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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; amending s.
42 1006.59, F.S.; deleting a provision that prohibits
43 institutions participating in the Historically Black
44 College and University Library Improvement Program
45 from using funds to purchase nonprint media; creating
46 s. 1006.72, F.S.; providing legislative findings
47 regarding the licensing of electronic library
48 resources; requiring that the library staff of state
49 universities, colleges, school districts, and public
50 libraries implement an annual process identifying
51 electronic library resources for specified core
52 categories; amending s. 1009.24, F.S.; revising
53 provisions relating to state university student fees;
54 authorizing the University of Florida to implement the
55 tuition differential as a block tuition set at a
56 specified number of hours for certain students;
57 amending s. 1009.53, F.S.; revising provisions
58 relating to the Florida Bright Futures Scholarship

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

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88 amount of the Florida Medallion Scholar award be
89 specified in the General Appropriations Act; repealing
90 s. 1009.537, F.S., removing obsolete provisions
91 relating to eligibility for the Florida Bright Futures
92 Scholarship Program; amending s. 1009.536, F.S.;
93 reducing the maximum number of credit hours that
94 certain students may earn under the Florida Gold Seal
95 Vocational Scholars award; removing the scheduled
96 expiration of provisions requiring that the amount of
97 the award be specified in the General Appropriations
98 Act; repealing s. 1009.5385, F.S., relating to
99 criteria for the use of certain scholarship funds by
100 children of deceased or disabled veterans; amending s.
101 1009.72, F.S.; revising provisions relating to the
102 Jose Marti Scholarship Challenge Grant Program;
103 removing provisions that provide for funds
104 appropriated by the Legislature for the program to be
105 deposited into the State Student Financial Assistance
106 Trust Fund; requiring that funds deposited into such
107 trust fund be invested; authorizing the Legislature to
108 appropriate funds from the General Revenue Fund;
109 amending s. 1009.73, F.S.; revising provisions
110 relating to the Mary McLeod Bethune Scholarship
111 Program; removing provisions that provide for funds
112 appropriated by the Legislature for the program to be
113 deposited into the State Student Financial Assistance
114 Trust Fund; requiring that funds deposited into such
115 trust fund be invested; authorizing the Legislature to
116 appropriate funds from the General Revenue Fund;

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117 amending s. 1010.62, F.S.; defining the term
118 "auxiliary enterprise" for purposes of capital outlay
119 projects financed pursuant to the State Bond Act;
120 amending s. 1010.87, F.S., relating to the Workers'
121 Compensation Administration Trust Fund within the
122 Department of Education; providing for the reversion
123 of certain funds at the end of the fiscal year;
124 amending s. 1011.80, F.S.; revising provisions
125 relating to funds for the operation of workforce
126 education programs; requiring that expenditure for
127 such programs be supported by fees; providing that
128 enrollment in continuing workforce education courses
129 may not be counted for purposes of funding full-time
130 equivalent enrollment; creating s. 1012.885, F.S.;
131 providing definitions; providing a limitation on the
132 compensation paid to community college presidents;
133 providing exceptions; requiring that the Office of
134 Program Policy Analysis and Government Accountability
135 conduct a review of public school adult workforce
136 education programs and community college and state
137 college workforce education programs; requiring that
138 the results of such review be submitted to the
139 Legislature by a specified date; providing an
140 effective date.

141
142 Be It Enacted by the Legislature of the State of Florida:

143
144 Section 1. Section 295.02, Florida Statutes, is amended to
145 read:

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146 295.02 Use of funds; age, etc.—

147 (1) Sums appropriated and expended to carry out the
148 provisions of s. 295.01(1) shall be used to pay an award equal
149 to the amount of tuition and required registration fees as
150 defined by the department or an amount specified in the General
151 Appropriations Act ~~tuition and registration fees, board, and~~
152 ~~room rent and to buy books and supplies~~ for the children or
153 spouses of deceased or disabled veterans or servicemembers, as
154 defined and limited in s. 295.01, s. 295.016, s. 295.017, s.
155 295.018, s. 295.0185, s. 295.019, or s. 295.0195, or of parents
156 classified as prisoners of war or missing in action, as defined
157 and limited in s. 295.015, who are between the ages of 16 and 22
158 years and who are in attendance at an eligible postsecondary
159 education ~~a state-supported institution as defined in s. 295.04~~
160 ~~of higher learning, including a community college or career~~
161 ~~center~~. Any child having entered upon a course of training or
162 education under the provisions of this chapter, consisting of a
163 course of not more than 4 years, and arriving at the age of 22
164 years before the completion of such course may continue the
165 course and receive all benefits of the provisions of this
166 chapter until the course is completed.

167 (2) Sums appropriated and expended to carry out the
168 provisions of s. 295.01(2) shall be used to pay tuition and
169 registration fees, board, and room rent and to buy books and
170 supplies for the spouses of deceased or disabled veterans or
171 servicemembers, as defined and limited in s. 295.01, who are
172 enrolled at an eligible postsecondary education ~~a state-~~
173 ~~supported~~ institution as defined in s. 295.04 ~~of higher~~
174 ~~learning, including a community college or career center.~~

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

180 (4)~~(3)~~ The Department of Education shall administer this
181 educational program subject to regulations of the department.

182 Section 2. Paragraph (a) of subsection (6) of section
183 440.491, Florida Statutes, is amended to read:

184 440.491 Reemployment of injured workers; rehabilitation.—

185 (6) TRAINING AND EDUCATION.—

186 (a) Upon referral of an injured employee by the carrier, or
187 upon the request of an injured employee, the department shall
188 conduct a training and education screening to determine whether
189 it should refer the employee for a vocational evaluation and, if
190 appropriate, approve training and education or other vocational
191 services for the employee. The department may not approve formal
192 training and education programs unless it determines, after
193 consideration of the reemployment assessment, pertinent
194 reemployment status reviews or reports, and such other relevant
195 factors as it prescribes by rule, that the reemployment plan is
196 likely to result in return to suitable gainful employment. The
197 department is authorized to expend moneys from the Workers'
198 Compensation Administration Trust Fund, established by s.
199 440.50, to secure appropriate training and education at a
200 Florida public ~~community~~ college ~~as designated in s. 1000.21(3)~~
201 or at a career center established under s. 1001.44, or to secure
202 other vocational services when necessary to satisfy the
203 recommendation of a vocational evaluator. As used in this

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204 paragraph, "appropriate training and education" includes
205 securing a general education diploma (GED), if necessary. The
206 department shall establish training and education standards
207 pertaining to employee eligibility, course curricula and
208 duration, and associated costs. For purposes of this subsection,
209 training and education services may be secured from additional
210 providers if:

211 1. The injured employee currently holds an associate degree
212 and requests to earn a bachelor's degree not offered by a
213 Florida public college located within 50 miles from his or her
214 customary residence;

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

218 3. The most appropriate training and education program is
219 available only through a provider other than a Florida public
220 college or career center or at a Florida public college or
221 career center located more than 50 miles away from the injured
222 employee's customary residence.

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

225 1000.04 Components for the delivery of public education
226 within the Florida K-20 education system.—Florida's K-20
227 education system provides for the delivery of public education
228 through publicly supported and controlled K-12 schools,
229 community colleges, state universities and other postsecondary
230 educational institutions, other educational institutions, and
231 other educational services as provided or authorized by the
232 Constitution and laws of the state.

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233 (2) PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—Public
234 postsecondary educational institutions include charter technical
235 career centers; career centers operated by a school district
236 ~~workforce education~~; community colleges; colleges; state
237 universities; and all other state-supported postsecondary
238 educational institutions that are authorized and established by
239 law.

240 Section 4. Paragraph (a) of subsection (2) of section
241 1001.74, Florida Statutes, is amended to read:

242 1001.74 Powers and duties of university boards of
243 trustees.—

244 (2) POWERS AND DUTIES RELATING TO ORGANIZATION AND
245 OPERATION OF STATE UNIVERSITIES.—

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

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

259 1004.085 Textbook affordability.—

260 (4) ~~By March 1, 2009,~~ The State Board of Education and the
261 Board of Governors each shall adopt policies, procedures, and

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262 guidelines for implementation by community colleges and state
263 universities, respectively, that further efforts to minimize the
264 cost of textbooks for students attending such institutions while
265 maintaining the quality of education and academic freedom. The
266 policies, procedures, and guidelines shall provide for the
267 following:

268 (a) That textbook adoptions are made with sufficient lead
269 time to bookstores so as to confirm availability of the
270 requested materials and, where possible, ensure maximum
271 availability of used books.

272 (b) That, in the textbook adoption process, the intent to
273 use all items ordered, particularly each individual item sold as
274 part of a bundled package, is confirmed by the course instructor
275 or the academic department offering the course before the
276 adoption is finalized.

277 (c) That a course instructor or the academic department
278 offering the course determines, before a textbook is adopted,
279 the extent to which a new edition differs significantly and
280 substantively from earlier versions and the value of changing to
281 a new edition or the extent to which an open-access textbook may
282 exist and be used.

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

287 (e) That encourages course instructors and academic
288 departments to participate in the development, adaptation, and
289 review of open-access textbooks, in particular, open-access
290 textbooks for high-demand general education courses.

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291 Section 6. Paragraph (b) of subsection (2) of section
292 1004.091, Florida Statutes, is amended to read:

293 1004.091 Florida Distance Learning Consortium.—

294 (2) The Florida Distance Learning Consortium shall:

295 (b) Develop, in consultation with the Florida College
296 System and the State University System, a plan to be submitted
297 to the Board of Governors, the State Board of Education, the
298 Governor, the President of the Senate, and the Speaker of the
299 House of Representatives no later than December ~~March~~ 1, 2010,
300 for implementing. ~~The plan must address the implementation of a~~
301 ~~streamlined, automated, online registration process for~~
302 ~~undergraduate students who have been admitted to a public~~
303 ~~postsecondary educational institution and who wish to enroll in~~
304 ~~a course listed in the Florida Higher Education Distance~~
305 ~~Learning Catalog, including courses offered by an institution~~
306 ~~that is not the student's degree-granting or home institution.~~
307 ~~The plan must describe how such a registration process can be~~
308 ~~implemented by the 2011-2012 academic year as an alternative to~~
309 ~~the standard registration process of each institution. The plan~~
310 ~~must also address:~~

311 1. Fiscal and substantive policy changes needed to address
312 administrative, academic, and programmatic policies and
313 procedures. Policy areas that the plan must address include, but
314 need not be limited to, student financial aid issues, variations
315 in fees, admission and readmission, registration-prioritization
316 issues, transfer of credit, and graduation requirements, with
317 specific attention given to creating recommended guidelines that
318 address students who attend more than one institution in pursuit
319 of a degree.

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320 2. A method for the expedited transfer of distance learning
321 course credit awarded by an institution offering a distance
322 learning course to a student's degree-granting or home
323 institution upon the student's successful completion of the
324 distance learning course.

325 3. Compliance with applicable technology security standards
326 and guidelines to ensure the secure transmission of student
327 information.

328 Section 7. Section 1009.21, Florida Statutes, is amended to
329 read:

330 1009.21 Determination of resident status for tuition
331 purposes.—Students shall be classified as residents or
332 nonresidents for the purpose of assessing tuition in charter
333 technical centers, career centers operated by school districts,
334 community colleges, and state universities.

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

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

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

342 (c) "Institution of higher education" means any charter
343 technical career center as defined in s. 1002.34, career center
344 operated by a school district as defined in s. 1001.44,
345 community college as defined in s. 1000.21(3), or state
346 university as defined in s. 1000.21(6).

347 (d) "Legal resident" or "resident" means a person who has
348 maintained his or her residence in this state for the preceding

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349 year, has purchased a home which is occupied by him or her as
350 his or her residence, or has established a domicile in this
351 state pursuant to s. 222.17.

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

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

356 (g) "Resident for tuition purposes" means a person who
357 qualifies as provided in this section for the in-state tuition
358 rate.

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

360 1. A person or, if that person is a dependent child, his or
361 her parent or parents must have established legal residence in
362 this state and must have maintained legal residence in this
363 state for at least 12 consecutive months immediately prior to
364 his or her initial enrollment in an institution of higher
365 education.

366 2. Every applicant for admission to an institution of
367 higher education shall be required to make a statement as to his
368 or her length of residence in the state and, further, shall
369 establish that his or her presence or, if the applicant is a
370 dependent child, the presence of his or her parent or parents in
371 the state currently is, and during the requisite 12-month
372 qualifying period was, for the purpose of maintaining a bona
373 fide domicile, rather than for the purpose of maintaining a mere
374 temporary residence or abode incident to enrollment in an
375 institution of higher education.

376 (b) However, with respect to a dependent child living with
377 an adult relative other than the child's parent, such child may

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378 qualify as a resident for tuition purposes if the adult relative
379 is a legal resident who has maintained legal residence in this
380 state for at least 12 consecutive months immediately prior to
381 the child's initial enrollment in an institution of higher
382 education, provided the child has resided continuously with such
383 relative for the 5 years immediately prior to the child's
384 initial enrollment in an institution of higher education, during
385 which time the adult relative has exercised day-to-day care,
386 supervision, and control of the child.

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

393 (3) (a) An individual shall not be classified as a resident
394 for tuition purposes and, thus, shall not be eligible to receive
395 the in-state tuition rate until he or she has provided such
396 evidence related to legal residence and its duration or, if that
397 individual is a dependent child, evidence of his or her parent's
398 legal residence and its duration, as may be required by law and
399 by officials of the institution of higher education from which
400 he or she seeks the in-state tuition rate.

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

406 (c) Each institution of higher education shall

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407 affirmatively determine that an applicant who has been granted
408 admission to that institution as a Florida resident meets the
409 residency requirements of this section at the time of initial
410 enrollment. The residency determination must be documented by
411 the submission of written or electronic verification that
412 includes two or more of the documents identified in this
413 paragraph. No single piece of evidence shall be conclusive.

414 1. The documents must include at least one of the
415 following:

416 a. A Florida voter's registration card.

417 b. A Florida driver's license.

418 c. A State of Florida identification card.

419 d. A Florida vehicle registration.

420 e. Proof of a permanent home in Florida which is occupied
421 as a primary residence by the individual or by the individual's
422 parent if the individual is a dependent child.

423 f. Proof of a homestead exemption in Florida.

424 g. Transcripts from a Florida high school for multiple
425 years if the Florida high school diploma or GED was earned
426 within the last 12 months.

427 h. Proof of permanent full-time employment in Florida for
428 at least 30 hours per week for a 12-month period.

429 2. The documents may include one or more of the following:

430 a. A declaration of domicile in Florida.

431 b. A Florida professional or occupational license.

432 c. Florida incorporation.

433 d. A document evidencing family ties in Florida.

434 e. Proof of membership in a Florida-based charitable or
435 professional organization.

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436 f. Any other documentation that supports the student's
437 request for resident status, including, but not limited to,
438 utility bills and proof of 12 consecutive months of payments; a
439 lease agreement and proof of 12 consecutive months of payments;
440 or an official state, federal, or court document evidencing
441 legal ties to Florida.

442 (4) With respect to a dependent child, the legal residence
443 of the dependent child's parent or parents is prima facie
444 evidence of the dependent child's legal residence, which
445 evidence may be reinforced or rebutted, relative to the age and
446 general circumstances of the dependent child, by the other
447 evidence of legal residence required of or presented by the
448 dependent child. However, the legal residence of a dependent
449 child's parent or parents who are domiciled outside this state
450 is not prima facie evidence of the dependent child's legal
451 residence if that dependent child has lived in this state for 5
452 consecutive years prior to enrolling or reregistering at the
453 institution of higher education at which resident status for
454 tuition purposes is sought.

455 (5) In making a domiciliary determination related to the
456 classification of a person as a resident or nonresident for
457 tuition purposes, the domicile of a married person, irrespective
458 of sex, shall be determined, as in the case of an unmarried
459 person, by reference to all relevant evidence of domiciliary
460 intent. For the purposes of this section:

461 (a) A person shall not be precluded from establishing or
462 maintaining legal residence in this state and subsequently
463 qualifying or continuing to qualify as a resident for tuition
464 purposes solely by reason of marriage to a person domiciled

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465 outside this state, even when that person's spouse continues to
466 be domiciled outside of this state, provided such person
467 maintains his or her legal residence in this state.

468 (b) A person shall not be deemed to have established or
469 maintained a legal residence in this state and subsequently to
470 have qualified or continued to qualify as a resident for tuition
471 purposes solely by reason of marriage to a person domiciled in
472 this state.

473 (c) In determining the domicile of a married person,
474 irrespective of sex, the fact of the marriage and the place of
475 domicile of such person's spouse shall be deemed relevant
476 evidence to be considered in ascertaining domiciliary intent.

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

489 (b) If a person who is a dependent child and his or her
490 parent move to this state while such child is a high school
491 student and the child graduates from a high school in this
492 state, the child may become eligible for reclassification as a
493 resident for tuition purposes when the parent submits evidence

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494 that the parent qualifies for permanent residency.

495 (c) If a person who is a dependent child and his or her
496 parent move to this state after such child graduates from high
497 school, the child may become eligible for reclassification as a
498 resident for tuition purposes after the parent submits evidence
499 that he or she has established legal residence in the state and
500 has maintained legal residence in the state for at least 12
501 consecutive months.

502 (d) A person who is classified as a nonresident for tuition
503 purposes and who marries a legal resident of the state or
504 marries a person who becomes a legal resident of the state may,
505 upon becoming a legal resident of the state, become eligible for
506 reclassification as a resident for tuition purposes upon
507 submitting evidence of his or her own legal residency in the
508 state, evidence of his or her marriage to a person who is a
509 legal resident of the state, and evidence of the spouse's legal
510 residence in the state for at least 12 consecutive months
511 immediately preceding the application for reclassification.

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

516 (8) A person who has been properly classified as a resident
517 for tuition purposes but who, while enrolled in an institution
518 of higher education in this state, loses his or her resident
519 tuition status because the person or, if he or she is a
520 dependent child, the person's parent or parents establish
521 domicile or legal residence elsewhere shall continue to enjoy
522 the in-state tuition rate for a statutory grace period, which

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523 period shall be measured from the date on which the
524 circumstances arose that culminated in the loss of resident
525 tuition status and shall continue for 12 months. However, if the
526 12-month grace period ends during a semester or academic term
527 for which such former resident is enrolled, such grace period
528 shall be extended to the end of that semester or academic term.

529 (9) Any person who ceases to be enrolled at or who
530 graduates from an institution of higher education while
531 classified as a resident for tuition purposes and who
532 subsequently abandons his or her domicile in this state shall be
533 permitted to reenroll at an institution of higher education in
534 this state as a resident for tuition purposes without the
535 necessity of meeting the 12-month durational requirement of this
536 section if that person has reestablished his or her domicile in
537 this state within 12 months of such abandonment and continuously
538 maintains the reestablished domicile during the period of
539 enrollment. The benefit of this subsection shall not be accorded
540 more than once to any one person.

541 (10) The following persons shall be classified as residents
542 for tuition purposes:

543 (a) Active duty members of the Armed Services of the United
544 States residing or stationed in this state, their spouses, and
545 dependent children, and active drilling members of the Florida
546 National Guard.

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

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

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

559 (e) Students from Latin America and the Caribbean who
560 receive scholarships from the federal or state government. Any
561 student classified pursuant to this paragraph shall attend, on a
562 full-time basis, a Florida institution of higher education.

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

565 (g) Full-time employees of state agencies or political
566 subdivisions of the state when the student fees are paid by the
567 state agency or political subdivision for the purpose of job-
568 related law enforcement or corrections training.

569 (h) McKnight Doctoral Fellows and Finalists who are United
570 States citizens.

571 (i) United States citizens living outside the United States
572 who are teaching at a Department of Defense Dependent School or
573 in an American International School and who enroll in a graduate
574 level education program which leads to a Florida teaching
575 certificate.

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

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581 (k) Active duty members of a foreign nation's military who
582 are serving as liaison officers and are residing or stationed in
583 this state, and their spouses and dependent children, attending
584 a community college or state university within 50 miles of the
585 military establishment where the foreign liaison officer is
586 stationed.

587 (11) Each institution of higher education shall establish a
588 residency appeal committee comprised of at least three members
589 to consider student appeals of residency determinations, in
590 accordance with the institution's official appeal process. The
591 residency appeal committee must render to the student the final
592 residency determination in writing. The institution must advise
593 the student of the reasons for the determination.

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

596 Section 8. Paragraph (b) of subsection (3) of section
597 1009.22, Florida Statutes, is amended to read:

598 1009.22 Workforce education postsecondary student fees.—

599 (3)

600 (b) Fees for continuing workforce education shall be
601 locally determined by the district school board or community
602 college board. ~~However, at least 50 percent of the Expenditures~~
603 ~~for the continuing workforce education program provided by the~~
604 ~~community college or school district must be~~ fully supported by
605 ~~derived from fees.~~ Enrollments in continuing workforce education
606 courses may not be counted for purposes of funding full-time
607 equivalent enrollment.

608 Section 9. Paragraph (a) of subsection (3) of section
609 1006.59, Florida Statutes, is amended to read:

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610 1006.59 The Historically Black College and University
611 Library Improvement Program.—

612 (3) Each institution shall submit to the State Board of
613 Education a plan for enhancing its library through the following
614 activities:

615 (a) Each institution shall increase the number of volumes
616 by purchasing replacement books and new titles. Funds shall not
617 be used to purchase periodicals ~~or nonprint media~~. The goal of
618 these purchases is to meet the needs of students and faculty in
619 disciplines that have recently been added to the curriculum, in
620 traditional academic fields that have been expanded, or in
621 academic fields in which rapid changes in technology result in
622 accelerated obsolescence of related library holdings.

623 Section 10. Section 1006.72, Florida Statutes, is created
624 to read:

625 1006.72 Licensing electronic library resources.—The
626 Legislature finds that the most cost-efficient and cost-
627 effective means of licensing electronic library resources
628 requires that state universities and colleges collaborate with
629 school districts and public libraries in the identification and
630 acquisition of resources needed by more than one sector. The
631 appropriate library staff from the state universities, colleges,
632 school districts, and public libraries shall implement an annual
633 process that identifies the electronic library resources for
634 each of the core categories established in this section. To the
635 extent possible, the Florida Center for Library Automation, the
636 College Center for Library Automation, and the Division of
637 Library and Information Services within the Department of State
638 shall jointly coordinate this annual process.

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639 (1) STATEWIDE CORE CATEGORY.—For purposes of licensing
640 electronic library resources of the Florida Electronic Library,
641 library representatives from the public libraries, school
642 districts, colleges, and state universities shall identify those
643 resources that comprise the statewide core that will be
644 available to all students, teachers, and residents of the state.

645 (2) POSTSECONDARY EDUCATION CORE CATEGORY.—From funds
646 appropriated to the Florida Center for Library Automation and
647 the College Center for Library Automation for licensing the
648 electronic library resources required by both systems, state
649 university and college library staff shall identify the
650 postsecondary education core that shall be available to all
651 postsecondary students.

652 (3) FOUR-YEAR DEGREE CORE CATEGORY.—From funds appropriated
653 to the Florida Center for Library Automation for licensing
654 electronic library resources beyond the postsecondary education
655 core, state university library staff, in consultation with
656 applicable college library staff, shall identify those resources
657 that comprise the 4-year degree core that shall be available to
658 all 4-year degree-seeking students in the college and state
659 university systems. The Florida Center for Library Automation
660 shall include in the negotiated pricing model any college
661 interested in licensing resources.

662 (4) TWO-YEAR DEGREE CORE CATEGORY.—From funds appropriated
663 to the College Center for Library Automation for licensing
664 electronic library resources beyond the postsecondary education
665 core, college library staff shall identify those resources that
666 comprise the college core that shall be available to all college
667 students. The College Center for Library Automation shall

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668 include in the negotiated pricing model any state university
669 interested in licensing a resource.

670 Section 11. Paragraph (b) of subsection (16) of section
671 1009.24, Florida Statutes, is amended to read:

672 1009.24 State university student fees.—

673 (16) Each university board of trustees may establish a
674 tuition differential for undergraduate courses upon receipt of
675 approval from the Board of Governors. The tuition differential
676 shall promote improvements in the quality of undergraduate
677 education and shall provide financial aid to undergraduate
678 students who exhibit financial need.

679 (b) Each tuition differential is subject to the following
680 conditions:

681 1. The tuition differential may be assessed on one or more
682 undergraduate courses or on all undergraduate courses at a state
683 university.

684 2. The tuition differential may vary by course or courses,
685 campus or center location, and by institution. Each university
686 board of trustees shall strive to maintain and increase
687 enrollment in degree programs related to math, science, high
688 technology, and other state or regional high-need fields when
689 establishing tuition differentials by course.

690 3. The tuition differential may be implemented by the
691 University of Florida as a block tuition set at 15 hours for
692 students registered for 11 to 19 hours.

693 ~~4.3.~~ For each state university that has total research and
694 development expenditures for all fields of at least \$100 million
695 per year as reported annually to the National Science
696 Foundation, the aggregate sum of tuition and the tuition

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697 differential may not be increased by more than 15 percent of the
698 total charged for the aggregate sum of these fees in the
699 preceding fiscal year. For each state university that has total
700 research and development expenditures for all fields of less
701 than \$100 million per year as reported annually to the National
702 Science Foundation, the aggregate sum of tuition and the tuition
703 differential may not be increased by more than 15 percent of the
704 total charged for the aggregate sum of these fees in the
705 preceding fiscal year.

706 ~~5.4.~~ The aggregate sum of undergraduate tuition and fees
707 per credit hour, including the tuition differential, may not
708 exceed the national average of undergraduate tuition and fees at
709 4-year degree-granting public postsecondary educational
710 institutions.

711 ~~6.5.~~ The tuition differential may not be calculated as a
712 part of the scholarship programs established in ss. 1009.53-
713 1009.538.

714 ~~7.6.~~ Beneficiaries having prepaid tuition contracts
715 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
716 2007, and which remain in effect, are exempt from the payment of
717 the tuition differential.

718 ~~8.7.~~ The tuition differential may not be charged to any
719 student who was in attendance at the university before July 1,
720 2007, and who maintains continuous enrollment.

721 ~~9.8.~~ The tuition differential may be waived by the
722 university for students who meet the eligibility requirements
723 for the Florida public student assistance grant established in
724 s. 1009.50.

725 ~~10.9.~~ Subject to approval by the Board of Governors, the

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726 tuition differential authorized pursuant to this subsection may
727 take effect with the 2009 fall term.

728 Section 12. Subsection (3) of section 1009.53, Florida
729 Statutes, is amended to read:

730 1009.53 Florida Bright Futures Scholarship Program.—

731 (3) The Department of Education shall administer the Bright
732 Futures Scholarship Program according to rules and procedures
733 established by the State Board of Education. A single state
734 application must be sufficient for a student to apply for any of
735 the three types of awards. For a student applying for an initial
736 award in the 2010-2011 academic year and thereafter, in order to
737 become eligible each year for a Bright Futures Scholarship
738 award, the student must submit the Free Application for Federal
739 Student Aid, along with a valid expected family contribution.

740 The department must advertise the availability of the
741 scholarship program and must notify students, teachers, parents,
742 guidance counselors, and principals or other relevant school
743 administrators of the criteria and application procedures. The
744 department must begin this process of notification no later than
745 January 1 of each year.

746 Section 13. Subsection (2) of section 1009.531, Florida
747 Statutes, is amended, and subsection (6) is added to that
748 section, to read:

749 1009.531 Florida Bright Futures Scholarship Program;
750 student eligibility requirements for initial awards.—

751 (2) For students graduating from high school prior to the
752 2010-2011 academic year, a student is eligible to accept an
753 initial award for 3 years following high school graduation and
754 to accept a renewal award for 7 years following high school

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755 graduation. For a student who enlists in the United States Armed
756 Forces immediately after completion of high school, the 3-year
757 eligibility period for his or her initial award shall begin upon
758 the date of separation from active duty. For a student who is
759 receiving a Florida Bright Futures Scholarship and discontinues
760 his or her education to enlist in the United States Armed
761 Forces, the remainder of his or her 7-year renewal period shall
762 commence upon the date of separation from active duty. For
763 students graduating from high school in the 2010-2011 academic
764 year and thereafter, a student is eligible to accept an initial
765 award for 3 years after high school graduation and to accept a
766 renewal award for 4 years after high school graduation. A
767 student who applies for an award by high school graduation and
768 who meets all other eligibility requirements, but who does not
769 accept his or her award, may reapply during subsequent
770 application periods up to 3 years after high school graduation.
771 For a student who enlists in the United States Armed Forces
772 immediately after completion of high school, the 3-year
773 eligibility period for his or her initial award shall begin upon
774 the date of separation from active duty. For a student who is
775 receiving a Florida Bright Futures Scholarship and discontinues
776 his or her education to enlist in the United States Armed
777 Forces, the remainder of his or her 4-year ~~7-year~~ renewal period
778 shall commence upon the date of separation from active duty.
779 Effective for students graduating from high school in the 2010-
780 2011 academic year and thereafter, if a course of study is not
781 completed after 4 academic years, an exception of 1 year to the
782 renewal timeframe may be granted due to a verifiable illness or
783 other documented emergency pursuant to s. 1009.40(1)(b)4.

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784 (6) (a) The State Board of Education shall publicize from
785 the 2009 SAT Percentile Ranks the examination score required for
786 a student to be eligible for a Florida Academic Scholars award
787 pursuant to s. 1009.534(1) (a) or (b), as follows:

788 1. For high school students graduating in the 2010-2011 and
789 2011-2012 academic years, the student must earn a score of 1270
790 or a concordant ACT score of 28.

791 2. For high school students graduating in the 2012-2013
792 academic year, the student must earn the 88th SAT percentile
793 rank score of 1280 or a concordant ACT score of 28.

794 3. For high school students graduating in the 2013-2014
795 academic year and thereafter, the student must earn the 89th SAT
796 percentile rank score of 1290 or a concordant ACT score of 29.

797 (b) The State Board of Education shall publicize from the
798 2009 SAT Percentile Ranks the examination score required for a
799 student to be eligible for a Florida Medallion Scholars award
800 pursuant to s. 1009.535(1) (a) or (b), as follows:

801 1. For high school students graduating in the 2010-2011
802 academic year, the student must earn a score of 970 or a
803 concordant ACT score of 20; or for home educated students whose
804 parents cannot document a college-preparatory curriculum, a
805 score of 1070 or a concordant ACT score of 23.

806 2. For high school students graduating in the 2011-2012
807 academic year, the student must earn the 44th SAT percentile
808 rank score of 980 or a concordant ACT score of 21; or for home
809 educated students whose parents cannot document a college-
810 preparatory curriculum, a score of 1070 or a concordant ACT
811 score of 23.

812 3. For high school students graduating in the 2012-2013

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813 academic year, the student must earn the 50th SAT percentile
814 rank score of 1020 or a concordant ACT score of 22; or for home
815 educated students whose parents cannot document a college-
816 preparatory curriculum, a score of 1070 or a concordant ACT
817 score of 23.

818 4. For high school students graduating in the 2013-2014
819 academic year and thereafter, the student must earn the 56th SAT
820 percentile rank score of 1050 or a concordant ACT score of 23;
821 or for home educated students whose parents cannot document a
822 college-preparatory curriculum, a score of 1100 or a concordant
823 ACT score of 24.

824 (c) If the percentile ranks in paragraphs (a) and (b) do
825 not exactly correspond to an SAT score, the next highest
826 percentile rank shall be used.

827 Section 14. Section 1009.532, Florida Statutes, is amended
828 to read:

829 1009.532 Florida Bright Futures Scholarship Program;
830 student eligibility requirements for renewal awards.-

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

834 (a) Effective for students funded in the 2009-2010 academic
835 year and thereafter, earn at least 24 semester credit hours or
836 the equivalent in the last academic year in which the student
837 earned a scholarship if the student was enrolled full time, or a
838 prorated number of credit hours as determined by the Department
839 of Education if the student was enrolled less than full time for
840 any part of the academic year. For students funded prior to the
841 2010-2011 academic year, if a student fails to earn the minimum

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842 number of hours required to renew the scholarship, the student
843 shall lose his or her eligibility for renewal for a period
844 equivalent to 1 academic year. Such student is eligible to
845 restore the award the following academic year if the student
846 earns the hours for which he or she was enrolled at the level
847 defined by the department and meets the grade point average for
848 renewal. A student is eligible for such restoration one time.
849 The department shall notify eligible recipients of the
850 provisions of this paragraph. Each institution shall notify
851 award recipients of the provisions of this paragraph during the
852 registration process.

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

855 1. If a recipient's grades fall beneath the average
856 required to renew a Florida Academic Scholarship, but are
857 sufficient to renew a Florida Medallion Scholarship or a Florida
858 Gold Seal Vocational Scholarship, the Department of Education
859 may grant a renewal from one of those other scholarship
860 programs, if the student meets the renewal eligibility
861 requirements; or

862 2. For students funded prior to the 2010-2011 academic
863 term, if~~7~~ at any time during the eligibility period, a student's
864 grades are insufficient to renew the scholarship, the student
865 may restore eligibility by improving the grade point average to
866 the required level. A student is eligible for such a restoration
867 one time. The Legislature encourages education institutions to
868 assist students to calculate whether or not it is possible to
869 raise the grade point average during the summer term. If the
870 institution determines that it is possible, the education

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871 institution may so inform the department, which may reserve the
872 student's award if funds are available. The renewal, however,
873 must not be granted until the student achieves the required
874 cumulative grade point average. If the summer term is not
875 sufficient to raise the grade point average to the required
876 renewal level, the student's next opportunity for renewal is the
877 fall semester of the following academic year.~~;~~ ~~or~~

878 ~~3. If a student is receiving a Florida Bright Futures~~
879 ~~Scholarship, is a servicemember of the Florida National Guard or~~
880 ~~United States Reserves while attending a postsecondary~~
881 ~~institution, is called to active duty or state active duty, as~~
882 ~~defined in s. 250.01, prior to completing his or her degree, and~~
883 ~~meets all other requirements for the scholarship, the student~~
884 ~~shall be eligible to continue the scholarship for 2 years after~~
885 ~~completing active duty or state active duty.~~

886 (c) Reimburse or make satisfactory arrangements to
887 reimburse the institution for the award amount received for
888 courses dropped after the end of the drop and add period or
889 courses from which the student withdraws after the end of the
890 drop and add period unless the student has received an exception
891 pursuant to s. 1009.53(11).

892 (2) Effective for students initially funded in the 2010-
893 2011 academic term and thereafter, if a scholarship is not
894 renewed because of lack of completion of sufficient credit hours
895 or insufficient grades, the scholarship shall be renewed only
896 for the following reasons:

897 (a) The student failed to complete sufficient credit hours,
898 or to meet sufficient grades requirements due to verifiable
899 illness or other documented emergency and may be granted an

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900 exception pursuant to s. 1009.40(1)(b)4.; or

901 (b) If a student is a servicemember of the Florida National
902 Guard or United States Reserves while attending a postsecondary
903 institution, is called to active duty or state active duty, as
904 defined in s. 250.01, prior to completing his or her degree, and
905 meets all other requirements for the scholarship, the student
906 shall be eligible to continue the scholarship for 2 years after
907 completing active duty or state active duty.

908 (3)~~(2)~~ A student who is initially funded prior to the 2010-
909 2011 academic year and is enrolled in a program that terminates
910 in an associate degree or a baccalaureate degree may receive an
911 award for a maximum of 110 percent of the number of credit hours
912 required to complete the program. A student who is enrolled in a
913 program that terminates in a career certificate may receive an
914 award for a maximum of 110 percent of the credit hours or clock
915 hours required to complete the program up to 90 credit hours.
916 However, for a student who is initially funded in the 2010-2011
917 academic term and thereafter, the student may receive an award
918 for a maximum of 100 percent of the number of credit hours
919 required to complete an associate degree or a baccalaureate
920 degree program, or the student may receive an award for a
921 maximum of 100 percent of the credit hours or clock hours
922 required to complete up to 90 credit hours of a program that
923 terminates in a career certificate. A student who transfers from
924 one of these program levels to another becomes eligible for the
925 higher of the two credit hour limits.

926 Section 15. Subsections (1) and (5) of section 1009.534,
927 Florida Statutes, are amended to read:

928 1009.534 Florida Academic Scholars award.-

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929 (1) A student is eligible for a Florida Academic Scholars
930 award if the student meets the general eligibility requirements
931 for the Florida Bright Futures Scholarship Program and the
932 student:

933 (a) Has achieved a 3.5 weighted grade point average as
934 calculated pursuant to s. 1009.531, or its equivalent, in high
935 school courses that are designated by the State Board of
936 Education as college-preparatory academic courses; and has
937 attained at least the score pursuant to s. 1009.531(6)(a)
938 ~~identified by rules of the State Board of Education~~ on the
939 combined verbal and quantitative parts of the Scholastic
940 Aptitude Test, the Scholastic Assessment Test, or the recentered
941 Scholastic Assessment Test of the College Entrance Examination,
942 or an equivalent score on the ACT Assessment Program; ~~or~~

943 (b) Has attended a home education program according to s.
944 1002.41 during grades 11 and 12 or has completed the
945 International Baccalaureate curriculum but failed to earn the
946 International Baccalaureate Diploma or has completed the
947 Advanced International Certificate of Education curriculum but
948 failed to earn the Advanced International Certificate of
949 Education Diploma, and has attained at least the score pursuant
950 to s. 1009.531(6)(a) ~~identified by rules of the State Board of~~
951 ~~Education~~ on the combined verbal and quantitative parts of the
952 Scholastic Aptitude Test, the Scholastic Assessment Test, or the
953 recentered Scholastic Assessment Test of the College Entrance
954 Examination, or an equivalent score on the ACT Assessment
955 Program; ~~or~~

956 (c) Has been awarded an International Baccalaureate Diploma
957 from the International Baccalaureate Office or an Advanced

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958 International Certificate of Education Diploma from the
959 University of Cambridge International Examinations Office; ~~or~~

960 (d) Has been recognized by the merit or achievement
961 programs of the National Merit Scholarship Corporation as a
962 scholar or finalist; or

963 (e) Has been recognized by the National Hispanic
964 Recognition Program as a scholar recipient. A student must
965 complete a program of community service work, as approved by the
966 district school board or the administrators of a nonpublic
967 school, which shall include a minimum of 75 hours of service
968 work and require the student to identify a social problem that
969 interests him or her, develop a plan for his or her personal
970 involvement in addressing the problem, and, through papers or
971 other presentations, evaluate and reflect upon his or her
972 experience.

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

977 Section 16. Section 1009.5341, Florida Statutes, is created
978 to read:

979 1009.5341 Florida Bright Futures Scholarships for graduate
980 study.—Bright Futures Scholarship recipients who graduate with a
981 baccalaureate degree in 7 semesters or equivalent hours or fewer
982 and wish to pursue graduate study may apply the unused portion
983 of their academic or medallion scholarship award toward 1
984 semester of graduate study, not to exceed 15 semester hours paid
985 at the undergraduate rate. A baccalaureate degree may include,
986 but is not limited to, college credits earned through dual

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987 enrollment, SAT, and ACT examinations.

988 Section 17. Subsections (1) and (4) of section 1009.535,
989 Florida Statutes, are amended to read:

990 1009.535 Florida Medallion Scholars award.—

991 (1) A student is eligible for a Florida Medallion Scholars
992 award if the student meets the general eligibility requirements
993 for the Florida Bright Futures Scholarship Program and the
994 student:

995 (a) Has achieved a weighted grade point average of 3.0 as
996 calculated pursuant to s. 1009.531, or the equivalent, in high
997 school courses that are designated by the State Board of
998 Education as college-preparatory academic courses; and has
999 attained at least the score pursuant to s. 1009.531(6)(b)
1000 ~~identified by rules of the State Board of Education~~ on the
1001 combined verbal and quantitative parts of the Scholastic
1002 Aptitude Test, the Scholastic Assessment Test, or the recentered
1003 Scholastic Assessment Test of the College Entrance Examination,
1004 or an equivalent score on the ACT Assessment Program; ~~or~~

1005 (b) ~~Has attended a home education program according to s.~~
1006 ~~1002.41 during grades 11 and 12 or has completed the~~
1007 International Baccalaureate curriculum but failed to earn the
1008 International Baccalaureate Diploma or has completed the
1009 Advanced International Certificate of Education curriculum but
1010 failed to earn the Advanced International Certificate of
1011 Education Diploma, and has attained at least the score pursuant
1012 to s. 1009.531(6)(b) ~~identified by rules of the State Board of~~
1013 ~~Education~~ on the combined verbal and quantitative parts of the
1014 Scholastic Aptitude Test, the Scholastic Assessment Test, or the
1015 recentered Scholastic Assessment Test of the College Entrance

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1016 Examination, or an equivalent score on the ACT Assessment
1017 Program; ~~or~~

1018 (c) Has attended a home education program according to s.
1019 1002.41 during grades 11 and 12 and has attained at least the
1020 score pursuant to s. 1009.531(6) (b) on the combined verbal and
1021 quantitative parts of the Scholastic Aptitude Test, the
1022 Scholastic Assessment Test, or the recentered Scholastic
1023 Assessment Test of the College Entrance Examination, or an
1024 equivalent score on the ACT Assessment Program for award
1025 eligibility for students whose parents cannot document a
1026 college-preparatory curriculum under paragraph (a);

1027 (d)~~(e)~~ Has been recognized by the merit or achievement
1028 program of the National Merit Scholarship Corporation as a
1029 scholar or finalist but has not completed a program of community
1030 service as provided in s. 1009.534; or

1031 (e)~~(d)~~ Has been recognized by the National Hispanic
1032 Recognition Program as a scholar, but has not completed a
1033 program of community service as provided in s. 1009.534.

1034 (4) Notwithstanding subsection (2), a Florida Medallion
1035 Scholar is eligible for an award equal to the amount specified
1036 in the General Appropriations Act ~~for the 2009-2010 academic~~
1037 ~~year. This subsection expires July 1, 2010.~~

1038 Section 18. Section 1009.537, Florida Statutes, is
1039 repealed.

1040 Section 19. Subsections (4) and (5) of section 1009.536,
1041 Florida Statutes, are amended to read:

1042 1009.536 Florida Gold Seal Vocational Scholars award.—The
1043 Florida Gold Seal Vocational Scholars award is created within
1044 the Florida Bright Futures Scholarship Program to recognize and

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1045 reward academic achievement and career preparation by high
1046 school students who wish to continue their education.

1047 (4) A student may earn a Florida Gold Seal Vocational
1048 Scholarship for 110 percent of the number of credit hours
1049 required to complete the program, up to 90 credit hours or the
1050 equivalent. However, for a student who is initially funded in
1051 the 2010-2011 academic term and thereafter, the student may earn
1052 a Florida Gold Seal Vocational Scholarship for 100 percent of
1053 the number of credit hours required to complete the program, up
1054 to 90 credit hours or the equivalent.

1055 (5) Notwithstanding subsection (2), a Florida Gold Seal
1056 Vocational Scholar is eligible for an award equal to the amount
1057 specified in the General Appropriations Act ~~for the 2009-2010~~
1058 ~~academic year. This subsection expires July 1, 2010.~~

1059 Section 20. Section 1009.5385, Florida Statutes, is
1060 repealed.

1061 Section 21. Subsections (2), (3), and (4) of section
1062 1009.72, Florida Statutes, are amended to read:

1063 1009.72 Jose Marti Scholarship Challenge Grant Program.—

1064 (2) ~~Funds appropriated by the Legislature for the program~~
1065 ~~shall be deposited in the State Student Financial Assistance~~
1066 ~~Trust Fund. The Chief Financial Officer shall authorize~~
1067 ~~expenditures from the trust fund upon receipt of vouchers~~
1068 ~~approved by the Department of Education.~~ All moneys collected
1069 from private sources for the purposes of this section shall be
1070 deposited into the State Student Financial Assistance Trust
1071 Fund. Any balance in the trust fund at the end of any fiscal
1072 year which ~~that~~ has been allocated to the program shall remain
1073 therein and shall be available for carrying out the purposes of

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1074 the program. All funds deposited into the trust fund for the
1075 program shall be invested pursuant to s. 17.61. Interest income
1076 accruing to that portion of the funds which are allocated to the
1077 program in the trust fund and not matched shall increase the
1078 total funds available for the program.

1079 (3) The Legislature may appropriate funds ~~shall designate~~
1080 ~~funds to be transferred to the trust fund for the program from~~
1081 ~~the General Revenue Fund. Such funds shall be divided into~~
1082 ~~challenge grants to be administered by the Department of~~
1083 ~~Education. All appropriated funds deposited into the trust fund~~
1084 ~~for the program shall be invested pursuant to the provisions of~~
1085 ~~s. 17.61. Interest income accruing to that portion of the funds~~
1086 ~~that are allocated to the program in the trust fund and not~~
1087 ~~matched shall increase the total funds available for the~~
1088 ~~program.~~

1089 (4) The amounts ~~amount~~ ~~appropriated to the trust fund~~ for
1090 the program shall be allocated by the department on the basis of
1091 one \$5,000 challenge grant for each \$2,500 raised from private
1092 sources. Matching funds shall be generated through contributions
1093 made after July 1, 1986, and pledged for the purposes of this
1094 section. Pledged contributions shall not be eligible for
1095 matching prior to the actual collection of the total funds.

1096 Section 22. Subsections (2), (3), and (4) of section
1097 1009.73, Florida Statutes, are amended to read:

1098 1009.73 Mary McLeod Bethune Scholarship Program.—

1099 (2) ~~Funds appropriated by the Legislature for the program~~
1100 ~~shall be deposited in the State Student Financial Assistance~~
1101 ~~Trust Fund. The Chief Financial Officer shall authorize~~
1102 ~~expenditures from the trust fund upon receipt of vouchers~~

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1103 ~~approved by the Department of Education.~~ The Department of
1104 Education shall receive all moneys collected from private
1105 sources for the purposes of this section and shall deposit such
1106 moneys into the State Student Financial Assistance Trust Fund.
1107 Notwithstanding the provisions of s. 216.301 and pursuant to s.
1108 216.351, any balance in the trust fund at the end of any fiscal
1109 year which ~~that~~ has been allocated to the program shall remain
1110 in the trust fund and shall be available for carrying out the
1111 purposes of the program. All moneys deposited into the trust
1112 fund for the program shall be invested pursuant to s. 17.61.
1113 Interest income accruing to that portion of the funds which are
1114 allocated to the program in the trust fund and not matched shall
1115 increase the total funds available for the program.

1116 (3) The Legislature may appropriate funds ~~shall appropriate~~
1117 ~~moneys to the trust fund~~ for the program from the General
1118 Revenue Fund. Such moneys shall be applied to scholarships to be
1119 administered by the Department of Education. ~~All moneys~~
1120 ~~deposited into the trust fund for the program shall be invested~~
1121 ~~pursuant to the provisions of s. 17.61. Interest income accruing~~
1122 ~~to the program shall be expended to increase the total moneys~~
1123 ~~available for scholarships.~~

1124 (4) The moneys ~~in the trust fund~~ for the program shall be
1125 allocated by the department among the institutions of higher
1126 education listed in subsection (1) on the basis of one \$2,000
1127 challenge grant for each \$1,000 raised from private sources.
1128 Matching funds shall be generated through contributions made
1129 after July 1, 1990, and pledged for the purposes of this
1130 section. Pledged contributions shall not be eligible for
1131 matching prior to the actual collection of the total funds. The

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1132 department shall allocate to each of those institutions a
1133 proportionate share of the contributions received on behalf of
1134 those institutions and a share of the appropriations and
1135 matching funds generated by such institution.

1136 Section 23. Paragraph (e) is added to subsection (1) of
1137 section 1010.62, Florida Statutes, to read:

1138 1010.62 Revenue bonds and debt.—

1139 (1) As used in this section, the term:

1140 (e) "Auxiliary enterprise" means any activity defined in s.
1141 1011.47(1) and performed by a university or a direct-support
1142 organization.

1143 Section 24. Subsection (2) of section 1010.87, Florida
1144 Statutes, is amended to read:

1145 1010.87 Workers' Compensation Administration Trust Fund
1146 within the Department of Education.—

1147 (2) Funds appropriated by nonoperating transfer from the
1148 Department of Financial Services Workers' Compensation
1149 Administration Trust Fund which remain unencumbered as of June
1150 30 or undisbursed as of September 30 shall revert to the
1151 Department of Financial Services Workers' Compensation
1152 Administration Trust Fund. ~~Notwithstanding the provisions of s.~~
1153 ~~216.301 and pursuant to s. 216.351, any balance in the trust~~
1154 ~~fund at the end of any fiscal year shall remain in the trust~~
1155 ~~fund at the end of the year and shall be available for carrying~~
1156 ~~out the purposes of the trust fund.~~

1157 Section 25. Paragraph (a) of subsection (5) of section
1158 1011.80, Florida Statutes, is amended to read:

1159 1011.80 Funds for operation of workforce education
1160 programs.—

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1161 (5) State funding and student fees for workforce education
1162 instruction shall be established as follows:

1163 (a) Expenditures for the continuing workforce education
1164 program provided by the community colleges or school districts
1165 must be fully supported by fees. Enrollments in continuing
1166 workforce education courses shall not be counted for purposes of
1167 funding full-time equivalent enrollment. For a continuing
1168 workforce education course, state funding shall equal 50 percent
1169 of the cost of instruction, with student fees, business support,
1170 quick-response training funds, or other means making up the
1171 remaining 50 percent.

1172 Section 26. Section 1012.885, Florida Statutes, is created
1173 to read:

1174 1012.885 Remuneration of community college presidents;
1175 limitations.-

1176 (1) DEFINITIONS.-As used in this section, the term:

1177 (a) "Cash-equivalent compensation" means any benefit that
1178 may be assigned an equivalent cash value.

1179 (b) "Public funds" means funds appropriated from the
1180 General Revenue Fund, funds appropriated from state trust funds,
1181 tuition and fees, or any funds from a community college trust
1182 fund regardless of repository.

1183 (c) "Remuneration" means salary, bonuses, and cash-
1184 equivalent compensation paid to a community college president by
1185 his or her employer for work performed, excluding health
1186 insurance benefits and retirement benefits.

1187 (2) LIMITATION ON COMPENSATION.-Notwithstanding any other
1188 law, resolution, or rule to the contrary, a community college
1189 president may not receive more than \$225,000 in remuneration

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1190 annually from appropriated state funds. Only compensation, as
1191 such term is defined in s. 121.021(22), provided to a community
1192 college president may be used in calculating benefits under
1193 chapter 121.

1194 (3) EXCEPTIONS.—This section does not prohibit any party
1195 from providing cash or cash-equivalent compensation from funds
1196 that are not appropriated state funds to a community college
1197 president in excess of the limit in subsection (2). If a party
1198 is unable or unwilling to fulfill an obligation to provide cash
1199 or cash-equivalent compensation to a community college president
1200 as permitted under this subsection, appropriated state funds may
1201 not be used to fulfill such obligation.

1202 Section 27. The Office of Program Policy Analysis and
1203 Government Accountability shall conduct a review of the public
1204 school adult workforce education programs and the community
1205 college and state college workforce education programs for the
1206 purpose of identifying and analyzing the positive and negative
1207 aspects of merging the school district programs with the
1208 community college and state college programs. The office shall
1209 submit the results of its review to the Legislature by December
1210 1, 2010.

1211 Section 28. This act shall take effect July 1, 2010.