

1 A bill to be entitled
2 An act relating to postsecondary education;
3 amending s. 110.131, F.S.; deleting the
4 requirement that the Board of Regents comply
5 with recordkeeping and reporting requirements
6 for other-personal-services employment;
7 amending s. 228.055, F.S.; providing for a
8 regional autism center; amending s. 235.055,
9 F.S.; deleting authority of the Board of
10 Regents to construct facilities on leased
11 property and enter into certain leases;
12 amending s. 235.195, F.S.; modifying provisions
13 relating to joint-use facilities; amending s.
14 240.1201, F.S.; classifying specified Canadian
15 military personnel as residents for tuition
16 purposes; amending s. 240.147, F.S.; correcting
17 a cross-reference; amending s. 240.205, F.S.;
18 revising the acquisition and contracting
19 authority of the Board of Regents; amending s.
20 240.209, F.S.; authorizing procedures to
21 administer an acquisition program; authorizing
22 the Board of Regents to sell, convey, transfer,
23 exchange, trade, or purchase real property and
24 related improvements; providing requirements;
25 amending s. 240.2097, F.S.; deleting a
26 requirement that the Board of Regents report to
27 the Legislature on limited-access programs;
28 revising requirements for student handbooks;
29 amending s. 240.214, F.S.; revising provisions
30 relating to the State University System
31 accountability process; amending s. 240.227,

1 F.S.; revising the acquisition and contracting
 2 authority of university presidents; authorizing
 3 adjustment of property records and disposal of
 4 certain tangible personal property; amending s.
 5 240.241, F.S., relating to divisions of
 6 sponsored research at state universities;
 7 providing an exemption from certain contract
 8 requirements for state universities and
 9 community colleges; amending s. 240.2605, F.S.,
 10 relating to the Trust Fund for Major Gifts;
 11 deleting Board of Regents' rulemaking power;
 12 authorizing the Board of Regents Foundation to
 13 participate in the major gifts program;
 14 amending s. 240.281, F.S.; revising the
 15 authority for an institution to deposit certain
 16 funds outside the State Treasury; amending s.
 17 243.151, F.S.; providing a procedure under
 18 which a university may construct facilities on
 19 leased property; amending s. 287.012, F.S.;
 20 excluding the Board of Regents and the State
 21 University System from the term "agency" for
 22 purposes of state procurement of commodities
 23 and services; repealing ss. 240.225, 240.247,
 24 240.4988(4), 287.017(3), F.S., relating to
 25 delegation of authority by the Department of
 26 Management Services to the State University
 27 System, eradication of salary discrimination,
 28 Board of Regents' rules for the Theodore R. and
 29 Vivian M. Johnson Scholarship Program, and
 30 applicability of purchasing category rules to
 31 the State University System; amending s.

1 240.2475, F.S., relating to the State
2 University System equity accountability
3 program; requiring each state university to
4 maintain an equity plan to increase the
5 representation of women and minorities in
6 faculty and administrative positions; providing
7 for the submission of reports; requiring the
8 development of a plan for achievement of
9 equity; providing for administrative
10 evaluations; requiring the development of a
11 budgetary incentive plan; providing for an
12 appropriation; amending s. 240.3355, F.S.,
13 relating to the State Community College System
14 equity accountability program; requiring each
15 community college to maintain a plan to
16 increase the representation of women and
17 minorities in faculty and administrative
18 positions; providing contents of an employment
19 accountability plan; requiring the development
20 of a plan for corrective action; providing for
21 administrative evaluations; providing for
22 submission of reports; requiring the
23 development of a budgetary incentive plan;
24 amending s. 240.2803, F.S., clarifying the
25 definition of auxiliary enterprises; amending
26 s. 3, ch. 75-381, Laws of Florida; providing
27 authority to the State Board of Administration
28 to invest certain funds; creating the
29 Leadership Board for Applied Research and
30 Public Service; providing for its membership
31 and duties; providing an appropriation for the

1 board; providing an appropriation for the State
2 Agency Dispute Resolution Demonstration
3 Project; providing an effective date.
4

5 Be It Enacted by the Legislature of the State of Florida:
6

7 Section 1. Paragraph (a) of subsection (6) of section
8 110.131, Florida Statutes, is amended to read:

9 110.131 Other-personal-services temporary
10 employment.--

11 (6)(a) The provisions of subsections (2), (3), and (4)
12 do not apply to any employee for whom the Board of Regents or
13 the Board of Trustees of the Florida School for the Deaf and
14 the Blind is the employer as defined in s. 447.203(2); except
15 that, for purposes of subsection (5), ~~the Board of Regents and~~
16 the Board of Trustees of the Florida School for the Deaf and
17 the Blind shall comply with the recordkeeping and reporting
18 requirements adopted by the department pursuant to subsection
19 (3) with respect to those other-personal-services employees
20 exempted by this subsection.

21 Section 2. Subsection (1) of section 228.055, Florida
22 Statutes, is amended to read:

23 228.055 Regional autism centers.--

24 (1) Six ~~Five~~ regional autism centers are established
25 to provide nonresidential resource and training services for
26 persons of all ages and of all levels of intellectual
27 functioning who have autism, as defined in s. 393.063; who
28 have a pervasive developmental disorder that is not otherwise
29 specified; who have an autistic-like disability; who have a
30 dual sensory impairment; or who have a sensory impairment with
31 other handicapping conditions. Each center shall be

1 operationally and fiscally independent and shall provide
2 services within its geographical region of the state. Each
3 center shall coordinate services within and between state and
4 local agencies and school districts but may not duplicate
5 services provided by those agencies or school districts. The
6 respective locations and service areas of the centers are:

7 (a) The Department of Communication Disorders at
8 Florida State University, which serves Bay, Calhoun, Escambia,
9 Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon,
10 Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla,
11 Walton, and Washington Counties.

12 (b) The College of Medicine at the University of
13 Florida, which serves Alachua, Bradford, Citrus, Columbia,
14 Dixie, Gilchrist, Hamilton, Hernando, Lafayette, ~~Lake~~, Levy,
15 Marion, ~~Orange, Osceola~~, Putnam, ~~Seminole, Sumter~~, Suwannee,
16 and Union Counties.

17 (c) The University of Florida Health Science Center at
18 Jacksonville, which serves Baker, ~~Brevard~~, Clay, Duval,
19 Flagler, Nassau, and St. Johns, ~~and Volusia~~ Counties. (d) The
20 Florida Mental Health Institute at the University of South
21 Florida, which serves Charlotte, Collier, DeSoto, Glades,
22 Hardee, Hendry, Highlands, Hillsborough, Indian River, Lee,
23 Manatee, Martin, Okeechobee, Pasco, Pinellas, Polk, St. Lucie,
24 and Sarasota Counties.

25 (d) The Florida Mental Health Institute at the
26 University of South Florida, which serves Charlotte, Collier,
27 DeSoto, Glades, Hardee, Hendry, Highlands, Hillsborough,
28 Indian River, Lee, Manatee, Martin, Okeechobee, Pasco,
29 Pinellas, Polk, St. Lucie, and Sarasota Counties.

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1 (e) The Mailman Center for Child Development at the
2 University of Miami, which serves Broward, Dade, Monroe, and
3 Palm Beach Counties.

4 (f) The College of Health and Public Affairs at the
5 University of Central Florida, which serves Brevard, Lake,
6 Orange, Osceola, Seminole, Sumter, and Volusia Counties.

7 Section 3. Section 235.055, Florida Statutes, is
8 amended to read:

9 235.055 Construction of facilities on leased property;
10 conditions.--

11 (1) A board may ~~Boards, including the Board of~~
12 ~~Regents, are authorized to~~ construct or place educational
13 facilities and ancillary facilities on land which is owned by
14 any person after the board has acquired from the owner of the
15 land a long-term lease for the use of this land for a period
16 of not less than 40 years or the life expectancy of the
17 permanent facilities constructed thereon, whichever is longer.

18 (2) A board may, ~~including the Board of Regents, is~~
19 ~~authorized to~~ enter into a short-term lease for the use of
20 land owned by any person on which temporary or relocatable
21 facilities are to be utilized.

22 Section 4. Subsections (2), (3), and (4) of section
23 235.195, Florida Statutes, are amended to read:

24 235.195 Cooperative development and use of facilities
25 by two or more boards.--

26 (2) An educational plant survey must be conducted
27 within 90 days after submission of the joint resolution and
28 substantiating data describing the benefits to be obtained,
29 the programs to be offered, and the estimated cost of the
30 proposed project. Upon completion of the educational plant
31 survey, the participating boards may include the recommended

1 projects in their plan as provided in s. 235.15 ~~s. 235.16~~.
 2 Upon approval of the project by the commissioner, ~~up to~~ 25
 3 percent of the total cost of the project, or the pro rata
 4 share based on space utilization of 25 percent of the cost,
 5 must be included in the department's legislative capital
 6 outlay budget request as provided in s. 235.41 for educational
 7 plants. The participating boards must include in their joint
 8 resolution a commitment to finance the remaining funds
 9 necessary to complete the planning, construction, and
 10 equipping of the facility. Funds from the Public Education
 11 Capital Outlay and Debt Service Trust Fund may not be expended
 12 on any project unless specifically authorized by the
 13 Legislature.

14 (3) Included in all proposals for joint-use facilities
 15 ~~which result in the creation of one or more new campuses for~~
 16 ~~public postsecondary educational institutions~~ must be
 17 documentation that the proposed new campus or new joint-use
 18 facility has been reviewed by the Postsecondary Education
 19 Planning Commission, recommended to the State Board of
 20 Education, and has been formally requested for authorization
 21 by the Legislature in accordance with s. 240.147(8).

22 (4) No school board, community college, or state
 23 university shall receive funding for more than one approved
 24 joint-use facility per campus in any 3-year ~~5-year~~ period
 25 ~~effective August 1, 1990. All projects previously approved~~
 26 ~~under the provisions of this section shall not be affected.~~
 27 ~~The first year of the 5-year period shall be the first year a~~
 28 ~~board receives an appropriation.~~

29 Section 5. Paragraph (j) is added to subsection (10)
 30 of section 240.1201, Florida Statutes, to read:
 31

1 240.1201 Determination of resident status for tuition
2 purposes.--Students shall be classified as residents or
3 nonresidents for the purpose of assessing tuition fees in
4 public community colleges and universities.

5 (10) The following persons shall be classified as
6 residents for tuition purposes:

7 (j) Active duty members of the Canadian military
8 residing or stationed in this state under the North American
9 Air Defense (NORAD) agreement, and their spouses and dependent
10 children, attending a public community college or university
11 within 50 miles of the military establishment where they are
12 stationed.

13 Section 6. Subsection (4) of section 240.147, Florida
14 Statutes, is amended to read:

15 240.147 Powers and duties of the commission.--The
16 commission shall:

17 (4) Recommend to the State Board of Education
18 contracts with independent institutions to conduct programs
19 consistent with the state master plan for postsecondary
20 education. In making recommendations, the commission shall
21 consider the annual report submitted by the Board of Regents
22 pursuant to s. 240.209(3)(s)~~s. 240.209(3)(r)~~. Each program
23 shall be reviewed, with the cooperation of the institution,
24 every 5 years.

25 Section 7. Subsection (6) of section 240.205, Florida
26 Statutes, is amended to read:

27 240.205 Board of Regents incorporated.--The Board of
28 Regents is hereby created as a body corporate with all the
29 powers of a body corporate for all the purposes created by, or
30 that may exist under, the provisions of this chapter or laws
31 amendatory hereof and shall:

1 (6) Acquire real and personal property and contract
 2 for the sale and disposal of same and approve and execute
 3 contracts for the acquisition of commodities, goods,
 4 equipment, contractual or services, ~~including educational~~
 5 ~~services for~~ leases of real and personal property, and for
 6 construction, ~~in accordance with chapter 287, as applicable.~~
 7 The acquisition may include purchase by installment or
 8 lease-purchase. Such contracts may provide for payment of
 9 interest on the unpaid portion of the purchase price. The
 10 board may also acquire the same commodities, goods, equipment,
 11 contractual services, leases, and construction, ~~as designated~~
 12 ~~for the board,~~ for use by a university when the contractual
 13 obligation exceeds \$1 million ~~\$500,000~~. Title to all real
 14 property, however acquired, shall be vested in the Board of
 15 Trustees of the Internal Improvement Trust Fund and shall be
 16 transferred and conveyed by it. Notwithstanding any other
 17 provisions of this subsection, the Board of Regents shall
 18 comply with the provisions of s. 287.055 for the procurement
 19 of professional services as defined therein.

20 Section 8. Paragraphs (e) and (r) of subsection (3) of
 21 section 240.209, Florida Statutes, are amended, and subsection
 22 (9) is added to that section, to read:

23 240.209 Board of Regents; powers and duties.--
 24 (3) The board shall:
 25 (e) Establish student fees.
 26 1. By no later than December 1 of each year, the board
 27 shall raise the systemwide standard for resident undergraduate
 28 matriculation and financial aid fees for the subsequent fall
 29 term, up to but no more than 25 percent of the prior year's
 30 cost of undergraduate programs. In implementing this
 31 paragraph, fees charged for graduate, medical, veterinary, and

1 dental programs may be increased by the Board of Regents in
2 the same percentage as the increase in fees for resident
3 undergraduates. However, in the absence of legislative action
4 to the contrary in an appropriations act, the board may not
5 approve annual fee increases for resident students in excess
6 of 10 percent. The sum of nonresident student matriculation
7 and tuition fees must be sufficient to defray the full cost of
8 undergraduate education. Graduate, medical, veterinary, and
9 dental fees charged to nonresidents may be increased by the
10 board in the same percentage as the increase in fees for
11 nonresident undergraduates. However, in implementing this
12 policy and in the absence of legislative action to the
13 contrary in an appropriations act, annual fee increases for
14 nonresident students may not exceed 25 percent. In the absence
15 of legislative action to the contrary in the General
16 Appropriations Act, the fees shall go into effect for the
17 following fall term.

18 2. When the appropriations act requires a new fee
19 schedule, the board shall establish a systemwide standard fee
20 schedule required to produce the total fee revenue established
21 in the appropriations act based on the product of the assigned
22 enrollment and the fee schedule. The board may approve the
23 expenditure of any fee revenues resulting from the product of
24 the fee schedule adopted pursuant to this section and the
25 assigned enrollment.

26 3. Upon provision of authority in a General
27 Appropriations Act to spend revenue raised pursuant to this
28 section, the board shall approve a university request to
29 implement a matriculation and out-of-state tuition fee
30 schedule which is calculated to generate revenue which varies
31 no more than 10 percent from the standard fee revenues

1 authorized through an appropriations act. In implementing an
 2 alternative fee schedule, the increase in cost to a student
 3 taking 15 hours in one term shall be limited to 5 percent.
 4 Matriculation and out-of-state tuition fee revenues generated
 5 as a result of this provision are to be expended for
 6 implementing a plan for achieving accountability goals adopted
 7 pursuant to s. 240.214(2) and for implementing a Board of
 8 Regents-approved plan to contain student costs by reducing the
 9 time necessary for graduation without reducing the quality of
 10 instruction. The plans shall be recommended by a
 11 universitywide committee, at least one-half of whom are
 12 students appointed by the student body president. A
 13 chairperson, appointed jointly by the university president and
 14 the student body president, shall vote only in the case of a
 15 tie.

16 4. The board is authorized to collect for financial
 17 aid purposes an amount not to exceed 5 percent of the student
 18 tuition and matriculation fee per credit hour. The revenues
 19 from fees are to remain at each campus and replace existing
 20 financial aid fees. Such funds shall be disbursed to students
 21 as quickly as possible. The board shall specify specific
 22 limits on the percent of the fees collected in a fiscal year
 23 which may be carried forward unexpended to the following
 24 fiscal year. A minimum of 50 percent of funds from the student
 25 financial aid fee shall be used to provide financial aid based
 26 on absolute need. A student who has received an award prior to
 27 July 1, 1984, shall have his or her eligibility assessed on
 28 the same criteria that was used at the time of his or her
 29 original award.

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1 5. The board may recommend to the Legislature an
2 appropriate systemwide standard matriculation and tuition fee
3 schedule.

4 6. The Education and General Student and Other Fees
5 Trust Fund is hereby created, to be administered by the
6 Department of Education. Funds shall be credited to the trust
7 fund from student fee collections and other miscellaneous fees
8 and receipts. The purpose of the trust fund is to support the
9 instruction and research missions of the State University
10 System. Notwithstanding the provisions of s. 216.301, and
11 pursuant to s. 216.351, any balance in the trust fund at the
12 end of any fiscal year shall remain in the trust fund and
13 shall be available for carrying out the purposes of the trust
14 fund.

15 (r) Adopt such rules as are necessary to carry out its
16 duties and responsibilities, including, but not limited to,
17 procedures to administer an acquisition program for the
18 purchase or lease of real and personal property and
19 contractual services pursuant to s. 240.205(6).

20 (9) Notwithstanding the provisions of s. 253.025, the
21 Board of Regents may, with the consent of the Board of
22 Trustees of the Internal Improvement Trust Fund, sell, convey,
23 transfer, exchange, trade, or purchase real property and
24 related improvements necessary and desirable to serve the
25 needs and purposes of a university in the State University
26 System.

27 (a) The board may secure appraisals and surveys. The
28 board shall comply with the rules of the Board of Trustees of
29 the Internal Improvement Trust Fund in securing appraisals.
30 Whenever the board finds it necessary for timely property
31 acquisition, it may contract, without the need for competitive

1 selection, with one or more appraisers whose names are
2 contained on the list of approved appraisers maintained by the
3 Division of State Lands in the Department of Environmental
4 Protection.

5 (b) The board may negotiate and enter into an option
6 contract before an appraisal is obtained. The option contract
7 must state that the final purchase price may not exceed the
8 maximum value allowed by law. The consideration for such an
9 option contract may not exceed 10 percent of the estimate
10 obtained by the board or 10 percent of the value of the
11 parcel, whichever is greater, unless otherwise authorized by
12 the board.

13 (c) This subsection is not intended to abrogate in any
14 manner the authority delegated to the Board of Trustees of the
15 Internal Improvement Trust Fund or the Division of State Lands
16 to approve a contract for purchase of state lands or to
17 require policies and procedures to obtain clear legal title to
18 parcels purchased for state purposes. Title to property
19 acquired by the board shall vest in the Board of Trustees of
20 the Internal Improvement Trust Fund.

21 Section 9. Subsections (1) and (3) of section
22 240.2097, Florida Statutes, are amended to read:

23 240.2097 Education programs, limited access status;
24 transfer students; student handbook; rules.--The Board of
25 Regents shall adopt rules to include the following provisions:

26 (1) The criteria for assigning limited access status
27 to an educational program shall be delineated. A process for
28 the periodic review of programs shall be identified so that
29 the board can determine the need for retention or removal of
30 limited access status. ~~The board shall provide in a report to~~
31 ~~the Legislature, by institution, a list of all limited access~~

1 ~~programs, the minimum admission standards for each program,~~
2 ~~and a copy of the most recent review demonstrating the need~~
3 ~~for retention of limited access status. Such report shall be~~
4 ~~submitted by December 1, 1990, and annually thereafter.~~

5 (3) Each university shall review ~~compile~~ and update as
6 necessary ~~annually~~ a student handbook that includes, but is
7 not limited to, ~~a comprehensive calendar that emphasizes~~
8 ~~important dates and deadlines,~~ student rights and
9 responsibilities, appeals processes available to students, a
10 roster of contact persons within the administrative staff
11 available to respond to student inquiries, and a statement as
12 to the State University System policy on acquired immune
13 deficiency syndrome including the name and telephone number of
14 the university acquired immune deficiency syndrome counselor.
15 Each student handbook must include a statement displayed
16 prominently which provides that the university will not
17 tolerate the sale, possession, or use of controlled
18 substances, with the exception of medication prescribed by a
19 physician and taken in accordance with the prescribed usage,
20 nor will the university tolerate the consumption of alcoholic
21 beverages by students younger than 21 years of age or the sale
22 of alcoholic beverages to students younger than 21 years of
23 age. Each student handbook must also list the legal and
24 university-specific sanctions that will be imposed upon
25 students who violate the law or university policies regarding
26 controlled substances and alcoholic beverages.

27 Section 10. Section 240.214, Florida Statutes, is
28 amended to read:

29 240.214 State University System accountability
30 process.--It is the intent of the Legislature that an
31 accountability process be implemented which provides for the

1 systematic, ongoing evaluation of quality and effectiveness in
 2 the State University System. It is further the intent of the
 3 Legislature that this accountability process monitor
 4 performance at the system level in each of the major areas of
 5 instruction, research, and public service, while recognizing
 6 the differing missions of each of the state universities. The
 7 accountability process shall provide for the adoption of
 8 systemwide performance standards and performance goals for
 9 each standard identified through a collaborative effort
 10 involving the State University System, the Legislature, and
 11 the Governor's Office. These standards and goals shall be
 12 consistent with s. 216.011(1) to maintain congruity with the
 13 performance-based budgeting process. This process requires
 14 that university accountability reports reflect measures
 15 defined through performance-based budgeting. The
 16 performance-based budgeting measures must also reflect the
 17 elements of teaching, research, and service inherent in the
 18 missions of the institutions in the State University System.
 19 ~~The accountability process shall result in an annual~~
 20 ~~accountability report to the Legislature.~~

21 ~~(1) The annual accountability report shall include~~
 22 ~~goals and measurable objectives related to the systemwide~~
 23 ~~strategic plan pursuant to s. 240.209. The plan must include,~~
 24 ~~at a minimum, objectives related to the following measures:~~
 25 ~~(a) Total student credit hours;~~
 26 ~~(b) Total number of contact hours of instruction~~
 27 ~~produced by faculty, by institution, rank, and course level;~~
 28 ~~(c) Pass rates on professional licensure examinations,~~
 29 ~~by institution;~~
 30 ~~(d) Institutional quality as assessed by followup,~~
 31 ~~such as analyses of employment information on former students,~~

1 ~~national rankings, and surveys of alumni, parents, clients,~~
2 ~~and employers;~~

3 ~~(e) Length of time and number of academic credits~~
4 ~~required to complete an academic degree, by institution and by~~
5 ~~degree;~~

6 ~~(f) Enrollment, progression, retention, and graduation~~
7 ~~rates by race and gender;~~

8 ~~(g) Student course demand;~~

9 ~~(h) An analysis of administrative and support~~
10 ~~functions;~~

11 ~~(i) Every 3 years, beginning 1995-1996, an analysis of~~
12 ~~the cumulative debt of students; and~~

13 ~~(j) An evaluation of the production of classroom~~
14 ~~contact hours at each university in comparison to a standard~~
15 ~~of 12 contact hours per term or 32 contact hours per year for~~
16 ~~each full-time instructional position and the level of funding~~
17 ~~provided for instruction.~~

18 (1)~~(2)~~ By December 31 of each year, the Board of
19 Regents shall submit an ~~the~~ annual accountability report
20 providing information on the implementation of performance
21 standards, actions taken to improve university achievement of
22 performance goals, the achievement of performance goals during
23 the prior year, and initiatives to be undertaken during the
24 next year. The accountability reports shall be designed in
25 consultation with the Governor's Office, the Office of the
26 Auditor General, and the Legislature.

27 (2)~~(3)~~ The Board of Regents shall recommend in the
28 annual accountability report any appropriate modifications to
29 this section.

30 Section 11. Subsections (12) and (13) of section
31 240.227, Florida Statutes, are amended to read:

1 240.227 University presidents; powers and duties.--The
 2 president is the chief administrative officer of the
 3 university and is responsible for the operation and
 4 administration of the university. Each university president
 5 shall:

6 (12) Approve and execute contracts for the acquisition
 7 of commodities, goods, for equipment, for services, including
 8 educational services, for leases of for real and personal
 9 property, and for construction to be rendered to or by the
 10 university, provided such contracts are made pursuant to rules
 11 of the Board of Regents the provisions of chapter 287, as
 12 applicable, are for the implementation of approved programs of
 13 the university, and do not require expenditures in excess of
 14 \$1 million\$500,000. The acquisition Goods and equipment may
 15 be made acquired by installment or lease-purchase contract.
 16 Such contracts may provide for the payment of interest on the
 17 unpaid portion of the purchase price. Notwithstanding any
 18 other provisions of this subsection, university presidents
 19 shall comply with the provisions of s. 287.055 for the
 20 procurement of professional services and may approve and
 21 execute all contracts for planning, construction, and
 22 equipment for projects with building programs and construction
 23 budgets approved by the Board of Regents.

24 (13) Manage the property and financial resources of
 25 the university, including, but not limited to, having the
 26 authority to adjust property records and dispose of
 27 state-owned tangible personal property in the university's
 28 custody in accordance with procedures established by the Board
 29 of Regents. Notwithstanding the provisions of s. 273.055(5),
 30 all moneys received from the disposition of state-owned
 31 tangible personal property shall be retained by the university

1 and disbursed for the acquisition of tangible personal
2 property and for all necessary operating expenditures. The
3 university shall maintain records of the accounts into which
4 such moneys are deposited pursuant to s. 240.225.

5 Section 12. Subsection (16) is added to section
6 240.241, Florida Statutes, to read:

7 240.241 Divisions of sponsored research at state
8 universities.--

9 (16) Notwithstanding the provisions of s. 216.351,
10 section 216.346 does not apply to contracts or subcontracts
11 between state universities, between community colleges, or
12 between state universities and community colleges.

13 Section 13. Section 240.2605, Florida Statutes, is
14 amended to read:

15 240.2605 Trust Fund for Major Gifts.--

16 (1) There is established a Trust Fund for Major Gifts.
17 The purpose of the ~~Such~~ trust fund is to enable ~~shall provide~~
18 the Board of Regents Foundation, each university, and New
19 College ~~with the opportunity~~ to provide donors with an
20 incentive in the form of matching grants for donations for the
21 establishment of permanent endowments, which must ~~shall~~ be
22 invested, with the proceeds of the investment used to support
23 libraries and instruction and research programs, as defined by
24 procedure ~~rule~~ of the Board of Regents. All funds appropriated
25 for the challenge grants, new donors, major gifts, or eminent
26 scholars program must ~~shall~~ be deposited into the trust fund
27 and invested pursuant to ~~the provisions of~~ s. 18.125 until the
28 Board of Regents allocates the ~~such~~ funds to universities to
29 match private donations. Notwithstanding ~~the provisions of~~ s.
30 216.301 and pursuant to s. 216.351, any undisbursed balance
31 remaining in the trust fund and interest income accruing to

1 the portion of the trust fund which is not matched and
2 distributed to universities must remain in the trust fund and
3 used to ~~shall~~ increase the total funds available for challenge
4 grants. The Board of Regents may authorize any university to
5 encumber the state matching portion of a challenge grant from
6 funds available under s. 240.272.

7 (2) The Board of Regents shall specify the process for
8 submission, documentation, and approval of requests for
9 matching funds, accountability for endowments and proceeds of
10 endowments, allocations to universities, restrictions on the
11 use of the proceeds from endowments, and criteria used in
12 determining the value of donations.

13 (3)(a) The Board of Regents shall allocate the amount
14 appropriated to the trust fund ~~shall be allocated by the Board~~
15 ~~of Regents~~ to the Board of Regents Foundation, each
16 university, and New College based on the amount of the
17 donation and the restrictions applied to the donation.

18 (b) Donations for a specific purpose must be ~~are~~
19 matched in the following manner:

20 1. The Board of Regents Foundation and each university
21 that raises at least \$100,000 but no more than \$599,999 from a
22 private source must ~~shall~~ receive a matching grant equal to 50
23 percent of the private contribution.

24 2. The Board of Regents Foundation and each university
25 that raises a contribution of at least \$600,000 but no more
26 than \$1 million from a private source must ~~shall~~ receive a
27 matching grant equal to 70 percent of the private
28 contribution.

29 3. The Board of Regents Foundation and each university
30 that raises a contribution in excess of \$1 million but no more
31 than \$1.5 million from a private source must ~~shall~~ receive a

1 matching grant equal to 75 percent of the private
2 contribution.

3 4. The Board of Regents Foundation and each university
4 that raises a contribution in excess of \$1.5 million but no
5 more than \$2 million from a private source must ~~shall~~ receive
6 a matching grant equal to 80 percent of the private
7 contribution.

8 5. The Board of Regents Foundation and each university
9 that raises a contribution in excess of \$2 million from a
10 private source must ~~shall~~ receive a matching grant equal to
11 100 percent of the private contribution.

12 (c) The Board of Regents shall encumber state matching
13 funds for any pledged contributions, pro rata, based on the
14 requirements for state matching funds as specified for the
15 particular challenge grant and the amount of the private
16 donations actually received by the university or Board of
17 Regents Foundation for the respective challenge grant.

18 (4) Matching funds may be provided for contributions
19 encumbered or pledged under the Florida Endowment Trust Fund
20 for Eminent Scholars Act prior to July 1, 1994, and for
21 donations or pledges of any amount equal to or in excess of
22 the prescribed minimums which are pledged for the purpose of
23 this section.

24 (5)(a) The Board of Regents Foundation, each
25 university foundation, and New College Foundation shall
26 establish a challenge grant account for each challenge grant
27 as a depository for private contributions and state matching
28 funds to be administered on behalf of the Board of Regents,
29 the university, or New College. State matching funds must
30 ~~shall~~ be transferred to a university foundation or New College
31 Foundation upon notification that the university or New

1 College has received and deposited the amount specified in
2 this section in a foundation challenge grant account.

3 (b) The foundation serving a university and New
4 College Foundation each has ~~shall have~~ the responsibility for
5 the maintenance and investment of its challenge grant account
6 and for the administration of the program on behalf of the
7 university or New College, pursuant to procedures specified by
8 the Board of Regents. Each foundation shall include in its
9 annual report to the Board of Regents information concerning
10 collection and investment of matching gifts and donations and
11 investment of the account.

12 (c) A donation of at least \$600,000 and associated
13 state matching funds may be used to designate ~~designated as~~ an
14 Eminent Scholar Endowed Chair pursuant to procedures specified
15 by the Board of Regents.

16 (6) The donations, state matching funds, or proceeds
17 from endowments established under ~~pursuant to~~ this section may
18 ~~shall~~ not be expended for the construction, renovation, or
19 maintenance of facilities or for the support of
20 intercollegiate athletics.

21 (7) The Board of Regents Foundation may participate in
22 the same manner as a university foundation with regard to the
23 provisions of this section.

24 Section 14. Subsection (9) of section 240.281, Florida
25 Statutes, is amended to read:

26 240.281 Deposit of funds received by institutions and
27 agencies in the State University System.--All funds received
28 by any institution or agency in the State University System,
29 from whatever source received and for whatever purpose, shall
30 be deposited in the State Treasury subject to disbursement in
31 such manner and for such purposes as the Legislature may by

1 law provide. The following funds shall be exempt from the
2 provisions of this section and, with the approval of the Board
3 of Regents, may be deposited outside the State Treasury:

4 (9) Such other funds as may be approved by the Board
5 of Regents and the Executive Office of the Governor subject to
6 the review provisions of s. 216.177.

7 Section 15. Present subsection (4) of section 243.151,
8 Florida Statutes, is renumbered as subsection (5), present
9 subsection (3) is renumbered as subsection (4) and amended,
10 and a new subsection (3) is added to that section, to read:

11 243.151 Lease agreements; land, facilities.--

12 (3) Upon approval by the Board of Regents, a
13 university may:

14 (a) Construct educational facilities on land that is
15 owned by a direct-support organization, as defined in s.
16 240.299, or a governmental agency at the federal, state,
17 county, or municipal level, if the university has acquired a
18 long-term lease for the use of the land. The lease must be
19 for at least 40 years or the expected time the facilities to
20 be constructed on the land are expected to remain in a
21 condition acceptable for use, whichever is longer.

22 (b) Acquire a short-term lease from one of the
23 entities listed in paragraph (a) for the use of land, if
24 adequate temporary or relocatable facilities are available on
25 the land.

26 (c) Enter into a short-term lease for the use of land
27 and buildings upon which capital improvements may be made.

28
29 If sufficient land is not available from any of the entities
30 listed in paragraph (a), a university may acquire a short-term
31 lease from a private landowner or developer.

1 ~~(4)(3)~~ Agreements as provided in this section shall be
2 entered into with an offeror resulting from publicly announced
3 competitive bids or proposals, except that the university may
4 enter into an agreement with an entity enumerated in paragraph
5 (3)(a) for leasing land or with a direct-support organization
6 as provided in s. 240.299, which shall enter into subsequent
7 agreements for financing and constructing the project after
8 receiving competitive bids or proposals. Any facility
9 constructed, lease-purchased, or purchased under such
10 agreements, whether erected on land under the jurisdiction of
11 the university or not, shall conform to the construction
12 standards and codes applicable to university facilities. The
13 Board of Regents shall adopt such rules as are necessary to
14 carry out its duties and responsibilities imposed by this
15 section.

16 Section 16. Subsection (1) of section 287.012, Florida
17 Statutes, is amended to read:

18 287.012 Definitions.--The following definitions shall
19 apply in this part:

20 (1) "Agency" means any of the various state officers,
21 departments, boards, commissions, divisions, bureaus, and
22 councils and any other unit of organization, however
23 designated, of the executive branch of state government.
24 "Agency" does not include the Board of Regents or the State
25 University System.

26 Section 17. Section 240.247, subsection (4) of section
27 240.4988, subsection (3) of section 287.017, and section
28 240.225, Florida Statutes, are repealed.

29 Section 18. Section 240.2475, Florida Statutes, is
30 amended to read:

31

1 240.2475 State University System employment equity
2 accountability program.--

3 (1) ~~No later than August 1, 1992,~~Each state
4 university shall maintain an annual equity ~~develop a plan for~~
5 appropriate representation ~~increasing the number~~ of women and
6 minorities in senior-level administrative positions, within
7 tenure-track faculty, and within faculty granted tenure. Such
8 plan shall be maintained until appropriate representation has
9 been achieved. As used in this subsection, the term:

10 (a) "Appropriate representation" means category
11 employment representation that at least meets comparable
12 national standards for at least two consecutive reporting
13 periods.

14 (b) "Category" means major executive, administrative,
15 and professional grouping, including senior-level
16 administrative and professional positions, senior academic
17 administrative-level positions, and tenure-track faculty ~~for~~
18 ~~increasing the number of women and minorities in ranked~~
19 ~~faculty positions, and for increasing the number of women and~~
20 ~~minorities granted tenure.~~ ~~The plan must include specific~~
21 ~~measurable goals and objectives, specific strategies for~~
22 ~~accomplishing these goals and objectives, a time period for~~
23 ~~accomplishing these goals and objectives, and comparative~~
24 ~~national standards.~~ ~~The plan shall be submitted to the~~
25 ~~legislature on or before September 1, 1992.~~

26 (2)(a) By April 1 ~~October 31~~ of each year, each state
27 university president shall submit an annual equity
28 accountability report to the Chancellor and the Board of
29 Regents. The equity report shall consist of a status update,
30 an analysis, and a status report of selected personnel
31 transactions. As used in this paragraph, the term, "selected

1 personnel transactions" means new hires in, promotions into,
 2 tenure actions in, and terminations from a category. Each
 3 university shall provide the job classification title, gender,
 4 race, and appointment status of selected personnel
 5 transactions. The status update shall assess
 6 underrepresentation in each category. The status report shall
 7 consist of current category employment representation,
 8 comparable national standards, an evaluation of
 9 representation, and annual goals to address
 10 ~~underrepresentation which shows the number of administrative~~
 11 ~~positions in the faculty and in the administrative and~~
 12 ~~professional pay plans which were filled in the previous~~
 13 ~~fiscal year. Administrative positions include faculty~~
 14 ~~positions that, in whole or in part, are defined as academic~~
 15 ~~administration under standard practice CM 87-17.1 and~~
 16 ~~positions in the administrative and professional pay plans~~
 17 ~~that are defined as administrative positions under the Board~~
 18 ~~of Regents' classification of occupational groupings. The~~
 19 ~~report must include the following information pertaining to~~
 20 ~~the employees hired in those positions:~~

- 21 1. ~~Job classification title;~~
- 22 2. ~~Gender;~~
- 23 3. ~~Ethnicity;~~
- 24 4. ~~Appointment status pursuant to chapter 6C-5.105,~~
 25 ~~Florida Administrative Code;~~
- 26 5. ~~The salary at which the individual was hired;~~
- 27 6. ~~Comparative information including, but not limited~~
 28 ~~to, composite information regarding the total number of~~
 29 ~~positions within the particular job title classification for~~
 30 ~~the university by race, gender, and the average salary or~~
 31

1 ~~salary range, where applicable, compared to the number of new~~
2 ~~hires;~~

3 ~~7. Guidelines for ensuring a gender-balanced and~~
4 ~~ethnically balanced selection committee for each vacancy;~~

5 ~~8. Steps taken to develop a diverse pool of candidates~~
6 ~~for each vacancy; and~~

7 ~~9. An assessment of the university's accomplishment of~~
8 ~~annual goals and of long-range goals for hiring and promoting~~
9 ~~women and minorities in senior-level administrative positions.~~

10 (b) After 1 year of implementation of a plan, and
11 annually thereafter, for those categories in which prior year
12 goals were not achieved, each university shall provide, in its
13 annual equity report, a narrative explanation and a plan for
14 achievement of equity. The plan shall include guidelines for
15 ensuring balanced membership on selection committees and
16 specific steps for developing a diverse pool of candidates for
17 each vacancy in the category. The plan shall also include a
18 systematic process by which those responsible for hiring are
19 provided information and are evaluated regarding their
20 responsibilities pursuant to this section.~~Each university's~~
21 ~~equity accountability report must also include the following~~
22 ~~information pertaining to candidates formally applying for~~
23 ~~tenure:~~

24 ~~1. Rank;~~

25 ~~2. Gender;~~

26 ~~3. Ethnicity;~~

27 ~~4. The salary at which the individual was hired; and~~

28 ~~5. Comparative information including, but not limited~~
29 ~~to, composite information regarding the total number of~~
30 ~~positions within the particular classification for the~~

31

1 ~~university by race, gender, and the average salary or salary~~
2 ~~range, where applicable, compared to the number of new hires.~~

3 (c) The equity report shall include an analysis and
4 assessment of the university's accomplishment of annual goals,
5 as specified in the university's affirmative action plan, for
6 increasing the representation of women and minorities in
7 tenure-earning and senior-level administrative positions. ~~The~~
8 ~~report must also include:~~

9 ~~1. The requirements for achieving tenure;~~

10 ~~2. The gender and ethnic composition of the committees~~
11 ~~that review tenure recommendations at the department, college,~~
12 ~~and university levels;~~

13 ~~3. Guidelines for ensuring the equitable distribution~~
14 ~~of assignments that would enhance tenure opportunities for~~
15 ~~women and minority faculty; and~~

16 ~~4. Guidelines for obtaining feedback on the annual~~
17 ~~progress towards achievement of tenure by women and~~
18 ~~minorities.~~

19 (d) The equity report shall also include the current
20 rank, race, and gender of faculty eligible for tenure in a
21 category. In addition, each university shall report
22 representation of the pool of tenure-eligible faculty at each
23 stage of the transaction process, and provide certification
24 that each eligible faculty member was apprised annually of
25 progress toward tenure. Each university shall also report on
26 the dissemination of standards for achieving tenure; racial
27 and gender composition of committees reviewing recommendations
28 at each transaction level; and dissemination of guidelines for
29 equitable distribution of assignments.

30 (3)(a) A factor in the evaluation of university
31 presidents, vice presidents, deans, and chairpersons shall be

1 their annual progress in achieving the annual and long-range
2 hiring and promotional goals and objectives, as specified in
3 the university's equity plan and affirmative action plan.

4 Annual budget allocations for positions and funding shall be
5 based on this evaluation. A summary of such evaluations ~~Such~~
6 ~~evaluation~~ shall be submitted to the Chancellor and the Board
7 of Regents as part of the university's annual equity report.

8 (b) ~~Beginning January 1994,~~The Chancellor and the
9 Board of Regents shall annually evaluate the performance of
10 the university presidents in achieving the annual equity and
11 ~~long-term~~ goals and objectives. A summary of the results of
12 such evaluations shall be included as part of the annual
13 equity progress report submitted by the Board of Regents to
14 the Legislature and the State Board of Education.

15 (4) The Board of Regents shall submit an annual equity
16 progress report to the President of the Senate, the Speaker of
17 the House of Representatives, ~~Legislature~~ and the State Board
18 of Education on or before August ~~December~~ 1 of each year.

19 (5) Each university shall develop a budgetary
20 incentive plan to support and ensure attainment of the goals
21 developed pursuant to this section. The plan shall specify, at
22 a minimum, how resources shall be allocated to support the
23 achievement of goals and the implementation of strategies in a
24 timely manner. After prior review and approval by the
25 university president and the Board of Regents, the plan shall
26 be submitted as part of the annual equity report submitted by
27 each university to the Board of Regents. ~~Effective July 1,~~
28 ~~1993, positions that become vacant in the faculty or the~~
29 ~~administrative and professional pay plans at a university~~
30 ~~shall be transferred into a pool at that university to be~~
31 ~~allocated by the administration to departments to reward~~

1 ~~department managers for attaining equity goals. Each~~
2 ~~university president shall develop rules regarding the filling~~
3 ~~of vacant positions and the transferring of positions into the~~
4 ~~pool. Such rules must provide for a total cap on the vacant~~
5 ~~position pool at 10 percent of the number of vacant positions~~
6 ~~for the university as of the date of the preparation of the~~
7 ~~initial operating budget for each year. The rule must also~~
8 ~~provide that the number of positions to be transferred into~~
9 ~~the vacant position pool, at the departmental level, may not~~
10 ~~exceed 10 percent of the total number of authorized positions~~
11 ~~for the department as of the date of the preparation of the~~
12 ~~initial operating budget for each year. Subject to available~~
13 ~~funding, the Legislature shall provide an annual appropriation~~
14 ~~to be allocated to the department managers in recognition of~~
15 ~~the attainment of equity goals and objectives.~~

16 (6) Relevant components of each university's
17 affirmative action plan may be used to satisfy the
18 requirements of this section.

19 (7) Subject to available funding, the Legislature
20 shall provide an annual appropriation to the Board of Regents
21 to be allocated to the universities to further enhance equity
22 initiatives and related priorities that support the mission of
23 departments, divisions, or colleges in recognition of the
24 attainment of equity goals and objectives.

25 Section 19. Section 240.3355, Florida Statutes, is
26 amended to read:

27 240.3355 Community College System employment equity
28 accountability program.--

29 (1) ~~No later than May 1, 1993, Each community college~~
30 shall include in its annual equity update plan must include a
31 plan for increasing the representation number of women and

1 minorities in senior-level administrative positions and, ~~for~~
2 ~~increasing the number of women and minorities in full-time~~
3 ~~ranked~~ faculty positions, and for increasing the
4 representation number of women and minorities who have
5 attained continuing-contract status. Positions shall be
6 defined in the personnel data element directory of the
7 Division of Community Colleges. The plan must include specific
8 measurable goals and objectives, specific strategies and
9 timelines for accomplishing these goals and objectives, and
10 comparable national standards as provided by the Division of
11 Community Colleges ~~a time period for accomplishing these goals~~
12 ~~and objectives~~. The goals and objectives shall be based on
13 meeting or exceeding comparable national standards and shall
14 be reviewed and recommended by the State Board of Community
15 Colleges as appropriate. Such plans shall be maintained until
16 appropriate representation has been achieved and maintained
17 for at least 3 consecutive reporting years.

18 (2)(a) On or before May 1 of each year, each community
19 college president shall submit an ~~the~~ annual employment
20 accountability plan equity update to the Executive Director of
21 the State Board of Community Colleges. The accountability
22 plan equity update must show faculty and administrator
23 employment data according to requirements specified on the
24 federal Equal Employment Opportunity (EEO-6) report ~~the number~~
25 ~~of deans, associates, assistant deans, vice presidents,~~
26 ~~associate and assistant presidents, provosts, legal counsel,~~
27 ~~and similar administrative positions which were filled in the~~
28 ~~previous 12-month period.~~ Administrative positions include
29 ~~faculty positions that, in whole or in part, are defined as~~
30 ~~academic administration by rule and positions that are defined~~
31

1 ~~as administrative positions under the Community College~~
2 ~~System's classification of occupational groupings.~~

3 (b) The plan report must show the following
4 information for those positions including, but not limited to:

5 1. Job classification title.†

6 2. Gender.†

7 3. Ethnicity.†

8 4. Appointment status.†

9 5. Salary information. At each community college,
10 salary information shall also include ~~including~~ the salary
11 ranges in which new hires were employed compared to the salary
12 ranges for employees with comparable experience and
13 qualifications.~~at which the individual was hired compared to~~
14 ~~the salary range for the respective position and to other~~
15 ~~employees in the same job title classification.~~†

16 6. Other comparative information including, but not
17 limited to, composite information regarding the total number
18 of positions within the particular job title classification
19 for the community college by race, gender, and salary range
20 compared to the number of new hires.†

21 7. A statement certifying diversity and balance in the
22 gender and ethnic composition of the selection committee for
23 each vacancy, including a brief description of guidelines used
24 for ensuring balanced and diverse membership on selection and
25 review committees.†

26 ~~8. Steps taken to develop a diverse pool of candidates~~
27 ~~for each vacancy; and~~

28 (c) ~~9.~~ The annual employment accountability plan shall
29 also include an analysis and an assessment of the community
30 college's attainment ~~accomplishment~~ of annual goals and of
31 long-range goals for increasing the number of women and

1 minorities in faculty and senior-level administrative
2 positions, and a corrective action plan for addressing
3 underrepresentation.

4 ~~(d)(c)~~ Each community college's employment equity
5 accountability plan ~~report~~ must also include:

6 1. The requirements for receiving a continuing
7 contract.

8 2. A brief description of the process used to grant
9 ~~The gender and ethnic composition of the committees that~~
10 review continuing-contract status.~~recommendations.~~

11 3. A brief description of the process used to annually
12 apprise each eligible faculty member of progress toward
13 attainment of continuing-contract status.~~The enhancement of~~
14 ~~continuing-contract opportunities for women and minority~~
15 ~~faculty; and~~

16 4. ~~Written documentation of feedback on the annual~~
17 ~~progress towards achievement of continuing-contract status by~~
18 ~~women and minorities.~~

19 (3) Community college presidents and the heads of each
20 major administrative division shall be evaluated annually on
21 the progress made toward meeting the goals and objectives of
22 the community college's employment accountability equity
23 update plan.

24 (a) The community college presidents, or the
25 president's designee, shall annually evaluate each department
26 chairperson, dean, provost, and vice president in achieving
27 the annual and long-term goals and objectives. A summary of
28 the results of such evaluations shall be reported annually by
29 the president of the community college to the board of
30 trustees. Annual budget allocations by the board of trustees
31

1 for positions and funding must take into consideration these
2 evaluations ~~this evaluation~~.

3 (b) ~~Beginning January 1994~~, Community college district
4 boards of trustees shall annually evaluate the performance of
5 the community college presidents in achieving the annual and
6 long-term goals and objectives. A summary of the results of
7 such evaluations shall be reported to the Executive Director
8 of the State Board of Community Colleges as part of the
9 community college's annual employment accountability plan, and
10 to the Legislature and State Board of Education as part of the
11 annual equity progress report submitted by the State Board of
12 Community Colleges.

13 ~~(4)(c)~~ The State Board of Community Colleges shall
14 submit an annual equity progress report to the President of
15 the Senate, the Speaker of the House of Representatives,
16 ~~Legislature~~ and the State Board of Education on or before
17 January ~~December~~ 1 of each year.

18 (5) Each community college shall develop a budgetary
19 incentive plan to support and ensure attainment of the goals
20 developed pursuant to this section. The plan shall specify,
21 at a minimum, how resources shall be allocated to support the
22 achievement of goals and the implementation of strategies in a
23 timely manner. After prior review and approval by the
24 community college president and the State Board of Community
25 Colleges, the plan shall be submitted as part of the annual
26 employment accountability plan submitted by each community
27 college to the State Board of Community Colleges.

28 ~~(6)(4)~~ Subject to available funding, the Legislature
29 shall provide an annual appropriation to the State Board of
30 Community Colleges to be allocated to community college
31 presidents, faculty, and administrative personnel to further

1 enhance equity initiatives and related priorities that support
2 the mission of colleges and departments ~~the department~~
3 ~~managers~~ in recognition of the attainment of the equity goals
4 and objectives.

5 Section 20. Subsection (1) of s. 240.2803, Florida
6 Statutes, is amended to read:

7 240.2803 Auxiliary enterprises; contracts, grants, and
8 donations; definitions.--As used in s. 19(f)(3), Art. III of
9 the State Constitution, the term:

10 (1) "Auxiliary enterprises" includes activities that
11 directly or indirectly provide a product or a service, or
12 both, to a university or its students, faculty, or staff and
13 for which a charge is made ~~is charged a fee related to, but~~
14 ~~not necessarily in an amount that will cover, the cost of the~~
15 ~~service.~~ These auxiliary enterprises are business activities
16 of a university which require no support from the General
17 Revenue Fund ~~generally self-sufficient operations,~~ and include
18 activities such as housing, bookstores, student health
19 services, continuing education programs, food services,
20 college stores, operation of vending machines, specialty
21 shops, day care centers, golf courses, student activities
22 programs, data center operations, and ~~financial aid programs,~~
23 intercollegiate athletics programs, ~~and other programs for~~
24 ~~which the funds are deposited outside the State Treasury.~~

25 Section 21. Section 3 of chapter 97-381, Laws of
26 Florida, is amended to read:

27 Section 3. When the Department of Insurance receives a
28 \$6 million settlement as specified in the Consent Order of the
29 Treasurer and Insurance Commissioner, case number 18900-96-c,
30 that portion of the \$6 million not used to satisfy the
31 requirements of section 18 of the Consent Order must be

1 transferred from the Insurance Commissioner's Regulatory Trust
2 Fund to the State Student Financial Assistance Trust Fund is
3 appropriated from the State Student Financial Assistance Trust
4 Fund to provide Ethics in Business scholarships to students
5 enrolled in public community colleges and independent
6 postsecondary education institutions eligible to participate
7 in the Florida Resident Access Grant Program under section
8 240.605, Florida Statutes. The funds shall be allocated to
9 institutions for scholarships in the following
10 ratio: Two-thirds for community colleges and one-third for
11 eligible independent institutions. The Department of Education
12 shall administer the scholarship program for students
13 attending community colleges and independent institutions.
14 These funds must be allocated to institutions that provide an
15 equal amount of matching funds generated by private donors for
16 the purpose of providing Ethics in Business scholarships.
17 Public funds may not be used to provide the match, nor may
18 funds collected for other purposes. Notwithstanding any other
19 provision of law, the State Board of Administration shall have
20 the authority to invest the funds appropriated under this
21 section.The Department of Education may adopt rules for
22 administration of the program.

23 Section 22. (1) There is created the Leadership Board
24 for Applied Research and Public Service to be staffed by the
25 Institute of Science and Public Affairs at Florida State
26 University. The purpose of the board is to focus, coordinate,
27 and maximize university resources on current issues and events
28 affecting Florida's residents and elected officials. Emphasis
29 shall be placed on being responsive to and providing accurate,
30 timely, useful, and relevant information to decisionmakers in
31 state and local governments. The board shall set forth a

1 process to provide comprehensive guidance and advice for
2 improving the types and quality of services to be delivered by
3 the State University System. Specifically, the board shall
4 better identify and define the missions and roles of existing
5 institutes and centers within the State University System,
6 work to eliminate duplication and confusion over conflicting
7 roles and missions, involve more students in learning with
8 applied research and public service activities, and be
9 organizationally separate from academic departments. The board
10 shall meet at least quarterly. The board may create internal
11 management councils that may include working institute and
12 center directors. The board is responsible for, but is not
13 limited to:

14 (a) Providing strategic direction, planning, and
15 accompanying decisions that support a coordinated applied
16 public service and research approach in the state.

17 (b) Addressing State University System policy matters
18 and making recommendations to the Board of Regents as they
19 relate to applied public service and research.

20 (c) Serving as a clearinghouse for services requested
21 by public officials.

22 (d) Providing support for funding and fiscal
23 initiatives involving applied public service and research.

24 (2) Membership of the board shall be:

25 (a) The Chancellor of the Board of Regents, who shall
26 serve as chair.

27 (b) The director of the Office of Planning and
28 Budgeting of the Executive Office of the Governor.

29 (c) The Secretary of the Department of Management
30 Services.

31 (d) The Director of Economic and Demographic Research.

1 (e) The Director of the Office of Program Policy
2 Analysis and Government Accountability.

3 (f) The President of the Florida League of Cities.

4 (g) The President for the Florida Association of
5 Counties.

6 (h) The President of the Florida School Board
7 Association.

8 (i) Five additional university president members,
9 designated by the Chancellor, to rotate annually.

10 (3) The board shall prepare a report for the Board of
11 Regents to be submitted to the Governor and the Legislature by
12 January 1 of each year which summarizes the work and
13 recommendations of the board in meeting its purpose and
14 mission.

15 Section 23. For the 1998-1999 fiscal year, a recurring
16 sum of \$450,000 is appropriated from the General Revenue Fund
17 to the Leadership Board for Applied Research and Public
18 Service.

19 Section 24. For the 1998-1999 fiscal year, \$200,000 is
20 appropriated from the General Revenue Fund to the State Agency
21 Dispute Resolution Demonstration Project at Florida State
22 University.

23 Section 25. This act shall take effect July 1, 1998.
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