

Governor's Budget Recommendation Conforming Bill  
State University System Performance Funding

1 A bill to be entitled

2 An act relating to performance funding; amending s.  
3 1001.92, F.S.; providing additional metrics for  
4 performance funding; providing additional incentives for  
5 recruiting and retaining faculty; providing an effective  
6 date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Section 1001.92, Florida Statutes, is amended  
11 to read:

12 1001.92 State University System Performance-Based  
13 Incentive.—

14 (1) A State University System Performance-Based Incentive  
15 shall be awarded to state universities using performance-based  
16 metrics adopted by the Board of Governors of the State  
17 University System. Beginning with the Board of Governors'  
18 determination of each university's performance improvement and  
19 achievement ratings, and the related distribution of annual  
20 fiscal year appropriation, the performance-based metrics must  
21 include:

22 (a) The 4-year graduation rate for first-time-in-college  
23 students;

24 (b) Beginning in fiscal year 2022-2023, the 3-year  
25 graduation rate for associate in arts transfer students;

26 (c) Retention rates;

27 ~~(d) Postgraduation education rates;~~

28 ~~(e) Degree production;~~

29 (e) ~~(f)~~ Affordability;

30 (f) ~~(g)~~ Postgraduation employment and salaries, including

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31 wage thresholds that reflect the added value of a baccalaureate  
32 degree;

33 (g) ~~(h)~~ Access rate, based on the percentage of  
34 undergraduate students enrolled during the fall term who  
35 received a Pell Grant during the fall term; ~~and~~

36 (h) ~~(i)~~ ~~Beginning in fiscal year 2021-2022, the~~ The 6-year  
37 graduation rate for students who are awarded a Pell Grant in  
38 their first year.

39 (i) Non-degree credential attainment rates as specified in  
40 section 445.004 (4) (h), F.S.; and

41 (j) Beginning in fiscal year 2024-2025, the 3-year  
42 graduation rate for students who enter the university upon  
43 completion of an adult education program as defined by 1004.93,  
44 F.S., the graduation rate for the adult learner may include but  
45 is not limited to non-degree credential attainment as specified  
46 in section 445.004 (4) (h), F.S.

47 (k) The ratio of salaries and benefits for classroom  
48 instructors versus salaries and benefits for all types of non-  
49 classroom personnel, including full-time employees, part-time  
50 employees and contractors, and inclusive of all funding sources;  
51 and

52 (l) The percentage of funds appropriated annually by the  
53 legislature to the institution, not including authority for  
54 tuition revenue, expended on non-classroom instruction expenses  
55 relative to state funds appropriated to the institution by the  
56 legislature expended in direct instruction to students.

57  
58 ~~The Board of Governors may approve other metrics in a publicly~~  
59 ~~noticed meeting.~~ The board shall adopt benchmarks to evaluate  
60 each state university's performance on the metrics to measure

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61 the state university's achievement of institutional excellence  
62 or need for improvement and minimum requirements for eligibility  
63 to receive performance funding. Benchmarks and metrics may not  
64 be adjusted after university performance data has been received  
65 by the Board of Governors.

66 (5) A State University System Performance-Based Recruitment  
67 and Retention Incentive shall be awarded to state universities,  
68 subject to annual appropriation by the Legislature. The funds  
69 awarded under this incentive may only be used to recruit or  
70 retain instructional personnel for an institution. For the  
71 purposes of determining eligibility for this incentive, the  
72 Board of Governors shall use the same performance-based metrics  
73 outlined in paragraphs (1)(k)-(l) for the purposes of awarding  
74 the performance-based incentive, and the Board of Governors  
75 shall apply additional weight to those institutions it has  
76 identified with the greatest academic liberty and civil  
77 discourse when determining award allocation for distribution of  
78 funds under this subsection.

79 (a)1. By a date prescribed by the Board of Governors, for  
80 an eligible institution to receive funds pursuant to this  
81 subsection, the institution's Board of Trustees must submit a  
82 spend plan based on the determined portion of the appropriated  
83 funds to the Board of Governors for approval.

84 2. If an institution's spend plan does not utilize their  
85 entire allocation determined by the Board of Governors, the  
86 board has authority to reallocate any funding not accounted for  
87 in an institution's spend plan to other eligible institutions.

88 (b) The Board of Governors will distribute funds to  
89 eligible institutions under this subsection after the Board of  
90 Governors has approved their spend plan.

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91       ~~(5)~~(6) Notwithstanding any other provision of this section,  
92 if any institution is found to have a substantiated violation of  
93 s. 1000.05(4)(a), the institution shall be ineligible to receive  
94 performance funding during the next fiscal year following the  
95 year in which the violation is substantiated. Substantiated  
96 findings are those as determined by a court of law, a standing  
97 committee of the Legislature, or the Board of Governors.

98       ~~(6)~~(7) By October 1 of each year, the Board of Governors  
99 shall submit to the Governor, the President of the Senate, and  
100 the Speaker of the House of Representatives a report on the  
101 previous fiscal year's performance funding allocation which must  
102 reflect the rankings and award distributions.

103       ~~(7)~~(8) The Board of Governors shall adopt regulations to  
104 administer this section.

105       Section 2. This act shall take effect July 1, 2023.