduate education
1709 and must ~~shall~~ provide financial aid to undergraduate students
1710 who exhibit financial need.

1711 (a) Seventy percent of the revenues from the tuition

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1712 differential must ~~shall~~ be expended for purposes of
1713 undergraduate education. Such expenditures may include, but are
1714 not limited to, increasing course offerings, improving
1715 graduation rates, increasing the percentage of undergraduate
1716 students who are taught by faculty, decreasing student-faculty
1717 ratios, providing salary increases for faculty who have a
1718 history of excellent teaching in undergraduate courses,
1719 improving the efficiency of the delivery of undergraduate
1720 education through academic advisement and counseling, and
1721 reducing the percentage of students who graduate with excess
1722 hours. This expenditure for undergraduate education may not be
1723 used to pay the salaries of graduate teaching assistants. Except
1724 as otherwise provided in this subsection, the remaining 30
1725 percent of the revenues from the tuition differential, or the
1726 equivalent amount of revenue from private sources, must ~~shall~~ be
1727 expended to provide financial aid to undergraduate students who
1728 exhibit financial need, including students who are scholarship
1729 recipients under s. 1009.984, to meet the cost of university
1730 attendance. This expenditure for need-based financial aid may
1731 ~~shall~~ not supplant the amount of need-based aid provided to
1732 undergraduate students in the preceding fiscal year from
1733 financial aid fee revenues, the direct appropriation for
1734 financial assistance provided to state universities in the
1735 General Appropriations Act, or from private sources. The total
1736 amount of tuition differential waived under subparagraph (b) 6.
1737 ~~(b) 7.~~ may be included in calculating the expenditures for need-
1738 based financial aid to undergraduate students required by this
1739 subsection. If the entire tuition and fee costs of resident
1740 students who have applied for and received Pell Grant funds have

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1741 been met and the university has excess funds remaining from the
1742 30 percent of the revenues from the tuition differential
1743 required to be used to assist students who exhibit financial
1744 need, the university may expend the excess portion in the same
1745 manner as required for the other 70 percent of the tuition
1746 differential revenues.

1747 (b) Each tuition differential is subject to the following
1748 conditions:

1749 1. The tuition differential may be assessed on one or more
1750 undergraduate courses or on all undergraduate courses at a state
1751 university.

1752 2. The tuition differential may vary by course or courses,
1753 by campus or center location, and by institution. Each
1754 university board of trustees shall strive to maintain and
1755 increase enrollment in degree programs related to math, science,
1756 high technology, and other state or regional high-need fields
1757 when establishing tuition differentials by course.

1758 3. ~~For each state university that is designated as a~~
1759 ~~preeminent state research university by the Board of Governors,~~
1760 ~~pursuant to s. 1001.7065, the aggregate sum of tuition and the~~
1761 ~~tuition differential may be increased by no more than 6 percent~~
1762 ~~of the total charged for the aggregate sum of these fees in the~~
1763 ~~preceding fiscal year. The tuition differential may be increased~~
1764 ~~if the university meets or exceeds performance standard targets~~
1765 ~~for that university established annually by the Board of~~
1766 ~~Governors for the following performance standards, amounting to~~
1767 ~~no more than a 2-percent increase in the tuition differential~~
1768 ~~for each performance standard:~~

1769 a. ~~An increase in the 4-year graduation rate for full-time,~~

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1770 ~~first time in college students, as reported annually to the~~
1771 ~~Integrated Postsecondary Education Data System.~~

1772 ~~b. An increase in the total annual research expenditures.~~

1773 ~~e. An increase in the total patents awarded by the United~~
1774 ~~States Patent and Trademark Office for the most recent years.~~

1775 ~~4.~~ The aggregate sum of undergraduate tuition and fees per
1776 credit hour, including the tuition differential, may not exceed
1777 the national average of undergraduate tuition and fees at 4-year
1778 degree-granting public postsecondary educational institutions.

1779 ~~4.5.~~ Beneficiaries having prepaid tuition contracts
1780 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
1781 2007, and which remain in effect, are exempt from the payment of
1782 the tuition differential.

1783 ~~5.6.~~ The tuition differential may not be charged to any
1784 student who was in attendance at the university before July 1,
1785 2007, and who maintains continuous enrollment.

1786 ~~6.7.~~ The tuition differential may be waived by the
1787 university for students who meet the eligibility requirements
1788 for the Florida Public Student Assistance Grant Program
1789 established in s. 1009.50.

1790 ~~7.8.~~ Subject to approval by the Board of Governors, the
1791 tuition differential authorized pursuant to this subsection may
1792 take effect with the 2009 fall term.

1793 (c) A university board of trustees may submit a proposal to
1794 the Board of Governors to implement a tuition differential for
1795 one or more undergraduate courses. At a minimum, the proposal
1796 must ~~shall~~:

1797 1. Identify the course or courses for which the tuition
1798 differential will be assessed.

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1799 2. Indicate the amount that will be assessed for each
1800 tuition differential proposed.

1801 3. Indicate the purpose of the tuition differential.

1802 4. Indicate how the revenues from the tuition differential
1803 will be used.

1804 5. Indicate how the university will monitor the success of
1805 the tuition differential in achieving the purpose for which the
1806 tuition differential is being assessed.

1807 (d) The Board of Governors shall review each proposal and
1808 advise the university board of trustees of approval of the
1809 proposal, the need for additional information or revision to the
1810 proposal, or denial of the proposal. The Board of Governors
1811 shall establish a process for any university to revise a
1812 proposal or appeal a decision of the board.

1813 (e) The Board of Governors shall submit a report to the
1814 President of the Senate, the Speaker of the House of
1815 Representatives, and the Governor describing the implementation
1816 of ~~the provisions of~~ this subsection no later than February 1 of
1817 each year. The report must ~~shall~~ summarize proposals received by
1818 the board during the preceding fiscal year and actions taken by
1819 the board in response to such proposals. In addition, the report
1820 must ~~shall~~ provide the following information for each university
1821 ~~that has been~~ approved by the board to assess a tuition
1822 differential:

1823 1. The course or courses for which the tuition differential
1824 was assessed and the amount assessed.

1825 2. The total revenues generated by the tuition
1826 differential.

1827 3. With respect to waivers authorized under subparagraph

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1828 (b) 6. ~~(b) 7.~~, the number of students eligible for a waiver, the
1829 number of students receiving a waiver, and the value of waivers
1830 provided.

1831 4. Detailed expenditures of the revenues generated by the
1832 tuition differential.

1833 5. Changes in retention rates, graduation rates, the
1834 percentage of students graduating with more than 110 percent of
1835 the hours required for graduation, pass rates on licensure
1836 examinations, the number of undergraduate course offerings, the
1837 percentage of undergraduate students who are taught by faculty,
1838 student-faculty ratios, and the average salaries of faculty who
1839 teach undergraduate courses.

1840 (f) No state university shall be required to lower any
1841 tuition differential that was approved by the Board of Governors
1842 and in effect prior to January 1, 2009, in order to comply with
1843 ~~the provisions of~~ this subsection.

1844 (17) (a) A state university may assess a student who enrolls
1845 in a course listed in the distance learning catalog, established
1846 pursuant to s. 1006.73, a per-credit-hour distance learning
1847 course fee. For purposes of assessing this fee, a distance
1848 learning course is a course in which at least 80 percent of the
1849 direct instruction of the course is delivered using some form of
1850 technology when the student and instructor are separated by time
1851 or space, or both.

1852 (b) The amount of the distance learning course fee may not
1853 exceed the additional costs of the services provided which are
1854 attributable to the development and delivery of the distance
1855 learning course. If the distance learning course fee is assessed
1856 by a state university, the institution may not assess

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1857 duplicative fees to cover the additional costs. Beginning July
1858 1, 2023, a university board of trustees may not increase the
1859 distance learning course fee authorized under this subsection by
1860 more than 3 percent of the amount assessed the prior year;
1861 however, the total collected by an institution from such fee may
1862 not exceed the cost of the service provided by that institution.
1863 Fees assessed as a result of a vendor contract may exceed the 3
1864 percent cap only after the institution has made every effort
1865 available, and has followed the competitive solicitation process
1866 pursuant to s. 287.057(1), to minimize the cost.

1867 1. By September 1 of each year, each board of trustees
1868 shall report to the Chancellor of the State University System
1869 the total amount of revenue generated for the prior fiscal year
1870 by the fee authorized by this subsection and how that revenue
1871 was expended.

1872 2. By November 1 of each year, the Chancellor of the State
1873 University System shall report the total amount of revenue
1874 generated by the distance learning course fee for the prior
1875 fiscal year and how the revenue was expended, both systemwide
1876 and by institution, to the Governor, the President of the
1877 Senate, and the Speaker of the House of Representatives.

1878 (c) If an institution assesses the distance learning fee,
1879 the institution must provide a link to the catalog within the
1880 advising and distance learning sections of the institution's
1881 website.

1882 (20) (a) All tuition and fees described in this section, and
1883 any proposed changes to them, must be published prominently on
1884 the university's website. Each state university shall publicly
1885 notice and notify all enrolled students of any proposal to

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1886 change tuition or fees at least 28 days before its consideration
1887 for a vote taken at a board of trustees meeting. The notice
1888 must:

1889 1.(a) Include the date and time of the meeting at which the
1890 proposal will be considered.

1891 2.(b) Specifically outline the details of existing tuition
1892 and fees, the rationale for the proposed change, and how the
1893 funds from the proposed change will be used.

1894 3.(c) Be published ~~posted~~ on the university's website and
1895 issued in a press release. The press release must also be
1896 enclosed in an e-mail sent to all enrolled students.

1897 (b) Each university shall annually submit a fee schedule to
1898 the Board of Governors for approval by the board by a date
1899 established by board regulation. When a fee is changed pursuant
1900 to paragraph (17) (b), a university must submit an amended fee
1901 schedule for approval by the board by a date established by
1902 board regulation.

1903 Section 19. Subsections (1) and (3) of section 1011.81,
1904 Florida Statutes, are amended to read:

1905 1011.81 Florida College System Program Fund.—

1906 (1)(a) There is established a Florida College System
1907 Program Fund. This fund shall comprise all appropriations made
1908 by the Legislature for the support of the current operating
1909 program and shall be apportioned and distributed to the Florida
1910 College System institution districts of the state on the basis
1911 of procedures established by law and rules of the State Board of
1912 Education. The annual apportionment for each Florida College
1913 System institution district shall be distributed monthly in
1914 payments as nearly equal as possible.

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1915 (b) The State Board of Education shall collaborate with the
1916 Board of Governors to create a template, which must include
1917 fiscal definitions and all sources of revenue, for use by each
1918 Florida College System institution in creating a report on its
1919 sources of revenue. The report must detail all state and
1920 nonstate sources of revenue received by the institution, as well
1921 as by its auxiliary enterprises as defined in s. 1011.47 and its
1922 direct-support organizations as defined in s. 1004.70(1), during
1923 the prior year. Each Florida College System institution shall
1924 submit the report by September 1 of each year to the Governor,
1925 the President of the Senate, and the Speaker of the House of
1926 Representatives. Such report must also be published prominently
1927 on the State Board of Education's website.

1928 (3) None of the funds made available in the Florida College
1929 System Program Fund, or funds made available to Florida College
1930 System institutions outside the Florida College System Program
1931 Fund, may be used to implement, organize, direct, coordinate, or
1932 administer, or to support the implementation, organization,
1933 direction, coordination, or administration of, activities
1934 related to, or involving, any of the following:

1935 (a) Travel to a terrorist state. For purposes of this
1936 paragraph, the term ~~section~~, "terrorist state" means ~~is defined~~
1937 as any state, country, or nation designated by the United States
1938 Department of State as a state sponsor of terrorism.

1939 (b) Discrimination against students or employees which is
1940 prohibited by s. 1000.05 or rules established pursuant to that
1941 section.

1942 (c) Disruptive activities prohibited by s. 1012.80.
1943

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1944 An allegation of noncompliance with the requirements of this
1945 subsection is subject to the investigatory, enforcement, and
1946 sanction provisions of s. 1008.32 and State Board of Education
1947 rule.

1948 Section 20. Subsections (4) and (6) of section 1011.90,
1949 Florida Statutes, are amended to read:

1950 1011.90 State university funding.—

1951 (4) (a) The Board of Governors shall establish and validate
1952 a cost-estimating system consistent with the requirements of
1953 subsection (1) and shall report as part of its legislative
1954 budget request the actual expenditures for the fiscal year
1955 ending the previous June 30. The legislative budget request must
1956 also include 5-year trend information on the number of faculty
1957 and administrators at each university and the proportion of FTE
1958 dedicated to instruction and research compared to
1959 administration. The Board of Governors, by regulation, shall
1960 define faculty and administrator classifications and shall also
1961 report the definitions in the legislative budget request.
1962 Expenditure analysis, operating budgets, and annual financial
1963 statements of each university must be prepared using the
1964 standard financial reporting procedures and formats prescribed
1965 by the Board of Governors. These formats shall be the same as
1966 used for the 2000-2001 fiscal year reports. Any revisions to
1967 these financial and reporting procedures and formats must be
1968 approved by the Executive Office of the Governor and the
1969 appropriations committees of the Legislature jointly under s.
1970 216.023(3). The Board of Governors shall continue to collect and
1971 maintain at a minimum management information existing on June
1972 30, 2002. The expenditure analysis report shall include total

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1973 expenditures from all sources for the general operation of the
1974 university and shall be in such detail as needed to support the
1975 legislative budget request.

1976 (b) The Board of Governors shall collaborate with the State
1977 Board of Education in creating a template, which must include
1978 fiscal definitions and all sources of revenue, for use by each
1979 state university in creating a report on its sources of revenue.
1980 The report must detail all state and nonstate sources of revenue
1981 received by the state university, as well as by its auxiliary
1982 enterprises as defined in s. 1011.47 and its direct-support
1983 organizations as defined in s. 1004.28(1), during the prior
1984 year. Each state university shall submit the report by September
1985 1 of each year to the Governor, the President of the Senate, and
1986 the Speaker of the House of Representatives. Such report must
1987 also be published prominently on the Board of Governors'
1988 website.

1989 (6) None of the state or nonstate funds made available to
1990 state universities may be used to implement, organize, direct,
1991 coordinate, or administer, or to support the implementation,
1992 organization, direction, coordination, or administration of,
1993 activities related to or involving any of the following:

1994 (a) Travel to a terrorist state. For purposes of this
1995 section, the term "terrorist state" means ~~is defined as~~ any
1996 state, country, or nation designated by the United States
1997 Department of State as a state sponsor of terrorism.

1998 (b) Discrimination against students or employees which is
1999 prohibited by s. 1000.05 or rules established pursuant to that
2000 section.

2001 (c) Disruptive activities prohibited by s. 1012.80.

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2002
2003 An allegation of noncompliance with the requirements of this
2004 subsection is subject to the investigatory, enforcement, and
2005 sanction provisions of s. 1008.322 and Board of Governors
2006 regulation.

2007 Section 21. Subsection (1) of section 1011.91, Florida
2008 Statutes, is amended, and subsection (4) is added to that
2009 section, to read:

2010 1011.91 Additional appropriation.—

2011 (1) Except as otherwise provided in the General
2012 Appropriations Act, all moneys received by universities, from
2013 student fees authorized in s. 1009.24, from federal sources,
2014 from private sources, and from vending machine collections, are
2015 hereby appropriated to the use of the respective universities
2016 collecting same, to be expended as the university board of
2017 trustees may approve ~~direct~~; however, the funds may ~~shall~~ not be
2018 expended except in pursuance of detailed budgets approved by
2019 ~~filed with~~ the Board of Governors and may ~~shall~~ not be expended
2020 for the construction or reconstruction of buildings except as
2021 provided under s. 1013.74.

2022 (4) The Chancellor of the State University System may
2023 monitor and periodically review university expenditures in
2024 accordance with detailed university budgets approved pursuant to
2025 this section.

2026 Section 22. Section 1012.80, Florida Statutes, is amended
2027 to read:

2028 1012.80 Participation by employees in disruptive activities
2029 at public postsecondary educational institutions; penalties.—

2030 (1) (a) Any person who accepts the privilege extended by the

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2031 laws of this state of employment at any Florida College System
2032 institution shall, by working at such institution, be deemed to
2033 have given his or her consent to the policies of that
2034 institution, the policies of the State Board of Education, and
2035 the laws of this state. Such policies must be adopted in
2036 accordance with State Board of Education rule and must ~~shall~~
2037 include prohibition against, and corresponding discretionary
2038 penalties for, participation in disruptive activities at Florida
2039 College System institutions.

2040 (b) Any person who accepts the privilege extended by the
2041 laws of this state of employment at any state university shall,
2042 by working at such institution, be deemed to have given his or
2043 her consent to the policies of that institution, the policies of
2044 the Board of Governors, and the laws of this state. Such
2045 policies must be adopted in accordance with Board of Governors
2046 regulation and must ~~shall~~ include prohibition against, and
2047 corresponding discretionary penalties for, participation in
2048 disruptive activities at state universities.

2049 (2) If, after formal investigation conducted in accordance
2050 with s. 1008.32, s. 1008.322, or an applicable rule or
2051 regulation, it has been determined that an employee of a public
2052 postsecondary educational institution has participated in
2053 disruptive activities, the State Board of Education or the Board
2054 of Governors, as applicable, may enforce applicable personnel
2055 laws, rules, or regulations by applying authorized sanctions.
2056 The institution may, among other options, terminate the contract
2057 of the employee, and thereafter such person may ~~shall~~ not be
2058 employed by any state public school or public postsecondary
2059 educational institution.

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2060 (3) For purposes of this section, the meaning of the term
2061 "disruptive activities" shall be jointly developed and codified
2062 in rule and regulation by the State Board of Education and the
2063 Board of Governors, respectively.

2064 Section 23. Present subsection (3) of section 1012.886,
2065 Florida Statutes, is redesignated as subsection (4), and a new
2066 subsection (3) is added to that section, to read:

2067 1012.886 Remuneration of Florida College System institution
2068 administrative employees; limitations.—

2069 (3) REPORT.—By August 1 of each year, the State Board of
2070 Education shall report to the Governor, the President of the
2071 Senate, and the Speaker of the House of Representatives each
2072 Florida College System institution's compliance with this
2073 section.

2074 Section 24. Present subsection (3) of section 1012.976,
2075 Florida Statutes, is redesignated as subsection (4), and a new
2076 subsection (3) is added to that section, to read:

2077 1012.976 Remuneration of state university employees;
2078 limitations.—

2079 (3) REPORT.—By August 1 of each year, the Board of
2080 Governors shall report to the Governor, the President of the
2081 Senate, and the Speaker of the House of Representatives each
2082 state university's compliance with this section.

2083 Section 25. Except as otherwise expressly provided in this
2084 act, this act shall take effect upon becoming a law.