

1 A bill to be entitled
2 An act relating to higher education; requiring the
3 boards of trustees of the University of Florida and
4 Florida Polytechnic University to submit a merger
5 application to a specified entity; providing for the
6 transfer of the Florida Polytechnic University to the
7 University of Florida; requiring Florida Polytechnic
8 University to take specified actions to obtain
9 consents for the transfer of a specified educational
10 broadband service station license; requiring Florida
11 Polytechnic University to assign the license for such
12 service station to the University of Florida;
13 providing duties and responsibilities of the
14 University of Florida; requiring the boards of
15 trustees of the Florida State University and New
16 College of Florida to submit a merger application to a
17 specified entity; providing for the transfer of New
18 College of Florida to the Florida State University;
19 requiring the tuition and fees for Florida Polytechnic
20 University and New College of Florida to remain in
21 place for a specified period; providing immunity;
22 amending s. 1004.32, F.S.; providing for the
23 contingent future repeal of specified provisions
24 relating to New College of Florida; amending ss.
25 1004.345 and 1004.3451, F.S.; providing for the

contingent future repeal of specified provisions relating to Florida Polytechnic University; amending s. 1009.534, F.S.; authorizing Florida Academic Scholars to receive a stipend, as provided in the General Appropriations Act, for specified educational expenses; amending s. 1009.535, F.S.; revising the amount of an award certain Florida Medallion Scholars may receive under certain circumstances; amending ss. 1009.89 and 1009.891, F.S.; deleting legislative findings; providing that the William L. Boyd, IV, Effective Access to Student Education Grant Program and the Access to Better Learning and Education Grant Program, respectively, are financial aid programs for specified state residents; revising the eligibility criteria for such programs; providing effective dates.

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

Section 1. The boards of trustees of the University of Florida and Florida Polytechnic University shall submit to the Commission on Colleges of the Southern Association of Colleges and Schools an application for merger. Upon approval by the Commission on Colleges of the Southern Association of Colleges and Schools of the application for merger, the following transfers shall be made:

51 (1) All real and personal property, licenses and
52 associated revenues, existing contracts, unexpended balances,
53 appropriations, allocations, funds, and mutually agreed-upon
54 obligations, responsibilities, and liabilities of the Florida
55 Polytechnic University shall be transferred to the University of
56 Florida.

57 (2) All Florida Industrial and Phosphate Research
58 Institute programs, functions, offices, records, faculty
59 positions, and staff positions of the Florida Polytechnic
60 University shall be transferred to the University of Florida.

61 Section 2. Florida Polytechnic University shall take
62 appropriate action to obtain all consents required by the
63 Federal Communications Commission and third parties before
64 assigning the educational broadband service station license that
65 has a Federal Communications Commission-issued reference point
66 in Polk County to the University of Florida. Upon obtaining such
67 consents, and upon the approval of the Federal Communications
68 Commission, Florida Polytechnic University shall assign the
69 license, including the excess capacity lease agreement for the
70 license, to the University of Florida, which shall assume the
71 benefits, obligations, and liabilities as the successor in
72 interest, including all regulatory and contractual
73 responsibilities. This section is contingent upon the approval
74 of the assignment of the lease by the Federal Communications
75 Commission.

76 Section 3. The boards of trustees of the Florida State
77 University and New College of Florida shall submit to the
78 Commission on Colleges of the Southern Association of Colleges
79 and Schools an application for merger. Upon approval by the
80 Commission on Colleges of the Southern Association of Colleges
81 and Schools of the merger, all real and personal property,
82 licenses and associated revenues, existing contracts, unexpended
83 balances, appropriations, allocations, funds, and mutually
84 agreed-upon obligations, responsibilities, and liabilities of
85 New College of Florida shall be transferred to Florida State
86 University.

87 Section 4. The tuition and fees established by the Board
88 of Governors for Florida Polytechnic University and New College
89 of Florida shall remain in place for undergraduate and graduate
90 students of Florida Polytechnic University and New College of
91 Florida, respectively, until such students graduate.

92 Section 5. The boards of trustees of the University of
93 Florida, Florida Polytechnic University, Florida State
94 University, and New College of Florida and their respective
95 officers, trustees, employees, attorneys, and agents, are immune
96 from all civil liability pertaining to or arising from
97 compliance with this act, including the transfers required in
98 sections 1., 2., and 3. of this act.

99 Section 6. Subsection (5) is added to section 1004.32,
100 Florida Statutes, to read:

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1004.32 New College of Florida.—

(5) This section shall stand repealed upon approval by the Commission on Colleges of the Southern Association of Colleges and Schools of the merger of the Florida State University and New College of Florida.

Section 7. Subsection (4) is added to section 1004.345, Florida Statutes, to read:

1004.345 The Florida Polytechnic University.—

(4) This section shall stand repealed upon approval by the Commission on Colleges of the Southern Association of Colleges and Schools of the merger of the University of Florida and Florida Polytechnic University.

Section 8. Section 1004.3451, Florida Statutes, is amended to read:

1004.3451 Direct-support organization for Florida Polytechnic University.—In accordance with s. 1004.28 and the regulations of the Board of Governors, the Board of Trustees of the Florida Polytechnic University may certify a direct-support organization to serve the Florida Polytechnic University. The Board of Trustees of the Florida Polytechnic University ~~of South Florida~~, in conjunction with the University of ~~South~~ Florida Foundation, shall develop and implement a plan to transfer, after obtaining consent from the appropriate donors, assets derived from donations intended for the enhancement of the ~~University of South~~ Florida Polytechnic campus to the University

126 of Florida Foundation. This section shall stand repealed upon
127 approval by the Commission on Colleges of the Southern
128 Association of Colleges and Schools of the merger of the
129 University of Florida and Florida Polytechnic University ~~new~~
130 ~~direct support organization serving the Florida Polytechnic~~
131 ~~University.~~

132 Section 9. Effective July 1, 2020, subsection (2) of
133 section 1009.534, Florida Statutes, is amended to read:

134 1009.534 Florida Academic Scholars award.—

135 (2) A Florida Academic Scholar who is enrolled in a
136 certificate, diploma, associate, or baccalaureate degree program
137 at a public or nonpublic postsecondary education institution is
138 eligible, beginning in the 2017-2018 academic year, for an award
139 equal to the amount necessary to pay 100 percent of tuition and
140 fees established under ss. 1009.22(3), (5), (6), and (7);
141 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
142 (13), (14)(r), and (16), as applicable, and is eligible for an
143 additional stipend ~~\$300 each fall and spring academic semester~~
144 ~~or the equivalent~~ for textbooks, to assist with the payment of
145 educational expenses as funds are specifically appropriated in
146 the General Appropriations Act.

147 Section 10. Subsection (3) of section 1009.535, Florida
148 Statutes, is renumbered as subsection (5), subsection (2) is
149 amended, and a new subsection (3) and subsection (4) are added
150 to that section, to read:

151 1009.535 Florida Medallion Scholars award.—

152 (2) A Florida Medallion Scholar who is enrolled in a
153 certificate, diploma, ~~associate~~, or baccalaureate degree program
154 at a public or nonpublic postsecondary education institution is
155 eligible, beginning in the fall 2018 semester, for an award
156 equal to the amount necessary to pay 75 percent of tuition and
157 fees established under ss. 1009.22(3), (5), (6), and (7);
158 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)–
159 (13), (14)(r), and (16), as applicable, to assist with the
160 payment of educational expenses.

161 (3)(a) Beginning with students initially eligible for an
162 award in the fall 2021 semester and thereafter, a Florida
163 Medallion Scholar who is enrolled in an associate degree program
164 at a Florida College System institution is eligible for an award
165 equal to the amount necessary to pay 100 percent of tuition and
166 fees listed under subsection (2).

167 (b) Upon completion of his or her associate degree at a
168 Florida College System institution, the student may transfer to
169 a state university or other eligible public or nonpublic
170 postsecondary education institution or remain at the Florida
171 College System institution and enroll in a baccalaureate degree
172 program to continue receiving his or her award.

173 (4) If a Florida Medallion Scholar under subsection (3)
174 earns an associate degree from a Florida College System
175 institution with:

176 (a) A cumulative grade point average of 3.5 or higher on a
177 4.0 scale, he or she is eligible for an award equal to the
178 amount necessary to pay 100 percent of the tuition and fees
179 listed under subsection (2) upon enrolling in a baccalaureate
180 degree program at an eligible public or nonpublic postsecondary
181 education institution.

182 (b) A cumulative grade point average of 2.75 or higher on
183 a 4.0 scale, but below a 3.5, he or she is eligible for an award
184 equal to the amount necessary to pay 75 percent of tuition and
185 fees listed under subsection (2) upon enrolling in a
186 baccalaureate degree program at an eligible public or nonpublic
187 postsecondary education institution.

188 Section 11. Subsections (1) and (4) of section 1009.89,
189 Florida Statutes, are amended to read:

190 1009.89 The William L. Boyd, IV, Effective Access to
191 Student Education grants.—

192 ~~(1) The Legislature finds and declares that independent~~
193 ~~nonprofit colleges and universities eligible to participate in~~
194 ~~the William L. Boyd, IV, Effective Access to Student Education~~
195 ~~Grant Program are an integral part of the higher education~~
196 ~~system in this state and that a significant number of state~~
197 ~~residents choose this form of higher education. The Legislature~~
198 ~~further finds that a strong and viable system of independent~~
199 ~~nonprofit colleges and universities reduces the tax burden on~~
200 ~~the citizens of the state. Because the William L. Boyd, IV,~~

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~~Effective Access to Student Education Grant Program is not related to a student's financial need or other criteria upon which financial aid programs are based, it is the intent of the Legislature that~~ The William L. Boyd, IV, Effective Access to Student Education Grant Program is not be considered a financial aid program for state residents attending eligible independent nonprofit colleges and universities in the state ~~but rather a tuition assistance program for its citizens.~~

(4) A person is eligible to receive such William L. Boyd, IV, Effective Access to Student Education grant if:

(a) He or she meets the general requirements, including residency, for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. ~~;~~ and

(b)1. He or she is enrolled as a full-time undergraduate student at an eligible college or university;

2. He or she is not enrolled in a program of study leading to a degree in theology or divinity; and

3. He or she is making satisfactory academic progress as defined by the college or university in which he or she is enrolled.

(c) Beginning with students seeking an initial award in the fall 2021 semester and thereafter, he or she applies for the Pell Grant and meets the eligibility requirements in s. 1009.51 for demonstrated financial need for the Florida Private Student Assistance Grant Program.

226 Section 12. Subsections (1) and (4) of section 1009.891,
227 Florida Statutes, are amended to read:

228 1009.891 The Access to Better Learning and Education Grant
229 Program.—

230 (1) ~~The Legislature finds and declares that independent~~
231 ~~for-profit colleges and universities eligible to participate in~~
232 ~~the Access to Better Learning and Education Grant Program are an~~
233 ~~integral part of the higher education system in this state and~~
234 ~~that a significant number of state residents choose this form of~~
235 ~~higher education. The Legislature further finds that strong,~~
236 ~~viable independent for-profit colleges and universities reduce~~
237 ~~the tax burden on the residents of the state. Because the Access~~
238 ~~to Better Learning and Education Grant Program is not related to~~
239 ~~a student's financial need or other criteria upon which~~
240 ~~financial aid programs are based, it is the intent of the~~
241 ~~Legislature that~~ The Access to Better Learning and Education
242 Grant Program is ~~not be considered~~ a financial aid program ~~but~~
243 ~~rather a tuition assistance program~~ for state residents
244 attending eligible independent for-profit and nonprofit colleges
245 and universities in the state.

246 (4) A person is eligible to receive an access grant if:

247 (a) He or she meets the general requirements, including
248 residency, for student eligibility as provided in s. 1009.40,
249 except as otherwise provided in this section. ~~;~~ and

250 (b)1. He or she is enrolled as a full-time undergraduate

251 student at an eligible college or university in a program of
252 study leading to a baccalaureate degree;

253 2. He or she is not enrolled in a program of study leading
254 to a degree in theology or divinity; and

255 3. He or she is making satisfactory academic progress as
256 defined by the college or university in which he or she is
257 enrolled.

258 (c) Beginning with students seeking an initial award in
259 the fall 2021 semester and thereafter, he or she applies for the
260 Pell Grant and meets the eligibility requirements in s. 1009.52
261 for demonstrated financial need for the Florida Postsecondary
262 Student Assistance Grant Program.

263 Section 13. Except as otherwise expressly provided in this
264 act and except for this section, which shall take effect upon
265 becoming a law, this act shall take effect July 1, 2021.