

By the Committee on Budget

576-03564-11

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1 A bill to be entitled
2 An act relating to postsecondary education funding;
3 amending s. 213.053, F.S.; authorizing the Department
4 of Revenue to provide certain information regarding
5 the gross receipts tax to the State Board of
6 Education, the Division of Bond Finance, and the
7 Office of Economic and Demographic Research; amending
8 s. 215.61, F.S.; requiring that, for purposes of
9 servicing public education capital outlay bonds, the
10 State Board of Education disregard the effects on the
11 gross receipts tax revenues collected during a tax
12 period of a refund resulting from a specified
13 settlement agreement; amending s. 1001.706, F.S.;
14 prohibiting the Board of Governors from establishing
15 and maintaining a foundation, a direct-support
16 organization, or any similar entity; requiring that
17 any funds currently held by the board in a foundation
18 be returned to the donor; prohibiting the board from
19 paying an employee compensation from a foundation,
20 direct-support organization, or similar entity;
21 amending s. 1004.091, F.S.; revising provisions
22 relating to the duties of the Florida Distance
23 Learning Consortium; requiring that the consortium
24 implement a streamlined, automated, online
25 registration process for transient students who are
26 undergraduate students currently enrolled and pursuing
27 a degree at a public postsecondary educational
28 institution; requiring that the consortium work with
29 the Florida College System and the State University

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30 System to implement the admissions application
31 process; providing certain requirements for state
32 universities and state colleges; amending s. 1006.72,
33 F.S.; revising provisions relating to the licensing of
34 electronic library resources; requiring that the
35 Chancellor and Vice Chancellor of the Florida College
36 System and the State University System report cost
37 savings resulting from the collaborative licensing
38 process to the Executive Office of the Governor and
39 the chairs of the legislative appropriations
40 committees; amending s. 1007.28, F.S.; revising
41 provisions relating to the computer-assisted student
42 advising system; requiring that the system provide a
43 transient student admissions application process for
44 certain students; creating s. 1009.215, F.S.;
45 authorizing each university, with the approval of the
46 Board of Governors of the State University System, to
47 plan and implement a program for students to enroll
48 for the spring and summer terms rather than the fall
49 terms in order to align student enrollment with
50 available instructional staff and facilities;
51 providing for eligibility for the Bright Futures
52 Scholarship to conform to periods of a student's
53 enrollment; requiring each university that implements
54 the plan to report to the Legislature by a specified
55 date; amending s. 1009.22, F.S.; revising provisions
56 relating to workforce education postsecondary student
57 fees; revising the standard tuition for programs
58 leading to a career certificate or an applied

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59 technology diploma; requiring that a block tuition be
60 assessed for residents and nonresidents enrolled in
61 adult general education programs; authorizing the
62 Board of Trustees of Santa Fe College to establish a
63 transportation access fee for students enrolled at
64 Santa Fe College; requiring that revenue from the fee
65 be used only to provide or improve access to
66 transportation services; limiting the amount of the
67 fee; providing a timeframe for a fee increase and
68 implementation of an increase; requiring that a
69 referendum be held by the student government to
70 approve the application of the fee; prohibiting the
71 inclusion of the fee in calculating the amount a
72 student receives under Florida Bright Futures
73 Scholarship Program awards; amending s. 1009.23, F.S.;
74 revising provisions relating to community college
75 student fees, including the standard tuition for
76 residents and nonresidents and the out-of-state fee;
77 authorizing each college to assess a transient student
78 fee that does not exceed a specified amount per
79 distance learning course; authorizing the Board of
80 Trustees of Santa Fe College to establish a
81 transportation access fee for students enrolled at
82 Santa Fe College; requiring that revenue from the fee
83 be used only to provide or improve access to
84 transportation services; limiting the amount of the
85 fee; providing a timeframe for a fee increase and
86 implementation of an increase; requiring that a
87 referendum be held by the student government to

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88 approve the application of the fee; prohibiting the
89 inclusion of the fee in calculating the amount a
90 student receives under Florida Bright Futures
91 Scholarship Program awards; amending s. 1009.24, F.S.;
92 revising provisions relating to state university
93 student fees; authorizing each university board of
94 trustees to establish a transient student fee that
95 does not exceed a specified amount per distance
96 learning course for processing the transient student
97 admissions application; revising provisions relating
98 to the tuition differential; amending s. 1009.25,
99 F.S.; deleting provisions that exempt students from
100 paying tuition and fees for adult basic, adult
101 secondary, or career preparatory instruction; creating
102 s. 1009.251, F.S.; creating the STEM Scholarship
103 Program; providing a purpose; providing definitions;
104 providing eligibility requirements; providing that
105 funds appropriated by the Legislature in the General
106 Appropriations Act be allocated by the Office of
107 Student Financial Assistance within the Department of
108 Education; providing for the issuance of scholarship
109 awards annually; authorizing the State Board of
110 Education to establish rules; amending s. 1009.286,
111 F.S.; revising provisions relating to a surcharge for
112 hours exceeding baccalaureate degree program
113 completion requirements at state universities;
114 increasing the percentage of the tuition rate that
115 must be paid; amending ss. 1009.55, 1009.56, 1009.57,
116 1009.60, 1009.68, and 1009.69, F.S.; requiring that

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117 the funding for the Rosewood Family Scholarship
118 Program, the Seminole and Miccosukee Indian
119 Scholarships, the Florida Teacher Scholarship and
120 Forgivable Loan Program, the Minority Teacher
121 Education Scholars Program, the Florida Minority
122 Medical Education Program, and the Virgil Hawkins
123 Fellows Assistance Program be as provided in the
124 General Appropriations Act; amending s. 1009.701,
125 F.S.; revising provisions relating to the First
126 Generation Matching Grant Program; requiring that the
127 first priority of funding be given to certain students
128 who qualify and receive federal Pell Grant funds;
129 amending ss. 1009.73 and 1009.74, F.S.; providing that
130 funding for the Mary McLeod Bethune Scholarship
131 Program and the Theodore R. and Vivian M. Johnson
132 Scholarship Program be as provided in the General
133 Appropriations Act; amending s. 1009.77, F.S.;

134 revising provisions relating to the Florida Work
135 Experience Program; requiring that first priority of
136 funding be given to certain students who qualify and
137 receive federal Pell Grant funds; requiring that the
138 funding of the program be provided as in the General
139 Appropriations Act; amending ss. 1009.89 and 1009.891,
140 F.S.; requiring that funding of the William L. Boyd,
141 IV, Florida Resident Access Grant Program and the
142 Access to Better Learning and Education Grant Program
143 be provided as in the General Appropriations Act;
144 amending s. 1011.32, F.S.; providing that state
145 matching funds for the Community College Facility

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146 Enhancement Challenge Grant Program be temporarily
147 suspended for donations made after a specified date;
148 providing that existing donations remain eligible for
149 future matching funds; amending s. 1011.52, F.S.;

150 deleting a provision that requires the Legislature to
151 provide an annual appropriation to the first
152 accredited medical school; amending s. 1011.61, F.S.;

153 revising the definition of the term "full-time
154 equivalent student"; amending s. 1011.80, F.S.;

155 revising provisions relating to funds for the
156 operation of workforce education programs; prohibiting
157 the expenditure of funds for the education of state or
158 federal inmates; prohibiting the reporting of a
159 student who is coenrolled in a K-12 education program
160 and an adult education program for funding purposes;

161 amending s. 1011.81, F.S.; revising provisions
162 relating to the Community College Program Fund to
163 prohibit the expenditure of funds for the education of
164 state or federal inmates; amending s. 1011.85, F.S.;

165 revising provisions relating to the Dr. Philip
166 Benjamin Matching Grant Program for Community
167 Colleges; providing that funds received from community
168 events, festivals, or other such activities are not
169 eligible for state matching funds; providing that
170 state matching funds under the program be temporarily
171 suspended for donations after a specified date;

172 providing that existing donations remain eligible for
173 future matching funds; amending ss. 1011.94 and
174 1013.79, F.S.; providing that state matching funds for

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175 donations to the University Major Gifts Program and
176 the University Facility Enhancement Challenge Grant
177 Program are temporarily suspended; providing that
178 existing donations remain eligible for future matching
179 funds; amending s. 1013.737, F.S.; revising the name
180 of the Class Size Reduction Lottery Revenue Bond
181 Program to the Class Size Reduction and Educational
182 Facilities Lottery Revenue Bond Program; authorizing
183 the issuance of educational facilities bonds;
184 requiring that the Department of Education work with
185 the College Center for Library Automation to transfer
186 the Sunlink bibliographic database for inclusion in
187 CCLA's online discovery tool product for the public to
188 search; requiring that the department also develop an
189 ongoing process to provide for the updating of such
190 data; requiring that the Florida Center for Library
191 Automation and the CCLA develop and submit a plan to
192 the Governor and the Legislature for establishing a
193 single postsecondary education union catalog;
194 requiring that the Task Force for the Future of
195 Academic Libraries in Florida submit a plan to the
196 Governor and Legislature regarding the establishment
197 of a joint library technology organizational
198 structure; providing effective dates.

199

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

201

202 Section 1. Paragraph (dd) is added to subsection (8) of
203 section 213.053, Florida Statutes, as amended by chapter 2010-

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204 280, Laws of Florida, to read:

205 213.053 Confidentiality and information sharing.—

206 (8) Notwithstanding any other provision of this section,
207 the department may provide:

208 (dd) Information relative to s. 215.61(6) to the State
209 Board of Education, the Division of Bond Finance, and the Office
210 of Economic and Demographic Research.

211

212 Disclosure of information under this subsection shall be
213 pursuant to a written agreement between the executive director
214 and the agency. Such agencies, governmental or nongovernmental,
215 shall be bound by the same requirements of confidentiality as
216 the Department of Revenue. Breach of confidentiality is a
217 misdemeanor of the first degree, punishable as provided by s.
218 775.082 or s. 775.083.

219 Section 2. Subsection (6) is added to section 215.61,
220 Florida Statutes, to read:

221 215.61 State system of public education capital outlay
222 bonds.—

223 (6) In making the determination as required by subsection
224 (3) of the amount that can be serviced by the gross receipts
225 tax, the State Board of Education shall disregard the effects on
226 the reported gross receipts tax revenues collected during a tax
227 period of any refund paid by the Department of Revenue as a
228 direct result of a refund request made pursuant to the
229 settlement reached in *In re: AT&T Mobility Wireless Data*
230 *Services Sales Litigation*, 270 F.R.D. 330, (Aug. 11, 2010). The
231 Department of Revenue shall provide to the State Board of
232 Education, the Division of Bond Finance, and the Office of

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233 Economic and Demographic Research the amount of any such refund
 234 and the tax period in which the refund is included.

235 Section 3. Paragraph (e) is added to subsection (4) of
 236 section 1001.706, Florida Statutes, and paragraph (e) is added
 237 to subsection (6) of that section, to read:

238 1001.706 Powers and duties of the Board of Governors.—

239 (4) POWERS AND DUTIES RELATING TO FINANCE.—

240 (e) The Board of Governors may not establish or maintain a
 241 foundation, a direct-support organization, or any similar
 242 entity. Any funds currently held by the board in a foundation
 243 shall be returned to the donor.

244 (6) POWERS AND DUTIES RELATING TO PERSONNEL.—

245 (e) An employee of the Board of Governors may not be paid a
 246 salary or any other compensation from a foundation, direct-
 247 support organization, or similar entity.

248 Section 4. Subsection (2) of section 1004.091, Florida
 249 Statutes, is amended to read:

250 1004.091 Florida Distance Learning Consortium.—

251 (2) The Florida Distance Learning Consortium shall:

252 (a) Manage and promote the Florida Higher Education
 253 Distance Learning Catalog, established pursuant to s. 1004.09,
 254 to help increase student access to undergraduate distance
 255 learning courses and degree programs and to assist students
 256 seeking accelerated access in order to complete their degrees.

257 (b) Beginning with the 2011-2012 academic year, implement
 258 ~~Develop, in consultation with the Florida College System and the~~
 259 ~~State University System, a plan to be submitted to the Board of~~
 260 ~~Governors, the State Board of Education, the Governor, the~~
 261 ~~President of the Senate, and the Speaker of the House of~~

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262 ~~Representatives no later than December 1, 2010, for implementing~~
263 a streamlined, automated, online registration process for
264 transient students who are undergraduate students currently
265 enrolled and pursuing a degree at ~~who have been admitted to a~~
266 public postsecondary educational institution and who choose ~~wish~~
267 to enroll in a course listed in the Florida Higher Education
268 Distance Learning Catalog ~~which, including courses offered by an~~
269 ~~institution that~~ is offered by a public postsecondary
270 educational institution that is not the student's degree-
271 granting or home institution. The consortium shall work with the
272 Florida College System and the State University System to
273 implement this admissions application process requiring all
274 state universities and state colleges to: ~~The plan must describe~~
275 ~~how such a registration process can be implemented by the 2011-~~
276 ~~2012 academic year as an alternative to the standard~~
277 ~~registration process of each institution. The plan must also~~
278 ~~address:~~

279 1. Use the transient student admissions application
280 available through the Florida Academic Counseling and Tracking
281 for Students system established pursuant to s. 1007.28. This
282 admissions application shall be the only one required for the
283 enrollment of the transient student defined in this paragraph.

284 2. Implement the financial aid procedures required by the
285 transient student admissions application process in accordance
286 with the published specifications, which must include the
287 involvement of the financial aid officers.

288 3. Transfer credit awarded by the institutions offering the
289 distance learning course to the transient student's degree-
290 granting institution.

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291 4. Interface their institutional systems to the Florida
292 Academic Counseling and Tracking for Students system in order to
293 electronically send, receive, and process the transient
294 admissions application no later than July 1, 2012. ~~Fiscal and~~
295 ~~substantive policy changes needed to address administrative,~~
296 ~~academic, and programmatic policies and procedures. Policy areas~~
297 ~~that the plan must address include, but need not be limited to,~~
298 ~~student financial aid issues, variations in fees, admission and~~
299 ~~readmission, registration prioritization issues, transfer of~~
300 ~~credit, and graduation requirements, with specific attention~~
301 ~~given to creating recommended guidelines that address students~~
302 ~~who attend more than one institution in pursuit of a degree.~~

303 ~~2. A method for the expedited transfer of distance learning~~
304 ~~course credit awarded by an institution offering a distance~~
305 ~~learning course to a student's degree-granting or home~~
306 ~~institution upon the student's successful completion of the~~
307 ~~distance learning course.~~

308 ~~3. Compliance with applicable technology security standards~~
309 ~~and guidelines to ensure the secure transmission of student~~
310 ~~information.~~

311 (c) Coordinate the negotiation of statewide licensing and
312 preferred pricing agreements for distance learning resources and
313 enter into agreements that result in cost savings with distance
314 learning resource providers so that postsecondary educational
315 institutions have the opportunity to benefit from the cost
316 savings.

317 (d)1. Develop and operate a central instructional content
318 repository that allows public school and postsecondary
319 educational institution users ~~faculty~~ to search, locate, and

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320 use, and contribute digital and electronic instructional
321 resources and content, including open access textbooks. In the
322 development of the ~~a~~ repository, the consortium shall identify
323 and seek partnerships ~~with similar national, state, and regional~~
324 ~~repositories~~ for the purpose of sharing instructional content.
325 The consortium shall collaborate with the public ~~postsecondary~~
326 educational institutions to ensure that the repository:

327 a. Is accessible by the ~~Integrates with multiple~~ learning
328 management systems used by the public postsecondary educational
329 institutions and the local instructional improvement systems
330 established pursuant to s. 1006.281.

331 b. Allows institutions to set appropriate copyright and
332 access restrictions and track content usage.

333 c. Allows for appropriate customization.

334 d. Supports established protocols to access instructional
335 content within other repositories.

336 2. Provide to Develop, ~~in consultation with the~~ chancellors
337 of the Florida College System and the State University System,
338 recommendations ~~a plan~~ for promoting and increasing the use of
339 open access textbooks as a method for reducing textbook costs.
340 The recommendations ~~plan shall be submitted to the Board of~~
341 ~~Governors, the State Board of Education, the Office of Policy~~
342 ~~and Budget in the Executive Office of the Governor, the chair of~~
343 ~~the Senate Policy and Steering Committee on Ways and Means, and~~
344 ~~the chair of the House Full Appropriations Council on Education~~
345 ~~& Economic Development no later than March 1, 2010,~~ and shall
346 include:

347 a. ~~An inventory of existing open access textbooks.~~

348 ~~a.b.~~ The ~~A listing of~~ undergraduate courses, in particular

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349 the general education courses, that would be recommended for the
350 use of open access textbooks.

351 ~~b.e.~~ A standardized process for the review and approval of
352 open access textbooks.

353 ~~d. Recommendations for encouraging and promoting faculty~~
354 ~~development and use of open access textbooks.~~

355 ~~e. Identification of barriers to the implementation of open~~
356 ~~access textbooks.~~

357 ~~c.f.~~ Strategies for the production and distribution of open
358 access textbooks to ensure such textbooks may be easily
359 accessed, downloaded, printed, or obtained as a bound version by
360 students at either reduced or no cost.

361 ~~g. Identification of the necessary technology security~~
362 ~~standards and guidelines to safeguard the use of open access~~
363 ~~textbooks.~~

364 ~~(d)(e)~~ Identify and evaluate new technologies and
365 instructional methods that can be used for improving distance
366 learning instruction, student learning, and the overall quality
367 of undergraduate distance learning courses and degree programs.

368 ~~(e)(f)~~ Identify methods that will improve student access to
369 and completion of undergraduate distance learning courses and
370 degree programs.

371 Section 5. Subsection (7) is added to section 1006.72,
372 Florida Statutes, to read:

373 1006.72 Licensing electronic library resources.-

374 (7) REPORT.-The Chancellor and Vice Chancellor of the
375 Florida College System and the State University System shall
376 annually report to the Executive Office of the Governor and the
377 chairs of the House Appropriations Committee and the Senate

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378 Budget Committee the cost savings realized as a result of the
379 collaborative licensing process identified in this section.

380 Section 6. Subsection (5) is added to section 1007.28,
381 Florida Statutes, to read:

382 1007.28 Computer-assisted student advising system.—The
383 Department of Education, in conjunction with the Board of
384 Governors, shall establish and maintain a single, statewide
385 computer-assisted student advising system, which must be an
386 integral part of the process of advising, registering, and
387 certifying students for graduation and must be accessible to all
388 Florida students. The state universities and community colleges
389 shall interface institutional systems with the computer-assisted
390 advising system required by this section. The State Board of
391 Education and the Board of Governors shall specify in the
392 statewide articulation agreement required by s. 1007.23(1) the
393 roles and responsibilities of the department, the state
394 universities, and the community colleges in the design,
395 implementation, promotion, development, and analysis of the
396 system. The system shall consist of a degree audit and an
397 articulation component that includes the following
398 characteristics:

399 (5) The system must provide the transient student
400 admissions application process for those students defined in s.
401 1004.091, which includes the electronic transfer and receipt of
402 information and records for the following functions:

403 (a) Admissions and readmissions;

404 (b) Financial aid; and

405 (c) Transfer of credit awarded by the institution offering
406 the distance learning course to the transient student's degree-

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407 granting institution.

408 Section 7. Section 1009.215, Florida Statutes, is created
409 to read:

410 1009.215 Spring and summer term student enrollment.-

411 (1) Subject to approval by the Board of Governors of the
412 State University System, each university is authorized to plan
413 and implement a student enrollment plan for the spring and
414 summer terms for the purpose of aligning on-campus student
415 enrollment with available instructional staff and facilities.

416 (2) The plan shall provide for a student cohort that is
417 limited to on-campus enrollment during the spring and summer
418 terms. Students in this cohort would not be eligible for on-
419 campus enrollment during the fall terms.

420 (3) Students who enroll for the spring and summer terms and
421 who are eligible to receive Bright Futures Scholarships under
422 ss. 1009.53-1009.536 are eligible to receive the scholarship
423 award for attendance during the spring and summer terms but are
424 not eligible to receive the scholarship for attendance during
425 the fall terms.

426 (4) By January 31, 2013, each university that has
427 implemented this plan shall report to the President of the
428 Senate and the Speaker of the House of Representatives regarding
429 the status of the plan's implementation.

430 Section 8. Paragraph (c) of subsection (3) of section
431 1009.22, Florida Statutes, is amended, present subsection (12)
432 of that section is redesignated as subsection (13), and a new
433 subsection (12) is added to that section, to read:

434 1009.22 Workforce education postsecondary student fees.-

435 (3)

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436 (c) Effective July 1, 2011, for programs leading to a
437 career certificate or an applied technology diploma, the
438 standard tuition shall be \$2.22 per contact hour for residents
439 and nonresidents and the out-of-state fee shall be \$6.66 per
440 contact hour. For adult general education programs, a block
441 tuition of \$45 per half year shall be assessed for residents and
442 nonresidents, and the out-of-state fee shall be \$135 per half
443 year. ~~Effective January 1, 2008, standard tuition shall be \$1.67~~
444 ~~per contact hour for programs leading to a career certificate or~~
445 ~~an applied technology diploma and 83 cents for adult general~~
446 ~~education programs. The out-of-state fee per contact hour shall~~
447 ~~be three times the standard tuition per contact hour.~~

448 (12) (a) The Board of Trustees of Santa Fe College may
449 establish a transportation access fee. Revenue from the fee may
450 be used only to provide or improve access to transportation
451 services for students enrolled at Santa Fe College. The fee may
452 not exceed \$6 per credit hour. An increase in the transportation
453 access fee may occur only once each fiscal year and must be
454 implemented beginning with the fall term. A referendum must be
455 held by the student government to approve the application of the
456 fee.

457 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
458 the transportation access fee authorized under paragraph (a) may
459 not be included in calculating the amount a student receives for
460 a Florida Academic Scholars award, a Florida Medallion Scholars
461 award, or a Florida Gold Seal Vocational Scholars award.

462 Section 9. Paragraphs (a) and (b) of subsection (3) of
463 section 1009.23, Florida Statutes, are amended, present
464 subsection (17) of that section is redesignated as subsection

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465 (19), and new subsections (17) and (18) are added to that
466 section, to read:

467 1009.23 Community college student fees.—

468 (3) (a) Effective July 1, 2011 ~~January 1, 2008~~, for advanced
469 and professional, postsecondary vocational, college preparatory,
470 and educator preparation institute programs, ~~the following~~
471 ~~tuition and fee rates shall apply:~~

472 ~~1. the standard tuition shall be \$68.56 per credit hour for~~
473 ~~residents and nonresidents, and the out-of-state fee shall be~~
474 ~~\$205.82 per credit hour \$51.35 per credit hour for students who~~
475 ~~are residents for tuition purposes.~~

476 ~~2. The standard tuition shall be \$51.35 per credit hour and~~
477 ~~the out-of-state fee shall be \$154.14 per credit hour for~~
478 ~~students who are nonresidents for tuition purposes.~~

479 (b) Effective July 1, 2011 ~~January 1, 2008~~, for
480 baccalaureate degree programs, the following tuition and fee
481 rates shall apply:

482 1. The tuition shall be \$87.42 ~~\$65.47~~ per credit hour for
483 students who are residents for tuition purposes.

484 2. The sum of the tuition and the out-of-state fee per
485 credit hour for students who are nonresidents for tuition
486 purposes shall be no more than 85 percent of the sum of the
487 tuition and the out-of-state fee at the state university nearest
488 the community college.

489 (17) Each college may assess a transient student fee not to
490 exceed \$5 per distance learning course for processing the
491 transient student admissions application pursuant to s.
492 1004.091.

493 (18) (a) The Board of Trustees of Santa Fe College may

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494 establish a transportation access fee. Revenue from the fee may
495 be used only to provide or improve access to transportation
496 services for students enrolled at Santa Fe College. The fee may
497 not exceed \$6 per credit hour. An increase in the transportation
498 access fee may occur only once each fiscal year and must be
499 implemented beginning with the fall term. A referendum must be
500 held by the student government to approve the application of the
501 fee.

502 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
503 the transportation access fee authorized under paragraph (a) may
504 not be included in calculating the amount a student receives for
505 a Florida Academic Scholars award, a Florida Medallion Scholars
506 award, or a Florida Gold Seal Vocational Scholars award.

507 Section 10. Paragraph (t) is added to subsection (14) of
508 section 1009.24, Florida Statutes, and paragraph (a) of
509 subsection (16) of that section is amended, to read:

510 1009.24 State university student fees.—

511 (14) Except as otherwise provided in subsection (15), each
512 university board of trustees is authorized to establish the
513 following fees:

514 (t) A transient student fee not to exceed \$5 per distance
515 learning course for processing the transient student admissions
516 application pursuant to s. 1004.091.

517
518 With the exception of housing rental rates and except as
519 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)
520 shall be based on reasonable costs of services. The Board of
521 Governors shall adopt regulations and timetables necessary to
522 implement the fees and fines authorized under this subsection.

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523 The fees assessed under this subsection may be used for debt
524 only as authorized under s. 1010.62.

525 (16) Each university board of trustees may establish a
526 tuition differential for undergraduate courses upon receipt of
527 approval from the Board of Governors. The tuition differential
528 shall promote improvements in the quality of undergraduate
529 education and shall provide financial aid to undergraduate
530 students who exhibit financial need.

531 (a) Seventy percent of the revenues from the tuition
532 differential shall be expended for purposes of undergraduate
533 education. Such expenditures may include, but are not limited
534 to, increasing course offerings, improving graduation rates,
535 increasing the percentage of undergraduate students who are
536 taught by faculty, decreasing student-faculty ratios, providing
537 salary increases for faculty who have a history of excellent
538 teaching in undergraduate courses, improving the efficiency of
539 the delivery of undergraduate education through academic
540 advisement and counseling, and reducing the percentage of
541 students who graduate with excess hours. This expenditure for
542 undergraduate education may not be used to pay the salaries of
543 graduate teaching assistants. Except as otherwise provided in
544 this subsection, the remaining 30 percent of the revenues from
545 the tuition differential, or the equivalent amount of revenue
546 from private sources, shall be expended to provide financial aid
547 to undergraduate students who exhibit financial need, including
548 students who are scholarship recipients under s. 1009.984, to
549 meet the cost of university attendance. This expenditure for
550 need-based financial aid shall not supplant the amount of need-
551 based aid provided to undergraduate students in the preceding

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552 fiscal year from financial aid fee revenues, the direct
553 appropriation for financial assistance provided to state
554 universities in the General Appropriations Act, or from private
555 sources. The total amount of tuition differential waived under
556 subparagraph (b)8. may be included in calculating the
557 expenditures for need-based financial aid to undergraduate
558 students required by this subsection. If the entire tuition and
559 fee costs of students who have applied for and received Pell
560 Grant funds have been met and the university has excess funds
561 remaining from the 30 percent of the revenues from the tuition
562 differential required to be used to assist students who exhibit
563 financial need, the university may expend the excess portion in
564 the same manner as required for the other 70 percent of the
565 tuition differential revenues.

566 Section 11. Section 1009.25, Florida Statutes, is amended
567 to read:

568 1009.25 Fee exemptions.-

569 ~~(1) The following Students are exempt from any requirement~~
570 ~~for the payment of tuition and fees, including lab fees, for~~
571 ~~adult basic, adult secondary, or career preparatory instruction.~~

572 ~~(a) A student who does not have a high school diploma or~~
573 ~~its equivalent.~~

574 ~~(b) A student who has a high school diploma or its~~
575 ~~equivalent and who has academic skills at or below the eighth~~
576 ~~grade level pursuant to state board rule. A student is eligible~~
577 ~~for this exemption from fees if the student's skills are at or~~
578 ~~below the eighth grade level as measured by a test administered~~
579 ~~in the English language and approved by the Department of~~
580 ~~Education, even if the student has skills above that level when~~

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581 ~~tested in the student's native language.~~

582 (1)~~(2)~~ The following students are exempt from the payment
583 of tuition and fees, including lab fees, at a school district
584 that provides postsecondary career programs, community college,
585 or state university:

586 (a) A student enrolled in a dual enrollment or early
587 admission program pursuant to s. 1007.27 or s. 1007.271.

588 (b) A student enrolled in an approved apprenticeship
589 program, as defined in s. 446.021.

590 (c) A student who is or was at the time he or she reached
591 18 years of age in the custody of the Department of Children and
592 Family Services or who, after spending at least 6 months in the
593 custody of the department after reaching 16 years of age, was
594 placed in a guardianship by the court. Such exemption includes
595 fees associated with enrollment in career-preparatory
596 instruction. The exemption remains valid until the student
597 reaches 28 years of age.

598 (d) A student who is or was at the time he or she reached
599 18 years of age in the custody of a relative under s. 39.5085 or
600 who was adopted from the Department of Children and Family
601 Services after May 5, 1997. Such exemption includes fees
602 associated with enrollment in career-preparatory instruction.
603 The exemption remains valid until the student reaches 28 years
604 of age.

605 (e) A student enrolled in an employment and training
606 program under the welfare transition program. The regional
607 workforce board shall pay the state university, community
608 college, or school district for costs incurred for welfare
609 transition program participants.

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610 (f) A student who lacks a fixed, regular, and adequate
611 nighttime residence or whose primary nighttime residence is a
612 public or private shelter designed to provide temporary
613 residence for individuals intended to be institutionalized, or a
614 public or private place not designed for, or ordinarily used as,
615 a regular sleeping accommodation for human beings.

616 (g) A student who is a proprietor, owner, or worker of a
617 company whose business has been at least 50 percent negatively
618 financially impacted by the buyout of property around Lake
619 Apopka by the State of Florida. Such student may receive a fee
620 exemption only if the student has not received compensation
621 because of the buyout, the student is designated a Florida
622 resident for tuition purposes, pursuant to s. 1009.21, and the
623 student has applied for and been denied financial aid, pursuant
624 to s. 1009.40, which would have provided, at a minimum, payment
625 of all student fees. The student is responsible for providing
626 evidence to the postsecondary education institution verifying
627 that the conditions of this paragraph have been met, including
628 supporting documentation provided by the Department of Revenue.
629 The student must be currently enrolled in, or begin coursework
630 within, a program area by fall semester 2000. The exemption is
631 valid for a period of 4 years after the date that the
632 postsecondary education institution confirms that the conditions
633 of this paragraph have been met.

634 (2)~~(3)~~ Each community college is authorized to grant
635 student fee exemptions from all fees adopted by the State Board
636 of Education and the community college board of trustees for up
637 to 40 full-time equivalent students at each institution.

638 Section 12. Section 1009.251, Florida Statutes, is created

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639 to read:

640 1009.251 STEM Scholarship Program.—

641 (1) PURPOSE.—The STEM Scholarship Program is created for
642 students who are accepted and enrolled in an eligible major in
643 programs of study in the fields of physical science, life
644 science, computer science, technology, engineering, or
645 mathematics. The purpose of the STEM Scholarship Program is to
646 help eligible junior and senior undergraduate students who
647 demonstrate need and are pursuing eligible majors to meet the
648 cost of their postsecondary education. The program shall be
649 administered by the participating institutions in accordance
650 with rules of the State Board of Education.

651 (2) DEFINITIONS.—For purposes of this section, the term:

652 (a) "STEM" means any program of study leading to a
653 baccalaureate degree in the field of physical, life, or computer
654 sciences, mathematics, technology, or engineering. Eligible
655 programs shall be designated by the Department of Education
656 through the federal Classification of Instructional Programs
657 Codes in the following areas:

658 1. Computer science.—The branch of knowledge or study of
659 computers, including such fields of knowledge or study related
660 to computer hardware, computer software, computer engineering,
661 information systems, and robotics.

662 2. Engineering.—The science by which the properties of
663 matter and the sources of energy in nature are made useful to
664 humanity in structures, machines, and products, as in the
665 construction of engines, bridges, buildings, mines, and chemical
666 plants, including such fields of knowledge or study related to
667 aeronautical engineering, chemical engineering, civil

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668 engineering, electrical engineering, industrial engineering,
669 materials engineering, manufacturing engineering, and mechanical
670 engineering.

671 3. Life sciences.—The branch of knowledge or study of
672 living things, including such fields of knowledge or study
673 related to biology, biochemistry, biophysics, microbiology,
674 genetics, physiology, botany, zoology, ecology, and behavioral
675 biology, except that the term does not encompass the health
676 professions.

677 4. Mathematics.—The branch of knowledge or study of numbers
678 and the systematic treatment of magnitude, relationships between
679 figures and forms, and relationships between quantities
680 expressed symbolically, including such fields of knowledge or
681 study related to statistics, applied mathematics, and operations
682 research.

683 5. Natural resources and conservation.—Instructional
684 programs that focus on the various natural resources and
685 conservation fields and prepare students for related
686 occupations.

687 6. Physical sciences.—The branch of knowledge or study of
688 the material universe, including such fields of knowledge or
689 study related to astronomy, atmospheric sciences, chemistry,
690 earth sciences, ocean sciences, physics, and planetary sciences.

691 7. Technology.—The application of mechanical or scientific
692 knowledge, for example, applied science.

693 8. Multidisciplinary studies related to the areas described
694 in subparagraphs 1.-7.

695 (b) "Need" means the difference between the student's cost
696 of attendance and the expected family contribution and other

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697 financial resources available to the student to meet this cost.

698 (c) "Undergraduate" means the student who is in the process
699 of attaining a first bachelor's or baccalaureate degree.

700 (d) "Junior" means a student who has earned between 60 and
701 89 semester hours, or the equivalent, and has been accepted into
702 an eligible major.

703 (e) "Senior" means a student who has earned a minimum of 90
704 semester hours or the equivalent and has been accepted into an
705 eligible major.

706 (3) ELIGIBILITY.-

707 (a) Grants to students through the program may be made only
708 to baccalaureate, degree-seeking, Florida residents who are
709 accepted and enroll in an eligible Florida postsecondary
710 institution full-time, at least 12 semester hours or the
711 equivalent per term, and who meet the general requirements for
712 student eligibility as provided in s. 1009.40, except as
713 otherwise provided in this section.

714 1. An eligible student must be enrolled in a state
715 university or Florida college authorized by Florida law.

716 2. An eligible student must be enrolled in a program of
717 study leading to a baccalaureate degree in the field of
718 physical, life, or computer sciences, mathematics, technology,
719 or engineering, as specified in paragraph (2) (a).

720 3. A student applying for a STEM scholarship must apply for
721 the Pell Grant. The Pell Grant entitlement shall be considered
722 when conducting an assessment of the financial resources
723 available to each student. The first priority of funding shall
724 be given to students having the lowest total family resources
725 and who demonstrate need by qualifying and receiving federal

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726 Pell Grant funds. The amount of the STEM Scholarship award shall
727 supplement the Pell Grant amount at least, but not limited to,
728 up to the full cost of tuition and fees per term, not to exceed
729 the maximum term award. An institution may not impose additional
730 criteria to determine a student's eligibility to receive a grant
731 award.

732 4. An initial student must earn a minimum cumulative grade
733 point average of 2.75 on a 4.0 scale.

734 5. A renewal student must earn a minimum cumulative grade
735 point average of 2.75 on a 4.0 scale.

736 6. A student is eligible to receive an annual STEM
737 Scholarship award during the student's junior and senior
738 academic years in all eligible programs for a maximum of 6
739 terms.

740 (b) The eligibility status of each student to receive a
741 disbursement shall be determined by each institution at the end
742 of its regular registration period, inclusive of a drop and add
743 period. Institutions are not required to reevaluate a student's
744 eligibility status after this date for purposes of changing
745 eligibility determinations previously made.

746 (4) AWARD AMOUNT.—The annual award amount shall be \$1,000
747 or an amount as specified in the General Appropriations Act.
748 Funds appropriated by the Legislature shall be allocated by the
749 Office of Student Financial Assistance. If funds appropriated
750 are not adequate to provide the maximum allowable award to each
751 eligible applicant, awards may be paid on a prorated basis.

752 (5) ISSUANCE OF AWARDS.—The department shall issue awards
753 from the scholarship program annually. Before the registration
754 period each semester, the department shall transmit payment for

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755 each award to the president or director of the postsecondary
756 education institution, or his or her representative, except that
757 the department may withhold payment if the receiving institution
758 fails to report or to make refunds to the department as required
759 in this section. Institutions shall notify students of the
760 amount of their awards. Each participating institution shall
761 report to the department by the established date the eligible
762 students to whom grant moneys are disbursed each academic term.
763 Each institution shall also report to the department necessary
764 demographic and eligibility data for such students. Within 30
765 days after the end of regular registration each semester, the
766 educational institution shall certify to the department the
767 eligibility status of each student who receives an award. After
768 the end of the drop and add period, an institution is not
769 required to reevaluate or revise a student's eligibility status.
770 An institution that receives funds from the program shall
771 certify to the department the amount of funds disbursed to each
772 student and shall remit to the department any undisbursed
773 advances within 60 days after the end of regular registration
774 and by June 1 of each year.

775 (6) RULES.—The State Board of Education may establish rules
776 necessary to administer this section.

777 (7) IMPLEMENTATION.—This section shall be implemented only
778 to the extent specifically funded.

779 Section 13. Subsections (2) and (7) of section 1009.286,
780 Florida Statutes, are amended to read:

781 1009.286 Additional student payment for hours exceeding
782 baccalaureate degree program completion requirements at state
783 universities.—

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784 (2) State universities shall require a student to pay an
785 excess hour surcharge equal to 100 ~~50~~ percent of the tuition
786 rate for each credit hour in excess of 115 ~~120~~ percent of the
787 number of credit hours required to complete the baccalaureate
788 degree program in which the student is enrolled.

789 (7) The provisions of this section become effective for
790 students who enter a community college or a state university for
791 the first time in the 2011-2012 ~~2009-2010~~ academic year and
792 thereafter.

793 Section 14. Subsection (4) is added to section 1009.55,
794 Florida Statutes, to read:

795 1009.55 Rosewood Family Scholarship Program.—

796 (4) Funding for the program shall be as provided in the
797 General Appropriations Act.

798 Section 15. Subsection (7) is added to section 1009.56,
799 Florida Statutes, to read:

800 1009.56 Seminole and Miccosukee Indian Scholarships.—

801 (7) Funding for the program shall be as provided in the
802 General Appropriations Act.

803 Section 16. Subsection (3) is added to section 1009.57,
804 Florida Statutes, to read:

805 1009.57 Florida Teacher Scholarship and Forgivable Loan
806 Program.—

807 (3) Funding for the program shall be as provided in the
808 General Appropriations Act.

809 Section 17. Subsection (7) is added to section 1009.60,
810 Florida Statutes, to read:

811 1009.60 Minority teacher education scholars program.—There
812 is created the minority teacher education scholars program,

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813 which is a collaborative performance-based scholarship program
814 for African-American, Hispanic-American, Asian-American, and
815 Native American students. The participants in the program
816 include Florida's community colleges and its public and private
817 universities that have teacher education programs.

818 (7) Funding for the program shall be as provided in the
819 General Appropriations Act.

820 Section 18. Subsection (8) is added to section 1009.68,
821 Florida Statutes, is to read:

822 1009.68 Florida Minority Medical Education Program.—

823 (8) Funding for the program shall be as provided in the
824 General Appropriations Act.

825 Section 19. Subsection (5) is added to section 1009.69,
826 Florida Statutes, to read:

827 1009.69 Virgil Hawkins Fellows Assistance Program.—

828 (5) Funding for the program shall be as provided in the
829 General Appropriations Act.

830 Section 20. Subsection (6) of section 1009.701, Florida
831 Statutes, is amended to read:

832 1009.701 First Generation Matching Grant Program.—

833 (6) The award amount shall be based on the student's need
834 assessment after any scholarship or grant aid, including, but
835 not limited to, a Pell Grant or a Bright Futures Scholarship,
836 has been applied. The first priority of funding shall be given
837 to students who demonstrate need by qualifying and receiving
838 federal Pell Grant funds up to the full cost of tuition and fees
839 per term. An award may not exceed the institution's estimated
840 annual cost of attendance for the student to attend the
841 institution.

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842 Section 21. Subsection (11) is added to section 1009.73,
843 Florida Statutes, to read:

844 1009.73 Mary McLeod Bethune Scholarship Program.—

845 (11) Funding for the program shall be as provided in the
846 General Appropriations Act.

847 Section 22. Subsection (4) is added to section 1009.74,
848 Florida Statutes, to read:

849 1009.74 The Theodore R. and Vivian M. Johnson Scholarship
850 Program.—

851 (4) Funding for the program shall be as provided in the
852 General Appropriations Act.

853 Section 23. Effective upon this act becoming a law,
854 paragraph (c) of subsection (8) of section 1009.77, Florida
855 Statutes, is amended, and subsection (11) is added to that
856 section, to read:

857 1009.77 Florida Work Experience Program.—

858 (8) A student is eligible to participate in the Florida
859 Work Experience Program if the student:

860 (c) Demonstrates financial need with the first priority of
861 funding given to students who demonstrate need by qualifying and
862 receiving federal Pell Grant funds up to the full cost of
863 tuition and fees per term.

864 (11) Funding for the program shall be as provided in the
865 General Appropriations Act.

866 Section 24. Paragraph (a) of subsection (5) of section
867 1009.89, Florida Statutes, is amended to read:

868 1009.89 The William L. Boyd, IV, Florida resident access
869 grants.—

870 (5) (a) Funding for the William L. Boyd, IV, Florida

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871 Resident Access Grant Program for eligible institutions shall be
872 as provided in the General Appropriations Act ~~based on a formula~~
873 ~~composed of planned enrollment and the state cost of funding~~
874 ~~undergraduate enrollment at public institutions pursuant to s.~~
875 ~~1011.90.~~ The amount of the William L. Boyd, IV, Florida resident
876 access grant issued to a full-time student shall be ~~an amount~~ as
877 specified in the General Appropriations Act. The William L.
878 Boyd, IV, Florida resident access grant may be paid on a
879 prorated basis in advance of the registration period. The
880 department shall make such payments to the college or university
881 in which the student is enrolled for credit to the student's
882 account for payment of tuition and fees. Institutions shall
883 certify to the department the amount of funds disbursed to each
884 student and shall remit to the department any undisbursed
885 advances or refunds within 60 days of the end of regular
886 registration. Students shall not be eligible to receive the
887 award for more than 9 semesters or 14 quarters, except as
888 otherwise provided in s. 1009.40(3).

889 Section 25. Subsection (7) of section 1009.891, Florida
890 Statutes, is amended to read:

891 1009.891 The Access to Better Learning and Education Grant
892 Program.—

893 (7) Funding for the program shall be as provided in the
894 General Appropriations Act. ~~This section shall be implemented~~
895 ~~only to the extent specifically funded and authorized by law.~~

896 Section 26. Subsection (13) is added to section 1011.32,
897 Florida Statutes, to read:

898 1011.32 Community College Facility Enhancement Challenge
899 Grant Program.—

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900 (13) Effective July 1, 2011, state matching funds are
901 temporarily suspended for donations received for the program
902 after June 30, 2011. Existing eligible donations remain eligible
903 for future matching funds.

904 Section 27. Subsection (1) of section 1011.52, Florida
905 Statutes, is amended to read:

906 1011.52 Appropriation to first accredited medical school.—

907 (1) Subject to the provisions hereinafter set forth, the
908 Legislature may ~~shall~~ provide an annual appropriation to the
909 first accredited medical school. Payments of moneys from such
910 appropriation shall be made semiannually at the beginning of the
911 first and third quarters.

912 Section 28. Paragraph (c) of subsection (1) of section
913 1011.61, Florida Statutes, is amended to read:

914 1011.61 Definitions.—Notwithstanding the provisions of s.
915 1000.21, the following terms are defined as follows for the
916 purposes of the Florida Education Finance Program:

917 (1) A "full-time equivalent student" in each program of the
918 district is defined in terms of full-time students and part-time
919 students as follows:

920 (c)1. A "full-time equivalent student" is:

921 a. A full-time student in any one of the programs listed in
922 s. 1011.62(1)(c); or

923 b. A combination of full-time or part-time students in any
924 one of the programs listed in s. 1011.62(1)(c) which is the
925 equivalent of one full-time student based on the following
926 calculations:

927 (I) A full-time student, ~~except a postsecondary or adult~~
928 ~~student or a senior high school student enrolled in adult~~

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929 ~~education when such courses are required for high school~~
930 ~~graduation,~~ in a combination of programs listed in s.
931 1011.62(1)(c) shall be a fraction of a full-time equivalent
932 membership in each special program equal to the number of net
933 hours per school year for which he or she is a member, divided
934 by the appropriate number of hours set forth in subparagraph
935 (a)1. or subparagraph (a)2. The difference between that fraction
936 or sum of fractions and the maximum value as set forth in
937 subsection (4) for each full-time student is presumed to be the
938 balance of the student's time not spent in such special
939 education programs and shall be recorded as time in the
940 appropriate basic program.

941 (II) A prekindergarten handicapped student shall meet the
942 requirements specified for kindergarten students.

943 (III) A full-time equivalent student for students in
944 kindergarten through grade 5 in a school district virtual
945 instruction program under s. 1002.45 shall consist of a student
946 who has successfully completed a basic program listed in s.
947 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade
948 level.

949 (IV) A full-time equivalent student for students in grades
950 6 through 12 in a school district virtual instruction program
951 under s. 1002.45(1)(b)1. and 2. shall consist of six full credit
952 completions in programs listed in s. 1011.62(1)(c)1.b. or c. and
953 3. Credit completions can be a combination of either full
954 credits or half credits.

955 (V) A Florida Virtual School full-time equivalent student
956 shall consist of six full credit completions in the programs
957 listed in s. 1011.62(1)(c)1.b. for grades 6 through 8 and the

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958 programs listed in s. 1011.62(1)(c)1.c. for grades 9 through 12.
959 Credit completions can be a combination of either full credits
960 or half credits.

961 (VI) Each successfully completed credit earned under the
962 alternative high school course credit requirements authorized in
963 s. 1002.375, which is not reported as a portion of the 900 net
964 hours of instruction pursuant to subparagraph (1)(a)1., shall be
965 calculated as 1/6 FTE.

966 2. A student in membership in a program scheduled for more
967 or less than 180 school days or the equivalent on an hourly
968 basis as specified by rules of the State Board of Education is a
969 fraction of a full-time equivalent membership equal to the
970 number of instructional hours in membership divided by the
971 appropriate number of hours set forth in subparagraph (a)1.;
972 however, for the purposes of this subparagraph, membership in
973 programs scheduled for more than 180 days is limited to students
974 enrolled in juvenile justice education programs and the Florida
975 Virtual School.

976
977 The department shall determine and implement an equitable method
978 of equivalent funding for experimental schools and for schools
979 operating under emergency conditions, which schools have been
980 approved by the department to operate for less than the minimum
981 school day.

982 Section 29. Subsections (7) and (10) of section 1011.80,
983 Florida Statutes, are amended to read:

984 1011.80 Funds for operation of workforce education
985 programs.—

986 (7) (a) A school district or community college that receives

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987 workforce education funds must use the money to benefit the
988 workforce education programs it provides. The money may be used
989 for equipment upgrades, program expansions, or any other use
990 that would result in workforce education program improvement.
991 The district school board or community college board of trustees
992 may not withhold any portion of the performance funding for
993 indirect costs.

994 (b) Any funds for the operation of postsecondary workforce
995 programs may not be expended for the education of state or
996 federal inmates.

997 (10) A high school student dually enrolled under s.
998 1007.271 in a workforce education program operated by a
999 community college or school district career center generates the
1000 amount calculated for workforce education funding, including any
1001 payment of performance funding, and the proportional share of
1002 full-time equivalent enrollment generated through the Florida
1003 Education Finance Program for the student's enrollment in a high
1004 school. If a high school student is dually enrolled in a
1005 community college program, including a program conducted at a
1006 high school, the community college earns the funds generated for
1007 workforce education funding, and the school district earns the
1008 proportional share of full-time equivalent funding from the
1009 Florida Education Finance Program. If a student is dually
1010 enrolled in a career center operated by the same district as the
1011 district in which the student attends high school, that district
1012 earns the funds generated for workforce education funding and
1013 also earns the proportional share of full-time equivalent
1014 funding from the Florida Education Finance Program. If a student
1015 is dually enrolled in a workforce education program provided by

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1016 a career center operated by a different school district, the
1017 funds must be divided between the two school districts
1018 proportionally from the two funding sources. A student may not
1019 be reported for funding in a dual enrollment workforce education
1020 program unless the student has completed the basic skills
1021 assessment pursuant to s. 1004.91. A student who is coenrolled
1022 in a K-12 education program and an adult education program may
1023 not be reported for purposes of funding in an adult education
1024 program.

1025 Section 30. Subsection (3) is added to section 1011.81,
1026 Florida Statutes, to read:

1027 1011.81 Community College Program Fund.—

1028 (3) Any funds that are allocated to a college from the
1029 Community College Program Fund may not be expended for the
1030 education for state or federal inmates.

1031 Section 31. Subsection (2) of section 1011.85, Florida
1032 Statutes, is amended, and subsection (13) is added to that
1033 section, to read:

1034 1011.85 Dr. Philip Benjamin Matching Grant Program for
1035 Community Colleges.—

1036 (2) Each community college board of trustees receiving
1037 state appropriations under this program shall approve each gift
1038 to ensure alignment with the unique mission of the community
1039 college. The board of trustees must link all requests for a
1040 state match to the goals and mission statement. The Florida
1041 Community College Foundation Board receiving state
1042 appropriations under this program shall approve each gift to
1043 ensure alignment with its goals and mission statement. Funds
1044 received from community events, festivals, or other such

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1045 activities are not eligible for state matching funds under this
1046 program.

1047 (13) Effective July 1, 2011, state matching funds are
1048 temporarily suspended for donations received for this program
1049 after June 30, 2011. Existing eligible donations remain eligible
1050 for future matching funds.

1051 Section 32. Subsection (8) is added to section 1011.94,
1052 Florida Statutes, to read:

1053 1011.94 University Major Gifts Program.—

1054 (8) Effective July 1, 2011, state matching funds are
1055 temporarily suspended for donations received for this program
1056 after June 30, 2011. Existing eligible donations remain eligible
1057 for future matching funds.

1058 Section 33. Subsection (12) is added to section 1013.79,
1059 Florida Statutes, to read:

1060 1013.79 University Facility Enhancement Challenge Grant
1061 Program.—

1062 (12) Effective July 1, 2011, state matching funds are
1063 temporarily suspended for donations received for this program
1064 after June 30, 2011. Existing eligible donations remain eligible
1065 for future matching funds.

1066 Section 34. Section 1013.737, Florida Statutes, is amended
1067 to read:

1068 1013.737 The Class Size Reduction and Educational
1069 Facilities Lottery Revenue Bond Program.—There is established
1070 the Class Size Reduction and Educational Facilities Lottery
1071 Revenue Bond Program.

1072 (1) The issuance of revenue bonds is authorized to finance
1073 or refinance the construction, acquisition, reconstruction, or

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1074 renovation of educational facilities. Such bonds shall be issued
1075 pursuant to and in compliance with the provisions of s. 11(d),
1076 Art. VII of the State Constitution, the provisions of the State
1077 Bond Act, ss. 215.57-215.83, as amended, and the provisions of
1078 this section.

1079 (2) The bonds are payable from, and secured by a first lien
1080 on, the first lottery revenues transferred to the Educational
1081 Enhancement Trust Fund each fiscal year, as provided by s.
1082 24.121(2), and do not constitute a general obligation of, or a
1083 pledge of the full faith and credit of, the state.

1084 (3) The state hereby covenants with the holders of such
1085 revenue bonds that it will not take any action that will
1086 materially and adversely affect the rights of such holders so
1087 long as bonds authorized by this section are outstanding. The
1088 state does hereby additionally authorize the establishment of a
1089 covenant in connection with the bonds which provides that any
1090 additional funds received by the state from new or enhanced
1091 lottery programs; video gaming; banking card games, including
1092 baccarat, chemin de fer, or blackjack; electronic or
1093 electromechanical facsimiles of any game of chance; casino
1094 games; slot machines; or other similar activities will first be
1095 available for payments relating to bonds pledging revenues
1096 available pursuant to s. 24.121(2), prior to use for any other
1097 purpose.

1098 (4) The bonds shall be issued by the Division of Bond
1099 Finance of the State Board of Administration on behalf of the
1100 Department of Education in such amount as shall be requested by
1101 resolution of the State Board of Education. However, the total
1102 principal amount of bonds, excluding refunding bonds, issued

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1103 pursuant to this section shall not exceed amounts specifically
1104 authorized in the General Appropriations Act.

1105 (5) Proceeds available from the sale of the bonds shall be
1106 deposited in the Lottery Capital Outlay and Debt Service Trust
1107 Fund within the Department of Education.

1108 (6) The facilities to be financed with the proceeds of such
1109 bonds are designated as state fixed capital outlay projects for
1110 purposes of s. 11(d), Art. VII of the State Constitution, and
1111 the specific facilities to be financed shall be determined in
1112 accordance with state law and appropriations from the
1113 Educational Enhancement Trust Fund. Projects shall be funded
1114 from the Lottery Capital Outlay and Debt Service Trust Fund.
1115 Each educational facility to be financed with the proceeds of
1116 the bonds issued pursuant to this section is hereby approved as
1117 required by s. 11(f), Art. VII of the State Constitution.

1118 (7) Any complaint for validation of such bonds is required
1119 to be filed only in the circuit court of the county where the
1120 seat of state government is situated. The notice required to be
1121 published by s. 75.06 is required to be published only in the
1122 county where the complaint is filed, and the complaint and order
1123 of the circuit court need be served only on the state attorney
1124 of the circuit in which the action is pending.

1125 (8) The Commissioner of Education shall provide for timely
1126 encumbrances of funds for duly authorized projects. Encumbrances
1127 may include proceeds to be received under a resolution approved
1128 by the State Board of Education authorizing issuance of class
1129 size reduction lottery bonds or educational facilities bonds
1130 pursuant to s. 11(d), Art. VII of the State Constitution, this
1131 section, and other applicable law.

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1132 Section 35. The Department of Education shall work with the
1133 College Center for Library Automation (CCLA) to transfer the
1134 Sunlink bibliographic database in standard library data format
1135 to the CCLA for inclusion in its online discovery tool product
1136 and made publicly searchable by school district students, staff,
1137 and parents no later than September 1, 2011. The department
1138 shall also develop an ongoing process to provide for the
1139 electronic updating of school district library holdings data to
1140 the CCLA in a manner that will ensure that the public school
1141 bibliographic database and searchable catalog is current.

1142 Section 36. The Florida Center for Library Automation
1143 (FCLA) and the College Center for Library Automation (CCLA)
1144 shall develop and submit a plan by December 1, 2011, to the
1145 Executive Office of the Governor and to the chairs of the House
1146 Appropriations Committee and the Senate Budget Committee for
1147 establishing a single postsecondary education union catalog that
1148 includes the combined holdings and electronic resources of all
1149 the state universities and colleges and that allows a user to
1150 search these holdings and electronic resources by an individual
1151 state university or college, selected state universities or
1152 colleges, or all state universities and colleges. The plan must
1153 also include the projected costs for the development and ongoing
1154 maintenance of the postsecondary education union catalog,
1155 projected cost savings resulting from FCLA and CCLA no longer
1156 being required to maintain separate online discovery tool
1157 products and associated resources, and timeline and
1158 implementation strategies for making the postsecondary education
1159 union catalog available for use.

1160 Section 37. By January 1, 2012, the Task Force for the

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1161 Future of Academic Libraries in Florida shall submit a plan to
1162 the Executive Office of the Governor and to the chairs of the
1163 House Appropriations Committee and the Senate Budget Committee
1164 that describes the establishment of a joint library technology
1165 organizational structure that will meet the needs of academic
1166 libraries in both the Florida College System and the State
1167 University System in a manner that must be more cost-effective
1168 than the current organizational structure that includes the
1169 Florida Center for Library Automation and the College Center for
1170 Library Automation. The plan must include the recommended
1171 governance and reporting structure, staffing, funding, and
1172 duties and responsibilities of the joint library technology
1173 organizational structure, and provide recommendations for any
1174 substantive and fiscal changes needed to establish and fund the
1175 organizational structure.

1176 Section 38. Except as otherwise expressly provided in this
1177 act and except for this section, which shall take effect upon
1178 this act becoming a law, this act shall take effect July 1,
1179 2011.