

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

26 contingent future repeal of specified provisions
 27 relating to Florida Polytechnic University; amending
 28 s. 1009.534, F.S.; authorizing Florida Academic
 29 Scholars to receive a stipend, as provided in the
 30 General Appropriations Act, for specified educational
 31 expenses; amending s. 1009.535, F.S.; revising the
 32 amount of an award certain Florida Medallion Scholars
 33 may receive under certain circumstances; amending ss.
 34 1009.89 and 1009.891, F.S.; deleting legislative
 35 findings; providing that the William L. Boyd, IV,
 36 Effective Access to Student Education Grant Program
 37 and the Access to Better Learning and Education Grant
 38 Program, respectively, are financial aid programs for
 39 specified state residents; revising the eligibility
 40 criteria for such programs; providing effective dates.

41

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

43

44 Section 1. Effective July 1, 2020, the boards of trustees
 45 of the University of Florida and Florida Polytechnic University
 46 shall submit to the Commission on Colleges of the Southern
 47 Association of Colleges and Schools an application for merger.
 48 Upon approval by the Commission on Colleges of the Southern
 49 Association of Colleges and Schools of the application for
 50 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. Effective July 1, 2020, Florida Polytechnic
62 University shall take appropriate action to obtain all consents
63 required by the Federal Communications Commission and third
64 parties before assigning the educational broadband service
65 station license that has a Federal Communications Commission-
66 issued reference point in Polk County to the University of
67 Florida. Upon obtaining such consents, and upon the approval of
68 the Federal Communications Commission, Florida Polytechnic
69 University shall assign the license, including the excess
70 capacity lease agreement for the license, to the University of
71 Florida, which shall assume the benefits, obligations, and
72 liabilities as the successor in interest, including all
73 regulatory and contractual responsibilities. This section is
74 contingent upon the approval of the assignment of the lease by
75 the Federal Communications Commission.

76 Section 3. Effective July 1, 2020, the boards of trustees
77 of the Florida State University and New College of Florida shall
78 submit to the Commission on Colleges of the Southern Association
79 of Colleges and Schools an application for merger. Upon approval
80 by the Commission on Colleges of the Southern Association of
81 Colleges and Schools of the merger, all real and personal
82 property, licenses and associated revenues, existing contracts,
83 unexpended balances, appropriations, allocations, funds, and
84 mutually agreed-upon obligations, responsibilities, and
85 liabilities of New College of Florida shall be transferred to
86 Florida State University.

87 Section 4. Effective July 1, 2020, the tuition and fees
88 established by the Board of Governors for Florida Polytechnic
89 University and New College of Florida shall remain in place for
90 undergraduate and graduate students of Florida Polytechnic
91 University and New College of Florida, respectively, until such
92 students graduate.

93 Section 5. Effective July 1, 2020, the boards of trustees
94 of the University of Florida, Florida Polytechnic University,
95 Florida State University, and New College of Florida and their
96 respective officers, trustees, employees, attorneys, and agents,
97 are immune from all civil liability pertaining to or arising
98 from compliance with this act, including the transfers required
99 in sections 1., 2., and 3. of this act.

100 Section 6. Effective July 1, 2020, subsection (5) is added

101 to section 1004.32, Florida Statutes, to read:

102 1004.32 New College of Florida.—

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

107 Section 7. Effective July 1, 2020, subsection (4) is added
 108 to section 1004.345, Florida Statutes, to read:

109 1004.345 The Florida Polytechnic University.—

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

114 Section 8. Effective July 1, 2020, section 1004.3451,
 115 Florida Statutes, is amended to read:

116 1004.3451 Direct-support organization for Florida
 117 Polytechnic University.—In accordance with s. 1004.28 and the
 118 regulations of the Board of Governors, the Board of Trustees of
 119 the Florida Polytechnic University may certify a direct-support
 120 organization to serve the Florida Polytechnic University. The
 121 Board of Trustees of the Florida Polytechnic University ~~of South~~
 122 ~~Florida~~, in conjunction with the University of ~~South~~ Florida
 123 Foundation, shall develop and implement a plan to transfer,
 124 after obtaining consent from the appropriate donors, assets
 125 derived from donations intended for the enhancement of the

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

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

135 1009.534 Florida Academic Scholars award.—

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

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

151 to that section, to read:

152 1009.535 Florida Medallion Scholars award.—

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

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

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

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

176 institution with:

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

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

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

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

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

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

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

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

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

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

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

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

226 Assistance Grant Program.

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

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

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

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

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

251 (b)1. He or she is enrolled as a full-time undergraduate
252 student at an eligible college or university in a program of
253 study leading to a baccalaureate degree;

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

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

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

264 Section 13. Except as otherwise expressly provided in this
265 act and except for this section, which shall take effect upon
266 this act becoming a law, this act shall take effect July 1,
267 2021.