

By the Committee on Higher Education Appropriations; and Senator Lynn

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1 A bill to be entitled
2 An act relating to higher education; amending s.
3 295.02, F.S.; revising provisions relating to the use
4 of funds for providing educational opportunities and
5 benefits to dependent children or spouses of deceased
6 or disabled veterans; amending s. 440.491, F.S.;
7 revising provisions relating to the training and
8 education of injured employees; providing that
9 training and education services may be secured from
10 additional providers under certain circumstances;
11 amending s. 1000.04, F.S.; revising provisions
12 relating to public postsecondary educational
13 institutions to include charter technical career
14 centers and career centers operated by a school
15 district; deleting a reference to workforce education;
16 amending s. 1001.74, F.S.; revising the powers and
17 duties of university boards of trustees relating to a
18 university's contracting authority; amending s.
19 1004.085, F.S.; revising provisions relating to
20 textbook affordability and the policies, procedures,
21 and guidelines adopted by the State Board of Education
22 and the Board of Governors; requiring policies that
23 encourage the use of open-access textbooks; amending
24 s. 1004.091, F.S.; revising provisions relating to the
25 duties of the Florida Distance Learning Consortium;
26 delaying provisions that require the consortium to
27 develop a plan for implementing an online registration
28 process for undergraduate students to enroll in a
29 course listed in the Florida Higher Education Distance

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30 Learning Catalog; requiring that such plan address
31 specified policy areas; amending s. 1009.21, F.S.;
32 revising provisions relating to the determination of
33 resident status for tuition purposes to include
34 charter technical career centers and career centers
35 operated by school districts; revising definitions to
36 conform to changes made by the act; amending s.
37 1009.22, F.S.; revising provisions relating to
38 workforce education postsecondary student fees;
39 providing that enrollments in continuing workforce
40 education course may not be counted for purposes of
41 funding full-time equivalent enrollment; creating s.
42 1006.72, F.S.; providing legislative findings
43 regarding the licensing of electronic library
44 resources; requiring that the library staff of state
45 universities, colleges, school districts, and public
46 libraries implement an annual process identifying
47 electronic library resources for specified core
48 categories; amending s. 1009.24, F.S.; revising
49 provisions relating to state university student fees;
50 authorizing the University of Florida to implement the
51 tuition differential as a block tuition set at a
52 specified number of hours for certain students;
53 amending s. 1009.53, F.S.; revising provisions
54 relating to the Florida Bright Futures Scholarship
55 Program; requiring that students submit the Free
56 Application for Federal Student Aid, along with a
57 valid expected family contribution, in order to be
58 eligible for the scholarship award; amending s.

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59 1009.531, F.S.; revising the renewal period during
60 which a student is eligible to receive the Florida
61 Bright Futures Scholarship award after high school
62 graduation; requiring that the State Board of
63 Education base the eligibility of students to receive
64 a Florida Academic Scholars award on SAT percentile
65 ranks; amending s. 1009.532, F.S.; specifying
66 circumstances under which a Florida Bright Futures
67 Scholarship award may be renewed following its
68 nonrenewal due to insufficient grades; reducing the
69 maximum number of credit hours for which certain
70 students may receive a scholarship award; amending s.
71 1009.534, F.S., relating to the Florida Academic
72 Scholars award; removing a obsolete provision;
73 removing the scheduled expiration of provisions
74 requiring that the amount of the award be specified in
75 the General Appropriations Act; creating s. 1009.5341,
76 F.S.; providing that recipients of the Florida Bright
77 Futures Scholarship award may use the unused portion
78 of their award toward graduate study; providing
79 certain limitations; amending s. 1009.535, F.S.;
80 removing the scheduled expiration of provisions
81 requiring that the amount of the Florida Medallion
82 Scholar award be specified in the General
83 Appropriations Act; amending s. 1009.536, F.S.;
84 reducing the maximum number of credit hours that
85 certain students may earn under the Florida Gold Seal
86 Vocational Scholars award; removing the scheduled
87 expiration of provisions requiring that the amount of

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88 the award be specified in the General Appropriations
89 Act; repealing s. 1009.5385, F.S., relating to
90 criteria for the use of certain scholarship funds by
91 children of deceased or disabled veterans; amending s.
92 1009.72, F.S.; revising provisions relating to the
93 Jose Marti Scholarship Challenge Grant Program;
94 removing provisions that provide for funds
95 appropriated by the Legislature for the program to be
96 deposited into the State Student Financial Assistance
97 Trust Fund; requiring that funds deposited into such
98 trust fund be invested; authorizing the Legislature to
99 appropriate funds from the General Revenue Fund;
100 amending s. 1009.73, F.S.; revising provisions
101 relating to the Mary McLeod Bethune Scholarship
102 Program; removing provisions that provide for funds
103 appropriated by the Legislature for the program to be
104 deposited into the State Student Financial Assistance
105 Trust Fund; requiring that funds deposited into such
106 trust fund be invested; authorizing the Legislature to
107 appropriate funds from the General Revenue Fund;
108 amending s. 1010.62, F.S.; defining the term
109 "auxiliary enterprise" for purposes of capital outlay
110 projects financed pursuant to the State Bond Act;
111 amending s. 1010.87, F.S., relating to the Workers'
112 Compensation Administration Trust Fund within the
113 Department of Education; providing for the reversion
114 of certain funds at the end of the fiscal year;
115 amending s. 1011.80, F.S.; revising provisions
116 relating to funds for the operation of workforce

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117 education programs; requiring that expenditure for
118 such programs be supported by fees; providing that
119 enrollment in continuing workforce education courses
120 may not be counted for purposes of funding full-time
121 equivalent enrollment; creating s. 1012.885, F.S.;
122 providing definitions; providing a limitation on the
123 compensation paid to community college presidents;
124 providing exceptions; requiring that the Office of
125 Program Policy Analysis and Government Accountability
126 conduct a review of public school adult workforce
127 education programs and community college and state
128 college workforce education programs; requiring that
129 the results of such review be submitted to the
130 Legislature by a specified date; providing an
131 effective date.

132

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

134

135 Section 1. Section 295.02, Florida Statutes, is amended to
136 read:

137 295.02 Use of funds; age, etc.—

138 (1) Sums appropriated and expended to carry out the
139 provisions of s. 295.01(1) shall be used to pay an award equal
140 to the amount of tuition and required registration fees as
141 defined by the department or an amount specified in the General
142 Appropriations Act ~~tuition and registration fees, board, and~~
143 ~~room rent and to buy books and supplies~~ for the children or
144 spouses of deceased or disabled veterans or servicemembers, as
145 defined and limited in s. 295.01, s. 295.016, s. 295.017, s.

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146 295.018, s. 295.0185, s. 295.019, or s. 295.0195, or of parents
147 classified as prisoners of war or missing in action, as defined
148 and limited in s. 295.015, who are between the ages of 16 and 22
149 years and who are in attendance at an eligible postsecondary
150 education ~~a state-supported~~ institution as defined in s. 295.04
151 ~~of higher learning, including a community college or career~~
152 ~~center~~. Any child having entered upon a course of training or
153 education under the provisions of this chapter, consisting of a
154 course of not more than 4 years, and arriving at the age of 22
155 years before the completion of such course may continue the
156 course and receive all benefits of the provisions of this
157 chapter until the course is completed.

158 (2) Sums appropriated and expended to carry out the
159 provisions of s. 295.01(2) shall be used to pay tuition and
160 registration fees, board, and room rent and to buy books and
161 supplies for the spouses of deceased or disabled veterans or
162 servicemembers, as defined and limited in s. 295.01, who are
163 enrolled at an eligible postsecondary education ~~a state-~~
164 ~~supported~~ institution as defined in s. 295.04 ~~of higher~~
165 ~~learning, including a community college or career center~~.

166 (3) Notwithstanding the benefits-disbursement provision in
167 s. 295.04, such funds shall be applicable for up to 110 percent
168 of the number of required credit hours of an initial
169 baccalaureate degree or certificate program for which the
170 student ~~spouse~~ is enrolled.

171 (4)~~(3)~~ The Department of Education shall administer this
172 educational program subject to regulations of the department.

173 Section 2. Paragraph (a) of subsection (6) of section
174 440.491, Florida Statutes, is amended to read:

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175 440.491 Reemployment of injured workers; rehabilitation.—

176 (6) TRAINING AND EDUCATION.—

177 (a) Upon referral of an injured employee by the carrier, or
178 upon the request of an injured employee, the department shall
179 conduct a training and education screening to determine whether
180 it should refer the employee for a vocational evaluation and, if
181 appropriate, approve training and education or other vocational
182 services for the employee. The department may not approve formal
183 training and education programs unless it determines, after
184 consideration of the reemployment assessment, pertinent
185 reemployment status reviews or reports, and such other relevant
186 factors as it prescribes by rule, that the reemployment plan is
187 likely to result in return to suitable gainful employment. The
188 department is authorized to expend moneys from the Workers'
189 Compensation Administration Trust Fund, established by s.
190 440.50, to secure appropriate training and education at a
191 Florida public ~~community~~ college ~~as designated in s. 1000.21(3)~~
192 or at a career center established under s. 1001.44, or to secure
193 other vocational services when necessary to satisfy the
194 recommendation of a vocational evaluator. As used in this
195 paragraph, "appropriate training and education" includes
196 securing a general education diploma (GED), if necessary. The
197 department shall establish training and education standards
198 pertaining to employee eligibility, course curricula and
199 duration, and associated costs. For purposes of this subsection,
200 training and education services may be secured from additional
201 providers if:

202 1. The injured employee currently holds an associate degree
203 and requests to earn a bachelor's degree not offered by a

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204 Florida public college located within 50 miles from his or her
205 customary residence;

206 2. The injured employee's enrollment in an education or
207 training program in a Florida public college or career center
208 would be significantly delayed; or

209 3. The most appropriate training and education program is
210 available only through a provider other than a Florida public
211 college or career center or at a Florida public college or
212 career center located more than 50 miles away from the injured
213 employee's customary residence.

214 Section 3. Subsection (2) of section 1000.04, Florida
215 Statutes, is amended to read:

216 1000.04 Components for the delivery of public education
217 within the Florida K-20 education system.—Florida's K-20
218 education system provides for the delivery of public education
219 through publicly supported and controlled K-12 schools,
220 community colleges, state universities and other postsecondary
221 educational institutions, other educational institutions, and
222 other educational services as provided or authorized by the
223 Constitution and laws of the state.

224 (2) PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—Public
225 postsecondary educational institutions include charter technical
226 career centers; career centers operated by a school district
227 ~~workforce education~~; community colleges; colleges; state
228 universities; and all other state-supported postsecondary
229 educational institutions that are authorized and established by
230 law.

231 Section 4. Paragraph (a) of subsection (2) of section
232 1001.74, Florida Statutes, is amended to read:

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233 1001.74 Powers and duties of university boards of
234 trustees.—

235 (2) POWERS AND DUTIES RELATING TO ORGANIZATION AND
236 OPERATION OF STATE UNIVERSITIES.—

237 (a) Each board of trustees constitutes the contracting
238 agent of the university. Each university shall comply with the
239 provisions of s. 287.055 for the procurement of professional
240 services and may approve and execute all contracts for planning,
241 construction, and equipment. For the purpose of a university's
242 contracting authority, a "continuing contract" for professional
243 services under the provisions of s. 287.055 is one in which
244 construction costs do not exceed \$2 ~~\$1~~ million or the fee for
245 study activity does not exceed \$200,000 ~~\$100,000~~. Contracts
246 executed pursuant to this paragraph are subject to the
247 requirements of s. 1010.62.

248 Section 5. Subsection (4) of section 1004.085, Florida
249 Statutes, is amended to read:

250 1004.085 Textbook affordability.—

251 (4) ~~By March 1, 2009,~~ The State Board of Education and the
252 Board of Governors each shall adopt policies, procedures, and
253 guidelines for implementation by community colleges and state
254 universities, respectively, that further efforts to minimize the
255 cost of textbooks for students attending such institutions while
256 maintaining the quality of education and academic freedom. The
257 policies, procedures, and guidelines shall provide for the
258 following:

259 (a) That textbook adoptions are made with sufficient lead
260 time to bookstores so as to confirm availability of the
261 requested materials and, where possible, ensure maximum

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262 availability of used books.

263 (b) That, in the textbook adoption process, the intent to
264 use all items ordered, particularly each individual item sold as
265 part of a bundled package, is confirmed by the course instructor
266 or the academic department offering the course before the
267 adoption is finalized.

268 (c) That a course instructor or the academic department
269 offering the course determines, before a textbook is adopted,
270 the extent to which a new edition differs significantly and
271 substantively from earlier versions and the value of changing to
272 a new edition or the extent to which an open-access textbook may
273 exist and be used.

274 (d) That the establishment of policies shall address the
275 availability of required textbooks to students otherwise unable
276 to afford the cost, including consideration of the extent to
277 which an open-access textbook may be used.

278 (e) That encourages course instructors and academic
279 departments to participate in the development, adaptation, and
280 review of open-access textbooks, in particular, open-access
281 textbooks for high-demand general education courses.

282 Section 6. Paragraph (b) of subsection (2) of section
283 1004.091, Florida Statutes, is amended to read:

284 1004.091 Florida Distance Learning Consortium.—

285 (2) The Florida Distance Learning Consortium shall:

286 (b) Develop, in consultation with the Florida College
287 System and the State University System, a plan to be submitted
288 to the Board of Governors, the State Board of Education, the
289 Governor, the President of the Senate, and the Speaker of the
290 House of Representatives no later than December ~~March~~ 1, 2010,

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291 ~~for implementing. The plan must address the implementation of a~~
292 ~~streamlined, automated, online registration process for~~
293 ~~undergraduate students who have been admitted to a public~~
294 ~~postsecondary educational institution and who wish to enroll in~~
295 ~~a course listed in the Florida Higher Education Distance~~
296 ~~Learning Catalog, including courses offered by an institution~~
297 ~~that is not the student's degree-granting or home institution.~~
298 ~~The plan must describe how such a registration process can be~~
299 ~~implemented by the 2011-2012 academic year as an alternative to~~
300 ~~the standard registration process of each institution. The plan~~
301 ~~must also address:~~

302 1. Fiscal and substantive policy changes needed to address
303 administrative, academic, and programmatic policies and
304 procedures. Policy areas that the plan must address include, but
305 need not be limited to, student financial aid issues, variations
306 in fees, admission and readmission, registration-prioritization
307 issues, transfer of credit, and graduation requirements, with
308 specific attention given to creating recommended guidelines that
309 address students who attend more than one institution in pursuit
310 of a degree.

311 2. A method for the expedited transfer of distance learning
312 course credit awarded by an institution offering a distance
313 learning course to a student's degree-granting or home
314 institution upon the student's successful completion of the
315 distance learning course.

316 3. Compliance with applicable technology security standards
317 and guidelines to ensure the secure transmission of student
318 information.

319 Section 7. Section 1009.21, Florida Statutes, is amended to

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320 read:

321 1009.21 Determination of resident status for tuition
322 purposes.—Students shall be classified as residents or
323 nonresidents for the purpose of assessing tuition in charter
324 technical centers, career centers operated by school districts,
325 community colleges, and state universities.

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

327 (a) "Dependent child" means any person, whether or not
328 living with his or her parent, who is eligible to be claimed by
329 his or her parent as a dependent under the federal income tax
330 code.

331 (b) "Initial enrollment" means the first day of class at an
332 institution of higher education.

333 (c) "Institution of higher education" means any charter
334 technical career center as defined in s. 1002.34, career center
335 operated by a school district as defined in s. 1001.44,
336 community college as defined in s. 1000.21(3), or state
337 university as defined in s. 1000.21(6).

338 (d) "Legal resident" or "resident" means a person who has
339 maintained his or her residence in this state for the preceding
340 year, has purchased a home which is occupied by him or her as
341 his or her residence, or has established a domicile in this
342 state pursuant to s. 222.17.

343 (e) "Nonresident for tuition purposes" means a person who
344 does not qualify for the in-state tuition rate.

345 (f) "Parent" means the natural or adoptive parent or legal
346 guardian of a dependent child.

347 (g) "Resident for tuition purposes" means a person who
348 qualifies as provided in this section for the in-state tuition

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349 rate.

350 (2) (a) To qualify as a resident for tuition purposes:

351 1. A person or, if that person is a dependent child, his or
352 her parent or parents must have established legal residence in
353 this state and must have maintained legal residence in this
354 state for at least 12 consecutive months immediately prior to
355 his or her initial enrollment in an institution of higher
356 education.

357 2. Every applicant for admission to an institution of
358 higher education shall be required to make a statement as to his
359 or her length of residence in the state and, further, shall
360 establish that his or her presence or, if the applicant is a
361 dependent child, the presence of his or her parent or parents in
362 the state currently is, and during the requisite 12-month
363 qualifying period was, for the purpose of maintaining a bona
364 fide domicile, rather than for the purpose of maintaining a mere
365 temporary residence or abode incident to enrollment in an
366 institution of higher education.

367 (b) However, with respect to a dependent child living with
368 an adult relative other than the child's parent, such child may
369 qualify as a resident for tuition purposes if the adult relative
370 is a legal resident who has maintained legal residence in this
371 state for at least 12 consecutive months immediately prior to
372 the child's initial enrollment in an institution of higher
373 education, provided the child has resided continuously with such
374 relative for the 5 years immediately prior to the child's
375 initial enrollment in an institution of higher education, during
376 which time the adult relative has exercised day-to-day care,
377 supervision, and control of the child.

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378 (c) The legal residence of a dependent child whose parents
379 are divorced, separated, or otherwise living apart will be
380 deemed to be this state if either parent is a legal resident of
381 this state, regardless of which parent is entitled to claim, and
382 does in fact claim, the minor as a dependent pursuant to federal
383 individual income tax provisions.

384 (3) (a) An individual shall not be classified as a resident
385 for tuition purposes and, thus, shall not be eligible to receive
386 the in-state tuition rate until he or she has provided such
387 evidence related to legal residence and its duration or, if that
388 individual is a dependent child, evidence of his or her parent's
389 legal residence and its duration, as may be required by law and
390 by officials of the institution of higher education from which
391 he or she seeks the in-state tuition rate.

392 (b) Except as otherwise provided in this section, evidence
393 of legal residence and its duration shall include clear and
394 convincing documentation that residency in this state was for a
395 minimum of 12 consecutive months prior to a student's initial
396 enrollment in an institution of higher education.

397 (c) Each institution of higher education shall
398 affirmatively determine that an applicant who has been granted
399 admission to that institution as a Florida resident meets the
400 residency requirements of this section at the time of initial
401 enrollment. The residency determination must be documented by
402 the submission of written or electronic verification that
403 includes two or more of the documents identified in this
404 paragraph. No single piece of evidence shall be conclusive.

405 1. The documents must include at least one of the
406 following:

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- 407 a. A Florida voter's registration card.
- 408 b. A Florida driver's license.
- 409 c. A State of Florida identification card.
- 410 d. A Florida vehicle registration.
- 411 e. Proof of a permanent home in Florida which is occupied
- 412 as a primary residence by the individual or by the individual's
- 413 parent if the individual is a dependent child.
- 414 f. Proof of a homestead exemption in Florida.
- 415 g. Transcripts from a Florida high school for multiple
- 416 years if the Florida high school diploma or GED was earned
- 417 within the last 12 months.
- 418 h. Proof of permanent full-time employment in Florida for
- 419 at least 30 hours per week for a 12-month period.
- 420 2. The documents may include one or more of the following:
- 421 a. A declaration of domicile in Florida.
- 422 b. A Florida professional or occupational license.
- 423 c. Florida incorporation.
- 424 d. A document evidencing family ties in Florida.
- 425 e. Proof of membership in a Florida-based charitable or
- 426 professional organization.
- 427 f. Any other documentation that supports the student's
- 428 request for resident status, including, but not limited to,
- 429 utility bills and proof of 12 consecutive months of payments; a
- 430 lease agreement and proof of 12 consecutive months of payments;
- 431 or an official state, federal, or court document evidencing
- 432 legal ties to Florida.
- 433 (4) With respect to a dependent child, the legal residence
- 434 of the dependent child's parent or parents is prima facie
- 435 evidence of the dependent child's legal residence, which

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436 evidence may be reinforced or rebutted, relative to the age and
437 general circumstances of the dependent child, by the other
438 evidence of legal residence required of or presented by the
439 dependent child. However, the legal residence of a dependent
440 child's parent or parents who are domiciled outside this state
441 is not prima facie evidence of the dependent child's legal
442 residence if that dependent child has lived in this state for 5
443 consecutive years prior to enrolling or reregistering at the
444 institution of higher education at which resident status for
445 tuition purposes is sought.

446 (5) In making a domiciliary determination related to the
447 classification of a person as a resident or nonresident for
448 tuition purposes, the domicile of a married person, irrespective
449 of sex, shall be determined, as in the case of an unmarried
450 person, by reference to all relevant evidence of domiciliary
451 intent. For the purposes of this section:

452 (a) A person shall not be precluded from establishing or
453 maintaining legal residence in this state and subsequently
454 qualifying or continuing to qualify as a resident for tuition
455 purposes solely by reason of marriage to a person domiciled
456 outside this state, even when that person's spouse continues to
457 be domiciled outside of this state, provided such person
458 maintains his or her legal residence in this state.

459 (b) A person shall not be deemed to have established or
460 maintained a legal residence in this state and subsequently to
461 have qualified or continued to qualify as a resident for tuition
462 purposes solely by reason of marriage to a person domiciled in
463 this state.

464 (c) In determining the domicile of a married person,

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465 irrespective of sex, the fact of the marriage and the place of
466 domicile of such person's spouse shall be deemed relevant
467 evidence to be considered in ascertaining domiciliary intent.

468 (6) (a) Except as otherwise provided in this section, a
469 person who is classified as a nonresident for tuition purposes
470 may become eligible for reclassification as a resident for
471 tuition purposes if that person or, if that person is a
472 dependent child, his or her parent presents clear and convincing
473 documentation that supports permanent legal residency in this
474 state for at least 12 consecutive months rather than temporary
475 residency for the purpose of pursuing an education, such as
476 documentation of full-time permanent employment for the prior 12
477 months or the purchase of a home in this state and residence
478 therein for the prior 12 months while not enrolled in an
479 institution of higher education.

480 (b) If a person who is a dependent child and his or her
481 parent move to this state while such child is a high school
482 student and the child graduates from a high school in this
483 state, the child may become eligible for reclassification as a
484 resident for tuition purposes when the parent submits evidence
485 that the parent qualifies for permanent residency.

486 (c) If a person who is a dependent child and his or her
487 parent move to this state after such child graduates from high
488 school, the child may become eligible for reclassification as a
489 resident for tuition purposes after the parent submits evidence
490 that he or she has established legal residence in the state and
491 has maintained legal residence in the state for at least 12
492 consecutive months.

493 (d) A person who is classified as a nonresident for tuition

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494 purposes and who marries a legal resident of the state or
495 marries a person who becomes a legal resident of the state may,
496 upon becoming a legal resident of the state, become eligible for
497 reclassification as a resident for tuition purposes upon
498 submitting evidence of his or her own legal residency in the
499 state, evidence of his or her marriage to a person who is a
500 legal resident of the state, and evidence of the spouse's legal
501 residence in the state for at least 12 consecutive months
502 immediately preceding the application for reclassification.

503 (7) A person shall not lose his or her resident status for
504 tuition purposes solely by reason of serving, or, if such person
505 is a dependent child, by reason of his or her parent's or
506 parents' serving, in the Armed Forces outside this state.

507 (8) A person who has been properly classified as a resident
508 for tuition purposes but who, while enrolled in an institution
509 of higher education in this state, loses his or her resident
510 tuition status because the person or, if he or she is a
511 dependent child, the person's parent or parents establish
512 domicile or legal residence elsewhere shall continue to enjoy
513 the in-state tuition rate for a statutory grace period, which
514 period shall be measured from the date on which the
515 circumstances arose that culminated in the loss of resident
516 tuition status and shall continue for 12 months. However, if the
517 12-month grace period ends during a semester or academic term
518 for which such former resident is enrolled, such grace period
519 shall be extended to the end of that semester or academic term.

520 (9) Any person who ceases to be enrolled at or who
521 graduates from an institution of higher education while
522 classified as a resident for tuition purposes and who

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523 subsequently abandons his or her domicile in this state shall be
524 permitted to reenroll at an institution of higher education in
525 this state as a resident for tuition purposes without the
526 necessity of meeting the 12-month durational requirement of this
527 section if that person has reestablished his or her domicile in
528 this state within 12 months of such abandonment and continuously
529 maintains the reestablished domicile during the period of
530 enrollment. The benefit of this subsection shall not be accorded
531 more than once to any one person.

532 (10) The following persons shall be classified as residents
533 for tuition purposes:

534 (a) Active duty members of the Armed Services of the United
535 States residing or stationed in this state, their spouses, and
536 dependent children, and active drilling members of the Florida
537 National Guard.

538 (b) Active duty members of the Armed Services of the United
539 States and their spouses and dependents attending a public
540 community college or state university within 50 miles of the
541 military establishment where they are stationed, if such
542 military establishment is within a county contiguous to Florida.

543 (c) United States citizens living on the Isthmus of Panama,
544 who have completed 12 consecutive months of college work at the
545 Florida State University Panama Canal Branch, and their spouses
546 and dependent children.

547 (d) Full-time instructional and administrative personnel
548 employed by state public schools and institutions of higher
549 education and their spouses and dependent children.

550 (e) Students from Latin America and the Caribbean who
551 receive scholarships from the federal or state government. Any

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552 student classified pursuant to this paragraph shall attend, on a
553 full-time basis, a Florida institution of higher education.

554 (f) Southern Regional Education Board's Academic Common
555 Market graduate students attending Florida's state universities.

556 (g) Full-time employees of state agencies or political
557 subdivisions of the state when the student fees are paid by the
558 state agency or political subdivision for the purpose of job-
559 related law enforcement or corrections training.

560 (h) McKnight Doctoral Fellows and Finalists who are United
561 States citizens.

562 (i) United States citizens living outside the United States
563 who are teaching at a Department of Defense Dependent School or
564 in an American International School and who enroll in a graduate
565 level education program which leads to a Florida teaching
566 certificate.

567 (j) Active duty members of the Canadian military residing
568 or stationed in this state under the North American Air Defense
569 (NORAD) agreement, and their spouses and dependent children,
570 attending a community college or state university within 50
571 miles of the military establishment where they are stationed.

572 (k) Active duty members of a foreign nation's military who
573 are serving as liaison officers and are residing or stationed in
574 this state, and their spouses and dependent children, attending
575 a community college or state university within 50 miles of the
576 military establishment where the foreign liaison officer is
577 stationed.

578 (11) Each institution of higher education shall establish a
579 residency appeal committee comprised of at least three members
580 to consider student appeals of residency determinations, in

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581 accordance with the institution's official appeal process. The
582 residency appeal committee must render to the student the final
583 residency determination in writing. The institution must advise
584 the student of the reasons for the determination.

585 (12) The State Board of Education and the Board of
586 Governors shall adopt rules to implement this section.

587 Section 8. Paragraph (b) of subsection (3) of section
588 1009.22, Florida Statutes, is amended to read:

589 1009.22 Workforce education postsecondary student fees.—

590 (3)

591 (b) Fees for continuing workforce education shall be
592 locally determined by the district school board or community
593 college board. ~~However, at least 50 percent of the Expenditures~~
594 ~~for the continuing workforce education program provided by the~~
595 ~~community college or school district must be~~ fully supported by
596 ~~derived from fees.~~ Enrollments in continuing workforce education
597 courses may not be counted for purposes of funding full-time
598 equivalent enrollment.

599 Section 9. Section 1006.72, Florida Statutes, is created to
600 read:

601 1006.72 Licensing electronic library resources.—The
602 Legislature finds that the most cost-efficient and cost-
603 effective means of licensing electronic library resources
604 requires that state universities and colleges collaborate with
605 school districts and public libraries in the identification and
606 acquisition of resources needed by more than one sector. The
607 appropriate library staff from the state universities, colleges,
608 school districts, and public libraries shall implement an annual
609 process that identifies the electronic library resources for

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610 each of the core categories established in this section. To the
611 extent possible, the Florida Center for Library Automation, the
612 College Center for Library Automation, and the Division of
613 Library and Information Services within the Department of State
614 shall jointly coordinate this annual process.

615 (1) STATEWIDE CORE CATEGORY.—For purposes of licensing
616 electronic library resources of the Florida Electronic Library,
617 library representatives from the public libraries, school
618 districts, colleges, and state universities shall identify those
619 resources that comprise the statewide core that will be
620 available to all students, teachers, and residents of the state.

621 (2) POSTSECONDARY EDUCATION CORE CATEGORY.—From funds
622 appropriated to the Florida Center for Library Automation and
623 the College Center for Library Automation for licensing the
624 electronic library resources required by both systems, state
625 university and college library staff shall identify the
626 postsecondary education core that shall be available to all
627 postsecondary students.

628 (3) FOUR-YEAR DEGREE CORE CATEGORY.—From funds appropriated
629 to the Florida Center for Library Automation for licensing
630 electronic library resources beyond the postsecondary education
631 core, state university library staff, in consultation with
632 applicable college library staff, shall identify those resources
633 that comprise the 4-year degree core that shall be available to
634 all 4-year degree-seeking students in the college and state
635 university systems. The Florida Center for Library Automation
636 shall include in the negotiated pricing model any college
637 interested in licensing resources.

638 (4) TWO-YEAR DEGREE CORE CATEGORY.—From funds appropriated

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639 to the College Center for Library Automation for licensing
640 electronic library resources beyond the postsecondary education
641 core, college library staff shall identify those resources that
642 comprise the college core that shall be available to all college
643 students. The College Center for Library Automation shall
644 include in the negotiated pricing model any state university
645 interested in licensing a resource.

646 Section 10. Paragraph (b) of subsection (16) of section
647 1009.24, Florida Statutes, is amended to read:

648 1009.24 State university student fees.—

649 (16) Each university board of trustees may establish a
650 tuition differential for undergraduate courses upon receipt of
651 approval from the Board of Governors. The tuition differential
652 shall promote improvements in the quality of undergraduate
653 education and shall provide financial aid to undergraduate
654 students who exhibit financial need.

655 (b) Each tuition differential is subject to the following
656 conditions:

657 1. The tuition differential may be assessed on one or more
658 undergraduate courses or on all undergraduate courses at a state
659 university.

660 2. The tuition differential may vary by course or courses,
661 campus or center location, and by institution. Each university
662 board of trustees shall strive to maintain and increase
663 enrollment in degree programs related to math, science, high
664 technology, and other state or regional high-need fields when
665 establishing tuition differentials by course.

666 3. The tuition differential may be implemented by the
667 University of Florida as a block tuition set at 15 hours for

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668 students registered for 11 to 19 hours.

669 ~~4.3.~~ For each state university that has total research and
670 development expenditures for all fields of at least \$100 million
671 per year as reported annually to the National Science
672 Foundation, the aggregate sum of tuition and the tuition
673 differential may not be increased by more than 15 percent of the
674 total charged for the aggregate sum of these fees in the
675 preceding fiscal year. For each state university that has total
676 research and development expenditures for all fields of less
677 than \$100 million per year as reported annually to the National
678 Science Foundation, the aggregate sum of tuition and the tuition
679 differential may not be increased by more than 15 percent of the
680 total charged for the aggregate sum of these fees in the
681 preceding fiscal year.

682 ~~5.4.~~ The aggregate sum of undergraduate tuition and fees
683 per credit hour, including the tuition differential, may not
684 exceed the national average of undergraduate tuition and fees at
685 4-year degree-granting public postsecondary educational
686 institutions.

687 ~~6.5.~~ The tuition differential may not be calculated as a
688 part of the scholarship programs established in ss. 1009.53-
689 1009.538.

690 ~~7.6.~~ Beneficiaries having prepaid tuition contracts
691 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
692 2007, and which remain in effect, are exempt from the payment of
693 the tuition differential.

694 ~~8.7.~~ The tuition differential may not be charged to any
695 student who was in attendance at the university before July 1,
696 2007, and who maintains continuous enrollment.

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697 ~~9.8.~~ The tuition differential may be waived by the
698 university for students who meet the eligibility requirements
699 for the Florida public student assistance grant established in
700 s. 1009.50.

701 ~~10.9.~~ Subject to approval by the Board of Governors, the
702 tuition differential authorized pursuant to this subsection may
703 take effect with the 2009 fall term.

704 Section 11. Subsection (3) of section 1009.53, Florida
705 Statutes, is amended to read:

706 1009.53 Florida Bright Futures Scholarship Program.—

707 (3) The Department of Education shall administer the Bright
708 Futures Scholarship Program according to rules and procedures
709 established by the State Board of Education. A single state
710 application must be sufficient for a student to apply for any of
711 the three types of awards. In addition, all students, in order
712 to become eligible each year for a Bright Futures Scholarship
713 award, must submit the Free Application for Federal Student Aid,
714 along with a valid expected family contribution. The department
715 must advertise the availability of the scholarship program and
716 must notify students, teachers, parents, guidance counselors,
717 and principals or other relevant school administrators of the
718 criteria and application procedures. The department must begin
719 this process of notification no later than January 1 of each
720 year.

721 Section 12. Subsection (2) of section 1009.531, Florida
722 Statutes, is amended, and subsection (6) is added to that
723 section, to read:

724 1009.531 Florida Bright Futures Scholarship Program;
725 student eligibility requirements for initial awards.—

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726 (2) A student is eligible to accept an initial award for 3
727 years following high school graduation and to accept a renewal
728 award for 4 ~~7~~ years following high school graduation. A student
729 who applies for an award by high school graduation and who meets
730 all other eligibility requirements, but who does not accept his
731 or her award, may reapply during subsequent application periods
732 up to 3 years after high school graduation. For a student who
733 enlists in the United States Armed Forces immediately after
734 completion of high school, the 3-year eligibility period for his
735 or her initial award shall begin upon the date of separation
736 from active duty. For a student who is receiving a Florida
737 Bright Futures Scholarship and discontinues his or her education
738 to enlist in the United States Armed Forces, the remainder of
739 his or her 4-year ~~7-year~~ renewal period shall commence upon the
740 date of separation from active duty.

741 (6) (a) The State Board of Education shall identify from the
742 2009 SAT Percentile Ranks the examination score required for a
743 student to be eligible for a Florida Academic Scholars award
744 pursuant to s. 1009.534, as follows:

745 1. For high school students graduating in the 2012-2013
746 academic year, the student must earn the 88th SAT percentile
747 rank score of 1280 and a concordant ACT score of 28.

748 2. For high school students graduating in the 2013-2014
749 academic year and thereafter, the student must earn the 89th SAT
750 percentile rank score of 1290 and a concordant ACT score of 29.

751 (b) The State Board of Education shall identify from the
752 2009 SAT Percentile Ranks the examination score required for a
753 student to be eligible for a Florida Medallion Scholars award
754 pursuant to s. 1009.535, as follows:

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755 1. For high school students graduating in 2011-2012
756 academic year, the student must earn the 44th SAT percentile
757 rank score of 980 and a concordant ACT score of 21.

758 2. For high school students graduating in 2012-2013
759 academic year, the student must earn the 50th SAT percentile
760 rank score of 1020 and a concordant ACT score of 22.

761 3. For high school students graduating in 2013-2014
762 academic year and thereafter, the student must earn the 56th SAT
763 percentile rank score of 1050 and a concordant ACT score of 23.

764 (c) If the percentile ranks in paragraphs (a) and (b) do
765 not exactly correspond to an SAT score then the next highest
766 percentile rank shall be used.

767 Section 13. Section 1009.532, Florida Statutes, is amended
768 to read:

769 1009.532 Florida Bright Futures Scholarship Program;
770 student eligibility requirements for renewal awards.—

771 (1) To be eligible to renew a scholarship from any of the
772 three types of scholarships under the Florida Bright Futures
773 Scholarship Program, a student must:

774 (a) Effective for students funded in the 2009-2010 academic
775 year and thereafter, earn at least 24 semester credit hours or
776 the equivalent in the last academic year in which the student
777 earned a scholarship if the student was enrolled full time, or a
778 prorated number of credit hours as determined by the Department
779 of Education if the student was enrolled less than full time for
780 any part of the academic year. If a student fails to earn the
781 minimum number of hours required to renew the scholarship, the
782 student shall lose his or her eligibility for renewal for a
783 period equivalent to 1 academic year. Such student is eligible

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784 to restore the award the following academic year if the student
785 earns the hours for which he or she was enrolled at the level
786 defined by the department and meets the grade point average for
787 renewal. A student is eligible for such restoration one time.
788 The department shall notify eligible recipients of the
789 provisions of this paragraph. Each institution shall notify
790 award recipients of the provisions of this paragraph during the
791 registration process.

792 (b) Maintain the cumulative grade point average required by
793 the scholarship program, except that:

794 1. If a recipient's grades fall beneath the average
795 required to renew a Florida Academic Scholarship, but are
796 sufficient to renew a Florida Medallion Scholarship or a Florida
797 Gold Seal Vocational Scholarship, the Department of Education
798 may grant a renewal from one of those other scholarship
799 programs, if the student meets the renewal eligibility
800 requirements; or

801 2. For students funded prior to the 2010-2011 academic
802 term, if, at any time during the eligibility period, a student's
803 grades are insufficient to renew the scholarship, the student
804 may restore eligibility by improving the grade point average to
805 the required level. A student is eligible for such a restoration
806 one time. The Legislature encourages education institutions to
807 assist students to calculate whether or not it is possible to
808 raise the grade point average during the summer term. If the
809 institution determines that it is possible, the education
810 institution may so inform the department, which may reserve the
811 student's award if funds are available. The renewal, however,
812 must not be granted until the student achieves the required

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813 cumulative grade point average. If the summer term is not
814 sufficient to raise the grade point average to the required
815 renewal level, the student's next opportunity for renewal is the
816 fall semester of the following academic year.~~;~~ ~~or~~

817 (c) Effective for students initially funded in the 2010-
818 2011 academic term and thereafter, if a scholarship is not
819 renewed because of insufficient grades, the scholarship shall be
820 renewed only for the following reasons:

821 1. The student failed to meet state academic progress
822 requirements due to verifiable illness or other emergencies and
823 may be granted an exception from the academic requirements. Such
824 students shall make a written appeal to the institution. The
825 appeal shall include a description and verification of the
826 circumstances. Verification of illness or other emergencies may
827 include, but need not be limited to, a physician's statement or
828 written statement of a parent or college official. The
829 institution shall recommend exceptions along with necessary
830 documentation to the department. The department may accept or
831 deny such recommendations for exception from the institution; or

832 2.3. If a student is receiving a Florida Bright Futures
833 Scholarship, is a servicemember of the Florida National Guard or
834 United States Reserves while attending a postsecondary
835 institution, is called to active duty or state active duty, as
836 defined in s. 250.01, prior to completing his or her degree, and
837 meets all other requirements for the scholarship, the student
838 shall be eligible to continue the scholarship for 2 years after
839 completing active duty or state active duty.

840 (d)~~(e)~~ Reimburse or make satisfactory arrangements to
841 reimburse the institution for the award amount received for

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842 courses dropped after the end of the drop and add period or
843 courses from which the student withdraws after the end of the
844 drop and add period unless the student has received an exception
845 pursuant to s. 1009.53(11).

846 (2) A student who is enrolled in a program that terminates
847 in an associate degree or a baccalaureate degree may receive an
848 award for a maximum of 110 percent of the number of credit hours
849 required to complete the program. A student who is enrolled in a
850 program that terminates in a career certificate may receive an
851 award for a maximum of 110 percent of the credit hours or clock
852 hours required to complete the program up to 90 credit hours.
853 However, for a student who is initially funded in the 2010-2011
854 academic term and thereafter, the student may receive an award
855 for a maximum of 100 percent of the number of credit hours
856 required to complete an associate degree or a baccalaureate
857 degree program, or the student may receive an award for a
858 maximum of 100 percent of the credit hours or clock hours
859 required to complete up to 90 credit hours of a program that
860 terminates in a career certificate. A student who transfers from
861 one of these program levels to another becomes eligible for the
862 higher of the two credit hour limits.

863 Section 14. Subsection (5) of section 1009.534, Florida
864 Statutes, is amended to read:

865 1009.534 Florida Academic Scholars award.—

866 (5) Notwithstanding subsections (2) and (4), a Florida
867 Academic Scholar is eligible for an award equal to the amount
868 specified in the General Appropriations Act ~~for the 2009-2010~~
869 ~~academic year. This subsection expires July 1, 2010.~~

870 Section 15. Section 1009.5341, Florida Statutes, is created

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871 to read:

872 1009.5341 Florida Bright Futures Scholarships for graduate
873 study.—Bright Futures Scholarship recipients who graduate with a
874 baccalaureate degree in seven semesters or fewer and wish to
875 pursue graduate study may apply the unused portion of their
876 academic or medallion scholarship award toward one semester of
877 graduate study, not to exceed 15 semester hours. A baccalaureate
878 degree may include, but is not limited to, college credits
879 earned through dual enrollment, SAT, and ACT examinations.

880 Section 16. Subsection (4) of section 1009.535, Florida
881 Statutes, is amended to read:

882 1009.535 Florida Medallion Scholars award.—

883 (4) Notwithstanding subsection (2), a Florida Medallion
884 Scholar is eligible for an award equal to the amount specified
885 in the General Appropriations Act ~~for the 2009-2010 academic~~
886 ~~year. This subsection expires July 1, 2010.~~

887 Section 17. Subsections (4) and (5) of section 1009.536,
888 Florida Statutes, are amended to read:

889 1009.536 Florida Gold Seal Vocational Scholars award.—The
890 Florida Gold Seal Vocational Scholars award is created within
891 the Florida Bright Futures Scholarship Program to recognize and
892 reward academic achievement and career preparation by high
893 school students who wish to continue their education.

894 (4) A student may earn a Florida Gold Seal Vocational
895 Scholarship for 110 percent of the number of credit hours
896 required to complete the program, up to 90 credit hours or the
897 equivalent. However, for a student who is initially funded in
898 the 2010-2011 academic term and thereafter, the student may earn
899 a Florida Gold Seal Vocational Scholarship for 100 percent of

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900 the number of credit hours required to complete the program, up
901 to 90 credit hours or the equivalent.

902 (5) Notwithstanding subsection (2), a Florida Gold Seal
903 Vocational Scholar is eligible for an award equal to the amount
904 specified in the General Appropriations Act ~~for the 2009-2010~~
905 ~~academic year. This subsection expires July 1, 2010.~~

906 Section 18. Section 1009.5385, Florida Statutes, is
907 repealed.

908 Section 19. Subsections (2), (3), and (4) of section
909 1009.72, Florida Statutes, are amended to read:

910 1009.72 Jose Marti Scholarship Challenge Grant Program.—

911 (2) ~~Funds appropriated by the Legislature for the program~~
912 ~~shall be deposited in the State Student Financial Assistance~~
913 ~~Trust Fund. The Chief Financial Officer shall authorize~~
914 ~~expenditures from the trust fund upon receipt of vouchers~~
915 ~~approved by the Department of Education. All moneys collected~~
916 from private sources for the purposes of this section shall be
917 deposited into the State Student Financial Assistance Trust
918 Fund. Any balance in the trust fund at the end of any fiscal
919 year which ~~that~~ has been allocated to the program shall remain
920 therein and shall be available for carrying out the purposes of
921 the program. All funds deposited into the trust fund for the
922 program shall be invested pursuant to s. 17.61. Interest income
923 accruing to that portion of the funds which are allocated to the
924 program in the trust fund and not matched shall increase the
925 total funds available for the program.

926 (3) The Legislature may appropriate funds ~~shall designate~~
927 ~~funds to be transferred to the trust fund~~ for the program from
928 the General Revenue Fund. Such funds shall be divided into

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929 challenge grants to be administered by the Department of
930 Education. ~~All appropriated funds deposited into the trust fund~~
931 ~~for the program shall be invested pursuant to the provisions of~~
932 ~~s. 17.61. Interest income accruing to that portion of the funds~~
933 ~~that are allocated to the program in the trust fund and not~~
934 ~~matched shall increase the total funds available for the~~
935 ~~program.~~

936 (4) The amounts ~~amount~~ appropriated ~~to the trust fund~~ for
937 the program shall be allocated by the department on the basis of
938 one \$5,000 challenge grant for each \$2,500 raised from private
939 sources. Matching funds shall be generated through contributions
940 made after July 1, 1986, and pledged for the purposes of this
941 section. Pledged contributions shall not be eligible for
942 matching prior to the actual collection of the total funds.

943 Section 20. Subsections (2), (3), and (4) of section
944 1009.73, Florida Statutes, are amended to read:

945 1009.73 Mary McLeod Bethune Scholarship Program.—

946 (2) ~~Funds appropriated by the Legislature for the program~~
947 ~~shall be deposited in the State Student Financial Assistance~~
948 ~~Trust Fund. The Chief Financial Officer shall authorize~~
949 ~~expenditures from the trust fund upon receipt of vouchers~~
950 ~~approved by the Department of Education.~~ The Department of
951 Education shall receive all moneys collected from private
952 sources for the purposes of this section and shall deposit such
953 moneys into the State Student Financial Assistance Trust Fund.
954 Notwithstanding the provisions of s. 216.301 and pursuant to s.
955 216.351, any balance in the trust fund at the end of any fiscal
956 year which ~~that~~ has been allocated to the program shall remain
957 in the trust fund and shall be available for carrying out the

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958 purposes of the program. All moneys deposited into the trust
959 fund for the program shall be invested pursuant to s. 17.61.
960 Interest income accruing to that portion of the funds which are
961 allocated to the program in the trust fund and not matched shall
962 increase the total funds available for the program.

963 (3) The Legislature may appropriate funds ~~shall appropriate~~
964 ~~moneys to the trust fund~~ for the program from the General
965 Revenue Fund. Such moneys shall be applied to scholarships to be
966 administered by the Department of Education. ~~All moneys~~
967 ~~deposited into the trust fund for the program shall be invested~~
968 ~~pursuant to the provisions of s. 17.61. Interest income accruing~~
969 ~~to the program shall be expended to increase the total moneys~~
970 ~~available for scholarships.~~

971 (4) The moneys ~~in the trust fund~~ for the program shall be
972 allocated by the department among the institutions of higher
973 education listed in subsection (1) on the basis of one \$2,000
974 challenge grant for each \$1,000 raised from private sources.
975 Matching funds shall be generated through contributions made
976 after July 1, 1990, and pledged for the purposes of this
977 section. Pledged contributions shall not be eligible for
978 matching prior to the actual collection of the total funds. The
979 department shall allocate to each of those institutions a
980 proportionate share of the contributions received on behalf of
981 those institutions and a share of the appropriations and
982 matching funds generated by such institution.

983 Section 21. Paragraph (e) is added to subsection (1) of
984 section 1010.62, Florida Statutes, to read:

985 1010.62 Revenue bonds and debt.—

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

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987 (e) "Auxiliary enterprise" means any activity defined in s.
988 1011.47(1) and performed by a university or a direct-support
989 organization.

990 Section 22. Subsection (2) of section 1010.87, Florida
991 Statutes, is amended to read:

992 1010.87 Workers' Compensation Administration Trust Fund
993 within the Department of Education.—

994 (2) Funds appropriated by nonoperating transfer from the
995 Department of Financial Services Workers' Compensation
996 Administration Trust Fund which remain unencumbered as of June
997 30 or undisbursed as of September 30 shall revert to the
998 Department of Financial Services Workers' Compensation
999 Administration Trust Fund. ~~Notwithstanding the provisions of s.~~
1000 ~~216.301 and pursuant to s. 216.351, any balance in the trust~~
1001 ~~fund at the end of any fiscal year shall remain in the trust~~
1002 ~~fund at the end of the year and shall be available for carrying~~
1003 ~~out the purposes of the trust fund.~~

1004 Section 23. Paragraph (a) of subsection (5) of section
1005 1011.80, Florida Statutes, is amended to read:

1006 1011.80 Funds for operation of workforce education
1007 programs.—

1008 (5) State funding and student fees for workforce education
1009 instruction shall be established as follows:

1010 (a) Expenditures for the continuing workforce education
1011 program provided by the community colleges or school districts
1012 must be fully supported by fees. Enrollments in continuing
1013 workforce education courses shall not be counted for purposes of
1014 funding full-time equivalent enrollment. ~~For a continuing~~
1015 ~~workforce education course, state funding shall equal 50 percent~~

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1016 ~~of the cost of instruction, with student fees, business support,~~
1017 ~~quick-response training funds, or other means making up the~~
1018 ~~remaining 50 percent.~~

1019 Section 24. Section 1012.885, Florida Statutes, is created
1020 to read:

1021 1012.885 Remuneration of community college presidents;
1022 limitations.-

1023 (1) DEFINITIONS.-As used in this section, the term:

1024 (a) "Cash-equivalent compensation" means any benefit that
1025 may be assigned an equivalent cash value.

1026 (b) "Public funds" means funds appropriated from the
1027 General Revenue Fund, funds appropriated from state trust funds,
1028 tuition and fees, or any funds from a community college trust
1029 fund regardless of repository.

1030 (c) "Remuneration" means salary, bonuses, and cash-
1031 equivalent compensation paid to a community college president by
1032 his or her employer for work performed, excluding health
1033 insurance benefits and retirement benefits.

1034 (2) LIMITATION ON COMPENSATION.-Notwithstanding any other
1035 law, resolution, or rule to the contrary, a community college
1036 president may not receive more than \$225,000 in remuneration
1037 annually from appropriated state funds. Only compensation, as
1038 such term is defined in s. 121.021(22), provided to a community
1039 college president may be used in calculating benefits under
1040 chapter 121.

1041 (3) EXCEPTIONS.-This section does not prohibit any party
1042 from providing cash or cash-equivalent compensation from funds
1043 that are not appropriated state funds to a community college
1044 president in excess of the limit in subsection (2). If a party

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1045 is unable or unwilling to fulfill an obligation to provide cash
1046 or cash-equivalent compensation to a community college president
1047 as permitted under this subsection, appropriated state funds may
1048 not be used to fulfill such obligation.

1049 Section 25. The Office of Program Policy Analysis and
1050 Government Accountability shall conduct a review of the public
1051 school adult workforce education programs and the community
1052 college and state college workforce education programs for the
1053 purpose of identifying and analyzing the positive and negative
1054 aspects of merging the school district programs with the
1055 community college and state college programs. The office shall
1056 submit the results of its review to the Legislature by December
1057 1, 2010.

1058 Section 26. This act shall take effect July 1, 2010.