

Tab 1	SB 312 by Gaetz (CO-INTRODUCERS) Harrell ; Identical to H 00179 Florida Institute for Human and Machine Cognition, Inc.					
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647456	D	S	RCS	HE, Gaetz	Delete everything after	03/10 02:01 PM
602518	AA	S	RCS	HE, Fine	btw L.36 - 37:	03/10 02:01 PM
633286	A	S	00	HE, Fine	Delete L.104 - 109:	03/10 02:01 PM

Tab 2	SB 1624 by Calatayud ; Compare to H 00355 Higher Education					
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION POSTSECONDARY

Senator Calatayud, Chair

Senator Simon, Vice Chair

MEETING DATE: Monday, March 10, 2025

TIME: 1:30—3:30 p.m.

PLACE: 301 Senate Building

MEMBERS: Senator Calatayud, Chair; Senator Simon, Vice Chair; Senators Berman, Fine, Harrell, Jones, and Rodriguez

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 312 Gaetz (Identical H 179)	Florida Institute for Human and Machine Cognition, Inc.; Requiring the board of directors of the Florida Institute for Human and Machine Cognition, Inc., rather than the Board of Governors, to authorize the creation of a subsidiary of the corporation; authorizing subsidiaries of the corporation to enter into certain affiliation agreements, etc. HE 02/18/2025 Temporarily Postponed HE 03/10/2025 Fav/CS GO RC	Fav/CS Yeas 5 Nays 0
2	SB 1624 Calatayud (Compare H 355, H 1307, S 1618)	Higher Education; Authorizing the Office of Program Policy Analysis and Government Accountability to develop contracts or agreements with institutions in the State University System for a specified purpose; providing tuition assistance to active members of the Florida State Guard; specifying that the President of the University of Florida appoints the members of the scientific advisory council within the Florida Center for Brain Tumor Research; revising the qualifications for members of the Assistive Technology Advisory Council; revising the date by which the Department of Education is required to publish an annual report on apprenticeship and preapprenticeship programs, etc. HE 03/10/2025 Favorable AHE FP	Favorable Yeas 5 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Postsecondary

BILL: CS/SB 312

INTRODUCER: Education Postsecondary Committee and Senator Gaetz

SUBJECT: Florida Institute for Human and Machine Cognition, Inc.

DATE: March 11, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	HE	Fav/CS
2.			GO	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 312 modifies requirements related to the Florida Institute for Human and Machine Cognition, Inc. (IHMC) corporation. Specifically, the bill:

- Requires the board of directors of the IHMC to oversee the creation of not-for-profit subsidiaries rather than the Board of Governors.
- Removes the requirement that the Board of Governors approve the articles of incorporation for any authorized and approved subsidiary.
- Requires reporting by the IHMC, rather than the University of West Florida.
- Revises the composition of the board of directors by removing the chair of the Board of Trustees of the University of West Florida and increasing the number of public representatives from nine to ten.
- Grants subsidiaries the authority to enter into affiliation agreements.

This bill takes effect July 1, 2025.

II. Present Situation:

The Florida Institute for Human and Machine Cognition

The Florida Institute for Human and Machine Cognition, Inc. (IHMC) is a not-for-profit research institute established at the University of West Florida (UWF) and is affiliated with several

Florida universities.¹ The IHMC was founded to advance research in human and machine cognition, with a focus on artificial intelligence, robotics, human performance, and information technology. Faculty and staff collaborate extensively with universities, research institutions, and private-sector partners to conduct cutting-edge scientific research.²

The IHMC is authorized to create not-for-profit corporate subsidiaries to support its mission, provided they are approved by the Board of Governors.³ The corporation and its subsidiaries must comply with Florida's public records and open meetings laws, ensuring transparency in their operations.⁴ However, certain records and meetings of the IHMC and its subsidiaries are exempt from Florida's public records and open meetings laws to protect trade secrets, patentable material, proprietary research, confidential business transactions, donor identities, and information received from government entities under confidentiality agreements, though governmental entities may access this information when necessary for official duties.⁵

The IHMC and its subsidiaries are authorized to:⁶

- Receive, invest, and administer funds from public and private sources, including state and federal grants, private donations, and income derived from research activities.
- Secure patents, trademarks, and copyrights for its research products.
- Obtain comprehensive general liability protection, including professional liability protection, for the corporation and its subsidiaries.
- Enter into affiliation agreements with universities and research organizations.

The IHMC's board of directors manages its affairs and serves without compensation, with each director having one vote. The board of directors consists of:⁷

- The chair of the Board of Governors or the chair's designee.
- The chair of the board of trustees of UWF or the chair's designee.
- The President of UWF or the president's designee.
- Three state university representatives.
- Nine public representatives, who are neither state university employees nor state employees.

The Governor, the President of the Senate, and the Speaker of the House of Representatives each appoint one state university representative for an initial three-year term, while they, along with the UWF Board of Trustees chair, appoint nine public representatives for initial two-year terms. After the initial terms, directors are appointed under this process and are reappointed for three-year terms by a majority vote of the board.⁸

¹ Sections 1004.447, F.S. and 1004.4471, F.S.

² Florida Institute for Human and Machine Cognition, *The IHMC Story*, <https://www.ihmc.us/aboutihmc/> (last visited Feb. 12, 2025).

³ Section 1004.447(1)(b), F.S.

⁴ Section 1004.447(2)(c), F.S.

⁵ Section 1004.4472, F.S.

⁶ Section 1004.447(2)(e)-(g), F.S.

⁷ Section 1004.447(50)(a), F.S.

⁸ Section 1004.447(5)(b), F.S.

The Board of Trustees of UWF is responsible for certifying that IHMC operates in compliance with state regulations and must report annually to the Governor, Legislature, and Board of Governors.⁹

The Board of Governors

The State University System of Florida consists of 12 public universities,¹⁰ each governed by an individual board of trustees. The Board of Governors (BOG) is responsible for overseeing, regulating, and managing the entire State University System,¹¹ ensuring compliance with local, state, and federal laws that govern its institution.¹²

If the BOG determines that an institution is not in compliance with applicable laws or regulations, it has the authority to take disciplinary actions, including:¹³

- Withholding state or other funding.
- Requiring periodic reports until compliance is achieved.
- Reporting noncompliance to the Legislature.

The BOG has established regulation¹⁴ that outlines the structure, oversight, and reporting requirements for institutes and centers within Florida's State University System. The regulation classifies institutes and centers into three main categories: State of Florida institutes and centers, legislatively established institutes and centers, and university institutes and centers.¹⁵ While most institutes and centers require BOG approval and oversight, certain entities, such as incorporated institutes with university affiliations, including the IHMC, are explicitly excluded from these requirements.¹⁶ Instead, the IHMC operates as an independent not-for-profit research institute affiliated with UWF, and its governance follows specific statutory provisions.¹⁷ Despite this exemption, the host university, UWF, retains responsibilities related to financial oversight and compliance reporting to ensure accountability.

III. Effect of Proposed Changes:

CS/SB 312 modifies s. 1004.447, F.S., by replacing the Board of Governors with the board of directors of the Florida Institute for Human and Machine Cognition, Inc. (IHMC) as the authority to approve the creation of not-for-profit subsidiaries. The bill removes the requirement that the Board of Governors approve the articles of incorporation for any authorized and approved subsidiary.

The bill maintains the requirement that records and meetings of the corporation and subsidiaries are subject to Florida's public records and open meetings laws, but acknowledges the exemptions

⁹ Section 1004.447(9), F.S.

¹⁰ See State University System of Florida, *Universities*, <https://www.flbog.edu/universities/> (last visited Mar. 12, 2025) (identifying 12 state universities).

¹¹ FLA. CONST., art. IX, s. 7(a)-(d).

¹² Section 1001.705(2), F.S.

¹³ See generally s. 1008.322(5), F.S.

¹⁴ Board of Governors Regulation 10.015.

¹⁵ Florida Board of Governors Regulation 10.015(1)(a)-(c).

¹⁶ See *id.* at (1)(e).

¹⁷ Section 1004.447, F.S.

in s. 1004.4472, F.S., that makes certain information of the corporation or subsidiary confidential or exempt.

The bill revises the composition of the IHMC's board of directors. Specifically, the bill removes the chair of the Board of Trustees of the University of West Florida from the board of directors and increases the number of public representatives from nine to ten.

Additionally, the bill requires the IHMC, rather than the Board of Trustees of the University of West Florida, to certify compliance with state requirements.

The bill amends s. 1004. 4471, F.S., by authorizing IHMC subsidiaries to enter into affiliation agreements with certain universities. The bill includes conforming cross-references.

The bill is effective July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not have an impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 1004.447 and 1004.4471 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Postsecondary on March 10, 2025:

The committee substitute:

- Removes provisions from the bill that specified subsidiaries as not-for-profit.
- Revises the composition of the Florida Institute for Human and Machine Cognition's board of directors. Specifically:
 - Removes the chair of the Board of Trustees of the University of West Florida.
 - Increases the number of public representatives from nine to ten.

B. Amendments:

None.



647456

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/10/2025	.	
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The Committee on Education Postsecondary (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (1) and subsections
(4) and (9) of section 1004.447, Florida Statutes, are amended
to read:

1004.447 Florida Institute for Human and Machine Cognition,
Inc.—

(1)



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(b) The corporation is authorized to create not-for-profit corporate subsidiaries that are organized under the provisions of chapter 617 upon the prior approval of its board of directors ~~the Board of Governors~~, as necessary, to fulfill its mission.

(4) The articles of incorporation of the corporation ~~or any authorized and approved subsidiary~~ must be approved in a written agreement by the Board of Governors. The agreement and the articles of incorporation must ~~shall~~:

(a) Provide that the corporation and any authorized and approved subsidiary shall provide equal employment opportunities for all persons regardless of race, color, religion, gender, national origin, age, handicap, or marital status.

(b) Provide that the corporation and any authorized and approved subsidiary are subject to the public records and meeting requirements of s. 24, Art. I of the State Constitution.

(c) Provide that all officers, directors, and employees of the corporation and any authorized and approved subsidiary shall be governed by the code of ethics for public officers and employees as set forth in part III of chapter 112.

(d) Provide that members of the board of directors of the corporation are responsible for the prudent use of all public and private funds and that they will ensure that the use of funds is in accordance with all applicable laws, bylaws, and contractual requirements.

(e) Provide that the fiscal year of the corporation and any authorized and approved subsidiary is from July 1 to June 30.

(9) The corporation ~~Board of Trustees of the University of West Florida~~ shall annually certify to the Governor, the President of the Senate, the Speaker of the House of



647456

Representatives, and the Board of Governors that the corporation and its authorized subsidiaries are complying with the requirements of this section and are acting in the best interests of the state.

Section 2. Section 1004.4471, Florida Statutes, is amended to read:

1004.4471 Florida Institute for Human and Machine Cognition; affiliation with other universities.—The corporation created pursuant to s. 1004.447(1) and any authorized and approved subsidiary of the corporation may enter into affiliation agreements similar to the agreement described in s. 1004.447(6) with the boards of trustees of other public or private universities.

Section 3. This act shall take effect July 1, 2025.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to the Florida Institute for Human and Machine Cognition, Inc.; amending s. 1004.447, F.S.; requiring the board of directors of the Florida Institute for Human and Machine Cognition, Inc., rather than the Board of Governors, to authorize the creation of a subsidiary of the corporation; requiring that the articles of incorporation of the corporation, rather than of the corporation and any authorized and approved subsidiary, be approved in a written



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69 agreement by the Board of Governors; requiring the
70 corporation, rather than the Board of Trustees of the
71 University of West Florida, to certify specified
72 information annually to the Governor and Legislature;
73 amending s. 1004.4471, F.S.; authorizing subsidiaries
74 of the corporation to enter into certain affiliation
75 agreements; providing an effective date.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/10/2025	.	
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The Committee on Education Postsecondary (Fine) recommended the following:

Senate Amendment to Amendment (647456) (with directory and title amendments)

Between lines 36 and 37
insert:

(5) The affairs of the corporation shall be managed by a board of directors who shall serve without compensation. Each director shall have only one vote.

(a) The board of directors shall consist of:

1. The chair of the Board of Governors or the chair's



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designee.

~~2. The chair of the Board of Trustees of the University of
West Florida or the chair's designee.~~

~~3.~~ The President of the University of West Florida or the
president's designee.

~~3.4.~~ Three state university representatives.

~~4.5.~~ Ten ~~Nine~~ public representatives who are neither state
university employees nor state employees.

===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

And the directory clause is amended as follows:

Delete lines 5 - 6

and insert:

Section 1. Paragraph (b) of subsection (1), subsection (4),
paragraph (a) of subsection (5), and subsection (9) of section
1004.447, Florida Statutes, are amended

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 69

and insert:

agreement by the Board of Governors; revising the
composition of the board of directors of the
corporation; requiring the



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LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
03/10/2025	.	
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The Committee on Education Postsecondary (Fine) recommended the following:

Senate Amendment (with title amendment)

Delete lines 104 - 109

and insert:

~~2. The chair of the Board of Trustees of the University of West Florida or the chair's designee.~~

~~3.~~ The President of the University of West Florida or the president's designee.

~~3.4.~~ Three state university representatives.

~~4.5.~~ Ten ~~Nine~~ public representatives who are neither state



633286

11
12 ===== T I T L E A M E N D M E N T =====
13 And the title is amended as follows:
14 Delete line 7
15 and insert:
16 creation of a subsidiary of the corporation; revising
17 the composition of the board of directors; requiring

By Senator Gaetz

1-00974-25

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1 A bill to be entitled
 2 An act relating to the Florida Institute for Human and
 3 Machine Cognition, Inc.; amending s. 1004.447, F.S.;
 4 requiring the board of directors of the Florida
 5 Institute for Human and Machine Cognition, Inc.,
 6 rather than the Board of Governors, to authorize the
 7 creation of a subsidiary of the corporation; requiring
 8 the corporation, rather than the Board of Trustees of
 9 the University of West Florida, to annually certify
 10 specified information to the Governor and Legislature;
 11 amending s. 1004.4471, F.S.; authorizing subsidiaries
 12 of the corporation to enter into certain affiliation
 13 agreements; amending s. 1004.4472, F.S.; conforming a
 14 provision to changes made by the act; providing an
 15 effective date.
 16
 17 Be It Enacted by the Legislature of the State of Florida:
 18
 19 Section 1. Section 1004.447, Florida Statutes, is amended
 20 to read:
 21 1004.447 Florida Institute for Human and Machine Cognition,
 22 Inc.—
 23 (1)(a) There is created a not-for-profit corporation, to be
 24 known as the "Florida Institute for Human and Machine Cognition,
 25 Inc.," which shall be registered, incorporated, organized, and
 26 operated in compliance with chapter 617. The Florida Institute
 27 for Human and Machine Cognition, Inc., is established at the
 28 University of West Florida.
 29 (b) The corporation is authorized to create not-for-profit

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 ~~corporate subsidiaries that are organized under the provisions~~
 31 ~~of chapter 617~~ upon the prior approval of its the board of
 32 directors ~~Governors~~, as necessary, to fulfill its mission.
 33 (2) The corporation and any authorized and approved not-
 34 for-profit subsidiary:
 35 (a) Shall be a corporation primarily acting as an
 36 instrumentality of the state, pursuant to s. 768.28(2), for
 37 purposes of sovereign immunity.
 38 (b) Is not an agency within the meaning of s. 20.03(1).
 39 ~~(c) Is subject to the open records and meeting requirements~~
 40 ~~of s. 24, Art. I of the State Constitution, chapter 119, and s.~~
 41 ~~286.011.~~
 42 (c)(d) May receive, hold, invest, and administer property
 43 and any moneys acquired from private, local, state, and federal
 44 sources, as well as technical and professional income generated
 45 or derived from practice activities of the institute, for the
 46 benefit of the institute and the fulfillment of its mission.
 47 (d)(e) May perform all things necessary to secure letters
 48 of patent, copyrights, and trademarks on any work products and
 49 to enforce its rights therein. The corporation must consider
 50 contributions by a state university and university personnel in
 51 the development of trademarks, copyrights, and patents and shall
 52 enter into written contracts establishing the interests of the
 53 university and such personnel in each trademark, copyright, or
 54 patent.
 55 (e)(f) May secure comprehensive general liability
 56 protection, including professional liability protection, for the
 57 not-for-profit corporation and its subsidiaries.
 58 (f)(g) May enter into affiliation agreements with other

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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universities or research institutes.

~~(g)(h)~~ Is not subject to the provisions of chapter 287.

(3) Records of the corporation and any authorized and approved not-for-profit subsidiary are public records under chapter 119 and s. 24(a), Art. I of the State Constitution, unless made confidential or exempt by law.

(4) Meetings of the governing board of the corporation and any authorized and approved not-for-profit subsidiary must remain open to the public in accordance with s. 286.011 and s. 24(b), Art. I of the State Constitution, unless made confidential or exempt by law.

(5)(3) The officers, directors, and employees of the corporation or any authorized and approved not-for-profit subsidiary shall be governed by the code of ethics for public officers and employees as set forth in part III of chapter 112.

(6)(4) The articles of incorporation of the corporation ~~or any authorized and approved subsidiary~~ must be approved in a written agreement by the Board of Governors. The agreement and the articles of incorporation shall:

(a) Provide that the corporation and any authorized and approved not-for-profit subsidiary shall provide equal employment opportunities for all persons regardless of race, color, religion, gender, national origin, age, handicap, or marital status.

~~(b) Provide that the corporation and any authorized and approved subsidiary are subject to the public records and meeting requirements of s. 24, Art. I of the State Constitution.~~

~~(c) Provide that all officers, directors, and employees of the corporation and any authorized and approved subsidiary shall~~

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~~be governed by the code of ethics for public officers and employees as set forth in part III of chapter 112.~~

(b)(d) Provide that members of the board of directors of the corporation are responsible for the prudent use of all public and private funds and that they will ensure that the use of funds is in accordance with all applicable laws, bylaws, and contractual requirements.

(c)(e) Provide that the fiscal year of the corporation and any authorized and approved not-for-profit subsidiary is from July 1 to June 30.

(7)(5) The affairs of the corporation shall be managed by a board of directors who shall serve without compensation. Each director shall have only one vote.

(a) The board of directors shall consist of:

1. The chair of the Board of Governors or the chair's designee.

2. The chair of the Board of Trustees of the University of West Florida or the chair's designee.

3. The President of the University of West Florida or the president's designee.

4. Three state university representatives.

5. Nine public representatives who are neither state university employees nor state employees.

(b) The Governor, the President of the Senate, and the Speaker of the House of Representatives shall each make one initial appointment of a state university representative to the board of directors. Each director who is a representative of a state university shall be appointed for an initial term of 3 years. The Governor shall make three initial appointments of

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public representatives to the board of directors. The President of the Senate and the Speaker of the House of Representatives shall each make two initial appointments of public representatives to the board of directors. The chair of the Board of Trustees of the University of West Florida shall make two initial appointments of public representatives to the board of directors. Each director who is a representative of the public shall be appointed to serve an initial term of 2 years.

(c) Upon the completion of the initial terms, a director appointed under paragraph (b) shall be appointed by a majority vote of the directors to an additional 3-year term.

(d) Any vacancy in office of a director appointed under paragraph (b) shall be filled for the remainder of the term by majority vote of the directors.

(e) Any director may be reappointed by a majority vote of the board of directors.

(f) The chair of the board of directors shall be selected by a majority vote of the directors, a quorum being present.

(8)~~(6)~~ No later than 30 days following approval of the corporation's articles of incorporation by the Board of Governors, the corporation shall enter into an affiliation agreement with the Board of Trustees of the University of West Florida for:

(a) The use or mutual provision of or participation in university programs or services, including use of the university's moneys, facilities, furnishings, equipment, other chattels, personnel, or services.

(b) The use of facilities and personnel for mutually approved teaching and research programs conducted by

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universities or research institutes.

(c) The preparation of an annual postaudit of the corporation's financial accounts and the financial accounts of any authorized and approved not-for-profit subsidiary to be conducted by an independent certified public accountant. The annual audit report shall include management letters and be submitted to the Auditor General and the Board of Governors for review.

(d) Use of the facilities of the University of West Florida, including all furnishings, equipment, and other chattels used in the operation of those facilities.

If the agreement between the corporation and the Board of Trustees of the University of West Florida is terminated, all property, including buildings, land, furnishings, equipment, and other chattels originally leased to the corporation, as well as any subsequently constructed or otherwise acquired facilities in connection with the operation of the institute, automatically reverts to full ownership by the University of West Florida. Such a reversionary interest of the state in all after-acquired facilities of the corporation is in furtherance of the goals of this section, and such a present ownership interest by the university is a continuing and insurable public interest.

(9)~~(7)~~ The corporation shall employ a chief executive officer to administer the affairs of the Florida Institute for Human and Machine Cognition, Inc. The chief executive officer shall be appointed by and serve at the pleasure of the board of directors. The chief executive officer shall exercise the following powers and duties, subject to the approval of the

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board of directors:

(a) Establish programs that fulfill the mission of the institute, as one of the nation's premier information-technology-related research organizations, in research, education, scientific advancement, and economic development. However, the chief executive officer may not establish academic programs for which academic credit is awarded, or programs that culminate in the conferring of a degree, without prior approval of the University of West Florida.

(b) Control the budget and the moneys appropriated or donated to the institute from private, local, state, and federal sources, as well as technical and professional income generated or derived from research activities of the institute. However, income generated by university faculty from research activities at the institute shall be shared between the institute and the university, as determined by the chief executive officer and the appropriate university president or the president's designee.

(c) Appoint representatives of the institute to carry out the research and educational activities of the institute and establish the compensation, benefits, and terms of service of such representatives. Representatives may hold concurrent appointments at affiliated academic institutions. University faculty may hold concurrent appointments at the institute.

(d) Control the use and assignment of space and equipment within the facilities.

(e) Create the administrative structure necessary to carry out the mission of the institute.

(f) Annually report in writing to the Board of Governors on the activities of the institute and state budget allocation

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expenditures.

(g) Provide a copy of the institute's annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the chair of the Board of Governors, and the University of West Florida.

(h) Appoint a council of scientific advisers to the chief executive officer comprised of leading researchers and scientists who shall review programs and recommend research priorities and initiatives to maximize the state's investment in the institute.

1. The board of directors shall ratify the appointments of scientific advisers to the council.

2. Each member of the council shall be appointed to serve a 2-year term and may be reappointed.

~~(10)(9)~~ The Board of Governors, the Board of Trustees of the University of West Florida, the Auditor General, and the Office of Program Policy Analysis and Government Accountability may require and receive from the corporation and any authorized and approved not-for-profit subsidiary, or from their independent auditor, any detail or supplemental data relative to the operation of the corporation or subsidiary.

~~(11)(9)~~ The corporation ~~Board of Trustees of the University of West Florida~~ shall annually certify to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Governors that the corporation and its authorized and approved not-for-profit subsidiaries are complying with the requirements of this section and are acting in the best interests of the state.

Section 2. Section 1004.4471, Florida Statutes, is amended

1-00974-25

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to read:

1004.4471 Florida Institute for Human and Machine Cognition; affiliation with other universities.—The corporation created pursuant to s. 1004.447(1) and any authorized and approved not-for-profit subsidiary of the corporation may enter into affiliation agreements similar to the agreement described in s. 1004.447(8) ~~s. 1004.447(6)~~ with the boards of trustees of other public or private universities.

Section 3. Paragraph (b) of subsection (1) of section 1004.4472, Florida Statutes, is amended to read:

1004.4472 Florida Institute for Human and Machine Cognition, Inc.; public records exemption; public meetings exemption.—

(1) For purposes of this section, the term:

(b) “Subsidiary” means a not-for-profit subsidiary authorized and approved by the corporation.

Section 4. This act shall take effect July 1, 2025.



The Florida Senate

Committee Agenda Request

To: Senator Alexis Calatayud, Chair
Committee on Education Postsecondary

Subject: Committee Agenda Request

Date: February 4, 2025

I respectfully request that **Senate Bill #312**, relating to Florida Institute for Human and Machine Cognition, be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.



Senator Don Gaetz
Florida Senate, District 1

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Postsecondary

BILL: SB 1624

INTRODUCER: Senator Calatayud

SUBJECT: Higher Education

DATE: March 7, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	HE	Favorable
2.			AHE	
3.			FP	

I. Summary:

SB 1624 modifies provisions related to higher education, workforce development, and regulation which focus on tuition and fee policies, educational programs, workforce training, and institutional operations. Relating to:

- Tuition and fees, the bill:
 - Requires state universities to establish a market rate out-of-state-fee for “nonresident online students.”
 - Shifts a Florida College System institution allocation of financial aid fees to assist underrepresented students instead of targeted gender or ethnic minorities.
 - Provides tuition and fee waivers for active Florida State Guard members.
 - Repeals the out-of-state fee waiver for nonresident students with a Florida resident grandparent.
- The Office of Ocean Economy at Florida Atlantic University, the bill expands office duties to include collaboration with career centers and the College of the Florida Keys and with education and industry to strengthen Florida’s maritime industry, and requires a catalog of ocean economy programs, credentialing opportunities, and training providers.
- The Graduation Alternative to Traditional Education (GATE) Program, the bill authorizes partnerships with online providers, modifies the age limit, removes a simultaneous enrollment requirement for secondary and career education, and expands uses of the GATE Startup Fund to support marketing and outreach efforts.
- Higher education governance and institutional changes, the bill:
 - Renames Hillsborough Community College to Hillsborough State College.
 - Removes the Board of Governors requirement to provide electronic access to degree job placement and earnings rankings.
 - Expands preeminent state research university eligibility by adding the Classical Learning Test (CLT) as an alternative to the SAT and ACT.
 - Eliminates reporting requirements on student open access resources and the performance of the annual host entity.

- Workforce development and career training, the bill:
 - Moves the apprenticeship and preapprenticeship report deadline from September 1 to November 30.
 - Reduces the Florida Gold Seal CAPE Scholars award credit hour requirement from 5 to 3 and sets a minimum 2.5 cumulative weighted grade point average (GPA).
 - Limits Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund grants to healthcare industry-related programs.
- Policy research and oversight, the bill:
 - Authorizes the Office of Program and Policy Analysis and Government Accountability (OPPAGA) to contract with State University System institutions for assistance with policy analysis and research.
 - Authorizes the President of the University of Florida to appoint the Florida Center for Brain Tumor Research advisory council members.

Additionally, the bill replaces specific references to race, color, national origin, sex, disability, or marital status with “underrepresented populations,” and changes the name of the “Florida Educational Equity Act” to the “Florida Educational Equality Act.”

The bill is effective July 1, 2025.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Office of Program Policy Analysis and Government Accountability

Present Situation

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is a research arm of the Florida Legislature. OPPAGA was created by the Legislature in 1994 to help improve the performance and accountability of state government. OPPAGA provides data, evaluative research, and objective analyses to assist legislative budget and policy deliberations. OPPAGA conducts research as directed by state law, the presiding officers, or the Joint Legislative Auditing Committee.¹

Effect of Proposed Changes

The bill modifies s. 11.52, F.S., by authorizing OPPAGA to develop contracts or agreements with State University System institutions to utilize the expertise of state university faculty and research staff to provide assistance in analysis and evaluative research.

¹ Office of Program Policy and Government Accountability, *About Us*, <https://oppaga.fl.gov/About> (last visited Mar. 3, 2025).

Postsecondary Tuition and Fees

Present Situation

Residency Status for Tuition Purposes

Students must be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by public postsecondary institutions. Students pay differing tuition rates based on their status as a resident or nonresident of Florida.²

To qualify as a resident for tuition purposes, a person, or if that person is a dependent child, his or her parent or parents, must have established legal residence in Florida and must have maintained legal residence for at least 12 consecutive months immediately prior to his or her initial enrollment in the public postsecondary institution.³

Each public postsecondary institution must make a residency determination based on the submission of at least two forms of documentation specified in law.⁴

Tuition and Out-of-State Fees

Florida law defines “tuition” as the basic fee charged to a student for instruction provided by a public postsecondary educational institution in the state. A student who is classified as a resident for tuition purposes qualifies for the in-state tuition rate. An out-of-state fee is the additional fee for instruction charged to a student who does not qualify for the in-state tuition rate,⁵ unless these costs are exempted or waived.⁶

The resident undergraduate tuition rate for the State University System (SUS) is set at \$105.07 per credit hour.⁷ The SUS average tuition and out-of-state fee is \$570.01 per credit hour.

The BOG may establish tuition for graduate and professional programs and out-of-state fees for all programs for state universities. Except as otherwise provided, the sum of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost of serving such students. However, adjustments to out-of-state fees or tuition for graduate programs and professional programs may not exceed 15 percent in any year.⁸

The Florida College System (FCS) tuition rate for college credit courses is \$71.98 per credit hour, and the out-of-state fee is \$215.94 per credit hour. Baccalaureate degree program resident tuition is \$91.79 per credit hour, and the total tuition and out-of-state fee may not exceed 85 percent of the tuition and out-of-state fee of the nearest state university.⁹ If a career center offers

² Section 1009.21, F.S.

³ Section 1009.21(2)(a), F.S. This section also specifies other circumstances that may classify a person as a resident for tuition purposes.

⁴ Section 1009.21(3), F.S. Documentation includes, but is not limited to, a Florida voter registration card, Florida driver’s license, Florida vehicle registration, homestead exemption (which is a single, conclusive proof of residency), proof of full-time Florida employment, declaration of domicile, Florida incorporation, lease agreements, or utility bills.

⁵ Section 1009.01, F.S.

⁶ Section 1009.24(2), F.S.

⁷ Section 1009.24(4)(a), F.S.

⁸ Section 1009.24(4)(a), F.S.

⁹ Section 1009.23(3), F.S.

college credit courses as a part of a career associate degree program, the standard tuition is also \$71.98 per credit hour, and the out-of-state fee is \$215.94 per credit hour.¹⁰

For non-college-credit career programs at career centers and FCS institutions, the standard tuition is \$2.33 per contact hour, and the out-of-state fee is \$6.99 per contact hour.¹¹ Each district school board or FCS institution board of trustees may adopt tuition and out-of-state fees that vary no more than 5 percent below or 5 percent above such fees.¹²

Additional Student Fees

Each FCS and SUS institution is authorized to charge additional student fees. Such fees may include activity, service, athletics, financial aid, technology, capital improvements, and other user fees and fines.¹³

Specifically, each FCS institution's board of trustees is authorized to establish a separate fee for financial aid purposes in an additional amount up to, but not to exceed, 5 percent of the total student tuition or out-of-state fees collected.¹⁴ Up to 25 percent or \$600,000, whichever is greater, of the financial aid fees collected may be used to assist students who demonstrate academic merit; who participate in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution; or who are identified as members of a targeted gender or ethnic minority population.¹⁵

Tuition and Fee Waivers

To support access to higher education, school districts, each FCS institution and state university is authorized to provide a variety of tuition and fee waivers for eligible students. These waivers support individuals based on employment, military service, financial need, and other specific circumstances.¹⁶ These waivers include, but are not limited to, the following:¹⁷

- University Employees – Waiver for full-time employees of a state university for up to 6 credit hours per term on a space-available basis.
- Classroom Teachers – Waiver for full-time classroom teachers to enroll in up to 6 credit hours per term in undergraduate courses related to special education, mathematics, or science.
- Graduate Students in School Psychology Programs – Waiver for internship credit hours for graduate students completing internships in public schools under the supervision of a certified school psychologist.
- Dependents of Deceased First Responders – Waiver for spouses and children of first responders who died in the line of duty.
- Active-Duty Military Members – Waiver of out-of-state fees for active-duty service members residing or stationed outside Florida.

¹⁰ Section 1009.22(4), F.S.

¹¹ Section 1009.22(3)(c), F.S.

¹² Section 1009.22(3)(d), F.S.

¹³ Sections 1009.23 and 1009.24, F.S.

¹⁴ Section 1009.23(8), F.S.

¹⁵ Section 1009.23(8)(c), F.S.

¹⁶ See Sections 1009.25, 1009.26, and 1009.265, F.S.

¹⁷ Section 1009.26, F.S.

- Grandparent Waiver – Waiver of out-of-state fees for students with a grandparent who is a Florida resident, provided the student achieves an SAT combined score no lower than the 89th national percentile or the concordant score on the ACT or Classic Learning Test (CLT), and enrolls full-time in an undergraduate program.

Additionally, FCS and SUS institutions are authorized to waive tuition and fees for full-time state employees. Eligible employees may enroll in up to six credit hours per term on a space-available basis, promoting professional development opportunities for state personnel.¹⁸

Effect of Proposed Changes

Residency Status for Tuition Purposes

The bill modifies s. 1009.21, F.S., by defining a “nonresident online student” as a person who is admitted to a Florida College System institution or state university as an online student and does not qualify for in-state tuition or fee rates.

Student Fees

The bill modifies s. 1009.23, F.S., by authorizing an FCS institution to allocate a portion of financial aid fees to assist underrepresented students rather than students who are members of a targeted gender or ethnic minority.

The bill also amends s. 1009.24, F.S., by requiring the out-of-state fee for nonresident online students to be based on market rates and must exceed the university’s current out-of-state fee.

Tuition and Fee Waivers

The bill amends s. 251.001, F.S., by providing tuition and fee waivers for active members of the Florida State Guard to enroll in a state university or Florida College System institution for up to 6 credit hours of courses per term on a space-available basis. This waiver is similar to the existing tuition and fee waiver available to state employees.

The bill amends s. 1009.26, F.S., by repealing the out-of-state fee waiver for nonresident students with a grandparent who is a Florida resident.

The Office of Ocean Economy

Present Situation

The maritime industry encompasses a wide range of interrelated activities such as shipping, shipbuilding, port operations, maritime logistics, fishing and aquaculture, offshore energy, and marine services. The maritime industry facilitates the movement of goods, connects markets, supports industries, and plays a vital role in sustainable development.

The U.S. marine economy plays a significant role in the national economy, contributing \$432 billion in gross domestic product (GDP) and supporting 2.3 million jobs across various industries. In 2021, the sector generated \$730 billion in sales, reflecting a 10.5 percent increase

¹⁸ Section 1009.265, F.S.

and demonstrating its substantial economic impact. Notably, the tourism and recreation sector experienced 27.3% growth (\$49.8 billion), underscoring the marine economy's vital role in driving business activity, sustaining employment, and supporting overall economic stability.¹⁹

Florida's marine economy plays a vital role in the state's economic landscape, supporting numerous businesses, jobs, and wages. As of the most recent data:²⁰

- There are 95,789 marine-related businesses operating in the state, contributing to economic activity across various sectors.
- The industry employs 768,000 workers, reflecting its significant impact on Florida's job market.
- These jobs provide a total of \$32.3 billion in wages, supporting livelihoods across the coastal and marine sectors.
- Florida's marine economy contributes \$46.4 billion to the state's GDP, demonstrating its importance in driving statewide economic growth.

The Office of Ocean Economy (office) is created within the State University System and housed at Florida Atlantic University. The office is created to connect the state's ocean and coastal resources to economic development strategies that grow, enhance, or contribute to the ocean economy.²¹

The duties of the office are to advance research, innovation, industry recruitment, funding, and workforce training to grow the ocean economy. The office is intended to foster collaboration among universities, colleges, and industry partners while maintaining an online inventory of research and resources. The office identifies economic challenges, supports commercialization, removes regulatory barriers, and expands financial opportunities. It also tracks job growth, wages, and business development while promoting Florida's role in the global ocean economy. Additionally, the office educates state and local entities on aligning economic growth with environmental sustainability.²²

Effect of Proposed Changes

The bill amends s. 288.036, F.S., by revising the duties of the Office of Ocean Economy at FAU. The bill expands the collaboration and coordination between the office and institutions.

Specifically the bill:

- Shifts from fostering relationships to actively collaborating and coordinating with institutions.
- Expands the scope of collaboration to include career centers and specifies collaboration with the College of the Florida Keys.

¹⁹ Office of Coastal Management, Fast Facts, *Marine Economy*, <https://coast.noaa.gov/states/fast-facts/marine-economy.html> (last visited Mar. 5, 2025).

²⁰ NOAA, *2024 Marine Economy Report: Florida* (2021), available at <https://coast.noaa.gov/data/digitalcoast/pdf/marine-economy-florida.pdf>.

²¹ Section 288.036(2), F.S.

²² Section 288.036(3), F.S.

The bill adds "strengthening the workforce" as an explicit goal in identifying economic challenges and solutions within the ocean economy. This may broaden the office's role in addressing labor market demands alongside innovation, commercialization, and financial growth.

Additionally, the bill expands the office's online reporting requirements by requiring an inventory of programs related to the ocean economy, an evaluation of additional credentialing opportunities, and a list of institutions or training providers offering these credentials.

The bill requires the office to collaborate with public and private educational and industry organizations to make recommendations in:

- Strengthening employment opportunities in specific maritime sectors, including commercial fishing, fisheries and aquaculture, shipbuilding, and shipping.
- Expanding maritime education programs and launching a public awareness campaign.
- Increasing access to dual enrollment, preapprenticeship, apprenticeship, and work-study programs in both public and private institutions.
- Aligning regulatory frameworks for fishing and boat operations with workforce demand through coordination with the Fish and Wildlife Conservation Commission.

Furthermore, the bill clarifies the office must provide a detailed report on the economic benefits of its activities, and beginning August 1, 2026, the report must include recommendations related to workforce expansion and regulatory alignment.

Florida Center for Brain Tumor Research

Present Situation

In July 2006, the Florida legislature established the Florida Center for Brain Tumor Research (FCBTR), within the Evelyn F. and William L. McKnight Brain Institute of the University of Florida, in a coordinated effort among the state's public and private universities and hospitals and the biomedical industry to discover brain tumor cures and develop brain tumor treatment modalities.²³

The FCBTR serves as a collaborative, statewide resource, maintaining a biorepository of cancerous and non-cancerous brain tumor specimens, along with matched samples of DNA, plasma, serum, and cerebrospinal fluid. These samples are collected from patients who provide informed consent at various healthcare institutions across Florida. Professional research coordinators and tissue acquisition specialists facilitate the collection process, ensuring that valuable specimens and data are available for future research. The bank distributes materials to researchers both within Florida and beyond, supporting investigations into improved treatments and potential cures for brain tumors.²⁴

In addition to its biorepository functions, the FCBTR has awarded pilot funding to researchers throughout the state. This funding has led to the development of novel therapies currently being

²³ Section 381.853, F.S.

²⁴ Florida Center for Brain Tumor Research, College of Medicine, University of Florida, *About Us*, <https://fcbtr.ufl.edu/about-us/> (last visited Mar. 4, 2025).

tested in clinical trials and has resulted in significant extramural funding and meaningful collaborations between public and private institutions in Florida.²⁵

The FCBTR operates under the guidance of a scientific advisory council, which includes biomedical researchers, physicians, clinicians, and representatives from public and private universities and hospitals. The council members are appointed by the Governor, Speaker of the House of Representatives, President of the Senate, and State Surgeon General. These members serve staggered 4-year terms and without compensation. The council meets at least annually to provide oversight and strategic direction.²⁶

Effect of Proposed Changes

The bill amends s. 381.853, F.S., to shift the appointment authority to the President of the University of Florida, in consultation with the dean of the University of Florida College of Medicine, to appoint the advisory council members for the Florida Center for Brain Tumor Research.

Assistive Technology Advisory Council

Present Situation

The Assistive Technology Advisory Council was established to ensure consumer involvement in the development, application, and distribution of assistive technology for individuals with disabilities. The council plays a critical role in statewide policy development, legislative advocacy, and the oversight of assistive technology programs to enhance accessibility and service delivery. Its responsibilities include reviewing consumer responsiveness, evaluating program effectiveness, and advising on resource allocation to improve assistive technology access across Florida.²⁷

The council is composed of members representing a diverse range of stakeholders, including individuals with disabilities, their family members, consumer advocacy organizations, business and industry representatives, and various state agencies involved in disability services. A majority of its members must be individuals with disabilities who are assistive technology consumers or their family members. Membership is also required to be geographically representative of the state and reflect diversity in race, ethnicity, gender, age, and disability type. Members are appointed by the Commissioner of Education and serve terms of up to three years, with a limit of two consecutive terms. A member who has served two terms may be reappointed after a three-year break, ensuring opportunities for new voices while maintaining institutional knowledge.²⁸

Effect of Proposed Changes

The bill modifies s. 413.407, F.S., by removing diversity, race, ethnicity, gender, and age from the requirement that the Assistive Technology Advisory Council members be representative of

²⁵ Florida Center for Brain Tumor Research, College of Medicine, University of Florida, *About Us*, <https://fcbtr.ufl.edu/about-us/> (last visited Mar. 4, 2025).

²⁶ Section 381.853(4), F.S.

²⁷ Section 413.407, F.S.

²⁸ Section 413.407(1), F.S.

the state's population. The bill also increases the term limit of council members from 3 to 5 years.

Apprenticeship Training Programs

Present Situation

Apprenticeship training provides educational opportunities for individuals to develop skills for trades, occupations, and professions that align with their abilities. These programs promote hands-on training in occupations requiring physical manipulative skills by expanding job training opportunities and strengthening coordination between academic programs, career programs, and registered apprenticeships. By combining on-the-job training with related classroom instruction, apprenticeship programs help individuals gain practical experience while enhancing their knowledge and expertise.

Efforts to support apprenticeship training include establishing preapprenticeship programs within the public school system, expanding existing registered programs, and developing new programs in occupations that are well-suited for apprenticeship. Oversight of these programs ensures the adoption of uniform minimum standards, assists educational institutions in developing preapprenticeship opportunities, and upholds the quality of training through program promotion, registration, monitoring, and enforcement of standards.²⁹

The established uniform minimum standards and policies governing apprenticeship and preapprenticeship programs ensure training providers submit necessary performance data while maintaining quality training standards. These standards regulate apprentice employment and training conditions, including ratios of apprentices to journeyworkers, safety measures, related instruction, and on-the-job training. An annual report is published by September 1 detailing registered programs, expenditures, program completion rates, wage progression, and public engagement efforts. It also assists district school boards, Florida College System institutions, program sponsors, and workforce development boards in promoting apprenticeship opportunities to students, parents, and the community.³⁰

Apprenticeship and preapprenticeship programs must meet established standards to be registered and maintained, ensuring compliance through monitoring and investigation of complaints. Programs that fail to adhere to standards or refuse to cooperate with oversight efforts may have their registration canceled. The development and expansion of apprenticeship opportunities are supported through outreach initiatives, including efforts to educate veterans on career pathways. Local apprenticeship sponsors receive assistance in developing training standards, and registered programs are encouraged to grant credit to individuals who have completed preapprenticeship programs. Apprenticeship programs must operate in compliance with all applicable standards, with minority and gender diversity considered in their administration.³¹

²⁹ Section 446.011, F.S.

³⁰ Section 446.032, F.S.

³¹ Section 446.041, F.S.

Effect of Proposed Changes

The bill modifies s. 446.032, F.S., by changing the required publishing date of the annual report on apprenticeship and preapprenticeship programs from September 1 to November 30.

The bill amends s. 446.041, F.S., by removing the term “minority and gender diversity” and replacing it with “underrepresented groups” to be considered in the administration of apprenticeship and preapprenticeship training programs.

Florida Educational Equity Act***Present Situation***

The Florida Educational Equity Act³² (FEEA) requires equal access to, and prohibits discrimination against, any student or employee of the state’s K-20 public education system on the basis of race, ethnicity, gender, national origin, disability, religion, or marital status.³³ No individual may, on such bases, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.³⁴ Additionally, the prohibition on discrimination extends to participation in any interscholastic, intercollegiate, club, or intermural athletics offered by a public K-20 educational institution, and no K-20 education institution may provide athletics separately on such basis, except as provided by law.³⁵ Further, the FEEA expressly requires that any discrimination motivated by anti-Semitic³⁶ intent be treated in an identical manner to discrimination motivated by race.³⁷

Public schools and Florida College System (FCS) institutions must develop and implement strategies to increase participation among students of a particular race, color, national origin, sex, disability, or marital status in programs where they have been traditionally underrepresented. These efforts apply to fields such as mathematics, science, computer technology, electronics, communications technology, engineering, and career education to promote greater diversity and inclusion.³⁸

³² Section 1000.05(1), F.S.

³³ Section 1000.05(2)(a), F.S.

³⁴ *Id.* Students may be separated for permissible single gender programs, for portions of a class that deals with human reproduction, or during participation in bodily contact sports. Section 1000.05(2)(d), F.S. All K-20 public education classes and guidance services must be made available to students without regard to any of the bases described above. Section 1000.05(2)(c) and (e), F.S.

³⁵ Section. 1000.05(3)(a), F.S. Public K-20 educational institutions are authorized to maintain separate teams for members of each gender or based on ability in certain circumstances. Section. 1000.05(3)(b)-(c), F.S. It is the responsibility of the Board of Governors and the Commissioner of Education to determine whether equal athletic opportunities are provided for both genders at state universities and in school districts and Florida College Systems, respectively. Section 1000.05(3)(d), F.S.

³⁶ For purposes of this section, the term “anti-Semitism” includes a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his or her property, or toward Jewish community institutions or religious facilities. Section 1005.05(7), F.S. The FEEA also lists examples of anti-Semitism. Section 1000.05(7)(a)-(b), F.S.

³⁷ Section 1000.05(7), F.S.

³⁸ Section 1000.05(5), F.S.

The FEEA is implemented by the Board of Governors through regulations³⁹ and rules adopted by the State Board of Education (SBE).⁴⁰ Additionally, the Office of Equal Educational Opportunity (OEEO), within the Department of Education (DOE), serves implementation functions including, but not limited to, the following:⁴¹

- Requiring all district school boards and FCS institution boards of trustees to develop and submit plans for the implementation of the FEEA to the DOE.
- Requiring all district school boards and Florida College System institution boards of trustees to submit data and information necessary to determine compliance with the FEEA.
- Developing and implementing enforcement mechanisms with appropriate penalties to ensure that public K-12 schools and Florida College System institutions comply with Title IX of the Education Amendments of 1972 and the FEEA.
- Reporting to the Commissioner of Education any district school board or FCS institution board of trustees found to be out of compliance with the FEEA or the rules implementing the FEEA.

The SBE is responsible for ensuring compliance with its rules by district school boards and FCS institution boards of trustees. If a board is found to be out of compliance, the Commissioner of Education must report the violation, and the SBE may impose penalties, including declaring the institution ineligible for competitive state grants and directing the Chief Financial Officer to withhold general revenue funds until compliance is achieved. The institution remains ineligible for funding until it either meets compliance requirements or the SBE approves a corrective plan.

The FEEA provides a cause of action for anyone aggrieved by a violation of the FEEA. Such an individual is authorized to seek equitable relief and, should he or she prevail, he or she may be awarded reasonable attorney fees and court costs.⁴²

Effect of Proposed Changes

The bill amends s. 1000.05, F.S., by renaming the “Florida Educational Equity Act” to the “Florida Educational Equality Act”. The bill changes the term “gender” to “sex” and removes the term “particular race, color, national origin, sex, disability or marital status” and replaces it with “underrepresented.”

Additionally, the bill removes the specific reporting duty of the OEEO and the penalties for non-compliance in favor of requiring the Commissioner of Education and State Board of Education to utilize their enforcement authority already specified in law.

³⁹ Board of Governors Regulation 2.003.

⁴⁰ Rule 6A-19.010, F.A.C.

⁴¹ S. 1000.05(6), F.S.

⁴² S. 1000.05(8), F.S.

Hillsborough Community College

Present Situation

Hillsborough Community College (HCC) opened in 1968 as “Hillsborough Junior College.”⁴³ In 1970, the college’s name was changed to Hillsborough Community College to better reflect its community orientation and involvement.⁴⁴ HCC is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACS) to award associate and baccalaureate degrees.⁴⁵ HCC offers a baccalaureate degree in nursing.

Florida College System Institution Name Change

With the approval of its board of trustees, a Florida College System (FCS) institution may change the institution’s name and use the designation “college” or “state college” if it has been authorized by the SBE to grant baccalaureate degrees and has been accredited as a baccalaureate-degree-granting institution by an accrediting agency or association recognized by the United States Department of Education (USDOE).⁴⁶

With the approval of its board of trustees, an FCS institution that either has not been authorized to grant baccalaureate degrees or has not been accredited as a baccalaureate-degree-granting institution by an accrediting agency or association recognized by the USDOE may request approval from the SBE to change the institution’s name and use the designation “college.”⁴⁷ The SBE may approve the request if the FCS institution enters into an agreement with the SBE to do the following:

- Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education.
- Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.
- Continue to provide outreach to underserved populations.
- Continue to provide remedial education.
- Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the SBE.

A district board of trustees that approves a change to the name of an institution must seek statutory codification of such name change during the next regular legislative session.⁴⁸

Effect of Proposed Changes

The bill amends s. 1000.21, F.S., to change the name of “Hillsborough Community College” to “Hillsborough State College”.

⁴³ Hillsborough Community College, About Us, *History*, <https://news.hccfl.edu/about-us/history/default.aspx> (last visited Mar. 4, 2025).

⁴⁴ *Id.*

⁴⁵ Southern Association of Colleges and Schools, Commission on Colleges, *Hillsborough Community College*, https://sacscoc.org/institutions/?institution_name=hillsborough+community+college&results_per_page=25&curpage=1 (last visited Mar. 4, 2025).

⁴⁶ Section 1001.60(2)(b)1., F.S.

⁴⁷ Section 1001.60(2)(b)2., F.S.

⁴⁸ Section 1001.60(2)(c), F.S.

Board of Governors

Present Situation

The State University System (SUS) is composed of 12 public universities,⁴⁹ each administered by a board of trustees. The Board of Governors (BOG) is responsible for operating, regulating, and managing the entire SUS.⁵⁰ It also ensures compliance with all applicable local, state, and federal laws governing the institutions under its jurisdiction.⁵¹

Additionally, the BOG oversees cost-effective policy decisions at each constituent university, ensuring alignment with institutional missions, the maintenance of high-quality education programs, performance measurement, data reporting, and input on state policy, budgeting, and education standards.⁵² To fulfill these responsibilities, the BOG carries out key functions, including:⁵³

- Developing strategic and accountability plans with performance metrics for universities.
- Requiring universities to provide students with employment and earnings data for degree programs.⁵⁴
- Maintaining an information system to track and report institutional performance.
- Investigating allegations of waste, fraud, or financial mismanagement at state universities.
- Authorizing regulatory flexibilities and waivers to support institutional priorities.
- Monitoring and improving four-year graduation rates through institutional proposals.
- Matching student data with state and federal employment records to assess program effectiveness.

MyFloridaFuture is a free online tool, developed by the SUS, that helps students, parents, and policymakers make more informed decisions about college and career planning. This interactive tool allows users to explore data related to graduate salary, employment, and student debt by institution or major at both the statewide and individual institution levels.⁵⁵

Effect of Proposed Changes

The bill modifies s. 1001.706, F.S., by removing the requirement for the Board of Governors to provide electronic access to data on the top 25 percent of degrees with the highest job placement and earnings and the bottom 10 percent of degrees with the lowest job placement and earnings before registration.

⁴⁹ See State University System of Florida, *Universities*, <https://www.flbog.edu/universities/> (last visited Mar. 4, 2025) (identifying 12 state universities).

⁵⁰ FLA. CONST., art. IX, s. 7(a)-(d).

⁵¹ Section 1001.705(2), F.S.

⁵² Section 1001.706, F.S.

⁵³ Section 1001.706(5), F.S.

⁵⁴ See Section 1008.39, F.S. The Florida Education and Training Placement Information Program (FETPIP) is a data collection and consumer reporting system that provides employment and education follow-up data on former students and program participants who have graduated, exited, or completed a public education or training program within the State of Florida.

⁵⁵ Florida Board of Governors, *MyFloridaFuture*, <https://www.flbog.edu/myfloridafuture/> (last visited Mar. 6, 2025).

Preeminent State Research Universities Program

Present Situation

The preeminent state research universities program is a collaborative partnership between the Board of Governors (BOG) and the Legislature to raise the academic and research preeminence of the highest performing state research universities in Florida.⁵⁶ A state university that meets 12 of the 13 academic and research excellent standards specified in law is designated a “preeminent state research university.”⁵⁷ Currently, the University of Florida, Florida State University, University of South Florida, and Florida International University are designated as preeminent state research universities.⁵⁸

The following are the academic and research excellence standards established for the preeminent state research universities program and must be reported annually in the BOG Accountability Plan:⁵⁹

- An average weighted grade point average (GPA) of 4.0 or higher and an average SAT score of 1200 or higher or an average ACT score of 25 or higher for fall semester incoming freshmen.
- A top-50 ranking on at least two well-known national public university rankings, such as U.S. News & World Report.
- A 90% or higher freshman retention rate for full-time, first-time-in-college students.
- A 60% or higher four-year graduation rate for full-time, first-time-in-college students.
- At least six faculty members who are members of a national academy.
- Total annual research expenditures of \$200 million or more, including federal research funding.
- Annual research expenditures in diversified nonmedical sciences of \$150 million or more.
- A top-100 national ranking for research expenditures in five or more STEM fields.
- At least 100 patents awarded by the U.S. Patent and Trademark Office over the most recent three-year period.
- 400 or more doctoral degrees awarded annually, including professional doctoral degrees in medical and health care disciplines.
- 200 or more postdoctoral appointees annually.
- An endowment of \$500 million or more.
- Total annual STEM-related research expenditures of \$50 million or more, including federal research funding.

Effect of Proposed Changes

The bill amends s. 1001.7065, F.S., by expanding the standardized test options used to meet the academic and research excellence standards for the preeminent state research universities

⁵⁶ Section 1001.7065(1), F.S.

⁵⁷ Section 1001.7065(3)(a), F.S.

⁵⁸ Board of Governors, State University System of Florida, *Accountability Propels State University System of Florida to New Heights*, <https://www.flbog.edu/2024/07/01/accountability-propels-state-university-system-of-florida-to-new-heights/> (last visited Mar. 4, 2025).

⁵⁹ Section 1001.7065(2), F.S.

program. It adds the Classical Learning Test (CLT) as an alternative to the SAT and ACT, requiring an average CLT score of 83 or higher on a 120-point scale for incoming freshmen.

Emergency Opioid Antagonists

Present Situation

Each Florida College System institution and state university must maintain a supply of emergency opioid antagonists,⁶⁰ such as naloxone hydrochloride or any similarly acting drug approved by the United States Food and Drug Administration (FDA), in every residence hall or dormitory it owns or operates. These emergency opioid antagonists must be placed in clearly marked locations within each residence hall or dormitory and must be easily accessible to campus law enforcement officers trained in their administration. Public and private partnerships are encouraged to cover the costs associated with purchasing and placing these emergency opioid antagonists.⁶¹

Campus law enforcement officers who are trained and administer or attempt to administer an emergency opioid antagonist in compliance with applicable laws, as well as the institution that employs such officers, are immune from civil or criminal liability.⁶²

Effect of Proposed Changes

The bill amends s. 1004.0971, F.S., by removing the specific reference to “naloxone hydrochloride or any similarly acting” drug and instead broadly defining an emergency opioid antagonist as any FDA-approved drug that blocks the effects of opioids and is used for opioid overdose treatment.

Graduation Alternative to Traditional Education Program

Present Situation

Created within the Department of Education, the Graduation Alternative to Traditional Education (GATE) Program offers a unique opportunity for students who have left high school to get back on track. Designed for students aged 16 to 21, GATE provides a pathway to earn valuable career education credentials while also completing a standard high school diploma or its equivalent.⁶³

Through the GATE program, students can enroll in a Career and Technical Education (CTE) program and an Adult Secondary Education (ASE) program simultaneously. Eligible ASE programs include Adult High School or GED® Preparation. Participants will work towards earning both a high school diploma and a credential from a Career Education Program on the

⁶⁰ Section 1004.0971(1)(b), F.S., defines an “emergency opioid antagonist” as naloxone hydrochloride or any similarly acting drug that blocks the effects of opioids administered from outside the body and that is approved by the United States Food and Drug Administration for the treatment of an opioid overdose.

⁶¹ Section 1004.0971, F.S.

⁶² Section 1004.0971(5), F.S.

⁶³ Section 1004.933, F.S. and Florida Department of Education, Adult Education, *Graduation Alternative to Traditional Education (GATE) Program*, <https://www.fldoe.org/academics/career-adult-edu/adult-edu/gate.shtml> (last visited Mar. 4, 2025).

Master Credential list in their chosen career field.⁶⁴ Students have up to three years to complete the GATE Program.⁶⁵

To be eligible for participation in the GATE Program, a student must:⁶⁶

- Not have earned a standard high school diploma or a high school equivalency diploma before enrolling in the GATE Program;
- Have been withdrawn from high school;
- Be a resident of the state for tuition purposes;
- Be 16 to 21 years of age at the time of initial enrollment, and if 16 or 17 years of age, have withdrawn from school enrollment pursuant to certain requirements and safeguards;⁶⁷
- Select the adult secondary education program and career education program of his or her choice at the time of admission to the GATE Program, provided that the career education program is included on the Master Credentials List. The student must remain in their chosen pathway after enrollment, except that, if necessary, the student may enroll in an adult basic education program prior to enrolling in the adult secondary education program;
- Maintain a 2.0 grade point average (GPA) for career and technical education coursework; and
- Complete the adult secondary education program and the career education program within three years unless the institution determines that an extension is warranted due to extenuating circumstances.

GATE Startup Grant Program

The GATE Startup Grant Program is established within the Department of Education (department) to fund and support the startup and implementation of the GATE Program. The purpose of the grant program is to increase access to programs that support adult learners earning a high school credential, either a high school diploma or its equivalent, and a workforce credential aligned to statewide or regional demand. The department is required to administer the grants, determine eligibility, and distribute grant awards.⁶⁸

Applicants eligible to apply for the GATE Startup Grant Program must meet the definition of an “institution”⁶⁹ and must be located in or serve a rural area of opportunity as designated by the Governor. Rural Areas of Opportunity (RAO) are areas designated by the Governor that have been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster.⁷⁰

⁶⁴ Florida Department of Education, Adult Education, *Graduation Alternative to Traditional Education (GATE) Program*, <https://www.fldoe.org/academics/career-adult-edu/adult-edu/gate.stml> (last visited Mar. 4, 2025).

⁶⁵ *Id.*

⁶⁶ Section 1004.933(4), F.S.

⁶⁷ Section. 1003.21(1)(c), F.S.

⁶⁸ Section 1011.804, F.S.

⁶⁹ Section 1011.804(2), F.S. The term “institution” means a school district career center established under s. 1001.44, a charter technical career center established under s. 1002.34, or a Florida College System institution identified in s. 1000.21 which offers the GATE Program pursuant to s. 1004.933.

⁷⁰ Section 288.0656(d), F.S.

Florida's designated RAOs are:⁷¹

- Northwest Rural Area of Opportunity: Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington Counties, and the area within the city limits of Freeport and Walton County north of the Choctawhatchee Bay and intercostal waterway.
- South Central Rural Area of Opportunity: DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties, and the cities of Pahokee, Belle Glade, and South Bay (Palm Beach County) and Immokalee (Collier County).
- North Central Rural Area of Opportunity: Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor and Union.

Grant funds may be used for planning activities and other expenses associated with the creation of the GATE Program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, and student services. Grant funds may not be used for indirect costs. Grant recipients must submit an annual report in a format prescribed by the department.⁷²

Effect of Proposed Changes

The bill amends s. 1004.933, F.S., by authorizing an institution to enter into an agreement with an online provider for the adult education or career instruction portion of the GATE Program, provided the provider's instructional content and services align with the state career and adult education curriculum frameworks.

The bill also modifies the age requirement at initial enrollment, changing it from "16 to 21" to "at least 16" years old. Additionally, it clarifies that students are not required to enroll in adult secondary and career education program coursework simultaneously with the GATE Program, but maintains the three-year completion requirement.

The bill amends s. 1011.804, F.S., by expanding the authorized use of the GATE Startup Fund. Specifically, it authorizes institutions with existing GATE Programs located in or serving an RAO to apply for grant funds exclusively for marketing and outreach efforts to increase student participation. Additionally, all grant recipients are authorized to use funds for these purposes.

Florida Postsecondary Academic Library Network

Present Situation

The Florida Postsecondary Academic Library Network (Network) is administered by the Florida Virtual Campus (FLVC), which operates under the Northwest Regional Data Center (NWRDC), an affiliate of Florida State University.⁷³ The Network provides academic support services to Florida College System (FCS) institutions and state universities, including access to distance learning courses, coordination of online academic resources, and administration of a shared library automation system. Additionally, it negotiates statewide licensing agreements for

⁷¹ Florida Commerce, *Rural Areas of Opportunity*, <https://floridajobs.org/community-planning-and-development/rural-community-programs/rural-areas-of-opportunity> (last visited Mar. 4, 2025).

⁷² Section 1011.804(6), F.S.

⁷³ Florida Virtual Campus, About FLVC Library Services, [https://libraries.flvc.org/about-flvc-ls#:~:text=Funded%20by%20the%20state%20as,%20\(Served%20only%20state%20universities\)](https://libraries.flvc.org/about-flvc-ls#:~:text=Funded%20by%20the%20state%20as,%20(Served%20only%20state%20universities)) (last visited Mar. 4, 2025).

electronic library resources and promotes the use of low-cost and open-access educational materials to reduce textbook costs for students.⁷⁴

The Student Open Access Resources Repository is a statewide searchable database of open educational resources curated by faculty members from FCS institutions and state universities. It is designed to expand access to free and low-cost instructional materials and support the development of faculty-created content. The repository is based on the statewide course numbering system and aims to accelerate textbook affordability. Institutions receiving grant funds for open educational resources must openly license and share materials developed using these funds by adding them to the repository.⁷⁵

The Network is administered by a host entity responsible for delivering statewide academic support services. This host entity must submit an annual report by December 31 to the Chancellors of the State University System and Florida College System. The report includes data on the usage of open educational resources, the number and types of courses in the repository, and grant fund distributions. Additionally, the Chancellors must submit an annual performance report on the host entity's service delivery to the Governor, the Legislature, the Board of Governors, and the State Board of Education. The Board of Governors and the Department of Education are also required to include any necessary funding increases for these services in their legislative budget requests.⁷⁶

Effect of Proposed Changes

The bill amends s. 1006.73, F.S., by removing certain reporting requirements related to the Student Open Access Resources Repository, which is no longer funded. Specifically, it eliminates the requirement to report the number and types of courses included in the repository and data on the utilization of the repository and open educational resources by FCS institutions and state universities.

The bill removes the requirement for the Chancellors of the SUS and the FCS to submit an annual performance report on the host entity's delivery of services. It also eliminates the requirement for the BOG and the DOE to include any necessary funding increases for these services in their annual legislative budget requests.

Additionally, the bill removes an obsolete provision that required the Commissioner of Education and the Chancellor of the BOG to submit a joint recommendation on expanding access to postsecondary distance learning, student support services, and library assets for school district career centers and charter technical career centers.

College Reach-Out Program

Present Situation

The College Reach-Out Program (CROP) was established in 1983 to motivate and prepare students in grades 6–12 from low-income educationally disadvantaged backgrounds towards

⁷⁴ Section 1006.73(1), F.S.

⁷⁵ Section 1006.73(4), F.S.

⁷⁶ Section 1006.73(5), F.S.

pursuing and successfully completing postsecondary education. Participants are students who otherwise would be unlikely to seek admission to a postsecondary institution without additional support and recruitment efforts.

Effect of Proposed Changes

The bill modifies s. 1007.34, F.S., by replacing the term “minority” with “underrepresented” in references to the student population within the College Reach-Out Program.

Florida Partnership for Minority and Underrepresented Student Achievement

Present Situation

The Florida Partnership for Minority and Underrepresented Student Achievement was established to prepare, inspire, and connect students to postsecondary success and opportunity, with a particular focus on minority students and students who are underrepresented in postsecondary education.⁷⁷

Each public high school, including alternative sites and centers of the Department of Juvenile Justice, must provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) or the PreACT to all 10th-grade students. A written notice must be provided to parents, including the opportunity to exempt their child from taking the assessment.⁷⁸

The partnership is responsible for identifying students for participation in advanced courses, providing information to students and parents regarding available opportunities, and explaining enrollment procedures. This information must include details on the benefits of advanced coursework in preparing students for postsecondary education, increasing access to postsecondary opportunities, and qualifying for scholarships and financial aid.⁷⁹

The partnership must coordinate efforts to expand student access to advanced coursework, including working with school districts, the Florida Virtual School, and Florida College System (FCS) institutions and state universities to develop advanced courses and provide instructional support.⁸⁰ It must also provide assessment tools to evaluate student strengths and weaknesses related to success in advanced coursework.⁸¹

Effect of Proposed Changes

The bill amends s. 1007.35, F.S., by renaming the “Florida Partnership for Minority and Underrepresented Student Achievement” to the “Florida Partnership for Underrepresented Student Achievement.” The bill removes the partnership’s specific focus on minority students, broadening its scope to all underrepresented student populations.

⁷⁷ Section 1007.35(4), F.S.

⁷⁸ Section 1007.35(5), F.S.

⁷⁹ Section 1007.35(6)(i), F.S.

⁸⁰ Section 1007.35(6)(g) and (l), F.S.

⁸¹ Section 1007.35(6)(d), F.S.

The bill also provides legislative intent recognizing the value of career pathways beyond traditional college access, including vocational and trade schools, and emphasizes the importance of incentivizing high school programs that prepare students for those career paths.

Additionally, the bill removes requirements for the partnership to:

- Provide teacher training, professional development, and instructional materials.
- Consider ways to incorporate FCS institutions into its mission of preparing all students for postsecondary success.
- Cooperate with the DOE to provide information on partnership activities, opportunities, and priorities.

The bill also makes conforming provisions to s. 1007.27, F.S., related to the Florida Partnership for Minority and Underrepresented Student Achievement.

Florida Gold Seal Career and Professional Education (CAPE) Scholars Award

Present Situation

The Florida Gold Seal CAPE Scholars Award, established within the Bright Futures Scholarship Program, supports students who complete industry certifications that articulate for postsecondary credit.⁸²

To qualify, students must earn at least five postsecondary credit hours through CAPE industry certifications and complete at least 30 volunteer hours or 100 hours of paid work.⁸³ This scholarship provides funding for career-focused postsecondary programs, including technical degrees, applied technology diplomas, or career certificates, and may extend to bachelor's degree programs in specific articulated pathways.⁸⁴

Effect of Proposed Changes

The bill amends s. 1009.536, F.S., by modifying the eligibility requirements for the Florida Gold Seal CAPE Scholars award. Specifically, the bill reduces the required minimum postsecondary credit hours earned through CAPE industry certifications from 5 to 3 and adds a requirement that students earn a minimum cumulative weighted grade point average (GPA) of 2.5 in all subjects required for high school graduation, excluding electives.

The bill also expands eligibility by allowing students who complete the GATE Program to apply for the award before or within three months of completion.

⁸² Section 1009.536, F.S.

⁸³ Section 1009.536(2), F.S.

⁸⁴ Section 1009.536(5)(b), F.S.

Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund

Present Situation

The PIPELINE Fund is a performance-based funding initiative designed to reward public postsecondary nursing education programs for their excellence and effectiveness.⁸⁵ The fund provides allocations to eligible institutions, school district career centers, charter technical career centers, Florida College System institutions, and state universities,⁸⁶ based on two key performance metrics:⁸⁷

- Number of program completers; and
- First-time passage rate on the National Council of State Boards of Nursing Licensing Examination (NCLEX).

Programs with first-time NCLEX passage rates above the national average receive additional rewards.⁸⁸

Effect of Proposed Changes

The bill modifies s. 1009.897, F.S., by specifying that funds under the PIPELINE Fund must be used for healthcare industry-related programs.

Contracting for Educational Facilities

Present Situation

Governing boards overseeing educational facilities, including district school boards, Florida College System institution boards of trustees, and state university boards of trustees, must competitively bid construction, remodeling, renovation, demolition, or improvement projects and award contracts to the lowest responsible bidder once funds are available and project plans are approved.⁸⁹

Boards are authorized to allocate up to 10 percent of capital project funds exclusively for contracts with minority business enterprises, which are competitively bid only among qualifying businesses to address the effects of past discriminatory practices.⁹⁰ To ensure compliance and contractor qualifications, boards must also prequalify bidders and require that contractors hold the appropriate certificates or licenses before awarding any construction contract.⁹¹ This statutory framework is designed to maintain fair competition, emergency flexibility, and equitable contracting practices while ensuring adherence to licensing and safety regulations.

⁸⁵ Section 1009.897, F.S.

⁸⁶ Section 1009.897(2), F.S.

⁸⁷ Section 1009.897(3), F.S.

⁸⁸ Section 1009.897(3)(b)2., F.S.

⁸⁹ Section 1013.46(1)(a), F.S.

⁹⁰ Section 1013.46(1)(c), F.S.

⁹¹ Section 1013.46(2), F.S.

Effect of Proposed Changes

The bill amends s. 1013.46, F.S., by removing the provision related to the option of setting aside 10 percent of allocated funds for construction contracts with minority business enterprises.

The bill is effective July 1, 2025.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Should the Office of Program Policy Analysis and Government Accountability develop contracts with institutions in the State University System, it may result in a revenue increase for the institutions. However, it may result in a cost to the state.

Requiring state universities and Florida College System institutions to waive tuition and fees for active members of the Florida State Guard would result in a revenue loss for the institutions.

Hillsborough Community College may have costs associated for their name change, such as those related to signage, publication, documentation, advertising, and other related items.

There would be a fiscal impact on any institution participating in the Graduation Alternative to Traditional Education Program (GATE) Program that chooses to enter into an agreement with an online provider for the adult education or career instruction portion of the program. In addition, there would be a negative fiscal impact on the Florida Gold Seal CAPE Scholars award by expanding it to GATE Program completers. Eliminating the 21-year-old age cap would likely expand the number of GATE Program participants. However, this waiver is subject to the availability of funds.

Repealing the grandparent out-of-state fee waiver has an indeterminate fiscal impact on institutions. It is unclear whether the students will choose to pay the out-of-state fees or withdraw from the school.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 11.51, 251.001, 288.036, 381.853, 413.407, 446.032, 446.041, 1000.05, 1000.21, 1001.706, 1001.7065, 1004.0971, 1004.933, 1006.73, 1007.34, 1007.35, 1009.21, 1009.23, 1009.24, 1009.26, 1009.536, 1009.897, 1011.804, 1013.46, and 1007.27.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Calatayud

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1 A bill to be entitled
 2 An act relating to higher education; amending s.
 3 11.51, F.S.; authorizing the Office of Program Policy
 4 Analysis and Government Accountability to develop
 5 contracts or agreements with institutions in the State
 6 University System for a specified purpose; amending s.
 7 251.001, F.S.; providing tuition assistance to active
 8 members of the Florida State Guard; amending s.
 9 288.036, F.S.; revising the duties of the Office of
 10 Ocean Economy; amending s. 381.853, F.S.; specifying
 11 that the President of the University of Florida
 12 appoints the members of the scientific advisory
 13 council within the Florida Center for Brain Tumor
 14 Research; amending s. 413.407, F.S.; revising the
 15 qualifications for members of the Assistive Technology
 16 Advisory Council; increasing the maximum term length
 17 for such members; amending s. 446.032, F.S.; revising
 18 the date by which the Department of Education is
 19 required to publish an annual report on apprenticeship
 20 and preapprenticeship programs; amending s. 446.041,
 21 F.S.; requiring the department to take into account
 22 underrepresented groups in administering the
 23 apprenticeship training program, rather than minority
 24 and gender diversity; amending s. 1000.05, F.S.;
 25 renaming the Florida Educational Equity Act as the
 26 "Florida Educational Equality Act"; changing the term
 27 "gender" to "sex"; requiring public schools and
 28 Florida College System institutions to develop and
 29 implement methods and strategies to increase

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30 participation of underrepresented students, rather
 31 than students with certain characteristics, in certain
 32 programs and courses; requiring the Commissioner of
 33 Education and the State Board of Education to utilize
 34 their authority to enforce compliance; amending s.
 35 1000.21, F.S.; renaming Hillsborough Community College
 36 as "Hillsborough State College"; amending s. 1001.706,
 37 F.S.; deleting a requirement that state universities
 38 provide student access to certain information;
 39 amending s. 1001.7065, F.S.; revising academic
 40 standards for the preeminent state research university
 41 program to include a specified average Classic
 42 Learning Test score; amending s. 1004.0971, F.S.;
 43 revising the definition of the term "emergency opioid
 44 antagonist"; amending s. 1004.933, F.S.; authorizing
 45 an institution to enter into an agreement with an
 46 online provider for the adult education or career
 47 instruction portion of the Graduation Alternative to
 48 Traditional Education (GATE) Program; removing the age
 49 limit for enrollment in the program; clarifying that
 50 students are not required to enroll in adult secondary
 51 and career education coursework simultaneously;
 52 amending s. 1006.73, F.S.; revising reporting
 53 requirements relating to the Florida Postsecondary
 54 Academic Library Network; amending s. 1007.34, F.S.;
 55 expanding the scope of the college reach-out program
 56 to all low-income educationally disadvantaged and
 57 underrepresented students regardless of minority
 58 status; amending s. 1007.35, F.S.; revising

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59 legislative findings; renaming the Florida Partnership
 60 for Minority and Underrepresented Student Achievement
 61 as the "Florida Partnership for Underrepresented
 62 Student Achievement"; revising the purposes and duties
 63 of the partnership to focus on all underrepresented
 64 students regardless of minority status; revising
 65 duties of the partnership; amending s. 1009.21, F.S.;
 66 defining the term "nonresident online student" for
 67 purposes of determining resident status for tuition
 68 purposes; amending s. 1009.23, F.S.; authorizing the
 69 Florida College System to allocate a portion of
 70 financial aid fees to assist underrepresented
 71 students, rather than students who are members of a
 72 targeted gender or ethnic minority population;
 73 amending s. 1009.24, F.S.; requiring that the out-of-
 74 state fee for nonresident online students at state
 75 universities be based on market rates and exceed the
 76 university's current out-of-state fee; amending s.
 77 1009.26, F.S.; repealing a specified fee waiver;
 78 amending s. 1009.536, F.S.; clarifying the required
 79 minimum cumulative weighted grade point average for
 80 the Florida Gold Seal CAPE Scholars award; authorizing
 81 students to apply for a Florida Gold Seal CAPE
 82 Scholars award within a specified timeframe before or
 83 after completing the GATE Program; amending s.
 84 1009.897, F.S.; requiring institutions receiving funds
 85 through the Prepping Institutions, Programs,
 86 Employers, and Learners through Incentives for Nursing
 87 Education Fund to allocate funding to health care-

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88 related programs; amending s. 1011.804, F.S.;
 89 authorizing certain institutions to apply for and use
 90 grant funds under the GATE Startup Grant Program for
 91 specified purposes; amending s. 1013.46, F.S.;
 92 deleting a provision relating to set asides for
 93 construction contracts with minority business
 94 enterprises; amending s. 1007.27, F.S.; conforming a
 95 provision to changes made by the act; providing an
 96 effective date.
 97
 98 Be It Enacted by the Legislature of the State of Florida:
 99
 100 Section 1. Subsection (5) is added to section 11.51,
 101 Florida Statutes, to read:
 102 11.51 Office of Program Policy Analysis and Government
 103 Accountability.—
 104 (5) The Office of Program Policy Analysis and Government
 105 Accountability may develop contracts or agreements with
 106 institutions in the State University System to use the expertise
 107 of state university faculty and research staff to provide
 108 assistance in analysis and evaluative research.
 109 Section 2. Subsection (9) of section 251.001, Florida
 110 Statutes, is amended to read:
 111 251.001 Florida State Guard Act.—
 112 (9) REIMBURSEMENT, BENEFIT, AND COMPENSATION.—
 113 (a) The division shall reimburse members of the Florida
 114 State Guard for per diem and travel expenses incurred to attend
 115 required training or in the course of active service as provided
 116 in s. 112.061.

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(b) Members of the Florida State Guard may be compensated for time spent training or in the course of active service at rates established by the director, subject to appropriation.

(c) A member of the Florida State Guard may not make any purchase or enter into any contract or agreement for purchases or services as a charge against the state without the authority of the director.

(d) As a benefit to the active members of the Florida State Guard, subject to approval by the director of the Division of the State Guard, each state university and Florida College System institution shall waive tuition and fees for active members of the Florida State Guard to enroll for up to 6 credit hours of courses per term on a space-available basis.

Section 3. Subsections (3) and (4) of section 288.036, Florida Statutes, are amended to read:

288.036 Ocean economy development.—

(3) The Office of Ocean Economy shall:

(a) Develop and undertake activities and strategies with a focus on research and development, technological innovation, emerging industries, strategic business recruitment, public and private funding opportunities, and workforce training and education to promote and stimulate the ocean economy.

(b)1. Collaborate ~~Foster relationships~~ and coordinate with state universities, private universities, career centers, and Florida College System institutions, including the College of the Florida Keys, to periodically survey ~~surveying~~ the development of academic research relating to the ocean economy across all disciplines and facilitating the transfer of innovative technology into marketable goods and services. ~~The~~

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~~office shall encourage collaboration between state universities and Florida College System institutions that have overlapping areas of academic research.~~

2. Include and update on the office's website information related to:

a. An inventory of current research and current collaborations, including contact information; and

b. Any available resources for research and technology development, including financial opportunities.

(c) Collaborate with relevant industries to identify economic challenges that may be solved through innovation in the ocean economy, including commercializing or otherwise facilitating public access to academic research and resources, removing governmental barriers, strengthening the workforce, and maximizing access to financial or other opportunities for growth and development.

(d) Develop and facilitate a pipeline for innovative ideas and strategies to be created, developed, researched, commercialized, and financed. This includes promotion and coordination of industry collaboration, academic research, accelerator programs, training and technical assistance, and startup or second-stage funding opportunities.

(e) Maintain and update on the office's website:

1. Reports and data on the number, growth, and average wages of jobs included in the ocean economy; the impacts on the number, growth, and development of businesses in the ocean economy; and the collaboration, transition, or adoption of innovation and research into new, viable ideas employed in the ocean economy.

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2. A current inventory of programs related to the ocean economy, an evaluation of additional opportunities to earn credentials, and the institutions or training providers where such credentials may be earned.

(f) Educate other state and local entities on the interests of the ocean economy and how such entities may positively address environmental issues while simultaneously considering the economic impact of their policies.

(g) Communicate the state's role as an integral component of the ocean economy by promoting the state on national and international platforms and other appropriate forums as the premier destination for convening on pertinent subject matters.

(h) Collaborate with public and private educational and industry organizations to make recommendations:

1. For strengthening employment opportunities in:

a. Commercial fishing;

b. Fisheries and aquaculture, marine and freshwater;

c. Processing and preserving fish, crustaceans, and mollusks;

d. Shipbuilding and repair; and

e. Shipping, water transport such as sea and coastal and inland water transportation of both freight and passengers, ports, and related services and support activities.

2. Regarding the expansion of existing maritime programs and the addition of new programs and strategies for a public awareness campaign.

3. To increase the availability of dual enrollment, preapprenticeship and apprenticeship, and work-study programs at both public and private institutions.

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4. For aligning the regulatory framework for fishing and boat operations with the demand for personnel through consultation with the Fish and Wildlife Conservation Commission.

(4) By August 1, 2025, and each August 1 thereafter, the office shall provide to the Board of Governors, the Governor, the President of the Senate, and the Speaker of the House of Representatives and post on its website a detailed report on demonstrating the economic benefits of the office and the development of emerging ocean economy industries. By August 1, 2026, the report must include the recommendations in paragraph (3) (h).

Section 4. Subsection (4) of section 381.853, Florida Statutes, is amended to read:

381.853 Florida Center for Brain Tumor Research.—

(4) There is established within the center a scientific advisory council that includes biomedical researchers, physicians, clinicians, and representatives from public and private universities and hospitals. The council shall meet at least annually.

(a) The council shall consist of members appointed by the President of the University of Florida, in consultation with the dean of the University of Florida College of Medicine:

1. Two members from the Florida Center for Brain Tumor Research within the Evelyn F. and William L. McKnight Brain Institute of the University of Florida ~~appointed by the Governor.~~

2. Two members from The Scripps Research Institute, one of whom must have expertise in basic brain tumor research, ~~appointed by the Speaker of the House of Representatives.~~

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233 3. Two members from other public and private universities
 234 and institutions directly involved in brain tumor research
 235 ~~appointed by the President of the Senate.~~

236 4. One member from the Mayo Clinic in Jacksonville who is
 237 directly involved in the treatment of brain tumor patients or
 238 who has expertise in basic brain tumor ~~research appointed by the~~
 239 ~~State Surgeon General.~~

240 5. Two members from the Cleveland Clinic in Florida who are
 241 directly involved in basic brain tumor research ~~appointed by the~~
 242 ~~Governor.~~

243 6. One member from the H. Lee Moffitt Cancer Center and
 244 Research Institute who is directly involved in the treatment of
 245 brain tumor patients or who has expertise in basic brain tumor
 246 research ~~appointed by the Speaker of the House of~~
 247 ~~Representatives.~~

248 7. One member from the M. D. Anderson Cancer Center Orlando
 249 who is directly involved in the treatment of brain tumor
 250 patients or who has expertise in basic brain tumor research
 251 ~~appointed by the President of the Senate.~~

252 (b) Council members shall serve staggered 4-year terms.

253 (c) Council members shall serve without compensation, and
 254 each organization represented shall cover all expenses of its
 255 representative.

256 Section 5. Paragraphs (d) and (f) of subsection (1) of
 257 section 413.407, Florida Statutes, are amended to read:

258 413.407 Assistive Technology Advisory Council.—There is
 259 created the Assistive Technology Advisory Council, responsible
 260 for ensuring consumer involvement in the creation, application,
 261 and distribution of technology-related assistance to and for

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262 persons who have disabilities. The council shall fulfill its
 263 responsibilities through statewide policy development, state and
 264 federal legislative initiatives, advocacy at the state and
 265 federal levels, planning of statewide resource allocations,
 266 policy-level management, and reviews of consumer responsiveness
 267 and the adequacy of program service delivery and by performing
 268 the functions listed in this section.

269 (1)

270 (d) Members of the council must be geographically
 271 representative of the state and reflect the ~~diversity of the~~
 272 state's population with respect to ~~race, ethnicity, gender, age,~~
 273 type of disability, and type of disability-related services and
 274 devices received.

275 (f)1. Each member of the council shall serve for a term of
 276 not more than 5 3 years, except that a member appointed to fill
 277 a vacancy occurring before the expiration of the term for which
 278 a predecessor was appointed shall be appointed for the remainder
 279 of such term.

280 2. A member of the council may not serve more than two
 281 consecutive terms; however, any appointment under subparagraph
 282 1., if for less than 18 months, is not considered a term for the
 283 purposes of this section.

284 3. A member who has served two consecutive terms and has
 285 been retired from the council for at least 3 years may be
 286 reappointed to the council on the same basis as a new member.

287 Section 6. Subsection (2) of section 446.032, Florida
 288 Statutes, is amended to read:

289 446.032 General duties of the department for apprenticeship
 290 training.—The department shall:

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291 (2) By ~~November 30~~ September 1 of each year, publish an
 292 annual report on apprenticeship and preapprenticeship programs.
 293 The report must be published on the department's website and, at
 294 a minimum, include all of the following:

295 (a) A list of registered apprenticeship and
 296 preapprenticeship programs, sorted by local educational agency,
 297 as defined in s. 1004.02(18), and apprenticeship sponsor, under
 298 s. 446.071.

299 (b) A detailed summary of each local educational agency's
 300 expenditure of funds for apprenticeship and preapprenticeship
 301 programs, including:

302 1. The total amount of funds received for apprenticeship
 303 and preapprenticeship programs.

304 2. The total amount of funds allocated by training
 305 provider, program, and occupation.

306 3. The total amount of funds expended for administrative
 307 costs by training provider, program, and occupation.

308 4. The total amount of funds expended for instructional
 309 costs by training provider, program, and occupation.

310 (c) The number of apprentices and preapprentices per trade
 311 and occupation.

312 (d) The percentage of apprentices and preapprentices who
 313 complete their respective programs in the appropriate timeframe.

314 (e) Information and resources related to applications for
 315 new apprenticeship programs and technical assistance and
 316 requirements for potential applicants.

317 (f) Documentation of activities conducted by the department
 318 to promote apprenticeship and preapprenticeship programs through
 319 public engagement, community-based partnerships, and other

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320 initiatives and the outcomes of such activities and their impact
 321 on establishing or expanding apprenticeship and
 322 preapprenticeship programs.

323 (g) Retention and completion rates of participants
 324 disaggregated by training provider, program, and occupation.

325 (h) Wage progression of participants as demonstrated by
 326 starting, exit, and postapprenticeship wages at 1 and 5 years
 327 after participants exit the program.

328 Section 7. Subsection (12) of section 446.041, Florida
 329 Statutes, is amended to read:

330 446.041 Duties of the department.—The department shall:

331 (12) Ensure that underrepresented groups ~~minority and~~
 332 ~~gender diversity~~ are considered in administering this program.

333 Section 8. Subsection (1), paragraph (d) of subsection (2),
 334 paragraph (e) of subsection (3), subsection (5), and subsection
 335 (7) of section 1000.05, Florida Statutes, are amended to read:

336 1000.05 Discrimination against students and employees in
 337 the Florida K-20 public education system prohibited; equality of
 338 access required.—

339 (1) This section may be cited as the "Florida Educational
 340 Equality ~~Equity~~ Act."

341 (2)

342 (d) Students may be separated by sex for a single-sex
 343 ~~single-gender~~ program, for any portion of a class that deals
 344 with human reproduction, or during participation in bodily
 345 contact sports. For the purpose of this section, bodily contact
 346 sports include wrestling, boxing, rugby, ice hockey, football,
 347 basketball, and other sports in which the purpose or major
 348 activity involves bodily contact.

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(3)

(e) A public school or Florida College System institution may provide separate toilet, locker room, and shower facilities on the basis of ~~sex~~ gender, but such facilities shall be comparable to such facilities provided for students of the other sex.

(5) Public schools and Florida College System institutions shall develop and implement methods and strategies to increase the participation of underrepresented students ~~of a particular race, color, national origin, sex, disability, or marital status~~ in programs and courses in which students ~~of that particular race, color, national origin, sex, disability, or marital status~~ have been traditionally underrepresented, including, but not limited to, mathematics, science, computer technology, electronics, communications technology, engineering, and career education.

(7) The functions of the Office of Equal Educational Opportunity of the Department of Education shall include, but are not limited to:

(a) Requiring all district school boards and Florida College System institution boards of trustees to develop and submit plans for the implementation of this section to the Department of Education.

(b) Conducting periodic reviews of school districts and Florida College System institutions to determine compliance with this section and, after a finding that a school district or a Florida College System institution is not in compliance with this section, notifying the entity of the steps that it must take to attain compliance and performing followup monitoring.

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(c) Providing technical assistance, including assisting school districts or Florida College System institutions in identifying unlawful discrimination and instructing them in remedies for correction and prevention of such discrimination and performing followup monitoring.

(d) Conducting studies of the effectiveness of methods and strategies designed to increase the participation of students in programs and courses in which students of a particular race, color, national origin, sex, disability, or marital status have been traditionally underrepresented and monitoring the success of students in such programs or courses, including performing followup monitoring.

(e) Requiring all district school boards and Florida College System institution boards of trustees to submit data and information necessary to determine compliance with this section. The Commissioner of Education shall prescribe the format and the date for submission of such data and any other educational equity data. If any board does not submit the required compliance data or other required educational equity data by the prescribed date, the commissioner shall notify the board of this fact and, if the board does not take appropriate action to immediately submit the required report, the State Board of Education shall impose monetary sanctions.

(f) Based upon rules of the State Board of Education, developing and implementing enforcement mechanisms with appropriate penalties to ensure that public K-12 schools and Florida College System institutions comply with Title IX of the Education Amendments of 1972 and subsection (3) of this section. However, the State Board of Education may not force a public

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school or Florida College System institution to conduct, nor penalize such entity for not conducting, a program of athletic activity or athletic scholarship for female athletes unless it is an athletic activity approved for women by a recognized association whose purpose is to promote athletics and a conference or league exists to promote interscholastic or intercollegiate competition for women in that athletic activity.

~~(g) Reporting to The Commissioner of Education any district school board or Florida College System institution board of trustees found to be out of compliance with rules of the State Board of Education adopted as required by paragraph (f) or paragraph (3)(d). To penalize the board, the State Board of Education shall:~~

~~1. Declare the school district or Florida College System institution ineligible for competitive state grants.~~

~~2. Notwithstanding the provisions of s. 216.192, direct the Chief Financial Officer to withhold general revenue funds sufficient to obtain compliance from the school district or Florida College System institution.~~

~~The school district or Florida College System institution shall remain ineligible and the funds shall not be paid until the institution comes into compliance or the State Board of Education approves a plan for compliance.~~

The Commissioner of Education and the State Board of Education shall use their authority under s. 1008.32 to enforce compliance with this subsection.

Section 9. Paragraph (j) of subsection (5) of section

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1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning-20 Education Code:

(5) "Florida College System institution" except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(j) Hillsborough State Community College, which serves Hillsborough County.

Section 10. Paragraph (d) of subsection (5) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(d) The Board of Governors shall annually require a state university prior to registration to provide each enrolled student electronic access to the economic security report of employment and earning outcomes prepared by the Department of Commerce pursuant to s. 445.07. ~~In addition, the Board of Governors shall require a state university to provide each student electronic access to the following information each year prior to registration using the data described in s. 1008.39:~~

~~1. The top 25 percent of degrees reported by the university in terms of highest full-time job placement and highest average annualized earnings in the year after earning the degree.~~

~~2. The bottom 10 percent of degrees reported by the university in terms of lowest full-time job placement and lowest average annualized earnings in the year after earning the degree.~~

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465 Section 11. Paragraph (a) of subsection (2) of section
 466 1001.7065, Florida Statutes, is amended to read:
 467 1001.7065 Preeminent state research universities program.—
 468 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
 469 following academic and research excellence standards are
 470 established for the preeminent state research universities
 471 program and shall be reported annually in the Board of Governors
 472 Accountability Plan:
 473 (a) An average weighted grade point average of 4.0 or
 474 higher on a 4.0 scale and an average SAT score of 1200 or higher
 475 on a 1600-point scale or an average ACT score of 25 or higher on
 476 a 36 score scale, using the latest published national
 477 concordance table developed jointly by the College Board and
 478 ACT, Inc., or an average Classic Learning Test score of 83 or
 479 higher on a 120 score scale, for fall semester incoming
 480 freshmen, as reported annually.
 481 Section 12. Paragraph (b) of subsection (1) of section
 482 1004.0971, Florida Statutes, is amended to read:
 483 1004.0971 Emergency opioid antagonists in Florida College
 484 System institution and state university housing.—
 485 (1) As used in this section, the term:
 486 (b) "Emergency opioid antagonist" means a naloxone
 487 hydrochloride or any similarly acting drug that blocks the
 488 effects of opioids administered from outside the body and that
 489 is approved by the United States Food and Drug Administration
 490 for the treatment of an opioid overdose.
 491 Section 13. Paragraph (b) of subsection (3) and paragraph
 492 (b) of subsection (4) of section 1004.933, Florida Statutes, are
 493 amended to read:

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494 1004.933 Graduation Alternative to Traditional Education
 495 (GATE) Program.—
 496 (3) DEFINITIONS.—As used in this section, the term:
 497 (b) "Institution" means any ~~a~~ school district career center
 498 established under s. 1001.44, a charter technical career center
 499 established under s. 1002.34, or a Florida College System
 500 institution identified in s. 1000.21. Any such institution may
 501 enter into an agreement with an online provider for the adult
 502 education or career instruction portion of the program if such
 503 provider offers instructional content and services that align
 504 with the state career and adult education curriculum frameworks.
 505 (4) PAYMENT WAIVER; ELIGIBILITY.—
 506 (b) To be eligible for participation in the GATE Program, a
 507 student must:
 508 1. Not have earned a standard high school diploma pursuant
 509 to s. 1003.4282 or a high school equivalency diploma pursuant to
 510 s. 1003.435 before enrolling in the GATE Program;
 511 2. Have been withdrawn from high school;
 512 3. Be a resident of this state as defined in s. 1009.21(1);
 513 4. Be at least 16 ~~to 21~~ years of age at the time of initial
 514 enrollment, provided that a student who is 16 or 17 years of age
 515 has withdrawn from school enrollment pursuant to the
 516 requirements and safeguards in s. 1003.21(1)(c);
 517 5. Select the adult secondary education program and career
 518 education program of his or her choice at the time of admission
 519 to the GATE Program, provided that the career education program
 520 is included on the Master Credentials List under s. 445.004(4).
 521 The student is not required to enroll in adult secondary and
 522 career education program coursework simultaneously. The student

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may not change the requested pathway after enrollment, except that, if necessary for the student, the student may enroll in an adult basic education program prior to enrolling in the adult secondary education program;

6. Maintain a 2.0 GPA for career and technical education coursework; and

7. Notwithstanding s. 1003.435(4), complete the programs under subparagraph 5. within 3 years after his or her initial enrollment unless the institution determines that an extension is warranted due to extenuating circumstances.

Section 14. Subsections (5) and (7) of section 1006.73, Florida Statutes, are amended to read:

1006.73 Florida Postsecondary Academic Library Network.—

(5) REPORTING.—

~~(a)~~ By December 31 each year, the host entity shall submit a report to the Chancellors of the State University System and the Florida College System regarding the implementation and operation of all components described in this section, including, but not limited to, all of the following:

(a)1- Usage information collected under paragraph (2)(c).

(b)2- Information and associated costs relating to the services and functions of the program.

(c)3- The implementation and operation of the automated library services.

(d)4- The number and value of grants awarded under paragraph (4)(d) and the distribution of those funds.

~~5. The number and types of courses placed in the Student Open Access Resources Repository.~~

~~6. Information on the utilization of the Student Open~~

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~~Access Resources Repository and utilization of open educational resources in course sections, by Florida College System institution and state university.~~

~~(b) The Chancellors will provide an annual report on the performance of the host entity in delivering the services and any recommendations for changes needed to this section to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education. The Board of Governors and the Department of Education shall include any necessary funding increases in their annual legislative budget requests.~~

~~(7) RECOMMENDATION ON OTHER EDUCATIONAL INSTITUTIONS TO BE INCLUDED WITHIN THE FLORIDA POSTSECONDARY ACADEMIC LIBRARY NETWORK.—By June 1, 2022, the Commissioner of Education and the Chancellor of the Board of Governors shall provide a joint recommendation for a process by which school district career centers operated under s. 1001.44 and charter technical career centers under s. 1002.34 would access appropriate postsecondary distance learning, student support services and library assets described in this section. The recommendation must include an analysis of the resources necessary to expand access and assets to centers and their students.~~

Section 15. Paragraph (d) of subsection (5) and paragraph (c) of subsection (7) of section 1007.34, Florida Statutes, are amended to read:

1007.34 College reach-out program.—

(5) In selecting proposals for approval, the State Board of Education shall give preference to:

(d) A program that includes innovative approaches, provides

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a great variety of activities, and includes a large percentage of low-income educationally disadvantaged and underrepresented minority students in the college reach-out program.

(7) A proposal must contain the following information:

(c) An identification of existing programs for enhancing the academic performance of ~~minority and~~ low-income educationally disadvantaged and underrepresented students for enrollment in postsecondary education.

Section 16. Section 1007.35, Florida Statutes, is amended to read:

1007.35 Florida Partnership for ~~Minority and~~ Underrepresented Student Achievement.—

(1) This section may be referred to by the popular name the “Florida Partnership for ~~Minority and~~ Underrepresented Student Achievement Act.”

(2)(a) The Legislature recognizes the importance of not only access to college but also success in college for all students. It is the intent of the Legislature that every student enrolled in a public secondary school has access to high-quality, rigorous academics, with a particular focus on access to advanced courses. The Legislature also recognizes the importance of other career pathways, such as vocational and trade schools, and the importance of incentivizing the availability of high school programs to prepare students for those career paths.

(b) It is the intent of the Legislature to provide assistance to all public secondary schools, with a primary focus on low-performing middle and high schools.

~~(c) It is the intent of the Legislature that the~~

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~~partnership created in this section accomplish its mission primarily through strengthening the content knowledge of teachers and providing instructional resources, including materials and strategies, which enable teachers to provide instruction to students who have diverse learning styles.~~

(3) There is created the Florida Partnership for ~~Minority and~~ Underrepresented Student Achievement. The Department of Education may contract for operation of the partnership.

(4) The mission of the partnership is to prepare, inspire, and connect students to postsecondary success and opportunity, with a particular focus on ~~minority students and~~ students who are underrepresented in postsecondary education.

(5) Each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), or the PreACT to all enrolled 10th grade students. However, a written notice shall be provided to each parent which must include the opportunity to exempt his or her child from taking the PSAT/NMSQT or the PreACT.

(a) Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in advanced high school courses.

(b) Funding for the PSAT/NMSQT or the PreACT for all 10th grade students shall be contingent upon annual funding in the General Appropriations Act.

(c) Public school districts must choose either the

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PSAT/NMSQT or the PreACT for districtwide administration.

(6) The partnership shall:

~~(a) Provide teacher training and professional learning to enable teachers of advanced courses to have the necessary content knowledge and instructional skills to prepare students for success on assessments developed pursuant to s. 1007.27(2) and mastery of postsecondary general education core courses.~~

~~(b) Provide to middle school teachers and administrators professional learning that will enable them to educate middle school students at the level necessary to prepare the students to enter high school ready to participate in advanced courses.~~

~~(c) Provide teacher training and materials that are aligned with the state standards and are consistent with best theory and practice regarding multiple learning styles and research on learning, instructional strategies, instructional design, and classroom assessment. Curriculum materials must be based on current, accepted, and essential academic knowledge.~~

~~(d)~~ Provide assessment of individual strengths and weaknesses as related to potential success in advanced courses and readiness for college.

(b)(e) Provide college entrance exam preparation through a variety of means that may include, but are not limited to, training teachers to provide courses at schools; training community organizations to provide courses at community centers, faith-based organizations, and businesses; and providing online courses.

~~(f) Consider ways to incorporate Florida College System institutions in the mission of preparing all students for postsecondary success.~~

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(c)(g) Provide a plan for communication and coordination of efforts with the Florida Virtual School's provision of online advanced courses.

(d)(h) Work with school districts to identify ~~minority and~~ underrepresented students for participation in advanced courses.

(e)(i) Work with school districts to provide information to students and parents that explains available opportunities for students to take advanced courses and that explains enrollment procedures that students must follow to enroll in such courses. Such information must also explain the value of such courses as they relate to:

1. Preparing the student for postsecondary level coursework.

2. Enabling the student to gain access to postsecondary education opportunities.

3. Qualifying for scholarships and other financial aid opportunities.

(f)(j) Provide information to students, parents, teachers, counselors, administrators, districts, Florida College System institutions, and state universities regarding PSAT/NMSQT or the PreACT administration, including, but not limited to:

1. Test administration dates and times.

2. That participation in the PSAT/NMSQT or the PreACT is open to all 10th grade students.

3. The value of such tests in providing diagnostic feedback on student skills.

4. The value of student scores in predicting the probability of success on advanced course examinations.

~~(k) Cooperate with the department to provide information to~~

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~~administrators, teachers, and counselors, whenever possible, about partnership activities, opportunities, and priorities.~~

(g)(1) Partner with the Florida College System institutions and state universities identified by the State Board of Education and Board of Governors pursuant to s. 1007.25(3) to develop advanced courses ~~and provide teacher training.~~

(7) By May 31 of each year, the Department of Education shall approve a plan of delivery of services for the subsequent academic year.

(8)(a) By September 30 of each year, the partnership shall submit to the department a report that contains an evaluation of the effectiveness of the delivered services and activities. Activities and services must be evaluated on their effectiveness at raising student achievement and increasing the number of AP or other advanced course examinations in low-performing middle and high schools. Other indicators that must be addressed in the evaluation report include the number of middle and high school teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; levels of participation in 10th grade PSAT/NMSQT or the PreACT testing; and measures of student, parent, and teacher awareness of and satisfaction with the services of the partnership.

(b) The department shall contribute to the evaluation process by providing access, consistent with s. 119.071(5)(a), to student and teacher information necessary to match against databases containing teacher professional learning data and databases containing assessment data for the PSAT/NMSQT, SAT, ACT, PreACT, AP, and other appropriate measures. The department shall also provide student-level data on student progress from

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middle school through high school and into college and the workforce, if available, in order to support longitudinal studies. The partnership shall analyze and report student performance data in a manner that protects the rights of students and parents as required in 20 U.S.C. s. 1232g and s. 1002.22.

(9)(a) Funding for the partnership shall be contingent upon annual funding in the General Appropriations Act.

(b) The participating partner, if one is chosen, is required to match at least one-third of the allocation provided to the partnership in the General Appropriations Act in materials and services to the program.

(10) Nothing in this section shall prohibit any organization from partnering with the state to improve the college readiness of students.

Section 17. Present paragraphs (e), (f), and (g) of subsection (1) of section 1009.21, Florida Statutes, are redesignated as paragraphs (f), (g), and (h), respectively, and a new paragraph (e) is added to that subsection, to read:

1009.21 Determination of resident status for tuition purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.

(1) As used in this section, the term:

(e) "Nonresident online student" means a person who is admitted to a Florida College System institution or state

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university as an online student and does not qualify for in-state tuition or fee rates.

Section 18. Paragraph (c) of subsection (8) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Florida College System institution student fees.—
 (8)(c) Up to 25 percent or \$600,000, whichever is greater, of the financial aid fees collected may be used to assist students who demonstrate academic merit; who participate in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution; or who are identified as members of an underrepresented ~~a targeted gender or ethnic minority~~ population. The financial aid fee revenues allocated for athletic scholarships and any fee exemptions provided to athletes pursuant to s. 1009.25(2) must be distributed equitably as required by s. 1000.05(3)(d). A minimum of 75 percent of the balance of these funds for new awards shall be used to provide financial aid based on absolute need, and the remainder of the funds shall be used for academic merit purposes and other purposes approved by the boards of trustees. Such other purposes shall include the payment of child care fees for students with financial need. The State Board of Education shall develop criteria for making financial aid awards. Each college shall report annually to the Department of Education on the revenue collected pursuant to this paragraph, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report shall include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for

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which the award is received. Awards that are based on financial need shall be distributed in accordance with a nationally recognized system of need analysis approved by the State Board of Education. An award for academic merit requires a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

Section 19. Present paragraphs (b) through (e) of subsection (4) of section 1009.24, Florida Statutes, are redesignated as paragraphs (c) through (f), respectively, and a new paragraph (b) is added to that subsection, to read:

1009.24 State university student fees.—

(4)

(b) The out-of-state fee for nonresident online students as defined in s. 1009.21(1)(e) must be based on market rates and must exceed the university's regular out-of-state fee.

Section 20. Subsection (20) of section 1009.26, Florida Statutes, is amended to read:

1009.26 Fee waivers.—

~~(20)(a) Beginning with the 2022-2023 academic year, a state university shall waive the out-of-state fee for a student who:~~

~~1. Has a grandparent who is a legal resident as defined in s. 1009.21(1). For purposes of this subsection, the term "grandparent" means a person who has a legal relationship to a student's parent as the natural or adoptive parent or legal guardian of the student's parent.~~

~~2. Earns a high school diploma comparable to a Florida standard high school diploma, or its equivalent, or completes a home education program.~~

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813 3.a. Achieves an SAT combined score no lower than the 89th
 814 national percentile on the SAT;
 815 b. Achieves an ACT score concordant to the required SAT
 816 score in sub-subparagraph a., using the latest published
 817 national concordance table developed jointly by the College
 818 Board and ACT, Inc.; or
 819 c. If a state university accepts the Classic Learning Test
 820 (CLT) for admission purposes, achieves a CLT score concordant to
 821 the required SAT score specified in sub-subparagraph a., using
 822 the latest published scoring comparison developed by Classic
 823 Learning Initiatives.
 824 4. Beginning with students who initially enroll in the 2022
 825 fall academic term and thereafter, enrolls as a full-time
 826 undergraduate student at a state university in the fall academic
 827 term immediately following high school graduation.
 828 (b) The waiver under this subsection is applicable for up
 829 to 110 percent of the number of required credit hours of the
 830 degree program for which the student is enrolled.
 831 (c) Before waiving the out-of-state fee, the state
 832 university shall require the student or the student's parent, if
 833 the student is a dependent child, to provide a written
 834 declaration pursuant to s. 92.525(2) attesting to the student's
 835 familial relationship to a grandparent who is a legal resident
 836 and any other corroborating documentation required by regulation
 837 of the Board of Governors. A state university is not required to
 838 independently verify the statements contained in each
 839 declaration if the signatory declares it to be true under the
 840 penalties of perjury as required by s. 92.525(2). However, the
 841 state university may refer any signed declaration suspected of

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842 containing fraudulent representations to law enforcement.
 843 (d) Each state university annually shall report to the
 844 Board of Governors the number and value of all fee waivers
 845 granted under this subsection during the previous 12-month
 846 period.
 847 (e) Beginning with students who initially enroll for the
 848 2022-2023 academic year or thereafter, a state university shall,
 849 within the nonresident student enrollment systemwide, prioritize
 850 the enrollment of a student who is granted a fee waiver under
 851 this subsection over an out-of-state student who is not eligible
 852 for an out-of-state fee waiver if the students have
 853 substantially similar academic and other credentials used in
 854 determining admission to the state university.
 855 (f) Fee waivers granted pursuant to this subsection may not
 856 exceed 350 students systemwide each academic year.
 857 (g) The Board of Governors shall adopt regulations to
 858 administer this subsection.
 859 Section 21. Subsection (2) of section 1009.536, Florida
 860 Statutes, is amended, and subsection (6) is added to that
 861 section, to read:
 862 1009.536 Florida Gold Seal Vocational Scholars and Florida
 863 Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational
 864 Scholars award and the Florida Gold Seal CAPE Scholars award are
 865 created within the Florida Bright Futures Scholarship Program to
 866 recognize and reward academic achievement and career preparation
 867 by high school students who wish to continue their education.
 868 (2) A student is eligible for a Florida Gold Seal CAPE
 869 Scholars award if he or she meets the general eligibility
 870 requirements for the Florida Bright Futures Scholarship Program,

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and the student:

(a) Earns a minimum of ~~3~~ 5 postsecondary credit hours through CAPE industry certifications approved pursuant to s. 1008.44 which articulate for college credit; ~~and~~

(b) Earns a minimum cumulative weighted grade point average of 2.5, as calculated pursuant to s. 1009.531, on all subjects required for a standard high school diploma, excluding elective courses; and

(c) Completes at least 30 hours of volunteer service or, beginning with a high school student graduating in the 2022-2023 academic year and thereafter, 100 hours of paid work, approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, or 100 hours of a combination of both. Eligible paid work completed on or after June 27, 2022, shall be included in a student's total required paid work hours. The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

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(6) Before or within 3 months after completion of the GATE Program as provided in s. 1004.933, a student may apply for the Florida Gold Seal CAPE Scholars award.

Section 22. Present subsection (4) of section 1009.897, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

1009.897 Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund.—

(4) Each institution that receives funds through the PIPELINE Fund shall allocate the funds to its health care industry-related programs.

Section 23. Subsections (3) and (6) of section 1011.804, Florida Statutes, are amended to read:

1011.804 GATE Startup Grant Program.—

(3) The department may solicit proposals from institutions without programs that meet the requirements of s. 1004.933(2). Such institutions must be located in or serve a rural area of opportunity as designated by the Governor. Additionally, institutions that meet program requirements and are located in or serve a rural area of opportunity may apply for grant funds specifically for marketing and outreach efforts to expand student participation in the GATE Program.

(6) Grant funds may be used for planning activities and other expenses associated with the creation of the GATE Program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, ~~and~~ student services, and outreach and marketing efforts to recruit and enroll eligible students. Institutions with existing programs

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 929 that meet the requirements of s. 1004.933(2) and that are
 930 located in or serve a rural area of opportunity may apply for
 931 grant funds exclusively for marketing and outreach purposes to
 932 expand student participation in the GATE Program. Grant funds
 933 may not be used for indirect costs. Grant recipients must submit
 934 an annual report in a format prescribed by the department. The
 935 department shall consolidate such annual reports and include the
 936 reports in the report required by s. 1004.933(5).

937 Section 24. Paragraph (c) of subsection (1) of section
 938 1013.46, Florida Statutes, is amended to read:

939 1013.46 Advertising and awarding contracts;
 940 prequalification of contractor.—

941 (1)

942 ~~(c) As an option, any county, municipality, or board may~~
 943 ~~set aside up to 10 percent of the total amount of funds~~
 944 ~~allocated for the purpose of entering into construction capital~~
 945 ~~project contracts with minority business enterprises, as defined~~
 946 ~~in s. 287.094. Such contracts shall be competitively bid only~~
 947 ~~among minority business enterprises. The set-aside shall be used~~
 948 ~~to redress present effects of past discriminatory practices and~~
 949 ~~shall be subject to periodic reassessment to account for~~
 950 ~~changing needs and circumstances.~~

951 Section 25. Paragraph (b) of subsection (1) of section
 952 1007.27, Florida Statutes, is amended to read:

953 1007.27 Articulated acceleration mechanisms.—

954 (1)

955 (b) The State Board of Education and the Board of Governors
 956 shall identify Florida College System institutions and state
 957 universities to develop courses that align with s. 1007.25 for

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 958 students in secondary education ~~and provide the training~~
 959 ~~required under s. 1007.35(6).~~

960 Section 26. This act shall take effect July 1, 2025.



THE FLORIDA SENATE
COMMITTEE ON EDUCATION POSTSECONDARY

Location
415 Knott Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5213

Senator Alexis Calatayud, *Chair*
Senator Corey Simon, *Vice Chair*

Professional Staff: Matthew Bouck, *Staff Director*

Senate's Website: www.flsenate.gov

March 7, 2025

Dear Senator Calatayud,

Unfortunately, I am unable to attend the Committee on Monday due to travel. Please excuse my absence. I apologize for any inconvenience.

Best,

A handwritten signature in black ink that reads "Lori Berman". The signature is written in a cursive style with a long horizontal line extending from the end.

Lori Berman



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Rules, *Vice Chair*
Appropriations Committee on Pre-K - 12 Education
Community Affairs
Education Postsecondary
Finance and Tax
Fiscal Policy
Transportation

SENATOR SHEVRIN D. "SHEV" JONES
34th District

March 10, 2025

The Honorable Senator Alexis Calatayud
Chairwoman, Education Postsecondary Committee
305 Senate Building
404 South Monroe Street
Tallahassee, FL 32399

Dear Chairwoman Calatayud,

I respectfully request an excused absence from the Monday, March 10, 2025, Education Postsecondary Committee meeting at 1:30 p.m. due to a work obligation.

Thank you in advance for considering this request. If you have any questions, comments, or concerns, please do not hesitate to contact me or my office.

Sincerely,

A handwritten signature in blue ink, appearing to be "Shev Jones".

Shevrin D. "Shev" Jones
Florida State Senator – Senate District 34

REPLY TO:

- ☐ 606 NW 183rd Street, Miami Gardens, Florida 33169 (305) 493-6022
- ☐ 214 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5034

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

CourtSmart Tag Report

Room: SB 301
Caption: Senate Education Postsecondary Committee

Case No.:

Type:
Judge:

Started: 3/10/2025 1:31:29 PM

Ends: 3/10/2025 1:41:22 PM

Length: 00:09:54

1:31:29 PM Chair Calatayud calls the meeting to order
1:31:30 PM Roll call
1:31:43 PM Chair Calatayud makes opening remarks
1:31:57 PM Tab 1, SB 312 by Gaetz, Florida Institute for Human and Machine Cognition, Inc.
1:32:04 PM Strike all Amendment #647456
1:32:21 PM Senator Harrell explains the amendment
1:33:35 PM Amendment #602518 by Fine
1:33:43 PM Senator Fine explains the amendment
1:34:25 PM Debate on the amendment:
1:34:29 PM Senator Harrell
1:34:35 PM Senator Fine closes on the amendment
1:35:06 PM Amendment reported
1:35:13 PM Back on the main amendment
1:35:22 PM Senator Harrell waives close on the amendment
1:35:28 PM Amendment reported
1:35:33 PM Amendment #633286 out of order
1:35:42 PM Back on the bill
1:36:09 PM Senator Harrell closes on the bill
1:36:36 PM Roll call
1:37:00 PM Chair Calatayud passes the gavel to Vice Chair Simon
1:37:05 PM Tab 2, SB 1624 by Calatayud, Higher Education
1:37:09 PM Senator Calatayud explains the bill
1:40:44 PM Senator Calatayud waives close
1:40:47 PM Roll call
1:41:08 PM Chair Simon makes closing remarks
1:41:13 PM Senator Fine moves to adjourn
1:41:16 PM Meeting adjourned