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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/06/2010 09:59 AM

Senator Lynn moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

295.02 Use of funds; age, etc.—

(1) Sums appropriated and expended to carry out the
provisions of s. 295.01(1) shall be used to pay an award equal
to the amount of tuition and required registration fees as
defined by the department or an amount specified in the General
Appropriations Act ~~tuition and registration fees, board, and~~
~~room rent and to buy books and supplies~~ for the children or



475964

14 spouses of deceased or disabled veterans or servicemembers, as
15 defined and limited in s. 295.01, s. 295.016, s. 295.017, s.
16 295.018, s. 295.0185, s. 295.019, or s. 295.0195, or of parents
17 classified as prisoners of war or missing in action, as defined
18 and limited in s. 295.015, who are between the ages of 16 and 22
19 years and who are in attendance at an eligible postsecondary
20 education a state-supported institution as defined in s. 295.04
21 of higher learning, including a community college or career
22 center. Any child having entered upon a course of training or
23 education under the provisions of this chapter, consisting of a
24 course of not more than 4 years, and arriving at the age of 22
25 years before the completion of such course may continue the
26 course and receive all benefits of the provisions of this
27 chapter until the course is completed.

28 (2) Sums appropriated and expended to carry out the
29 provisions of s. 295.01(2) shall be used to pay tuition and
30 registration fees, board, and room rent and to buy books and
31 supplies for the spouses of deceased or disabled veterans or
32 servicemembers, as defined and limited in s. 295.01, who are
33 enrolled at an eligible postsecondary education a state-
34 supported institution as defined in s. 295.04 of higher
35 learning, including a community college or career center.

36 (3) Notwithstanding the benefits-disbursement provision in
37 s. 295.04, such funds shall be applicable for up to 110 percent
38 of the number of required credit hours of an initial
39 baccalaureate degree or certificate program for which the
40 student spouse is enrolled.

41 (4)~~(3)~~ The Department of Education shall administer this
42 educational program subject to regulations of the department.



475964

43 Section 2. Paragraph (a) of subsection (6) of section
44 440.491, Florida Statutes, is amended to read:

45 440.491 Reemployment of injured workers; rehabilitation.—

46 (6) TRAINING AND EDUCATION.—

47 (a) Upon referral of an injured employee by the carrier, or
48 upon the request of an injured employee, the department shall
49 conduct a training and education screening to determine whether
50 it should refer the employee for a vocational evaluation and, if
51 appropriate, approve training and education or other vocational
52 services for the employee. The department may not approve formal
53 training and education programs unless it determines, after
54 consideration of the reemployment assessment, pertinent
55 reemployment status reviews or reports, and such other relevant
56 factors as it prescribes by rule, that the reemployment plan is
57 likely to result in return to suitable gainful employment. The
58 department is authorized to expend moneys from the Workers'
59 Compensation Administration Trust Fund, established by s.
60 440.50, to secure appropriate training and education at a
61 Florida public community college as designated in s. 1000.21(3)
62 or at a career center established under s. 1001.44, or to secure
63 other vocational services when necessary to satisfy the
64 recommendation of a vocational evaluator. As used in this
65 paragraph, "appropriate training and education" includes
66 securing a general education diploma (GED), if necessary. The
67 department shall establish training and education standards
68 pertaining to employee eligibility, course curricula and
69 duration, and associated costs. For purposes of this subsection,
70 training and education services may be secured from additional
71 providers if:



475964

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

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

79 3. The most appropriate training and education program is
80 available only through a provider other than a Florida public
81 college or career center or at a Florida public college or
82 career center located more than 50 miles away from the injured
83 employee's customary residence.

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

86 1000.04 Components for the delivery of public education
87 within the Florida K-20 education system.—Florida's K-20
88 education system provides for the delivery of public education
89 through publicly supported and controlled K-12 schools,
90 community colleges, state universities and other postsecondary
91 educational institutions, other educational institutions, and
92 other educational services as provided or authorized by the
93 Constitution and laws of the state.

94 (2) PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—Public
95 postsecondary educational institutions include charter technical
96 career centers; career centers operated by a school district
97 ~~workforce education~~; community colleges; colleges; state
98 universities; and all other state-supported postsecondary
99 educational institutions that are authorized and established by
100 law.



475964

101 Section 4. Paragraph (a) of subsection (2) of section
102 1001.74, Florida Statutes, is amended to read:

103 1001.74 Powers and duties of university boards of
104 trustees.—

105 (2) POWERS AND DUTIES RELATING TO ORGANIZATION AND
106 OPERATION OF STATE UNIVERSITIES.—

107 (a) Each board of trustees constitutes the contracting
108 agent of the university. Each university shall comply with the
109 provisions of s. 287.055 for the procurement of professional
110 services and may approve and execute all contracts for planning,
111 construction, and equipment. For the purpose of a university's
112 contracting authority, a "continuing contract" for professional
113 services under the provisions of s. 287.055 is one in which
114 construction costs do not exceed \$2 ~~\$1~~ million or the fee for
115 study activity does not exceed \$200,000 ~~\$100,000~~. Contracts
116 executed pursuant to this paragraph are subject to the
117 requirements of s. 1010.62.

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

120 1004.085 Textbook affordability.—

121 (4) ~~By March 1, 2009,~~ The State Board of Education and the
122 Board of Governors each shall adopt policies, procedures, and
123 guidelines for implementation by community colleges and state
124 universities, respectively, that further efforts to minimize the
125 cost of textbooks for students attending such institutions while
126 maintaining the quality of education and academic freedom. The
127 policies, procedures, and guidelines shall provide for the
128 following:

129 (a) That textbook adoptions are made with sufficient lead



475964

130 time to bookstores so as to confirm availability of the
131 requested materials and, where possible, ensure maximum
132 availability of used books.

133 (b) That, in the textbook adoption process, the intent to
134 use all items ordered, particularly each individual item sold as
135 part of a bundled package, is confirmed by the course instructor
136 or the academic department offering the course before the
137 adoption is finalized.

138 (c) That a course instructor or the academic department
139 offering the course determines, before a textbook is adopted,
140 the extent to which a new edition differs significantly and
141 substantively from earlier versions and the value of changing to
142 a new edition or the extent to which an open-access textbook may
143 exist and be used.

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

148 (e) That encourages course instructors and academic
149 departments to participate in the development, adaptation, and
150 review of open-access textbooks, in particular, open-access
151 textbooks for high-demand general education courses.

152 Section 6. Paragraph (b) of subsection (2) of section
153 1004.091, Florida Statutes, is amended to read:

154 1004.091 Florida Distance Learning Consortium.—

155 (2) The Florida Distance Learning Consortium shall:

156 (b) Develop, in consultation with the Florida College
157 System and the State University System, a plan to be submitted
158 to the Board of Governors, the State Board of Education, the



475964

159 Governor, the President of the Senate, and the Speaker of the
160 House of Representatives no later than December ~~March~~ 1, 2010,
161 for implementing. ~~The plan must address the implementation of a~~
162 streamlined, automated, online registration process for
163 undergraduate students who have been admitted to a public
164 postsecondary educational institution and who wish to enroll in
165 a course listed in the Florida Higher Education Distance
166 Learning Catalog, including courses offered by an institution
167 that is not the student's degree-granting or home institution.
168 The plan must describe how such a registration process can be
169 implemented by the 2011-2012 academic year as an alternative to
170 the standard registration process of each institution. The plan
171 must also address:

172 1. Fiscal and substantive policy changes needed to address
173 administrative, academic, and programmatic policies and
174 procedures. Policy areas that the plan must address include, but
175 need not be limited to, student financial aid issues, variations
176 in fees, admission and readmission, registration-prioritization
177 issues, transfer of credit, and graduation requirements, with
178 specific attention given to creating recommended guidelines that
179 address students who attend more than one institution in pursuit
180 of a degree.

181 2. A method for the expedited transfer of distance learning
182 course credit awarded by an institution offering a distance
183 learning course to a student's degree-granting or home
184 institution upon the student's successful completion of the
185 distance learning course.

186 3. Compliance with applicable technology security standards
187 and guidelines to ensure the secure transmission of student



475964

188 information.

189 Section 7. Section 1009.21, Florida Statutes, is amended to
190 read:

191 1009.21 Determination of resident status for tuition
192 purposes.—Students shall be classified as residents or
193 nonresidents for the purpose of assessing tuition in charter
194 technical centers, career centers operated by school districts,
195 community colleges, and state universities.

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

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

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

203 (c) "Institution of higher education" means any charter
204 technical career center as defined in s. 1002.34, career center
205 operated by a school district as defined in s. 1001.44,
206 community college as defined in s. 1000.21(3), or state
207 university as defined in s. 1000.21(6).

208 (d) "Legal resident" or "resident" means a person who has
209 maintained his or her residence in this state for the preceding
210 year, has purchased a home which is occupied by him or her as
211 his or her residence, or has established a domicile in this
212 state pursuant to s. 222.17.

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

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



475964

217 (g) "Resident for tuition purposes" means a person who
218 qualifies as provided in this section for the in-state tuition
219 rate.

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

221 1. A person or, if that person is a dependent child, his or
222 her parent or parents must have established legal residence in
223 this state and must have maintained legal residence in this
224 state for at least 12 consecutive months immediately prior to
225 his or her initial enrollment in an institution of higher
226 education.

227 2. Every applicant for admission to an institution of
228 higher education shall be required to make a statement as to his
229 or her length of residence in the state and, further, shall
230 establish that his or her presence or, if the applicant is a
231 dependent child, the presence of his or her parent or parents in
232 the state currently is, and during the requisite 12-month
233 qualifying period was, for the purpose of maintaining a bona
234 fide domicile, rather than for the purpose of maintaining a mere
235 temporary residence or abode incident to enrollment in an
236 institution of higher education.

237 (b) However, with respect to a dependent child living with
238 an adult relative other than the child's parent, such child may
239 qualify as a resident for tuition purposes if the adult relative
240 is a legal resident who has maintained legal residence in this
241 state for at least 12 consecutive months immediately prior to
242 the child's initial enrollment in an institution of higher
243 education, provided the child has resided continuously with such
244 relative for the 5 years immediately prior to the child's
245 initial enrollment in an institution of higher education, during



475964

246 which time the adult relative has exercised day-to-day care,
247 supervision, and control of the child.

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

254 (3) (a) An individual shall not be classified as a resident
255 for tuition purposes and, thus, shall not be eligible to receive
256 the in-state tuition rate until he or she has provided such
257 evidence related to legal residence and its duration or, if that
258 individual is a dependent child, evidence of his or her parent's
259 legal residence and its duration, as may be required by law and
260 by officials of the institution of higher education from which
261 he or she seeks the in-state tuition rate.

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

267 (c) Each institution of higher education shall
268 affirmatively determine that an applicant who has been granted
269 admission to that institution as a Florida resident meets the
270 residency requirements of this section at the time of initial
271 enrollment. The residency determination must be documented by
272 the submission of written or electronic verification that
273 includes two or more of the documents identified in this
274 paragraph. No single piece of evidence shall be conclusive.



475964

- 275 1. The documents must include at least one of the
276 following:
- 277 a. A Florida voter's registration card.
 - 278 b. A Florida driver's license.
 - 279 c. A State of Florida identification card.
 - 280 d. A Florida vehicle registration.
 - 281 e. Proof of a permanent home in Florida which is occupied
282 as a primary residence by the individual or by the individual's
283 parent if the individual is a dependent child.
 - 284 f. Proof of a homestead exemption in Florida.
 - 285 g. Transcripts from a Florida high school for multiple
286 years if the Florida high school diploma or GED was earned
287 within the last 12 months.
 - 288 h. Proof of permanent full-time employment in Florida for
289 at least 30 hours per week for a 12-month period.
- 290 2. The documents may include one or more of the following:
- 291 a. A declaration of domicile in Florida.
 - 292 b. A Florida professional or occupational license.
 - 293 c. Florida incorporation.
 - 294 d. A document evidencing family ties in Florida.
 - 295 e. Proof of membership in a Florida-based charitable or
296 professional organization.
 - 297 f. Any other documentation that supports the student's
298 request for resident status, including, but not limited to,
299 utility bills and proof of 12 consecutive months of payments; a
300 lease agreement and proof of 12 consecutive months of payments;
301 or an official state, federal, or court document evidencing
302 legal ties to Florida.
- 303 (4) With respect to a dependent child, the legal residence



475964

304 of the dependent child's parent or parents is prima facie
305 evidence of the dependent child's legal residence, which
306 evidence may be reinforced or rebutted, relative to the age and
307 general circumstances of the dependent child, by the other
308 evidence of legal residence required of or presented by the
309 dependent child. However, the legal residence of a dependent
310 child's parent or parents who are domiciled outside this state
311 is not prima facie evidence of the dependent child's legal
312 residence if that dependent child has lived in this state for 5
313 consecutive years prior to enrolling or reregistering at the
314 institution of higher education at which resident status for
315 tuition purposes is sought.

316 (5) In making a domiciliary determination related to the
317 classification of a person as a resident or nonresident for
318 tuition purposes, the domicile of a married person, irrespective
319 of sex, shall be determined, as in the case of an unmarried
320 person, by reference to all relevant evidence of domiciliary
321 intent. For the purposes of this section:

322 (a) A person shall not be precluded from establishing or
323 maintaining legal residence in this state and subsequently
324 qualifying or continuing to qualify as a resident for tuition
325 purposes solely by reason of marriage to a person domiciled
326 outside this state, even when that person's spouse continues to
327 be domiciled outside of this state, provided such person
328 maintains his or her legal residence in this state.

329 (b) A person shall not be deemed to have established or
330 maintained a legal residence in this state and subsequently to
331 have qualified or continued to qualify as a resident for tuition
332 purposes solely by reason of marriage to a person domiciled in



475964

333 this state.

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

338 (6) (a) Except as otherwise provided in this section, a
339 person who is classified as a nonresident for tuition purposes
340 may become eligible for reclassification as a resident for
341 tuition purposes if that person or, if that person is a
342 dependent child, his or her parent presents clear and convincing
343 documentation that supports permanent legal residency in this
344 state for at least 12 consecutive months rather than temporary
345 residency for the purpose of pursuing an education, such as
346 documentation of full-time permanent employment for the prior 12
347 months or the purchase of a home in this state and residence
348 therein for the prior 12 months while not enrolled in an
349 institution of higher education.

350 (b) If a person who is a dependent child and his or her
351 parent move to this state while such child is a high school
352 student and the child graduates from a high school in this
353 state, the child may become eligible for reclassification as a
354 resident for tuition purposes when the parent submits evidence
355 that the parent qualifies for permanent residency.

356 (c) If a person who is a dependent child and his or her
357 parent move to this state after such child graduates from high
358 school, the child may become eligible for reclassification as a
359 resident for tuition purposes after the parent submits evidence
360 that he or she has established legal residence in the state and
361 has maintained legal residence in the state for at least 12



475964

362 consecutive months.

363 (d) A person who is classified as a nonresident for tuition
364 purposes and who marries a legal resident of the state or
365 marries a person who becomes a legal resident of the state may,
366 upon becoming a legal resident of the state, become eligible for
367 reclassification as a resident for tuition purposes upon
368 submitting evidence of his or her own legal residency in the
369 state, evidence of his or her marriage to a person who is a
370 legal resident of the state, and evidence of the spouse's legal
371 residence in the state for at least 12 consecutive months
372 immediately preceding the application for reclassification.

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

377 (8) A person who has been properly classified as a resident
378 for tuition purposes but who, while enrolled in an institution
379 of higher education in this state, loses his or her resident
380 tuition status because the person or, if he or she is a
381 dependent child, the person's parent or parents establish
382 domicile or legal residence elsewhere shall continue to enjoy
383 the in-state tuition rate for a statutory grace period, which
384 period shall be measured from the date on which the
385 circumstances arose that culminated in the loss of resident
386 tuition status and shall continue for 12 months. However, if the
387 12-month grace period ends during a semester or academic term
388 for which such former resident is enrolled, such grace period
389 shall be extended to the end of that semester or academic term.

390 (9) Any person who ceases to be enrolled at or who



475964

391 graduates from an institution of higher education while
392 classified as a resident for tuition purposes and who
393 subsequently abandons his or her domicile in this state shall be
394 permitted to reenroll at an institution of higher education in
395 this state as a resident for tuition purposes without the
396 necessity of meeting the 12-month durational requirement of this
397 section if that person has reestablished his or her domicile in
398 this state within 12 months of such abandonment and continuously
399 maintains the reestablished domicile during the period of
400 enrollment. The benefit of this subsection shall not be accorded
401 more than once to any one person.

402 (10) The following persons shall be classified as residents
403 for tuition purposes:

404 (a) Active duty members of the Armed Services of the United
405 States residing or stationed in this state, their spouses, and
406 dependent children, and active drilling members of the Florida
407 National Guard.

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

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

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



475964

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

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

426 (g) Full-time employees of state agencies or political
427 subdivisions of the state when the student fees are paid by the
428 state agency or political subdivision for the purpose of job-
429 related law enforcement or corrections training.

430 (h) McKnight Doctoral Fellows and Finalists who are United
431 States citizens.

432 (i) United States citizens living outside the United States
433 who are teaching at a Department of Defense Dependent School or
434 in an American International School and who enroll in a graduate
435 level education program which leads to a Florida teaching
436 certificate.

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

442 (k) Active duty members of a foreign nation's military who
443 are serving as liaison officers and are residing or stationed in
444 this state, and their spouses and dependent children, attending
445 a community college or state university within 50 miles of the
446 military establishment where the foreign liaison officer is
447 stationed.

448 (11) Each institution of higher education shall establish a



475964

449 residency appeal committee comprised of at least three members
450 to consider student appeals of residency determinations, in
451 accordance with the institution's official appeal process. The
452 residency appeal committee must render to the student the final
453 residency determination in writing. The institution must advise
454 the student of the reasons for the determination.

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

457 Section 8. Paragraph (b) of subsection (3) of section
458 1009.22, Florida Statutes, is amended to read:

459 1009.22 Workforce education postsecondary student fees.—

460 (3)

461 (b) Fees for continuing workforce education shall be
462 locally determined by the district school board or community
463 college board. ~~However, at least 50 percent of the Expenditures~~
464 ~~for the continuing workforce education program provided by the~~
465 ~~community college or school district must be fully supported by~~
466 ~~derived from fees. Enrollments in continuing workforce education~~
467 ~~courses may not be counted for purposes of funding full-time~~
468 ~~equivalent enrollment.~~

469 Section 9. Paragraph (a) of subsection (3) of section
470 1006.59, Florida Statutes, is amended to read:

471 1006.59 The Historically Black College and University
472 Library Improvement Program.—

473 (3) Each institution shall submit to the State Board of
474 Education a plan for enhancing its library through the following
475 activities:

476 (a) Each institution shall increase the number of volumes
477 by purchasing replacement books and new titles. Funds shall not



475964

478 be used to purchase periodicals ~~or nonprint media~~. The goal of
479 these purchases is to meet the needs of students and faculty in
480 disciplines that have recently been added to the curriculum, in
481 traditional academic fields that have been expanded, or in
482 academic fields in which rapid changes in technology result in
483 accelerated obsolescence of related library holdings.

484 Section 10. Section 1006.72, Florida Statutes, is created
485 to read:

486 1006.72 Licensing electronic library resources.—The
487 Legislature finds that the most cost-efficient and cost-
488 effective means of licensing electronic library resources
489 requires that state universities and colleges collaborate with
490 school districts and public libraries in the identification and
491 acquisition of resources needed by more than one sector. The
492 appropriate library staff from the state universities, colleges,
493 school districts, and public libraries shall implement an annual
494 process that identifies the electronic library resources for
495 each of the core categories established in this section. To the
496 extent possible, the Florida Center for Library Automation, the
497 College Center for Library Automation, and the Division of
498 Library and Information Services within the Department of State
499 shall jointly coordinate this annual process.

500 (1) STATEWIDE CORE CATEGORY.—For purposes of licensing
501 electronic library resources of the Florida Electronic Library,
502 library representatives from the public libraries, school
503 districts, colleges, and state universities shall identify those
504 resources that comprise the statewide core that will be
505 available to all students, teachers, and residents of the state.

506 (2) POSTSECONDARY EDUCATION CORE CATEGORY.—From funds



475964

507 appropriated to the Florida Center for Library Automation and
508 the College Center for Library Automation for licensing the
509 electronic library resources required by both systems, state
510 university and college library staff shall identify the
511 postsecondary education core that shall be available to all
512 postsecondary students.

513 (3) FOUR-YEAR DEGREE CORE CATEGORY.—From funds appropriated
514 to the Florida Center for Library Automation for licensing
515 electronic library resources beyond the postsecondary education
516 core, state university library staff, in consultation with
517 applicable college library staff, shall identify those resources
518 that comprise the 4-year degree core that shall be available to
519 all 4-year degree-seeking students in the college and state
520 university systems. The Florida Center for Library Automation
521 shall include in the negotiated pricing model any college
522 interested in licensing resources.

523 (4) TWO-YEAR DEGREE CORE CATEGORY.—From funds appropriated
524 to the College Center for Library Automation for licensing
525 electronic library resources beyond the postsecondary education
526 core, college library staff shall identify those resources that
527 comprise the college core that shall be available to all college
528 students. The College Center for Library Automation shall
529 include in the negotiated pricing model any state university
530 interested in licensing a resource.

531 Section 11. Paragraph (b) of subsection (16) of section
532 1009.24, Florida Statutes, is amended to read:

533 1009.24 State university student fees.—

534 (16) Each university board of trustees may establish a
535 tuition differential for undergraduate courses upon receipt of



475964

536 approval from the Board of Governors. The tuition differential
537 shall promote improvements in the quality of undergraduate
538 education and shall provide financial aid to undergraduate
539 students who exhibit financial need.

540 (b) Each tuition differential is subject to the following
541 conditions:

542 1. The tuition differential may be assessed on one or more
543 undergraduate courses or on all undergraduate courses at a state
544 university.

545 2. The tuition differential may vary by course or courses,
546 campus or center location, and by institution. Each university
547 board of trustees shall strive to maintain and increase
548 enrollment in degree programs related to math, science, high
549 technology, and other state or regional high-need fields when
550 establishing tuition differentials by course.

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

554 ~~4.3.~~ For each state university that has total research and
555 development expenditures for all fields of at least \$100 million
556 per year as reported annually to the National Science
557 Foundation, the aggregate sum of tuition and the tuition
558 differential may not be increased by more than 15 percent of the
559 total charged for the aggregate sum of these fees in the
560 preceding fiscal year. For each state university that has total
561 research and development expenditures for all fields of less
562 than \$100 million per year as reported annually to the National
563 Science Foundation, the aggregate sum of tuition and the tuition
564 differential may not be increased by more than 15 percent of the



475964

565 total charged for the aggregate sum of these fees in the
566 preceding fiscal year.

567 ~~5.4.~~ The aggregate sum of undergraduate tuition and fees
568 per credit hour, including the tuition differential, may not
569 exceed the national average of undergraduate tuition and fees at
570 4-year degree-granting public postsecondary educational
571 institutions.

572 ~~6.5.~~ The tuition differential may not be calculated as a
573 part of the scholarship programs established in ss. 1009.53-
574 1009.538.

575 ~~7.6.~~ Beneficiaries having prepaid tuition contracts
576 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
577 2007, and which remain in effect, are exempt from the payment of
578 the tuition differential.

579 ~~8.7.~~ The tuition differential may not be charged to any
580 student who was in attendance at the university before July 1,
581 2007, and who maintains continuous enrollment.

582 ~~9.8.~~ The tuition differential may be waived by the
583 university for students who meet the eligibility requirements
584 for the Florida public student assistance grant established in
585 s. 1009.50.

586 ~~10.9.~~ Subject to approval by the Board of Governors, the
587 tuition differential authorized pursuant to this subsection may
588 take effect with the 2009 fall term.

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

591 1009.53 Florida Bright Futures Scholarship Program.—

592 (3) The Department of Education shall administer the Bright
593 Futures Scholarship Program according to rules and procedures



475964

594 established by the State Board of Education. A single state
595 application must be sufficient for a student to apply for any of
596 the three types of awards. For a student applying for an initial
597 award in the 2010-2011 academic year and thereafter, in order to
598 become eligible each year for a Bright Futures Scholarship
599 award, the student must submit the Free Application for Federal
600 Student Aid, along with a valid expected family contribution.

601 The department must advertise the availability of the
602 scholarship program and must notify students, teachers, parents,
603 guidance counselors, and principals or other relevant school
604 administrators of the criteria and application procedures. The
605 department must begin this process of notification no later than
606 January 1 of each year.

607 Section 13. Subsection (2) of section 1009.531, Florida
608 Statutes, is amended, and subsection (6) is added to that
609 section, to read:

610 1009.531 Florida Bright Futures Scholarship Program;
611 student eligibility requirements for initial awards.-

612 (2) For students graduating from high school prior to the
613 2010-2011 academic year, a student is eligible to accept an
614 initial award for 3 years following high school graduation and
615 to accept a renewal award for 7 years following high school
616 graduation. For a student who enlists in the United States Armed
617 Forces immediately after completion of high school, the 3-year
618 eligibility period for his or her initial award shall begin upon
619 the date of separation from active duty. For a student who is
620 receiving a Florida Bright Futures Scholarship and discontinues
621 his or her education to enlist in the United States Armed
622 Forces, the remainder of his or her 7-year renewal period shall



475964

623 commence upon the date of separation from active duty. For
624 students graduating from high school in the 2010-2011 academic
625 year and thereafter, a student is eligible to accept an initial
626 award for 3 years after high school graduation and to accept a
627 renewal award for 4 years after high school graduation. A
628 student who applies for an award by high school graduation and
629 who meets all other eligibility requirements, but who does not
630 accept his or her award, may reapply during subsequent
631 application periods up to 3 years after high school graduation.
632 For a student who enlists in the United States Armed Forces
633 immediately after completion of high school, the 3-year
634 eligibility period for his or her initial award shall begin upon
635 the date of separation from active duty. For a student who is
636 receiving a Florida Bright Futures Scholarship and discontinues
637 his or her education to enlist in the United States Armed
638 Forces, the remainder of his or her 4-year ~~7-year~~ renewal period
639 shall commence upon the date of separation from active duty.
640 Effective for students graduating from high school in the 2010-
641 2011 academic year and thereafter, if a course of study is not
642 completed after 4 academic years, an exception of 1 year to the
643 renewal timeframe may be granted due to a verifiable illness or
644 other documented emergency pursuant to s. 1009.40(1)(b)4.

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

649 1. For high school students graduating in the 2010-2011 and
650 2011-2012 academic years, the student must earn a score of 1270
651 or a concordant ACT score of 28.



475964

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

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

658 (b) The State Board of Education shall publicize from the
659 2009 SAT Percentile Ranks the examination score required for a
660 student to be eligible for a Florida Medallion Scholars award
661 pursuant to s. 1009.535(1)(a) or (b), as follows:

662 1. For high school students graduating in the 2010-2011
663 academic year, the student must earn a score of 970 or a
664 concordant ACT score of 20; or for home educated students whose
665 parents cannot document a college-preparatory curriculum, a
666 score of 1070 or a concordant ACT score of 23.

667 2. For high school students graduating in the 2011-2012
668 academic year, the student must earn the 44th SAT percentile
669 rank score of 980 or a concordant ACT score of 21; or for home
670 educated students whose parents cannot document a college-
671 preparatory curriculum, a score of 1070 or a concordant ACT
672 score of 23.

673 3. For high school students graduating in the 2012-2013
674 academic year, the student must earn the 50th SAT percentile
675 rank score of 1020 or a concordant ACT score of 22; or for home
676 educated students whose parents cannot document a college-
677 preparatory curriculum, a score of 1070 or a concordant ACT
678 score of 23.

679 4. For high school students graduating in the 2013-2014
680 academic year and thereafter, the student must earn the 56th SAT



475964

681 percentile rank score of 1050 or a concordant ACT score of 23;
682 or for home educated students whose parents cannot document a
683 college-preparatory curriculum, a score of 1100 or a concordant
684 ACT score of 24.

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

688 Section 14. Section 1009.532, Florida Statutes, is amended
689 to read:

690 1009.532 Florida Bright Futures Scholarship Program;
691 student eligibility requirements for renewal awards.-

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

695 (a) Effective for students funded in the 2009-2010 academic
696 year and thereafter, earn at least 24 semester credit hours or
697 the equivalent in the last academic year in which the student
698 earned a scholarship if the student was enrolled full time, or a
699 prorated number of credit hours as determined by the Department
700 of Education if the student was enrolled less than full time for
701 any part of the academic year. For students funded prior to the
702 2010-2011 academic year, if a student fails to earn the minimum
703 number of hours required to renew the scholarship, the student
704 shall lose his or her eligibility for renewal for a period
705 equivalent to 1 academic year. Such student is eligible to
706 restore the award the following academic year if the student
707 earns the hours for which he or she was enrolled at the level
708 defined by the department and meets the grade point average for
709 renewal. A student is eligible for such restoration one time.



475964

710 The department shall notify eligible recipients of the
711 provisions of this paragraph. Each institution shall notify
712 award recipients of the provisions of this paragraph during the
713 registration process.

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

716 1. If a recipient's grades fall beneath the average
717 required to renew a Florida Academic Scholarship, but are
718 sufficient to renew a Florida Medallion Scholarship or a Florida
719 Gold Seal Vocational Scholarship, the Department of Education
720 may grant a renewal from one of those other scholarship
721 programs, if the student meets the renewal eligibility
722 requirements; or

723 2. For students funded prior to the 2010-2011 academic
724 term, if ~~7~~ at any time during the eligibility period, a student's
725 grades are insufficient to renew the scholarship, the student
726 may restore eligibility by improving the grade point average to
727 the required level. A student is eligible for such a restoration
728 one time. The Legislature encourages education institutions to
729 assist students to calculate whether or not it is possible to
730 raise the grade point average during the summer term. If the
731 institution determines that it is possible, the education
732 institution may so inform the department, which may ~~reserve~~ the
733 student's award if funds are available. The renewal, however,
734 must not be granted until the student achieves the required
735 cumulative grade point average. If the summer term is not
736 sufficient to raise the grade point average to the required
737 renewal level, the student's next opportunity for renewal is the
738 fall semester of the following academic year. ~~;~~ ~~or~~



475964

739 ~~3. If a student is receiving a Florida Bright Futures~~
740 ~~Scholarship, is a servicemember of the Florida National Guard or~~
741 ~~United States Reserves while attending a postsecondary~~
742 ~~institution, is called to active duty or state active duty, as~~
743 ~~defined in s. 250.01, prior to completing his or her degree, and~~
744 ~~meets all other requirements for the scholarship, the student~~
745 ~~shall be eligible to continue the scholarship for 2 years after~~
746 ~~completing active duty or state active duty.~~

747 (c) Reimburse or make satisfactory arrangements to
748 reimburse the institution for the award amount received for
749 courses dropped after the end of the drop and add period or
750 courses from which the student withdraws after the end of the
751 drop and add period unless the student has received an exception
752 pursuant to s. 1009.53(11).

753 (2) Effective for students initially funded in the 2010-
754 2011 academic term and thereafter, if a scholarship is not
755 renewed because of lack of completion of sufficient credit hours
756 or insufficient grades, the scholarship shall be renewed only
757 for the following reasons:

758 (a) The student failed to complete sufficient credit hours,
759 or to meet sufficient grades requirements due to verifiable
760 illness or other documented emergency and may be granted an
761 exception pursuant to s. 1009.40(1)(b)4.; or

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



475964

768 completing active duty or state active duty.

769 (3)~~(2)~~ A student who is initially funded prior to the 2010-
770 2011 academic year and is enrolled in a program that terminates
771 in an associate degree or a baccalaureate degree may receive an
772 award for a maximum of 110 percent of the number of credit hours
773 required to complete the program. A student who is enrolled in a
774 program that terminates in a career certificate may receive an
775 award for a maximum of 110 percent of the credit hours or clock
776 hours required to complete the program up to 90 credit hours.
777 However, for a student who is initially funded in the 2010-2011
778 academic term and thereafter, the student may receive an award
779 for a maximum of 100 percent of the number of credit hours
780 required to complete an associate degree or a baccalaureate
781 degree program, or the student may receive an award for a
782 maximum of 100 percent of the credit hours or clock hours
783 required to complete up to 90 credit hours of a program that
784 terminates in a career certificate. A student who transfers from
785 one of these program levels to another becomes eligible for the
786 higher of the two credit hour limits.

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

789 1009.534 Florida Academic Scholars award.—

790 (1) A student is eligible for a Florida Academic Scholars
791 award if the student meets the general eligibility requirements
792 for the Florida Bright Futures Scholarship Program and the
793 student:

794 (a) Has achieved a 3.5 weighted grade point average as
795 calculated pursuant to s. 1009.531, or its equivalent, in high
796 school courses that are designated by the State Board of



475964

797 Education as college-preparatory academic courses; and has
798 attained at least the score pursuant to s. 1009.531(6) (a)
799 ~~identified by rules of the State Board of Education~~ on the
800 combined verbal and quantitative parts of the Scholastic
801 Aptitude Test, the Scholastic Assessment Test, or the recentered
802 Scholastic Assessment Test of the College Entrance Examination,
803 or an equivalent score on the ACT Assessment Program; ~~or~~

804 (b) Has attended a home education program according to s.
805 1002.41 during grades 11 and 12 or has completed the
806 International Baccalaureate curriculum but failed to earn the
807 International Baccalaureate Diploma or has completed the
808 Advanced International Certificate of Education curriculum but
809 failed to earn the Advanced International Certificate of
810 Education Diploma, and has attained at least the score pursuant
811 to s. 1009.531(6) (a) ~~identified by rules of the State Board of~~
812 ~~Education~~ on the combined verbal and quantitative parts of the
813 Scholastic Aptitude Test, the Scholastic Assessment Test, or the
814 recentered Scholastic Assessment Test of the College Entrance
815 Examination, or an equivalent score on the ACT Assessment
816 Program; ~~or~~

817 (c) Has been awarded an International Baccalaureate Diploma
818 from the International Baccalaureate Office or an Advanced
819 International Certificate of Education Diploma from the
820 University of Cambridge International Examinations Office; ~~or~~

821 (d) Has been recognized by the merit or achievement
822 programs of the National Merit Scholarship Corporation as a
823 scholar or finalist; or

824 (e) Has been recognized by the National Hispanic
825 Recognition Program as a scholar recipient. A student must



475964

826 complete a program of community service work, as approved by the
827 district school board or the administrators of a nonpublic
828 school, which shall include a minimum of 75 hours of service
829 work and require the student to identify a social problem that
830 interests him or her, develop a plan for his or her personal
831 involvement in addressing the problem, and, through papers or
832 other presentations, evaluate and reflect upon his or her
833 experience.

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

838 Section 16. Section 1009.5341, Florida Statutes, is created
839 to read:

840 1009.5341 Florida Bright Futures Scholarships for graduate
841 study.—Bright Futures Scholarship recipients who graduate with a
842 baccalaureate degree in 7 semesters or equivalent hours or fewer
843 and wish to pursue graduate study may apply the unused portion
844 of their academic or medallion scholarship award toward 1
845 semester of graduate study, not to exceed 15 semester hours paid
846 at the undergraduate rate. A baccalaureate degree may include,
847 but is not limited to, college credits earned through dual
848 enrollment, SAT, and ACT examinations.

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

851 1009.535 Florida Medallion Scholars award.—

852 (1) A student is eligible for a Florida Medallion Scholars
853 award if the student meets the general eligibility requirements
854 for the Florida Bright Futures Scholarship Program and the



475964

855 student:

856 (a) Has achieved a weighted grade point average of 3.0 as
857 calculated pursuant to s. 1009.531, or the equivalent, in high
858 school courses that are designated by the State Board of
859 Education as college-preparatory academic courses; and has
860 attained at least the score pursuant to s. 1009.531(6)(b)
861 ~~identified by rules of the State Board of Education~~ on the
862 combined verbal and quantitative parts of the Scholastic
863 Aptitude Test, the Scholastic Assessment Test, or the recentered
864 Scholastic Assessment Test of the College Entrance Examination,
865 or an equivalent score on the ACT Assessment Program; ~~or~~

866 (b) Has ~~attended a home education program according to s.~~
867 ~~1002.41 during grades 11 and 12 or has completed the~~
868 International Baccalaureate curriculum but failed to earn the
869 International Baccalaureate Diploma or has completed the
870 Advanced International Certificate of Education curriculum but
871 failed to earn the Advanced International Certificate of
872 Education Diploma, and has attained at least the score pursuant
873 to s. 1009.531(6)(b) ~~identified by rules of the State Board of~~
874 ~~Education~~ on the combined verbal and quantitative parts of the
875 Scholastic Aptitude Test, the Scholastic Assessment Test, or the
876 recentered Scholastic Assessment Test of the College Entrance
877 Examination, or an equivalent score on the ACT Assessment
878 Program; ~~or~~

879 (c) Has attended a home education program according to s.
880 1002.41 during grades 11 and 12 and has attained at least the
881 score pursuant to s. 1009.531(6)(b) on the combined verbal and
882 quantitative parts of the Scholastic Aptitude Test, the
883 Scholastic Assessment Test, or the recentered Scholastic



475964

884 Assessment Test of the College Entrance Examination, or an
885 equivalent score on the ACT Assessment Program for award
886 eligibility for students whose parents cannot document a
887 college-preparatory curriculum under paragraph (a);

888 (d)-(e) Has been recognized by the merit or achievement
889 program of the National Merit Scholarship Corporation as a
890 scholar or finalist but has not completed a program of community
891 service as provided in s. 1009.534; or

892 (e)-(d) Has been recognized by the National Hispanic
893 Recognition Program as a scholar, but has not completed a
894 program of community service as provided in s. 1009.534.

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

899 Section 18. Section 1009.537, Florida Statutes, is
900 repealed.

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

903 1009.536 Florida Gold Seal Vocational Scholars award.—The
904 Florida Gold Seal Vocational Scholars award is created within
905 the Florida Bright Futures Scholarship Program to recognize and
906 reward academic achievement and career preparation by high
907 school students who wish to continue their education.

908 (4) A student may earn a Florida Gold Seal Vocational
909 Scholarship for 110 percent of the number of credit hours
910 required to complete the program, up to 90 credit hours or the
911 equivalent. However, for a student who is initially funded in
912 the 2010-2011 academic term and thereafter, the student may earn



475964

913 a Florida Gold Seal Vocational Scholarship for 100 percent of
914 the number of credit hours required to complete the program, up
915 to 90 credit hours or the equivalent.

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

920 Section 20. Section 1009.5385, Florida Statutes, is
921 repealed.

922 Section 21. Subsections (2), (3), and (4) of section
923 1009.72, Florida Statutes, are amended to read:

924 1009.72 Jose Marti Scholarship Challenge Grant Program.—

925 (2) ~~Funds appropriated by the Legislature for the program~~
926 ~~shall be deposited in the State Student Financial Assistance~~
927 ~~Trust Fund. The Chief Financial Officer shall authorize~~
928 ~~expenditures from the trust fund upon receipt of vouchers~~
929 ~~approved by the Department of Education.~~ All moneys collected
930 from private sources for the purposes of this section shall be
931 deposited into the State Student Financial Assistance Trust
932 Fund. Any balance in the trust fund at the end of any fiscal
933 year which that has been allocated to the program shall remain
934 therein and shall be available for carrying out the purposes of
935 the program. All funds deposited into the trust fund for the
936 program shall be invested pursuant to s. 17.61. Interest income
937 accruing to that portion of the funds which are allocated to the
938 program in the trust fund and not matched shall increase the
939 total funds available for the program.

940 (3) The Legislature may appropriate funds ~~shall designate~~
941 ~~funds to be transferred to the trust fund~~ for the program from



475964

942 the General Revenue Fund. Such funds shall be divided into
943 challenge grants to be administered by the Department of
944 Education. ~~All appropriated funds deposited into the trust fund~~
945 ~~for the program shall be invested pursuant to the provisions of~~
946 ~~s. 17.61. Interest income accruing to that portion of the funds~~
947 ~~that are allocated to the program in the trust fund and not~~
948 ~~matched shall increase the total funds available for the~~
949 ~~program.~~

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

957 Section 22. Subsections (2), (3), and (4) of section
958 1009.73, Florida Statutes, are amended to read:

959 1009.73 Mary McLeod Bethune Scholarship Program.—

960 (2) ~~Funds appropriated by the Legislature for the program~~
961 ~~shall be deposited in the State Student Financial Assistance~~
962 ~~Trust Fund. The Chief Financial Officer shall authorize~~
963 ~~expenditures from the trust fund upon receipt of vouchers~~
964 ~~approved by the Department of Education.~~ The Department of
965 Education shall receive all moneys collected from private
966 sources for the purposes of this section and shall deposit such
967 moneys into the State Student Financial Assistance Trust Fund.
968 Notwithstanding the provisions of s. 216.301 and pursuant to s.
969 216.351, any balance in the trust fund at the end of any fiscal
970 year which ~~that~~ has been allocated to the program shall remain



475964

971 in the trust fund and shall be available for carrying out the
972 purposes of the program. All moneys deposited into the trust
973 fund for the program shall be invested pursuant to s. 17.61.
974 Interest income accruing to that portion of the funds which are
975 allocated to the program in the trust fund and not matched shall
976 increase the total funds available for the program.

977 (3) The Legislature may appropriate funds ~~shall appropriate~~
978 ~~moneys to the trust fund~~ for the program from the General
979 Revenue Fund. Such moneys shall be applied to scholarships to be
980 administered by the Department of Education. ~~All moneys~~
981 ~~deposited into the trust fund for the program shall be invested~~
982 ~~pursuant to the provisions of s. 17.61. Interest income accruing~~
983 ~~to the program shall be expended to increase the total moneys~~
984 ~~available for scholarships.~~

985 (4) The moneys ~~in the trust fund~~ for the program shall be
986 allocated by the department among the institutions of higher
987 education listed in subsection (1) on the basis of one \$2,000
988 challenge grant for each \$1,000 raised from private sources.
989 Matching funds shall be generated through contributions made
990 after July 1, 1990, and pledged for the purposes of this
991 section. Pledged contributions shall not be eligible for
992 matching prior to the actual collection of the total funds. The
993 department shall allocate to each of those institutions a
994 proportionate share of the contributions received on behalf of
995 those institutions and a share of the appropriations and
996 matching funds generated by such institution.

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

999 1010.62 Revenue bonds and debt.—



475964

1000 (1) As used in this section, the term:
1001 (e) "Auxiliary enterprise" means any activity defined in s.
1002 1011.47(1) and performed by a university or a direct-support
1003 organization.

1004 Section 24. Subsection (2) of section 1010.87, Florida
1005 Statutes, is amended to read:

1006 1010.87 Workers' Compensation Administration Trust Fund
1007 within the Department of Education.—

1008 (2) Funds appropriated by nonoperating transfer from the
1009 Department of Financial Services Workers' Compensation
1010 Administration Trust Fund which remain unencumbered as of June
1011 30 or undisbursed as of September 30 shall revert to the
1012 Department of Financial Services Workers' Compensation
1013 Administration Trust Fund. Notwithstanding the provisions of s.
1014 216.301 and pursuant to s. 216.351, any balance in the trust
1015 fund at the end of any fiscal year shall remain in the trust
1016 fund at the end of the year and shall be available for carrying
1017 out the purposes of the trust fund.

1018 Section 25. Paragraph (a) of subsection (5) of section
1019 1011.80, Florida Statutes, is amended to read:

1020 1011.80 Funds for operation of workforce education
1021 programs.—

1022 (5) State funding and student fees for workforce education
1023 instruction shall be established as follows:

1024 (a) Expenditures for the continuing workforce education
1025 program provided by the community colleges or school districts
1026 must be fully supported by fees. Enrollments in continuing
1027 workforce education courses shall not be counted for purposes of
1028 funding full-time equivalent enrollment. For a continuing



475964

1029 ~~workforce education course, state funding shall equal 50 percent~~
1030 ~~of the cost of instruction, with student fees, business support,~~
1031 ~~quick response training funds, or other means making up the~~
1032 ~~remaining 50 percent.~~

1033 Section 26. Section 1012.885, Florida Statutes, is created
1034 to read:

1035 1012.885 Remuneration of community college presidents;
1036 limitations.-

1037 (1) DEFINITIONS.-As used in this section, the term:

1038 (a) "Cash-equivalent compensation" means any benefit that
1039 may be assigned an equivalent cash value.

1040 (b) "Public funds" means funds appropriated from the
1041 General Revenue Fund, funds appropriated from state trust funds,
1042 tuition and fees, or any funds from a community college trust
1043 fund regardless of repository.

1044 (c) "Remuneration" means salary, bonuses, and cash-
1045 equivalent compensation paid to a community college president by
1046 his or her employer for work performed, excluding health
1047 insurance benefits and retirement benefits.

1048 (2) LIMITATION ON COMPENSATION.-Notwithstanding any other
1049 law, resolution, or rule to the contrary, a community college
1050 president may not receive more than \$225,000 in remuneration
1051 annually from appropriated state funds. Only compensation, as
1052 such term is defined in s. 121.021(22), provided to a community
1053 college president may be used in calculating benefits under
1054 chapter 121.

1055 (3) EXCEPTIONS.-This section does not prohibit any party
1056 from providing cash or cash-equivalent compensation from funds
1057 that are not appropriated state funds to a community college



475964

1058 president in excess of the limit in subsection (2). If a party
1059 is unable or unwilling to fulfill an obligation to provide cash
1060 or cash-equivalent compensation to a community college president
1061 as permitted under this subsection, appropriated state funds may
1062 not be used to fulfill such obligation.

1063 Section 27. The Office of Program Policy Analysis and
1064 Government Accountability shall conduct a review of the public
1065 school adult workforce education programs and the community
1066 college and state college workforce education programs for the
1067 purpose of identifying and analyzing the positive and negative
1068 aspects of merging the school district programs with the
1069 community college and state college programs. The office shall
1070 submit the results of its review to the Legislature by December
1071 1, 2010.

1072 Section 28. This act shall take effect July 1, 2010.

1073
1074 ===== T I T L E A M E N D M E N T =====

1075 And the title is amended as follows:

1076 Delete everything before the enacting clause
1077 and insert:

1078 A bill to be entitled

1079 An act relating to higher education; amending s.
1080 295.02, F.S.; revising provisions relating to the use
1081 of funds for providing educational opportunities and
1082 benefits to dependent children or spouses of deceased
1083 or disabled veterans; amending s. 440.491, F.S.;
1084 revising provisions relating to the training and
1085 education of injured employees; providing that
1086 training and education services may be secured from



475964

1087 additional providers under certain circumstances;
1088 amending s. 1000.04, F.S.; revising provisions
1089 relating to public postsecondary educational
1090 institutions to include charter technical career
1091 centers and career centers operated by a school
1092 district; deleting a reference to workforce education;
1093 amending s. 1001.74, F.S.; revising the powers and
1094 duties of university boards of trustees relating to a
1095 university's contracting authority; amending s.
1096 1004.085, F.S.; revising provisions relating to
1097 textbook affordability and the policies, procedures,
1098 and guidelines adopted by the State Board of Education
1099 and the Board of Governors; requiring policies that
1100 encourage the use of open-access textbooks; amending
1101 s. 1004.091, F.S.; revising provisions relating to the
1102 duties of the Florida Distance Learning Consortium;
1103 delaying provisions that require the consortium to
1104 develop a plan for implementing an online registration
1105 process for undergraduate students to enroll in a
1106 course listed in the Florida Higher Education Distance
1107 Learning Catalog; requiring that such plan address
1108 specified policy areas; amending s. 1009.21, F.S.;
1109 revising provisions relating to the determination of
1110 resident status for tuition purposes to include
1111 charter technical career centers and career centers
1112 operated by school districts; revising definitions to
1113 conform to changes made by the act; amending s.
1114 1009.22, F.S.; revising provisions relating to
1115 workforce education postsecondary student fees;



475964

1116 providing that enrollments in continuing workforce
1117 education course may not be counted for purposes of
1118 funding full-time equivalent enrollment; amending s.
1119 1006.59, F.S.; deleting a provision that prohibits
1120 institutions participating in the Historically Black
1121 College and University Library Improvement Program
1122 from using funds to purchase nonprint media; creating
1123 s. 1006.72, F.S.; providing legislative findings
1124 regarding the licensing of electronic library
1125 resources; requiring that the library staff of state
1126 universities, colleges, school districts, and public
1127 libraries implement an annual process identifying
1128 electronic library resources for specified core
1129 categories; amending s. 1009.24, F.S.; revising
1130 provisions relating to state university student fees;
1131 authorizing the University of Florida to implement the
1132 tuition differential as a block tuition set at a
1133 specified number of hours for certain students;
1134 amending s. 1009.53, F.S.; revising provisions
1135 relating to the Florida Bright Futures Scholarship
1136 Program; requiring that students submit the Free
1137 Application for Federal Student Aid, along with a
1138 valid expected family contribution, in order to be
1139 eligible for the scholarship award; amending s.
1140 1009.531, F.S.; revising the period during which a
1141 student is eligible to receive an initial award and a
1142 renewal award of the Florida Bright Futures
1143 Scholarship after high school graduation; requiring
1144 that the State Board of Education base the eligibility



475964

1145 of students to receive a Florida Academic Scholars
1146 award on SAT percentile ranks; amending s. 1009.532,
1147 F.S.; specifying circumstances under which a Florida
1148 Bright Futures Scholarship award may be renewed
1149 following its nonrenewal due to insufficient grades;
1150 reducing the maximum number of credit hours for which
1151 certain students may receive a scholarship award;
1152 amending s. 1009.534, F.S.; revising provisions
1153 relating to the Florida Academic Scholars award;
1154 removing an obsolete provision; removing the scheduled
1155 expiration of provisions requiring that the amount of
1156 the award be specified in the General Appropriations
1157 Act; creating s. 1009.5341, F.S.; providing that
1158 recipients of the Florida Bright Futures Scholarship
1159 award may use the unused portion of their award toward
1160 graduate study; providing certain limitations;
1161 amending s. 1009.535, F.S.; providing for a student
1162 who attended a home education program to be eligible
1163 for a Florida Medallion Scholars award; removing the
1164 scheduled expiration of provisions requiring that the
1165 amount of the Florida Medallion Scholar award be
1166 specified in the General Appropriations Act; repealing
1167 s. 1009.537, F.S., removing obsolete provisions
1168 relating to eligibility for the Florida Bright Futures
1169 Scholarship Program; amending s. 1009.536, F.S.;
1170 reducing the maximum number of credit hours that
1171 certain students may earn under the Florida Gold Seal
1172 Vocational Scholars award; removing the scheduled
1173 expiration of provisions requiring that the amount of



475964

1174 the award be specified in the General Appropriations
1175 Act; repealing s. 1009.5385, F.S., relating to
1176 criteria for the use of certain scholarship funds by
1177 children of deceased or disabled veterans; amending s.
1178 1009.72, F.S.; revising provisions relating to the
1179 Jose Marti Scholarship Challenge Grant Program;
1180 removing provisions that provide for funds
1181 appropriated by the Legislature for the program to be
1182 deposited into the State Student Financial Assistance
1183 Trust Fund; requiring that funds deposited into such
1184 trust fund be invested; authorizing the Legislature to
1185 appropriate funds from the General Revenue Fund;
1186 amending s. 1009.73, F.S.; revising provisions
1187 relating to the Mary McLeod Bethune Scholarship
1188 Program; removing provisions that provide for funds
1189 appropriated by the Legislature for the program to be
1190 deposited into the State Student Financial Assistance
1191 Trust Fund; requiring that funds deposited into such
1192 trust fund be invested; authorizing the Legislature to
1193 appropriate funds from the General Revenue Fund;
1194 amending s. 1010.62, F.S.; defining the term
1195 "auxiliary enterprise" for purposes of capital outlay
1196 projects financed pursuant to the State Bond Act;
1197 amending s. 1010.87, F.S., relating to the Workers'
1198 Compensation Administration Trust Fund within the
1199 Department of Education; providing for the reversion
1200 of certain funds at the end of the fiscal year;
1201 amending s. 1011.80, F.S.; revising provisions
1202 relating to funds for the operation of workforce



475964

1203 education programs; requiring that expenditure for
1204 such programs be supported by fees; providing that
1205 enrollment in continuing workforce education courses
1206 may not be counted for purposes of funding full-time
1207 equivalent enrollment; creating s. 1012.885, F.S.;
1208 providing definitions; providing a limitation on the
1209 compensation paid to community college presidents;
1210 providing exceptions; requiring that the Office of
1211 Program Policy Analysis and Government Accountability
1212 conduct a review of public school adult workforce
1213 education programs and community college and state
1214 college workforce education programs; requiring that
1215 the results of such review be submitted to the
1216 Legislature by a specified date; providing an
1217 effective date.