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1  
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. 440.491, F.S.;  
14 revising definitions; revising legislative intent;  
15 eliminating regulatory and monitoring responsibilities  
16 of the Department of Education with respect to  
17 rehabilitation providers and services; authorizing  
18 referral of an injured employee to the Department of  
19 Education for vocational evaluation; authorizing  
20 referral to the Agency for Workforce Innovation or any  
21 successor agency for reemployment services;  
22 authorizing interagency agreements between the  
23 Department of Education and an agency providing  
24 reemployment services; authorizing the expenditure of  
25 funds from the Workers Compensation Trust Fund for  
26 reemployment services; deleting provisions specifying  
27 qualifications for rehabilitation providers and  
28 requiring rehabilitation provider fees; amending s.  
29 413.011, F.S.; authorizing the Division of Blind

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30 Services to lease property and the Department of  
31 Education to enter into leases and subleases on behalf  
32 of the division; amending s. 1004.091, F.S.; revising  
33 provisions relating to the duties of the Florida  
34 Distance Learning Consortium; requiring that the  
35 consortium implement a streamlined, automated, online  
36 registration process for transient students who are  
37 undergraduate students currently enrolled and pursuing  
38 a degree at a public postsecondary educational  
39 institution; requiring that the consortium work with  
40 the Florida College System and the State University  
41 System to implement the admissions application  
42 process; providing certain requirements for state  
43 universities and state colleges; revising requirements  
44 for the central instructional content repository;  
45 creating s. 1004.649, F.S.; designating the Northwest  
46 Regional Data Center at Florida State University as a  
47 primary data center; providing requirements for the  
48 data center; requiring the data center to provide its  
49 annual budget costs to the Board of Governors of the  
50 State University System; specifying circumstances  
51 under which the data center's designation may be  
52 terminated; amending s. 1006.72, F.S.; revising  
53 provisions relating to the licensing of electronic  
54 library resources; requiring that the chancellors and  
55 vice chancellors of the Florida College System and the  
56 State University System report cost savings resulting  
57 from the collaborative licensing process to the  
58 Executive Office of the Governor and the chairs of the

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59 legislative appropriations committees; amending s.  
60 1007.28, F.S.; revising provisions relating to the  
61 computer-assisted student advising system; requiring  
62 that the system provide for a transient student  
63 admissions application process for certain students;  
64 amending s. 1009.605, F.S.; providing for additional  
65 funds to be expended for administration of the Florida  
66 Fund for Minority Teachers, Inc.; creating s.  
67 1009.215, F.S.; authorizing the University of Florida,  
68 with the approval of the Board of Governors of the  
69 State University System, to plan and implement a pilot  
70 program for students to enroll for the spring and  
71 summer terms rather than the fall terms in order to  
72 align student enrollment with available instructional  
73 staff and facilities; providing for eligibility for  
74 the Bright Futures Scholarship to conform to periods  
75 of a student's enrollment; requiring that the  
76 university report the status of the pilot program to  
77 the Board of Governors and the Legislature by a  
78 specified date; amending s. 1009.22, F.S.; revising  
79 provisions relating to workforce education  
80 postsecondary student fees; revising the standard  
81 tuition for programs leading to a career certificate  
82 or an applied technology diploma; requiring that a  
83 block tuition be assessed for residents and  
84 nonresidents enrolled in adult general education  
85 programs; providing that a separate fee may be used  
86 for the acquisition of improved real property by the  
87 district school board or the community college board

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88 of trustees; authorizing the assessment of a  
89 convenience fee for processing online credit card  
90 payments; providing certain limitations; authorizing  
91 the Board of Trustees of Santa Fe College to establish  
92 a transportation access fee for students enrolled at  
93 Santa Fe College; requiring that revenue from the fee  
94 be used only to provide or improve access to  
95 transportation services; limiting the amount of the  
96 fee; providing a timeframe for a fee increase and  
97 implementation of an increase; requiring that a  
98 referendum be held by the student government to  
99 approve the application of the fee; prohibiting the  
100 inclusion of the fee in calculating the amount a  
101 student receives under Florida Bright Futures  
102 Scholarship Program awards; amending s. 1009.23, F.S.;  
103 revising provisions relating to community college  
104 student fees, including the standard tuition for  
105 residents and nonresidents and the out-of-state fee;  
106 revising the amount of standard tuition fees for  
107 residents and nonresidents and out-of-state fees;  
108 clarifying provisions governing the fee exemptions  
109 provided for athletes; providing for a separate fee to  
110 be used for the acquisition of improved real property;  
111 authorizing each college to assess a transient student  
112 fee that does not exceed a specified amount per  
113 distance learning course; authorizing the Board of  
114 Trustees of Santa Fe College to establish a  
115 transportation access fee for students enrolled at  
116 Santa Fe College; requiring that revenue from the fee

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117 be used only to provide or improve access to  
118 transportation services; limiting the amount of the  
119 fee; providing a timeframe for a fee increase and  
120 implementation of an increase; requiring that a  
121 referendum be held by the student government to  
122 approve the application of the fee; prohibiting the  
123 inclusion of the fee in calculating the amount a  
124 student receives under Florida Bright Futures  
125 Scholarship Program awards; amending s. 1009.24, F.S.;  
126 revising provisions relating to state university  
127 student fees; revising the amount of resident  
128 undergraduate tuition; authorizing each university  
129 board of trustees to establish a transient student fee  
130 that does not exceed a specified amount per distance  
131 learning course for processing the transient student  
132 admissions application; authorizing a university to  
133 expend certain funds remaining from the tuition  
134 differential required for student financial  
135 assistance; amending s. 1009.25, F.S.; deleting  
136 provisions that exempt students from paying tuition  
137 and fees for adult basic, adult secondary, or career  
138 preparatory instruction; amending s. 1009.26, F.S.;  
139 authorizing the use of certain additional  
140 documentation recognized by the Federal Government for  
141 purpose of certain fee waivers; amending s. 1009.286,  
142 F.S.; requiring that a student pay 100 percent of the  
143 tuition rate for each credit hour in excess of a  
144 specified percent of the number of credit hours  
145 required to complete a baccalaureate degree program;

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146 amending s. 1009.531, F.S.; revising the eligibility  
147 requirements for the Florida Bright Futures  
148 Scholarship Program; requiring that a student complete  
149 a specified federal application form before  
150 disbursement of an award; amending ss. 1009.534,  
151 1009.535, and 1009.536, F.S.; requiring that students  
152 receiving a Florida Academic Scholars award, a Florida  
153 Medallion Scholars award, or a Florida Gold Seal  
154 Vocational Scholars award perform a specified number  
155 of hours of community service work; requiring that the  
156 student identify a social problem of interest and  
157 develop a plan; amending ss. 1009.55, 1009.56,  
158 1009.57, 1009.60, 1009.68, and 1009.69, F.S.;  
159 requiring that the funding for the Rosewood Family  
160 Scholarship Program, the Seminole and Miccosukee  
161 Indian Scholarships, the Florida Teacher Scholarship  
162 and Forgivable Loan Program, the Minority Teacher  
163 Education Scholars Program, the Florida Minority  
164 Medical Education Program, and the Virgil Hawkins  
165 Fellows Assistance Program be as provided in the  
166 General Appropriations Act; amending s. 1009.701,  
167 F.S.; revising provisions relating to the First  
168 Generation Matching Grant Program; requiring that a  
169 student complete a specified federal application form  
170 before disbursement of an award; requiring that the  
171 first priority of funding be given to certain students  
172 who qualify and receive federal Pell Grant funds;  
173 amending ss. 1009.73 and 1009.74, F.S.; providing that  
174 funding for the Mary McLeod Bethune Scholarship

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175 Program and the Theodore R. and Vivian M. Johnson  
176 Scholarship Program be as provided in the General  
177 Appropriations Act; amending s. 1009.77, F.S.;

178 revising provisions relating to the Florida Work  
179 Experience Program; requiring that a student complete  
180 a specified federal application form before  
181 disbursement of funds; requiring that first priority  
182 of funding be given to certain students who qualify  
183 and receive federal Pell Grant funds; requiring that  
184 the funding of the program be as provided in the  
185 General Appropriations Act; amending ss. 1009.89 and  
186 1009.891, F.S.; requiring that funding of the William  
187 L. Boyd, IV, Florida Resident Access Grant Program and  
188 the Access to Better Learning and Education Grant  
189 Program be provided as in the General Appropriations  
190 Act; requiring that a student complete a specified  
191 federal application form before disbursement of a  
192 grant; amending s. 1011.32, F.S.; providing that state  
193 matching funds for the Community College Facility  
194 Enhancement Challenge Grant Program be temporarily  
195 suspended for donations made on or after a specified  
196 date; providing that existing donations remain  
197 eligible for future matching funds; amending s.  
198 1011.61, F.S.; redefining the term "full-time  
199 equivalent student" as applied to a student in a  
200 combination of programs; amending s. 1011.80, F.S.;

201 requiring that the Department of Education use a  
202 specified funding model to determine each district's  
203 workforce education funding needs; prohibiting the

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204 expenditure of funds for the education of state or  
205 federal inmates; prohibiting the reporting of a  
206 student who is coenrolled in a K-12 education program  
207 and an adult education program for funding purposes;  
208 providing an exception; amending s. 1011.81, F.S.;  
209 prohibiting the expenditure of funds under the  
210 Community College Program Fund for the education of  
211 state or federal inmates; amending s. 1011.85, F.S.,  
212 relating to the Dr. Philip Benjamin Matching Grant  
213 Program for Community Colleges; providing that funds  
214 received from community events and festivals are not  
215 eligible for state matching funds; providing that  
216 state matching funds under the program be temporarily  
217 suspended for donations received on or after a  
218 specified date; providing that existing donations  
219 remain eligible for future matching funds; amending  
220 ss. 1011.94 and 1013.79, F.S.; providing that state  
221 matching funds for donations to the University Major  
222 Gifts Program and the University Facility Enhancement  
223 Challenge Grant Program are temporarily suspended;  
224 providing that existing donations remain eligible for  
225 future matching funds; amending ss. 1012.885 and  
226 1012.975, F.S.; limiting the amount of remuneration  
227 provided to a Florida College System institution  
228 president or a state university president for the  
229 2011-2012 fiscal year; creating ss. 1012.886 and  
230 1012.976, F.S.; defining terms; providing certain  
231 limitations on the amount of remuneration provided to  
232 Florida College System institution administrative

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233 employees and state university administrative  
234 employees; providing certain exceptions; providing for  
235 future expiration; amending s. 1013.33, F.S., relating  
236 to campus master plans and development agreements;  
237 conforming a cross-reference; repealing s. 1013.63,  
238 F.S., relating to the University Concurrency Trust  
239 Fund; amending s. 1013.737, F.S.; changing the name of  
240 the Class Size Reduction Lottery Revenue Bond Program  
241 to the Class Size Reduction and Educational Facilities  
242 Lottery Revenue Bond Program; authorizing the issuance  
243 of educational facilities bonds; requiring that the  
244 Department of Education work with the College Center  
245 for Library Automation to transfer the K-12 public  
246 school bibliographic database for inclusion in CCLA's  
247 online discovery tool product for the public to  
248 search; requiring that the department also develop an  
249 ongoing process to provide for the updating of such  
250 data; requiring that the Chancellors of the State  
251 University System and the Florida College System  
252 submit a plan to the Governor and Legislature  
253 regarding the establishment of a joint library  
254 organization to address the needs of academic  
255 libraries; specifying requirements for the plan;  
256 authorizing a university board of trustees to expend  
257 reserve or carry-forward balances from prior year  
258 appropriations for the establishment of a new campus;  
259 requiring that the Florida College System Council of  
260 Presidents recommend an equitable funding formula for  
261 funds to the Florida College System institutions;

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262 requiring a report and recommendations to the State  
263 Board of Education, the Governor and the Legislature  
264 by a specified date; providing an effective date.  
265

266 Be It Enacted by the Legislature of the State of Florida:  
267

268 Section 1. Paragraph (dd) is added to subsection (8) of  
269 section 213.053, Florida Statutes, as amended by chapter 2010-  
270 280, Laws of Florida, to read:

271 213.053 Confidentiality and information sharing.—

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

274 (dd) Information relative to s. 215.61(6) to the State  
275 Board of Education, the Division of Bond Finance, and the Office  
276 of Economic and Demographic Research.  
277

278 Disclosure of information under this subsection shall be  
279 pursuant to a written agreement between the executive director  
280 and the agency. Such agencies, governmental or nongovernmental,  
281 shall be bound by the same requirements of confidentiality as  
282 the Department of Revenue. Breach of confidentiality is a  
283 misdemeanor of the first degree, punishable as provided by s.  
284 775.082 or s. 775.083.

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

287 215.61 State system of public education capital outlay  
288 bonds.—

289 (6) In making the determination as required by subsection  
290 (3) of the amount that can be serviced by the gross receipts

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291 tax, the State Board of Education shall disregard the effects on  
292 the reported gross receipts tax revenues collected during a tax  
293 period of any refund paid by the Department of Revenue as a  
294 direct result of a refund request made pursuant to the  
295 settlement reached in *In re: AT&T Mobility Wireless Data*  
296 *Services Sales Litigation*, 270 F.R.D. 330, (Aug. 11, 2010). The  
297 Department of Revenue shall provide to the State Board of  
298 Education, the Division of Bond Finance, and the Office of  
299 Economic and Demographic Research the amount of any such refund  
300 and the tax period in which the refund is included.

301 Section 3. Section 440.491, Florida Statutes, is amended to  
302 read:

303 440.491 Reemployment of injured workers; rehabilitation.—

304 (1) DEFINITIONS.—As used in this section, the term:

305 (a) "Carrier" means group self-insurance funds or  
306 individual self-insureds authorized under this chapter and  
307 commercial funds or insurance entities authorized to write  
308 workers' compensation insurance under chapter 624.

309 (b) "Department" means the Department of Education.

310 (c) "Medical care coordination" includes, but is not  
311 limited to, coordinating physical rehabilitation services such  
312 as medical, psychiatric, or therapeutic treatment for the  
313 injured employee, providing health training to the employee and  
314 family, and monitoring the employee's recovery. The purposes of  
315 medical care coordination are to minimize the disability and  
316 recovery period without jeopardizing medical stability, to  
317 assure that proper medical treatment and other restorative  
318 services are timely provided in a logical sequence, and to  
319 contain medical costs.

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320 (d) "~~Qualified~~ Rehabilitation provider" means a  
321 rehabilitation nurse, rehabilitation counselor, or vocational  
322 evaluator providing, ~~rehabilitation facility, or agency approved~~  
323 ~~by the Department of Education as qualified to provide~~  
324 reemployment assessments, medical care coordination,  
325 reemployment services, or vocational evaluations under this  
326 section, possessing one or more of the following nationally  
327 recognized rehabilitation provider credentials:

328 1. Certified Rehabilitation Registered Nurse, C.R.R.N.,  
329 certified by the Association of Rehab Professionals.

330 2. Certified Rehabilitation Counselor, C.R.C., certified by  
331 the Commission of Rehabilitation Counselor Certifications.

332 3. Certified Case Manager, C.C.M., certified by the  
333 Commission for Case Management Certification.

334 4. Certified Disability Management Specialist, C.D.M.S.,  
335 certified by the Certified Disability Management Specialist  
336 Commission.

337 5. Certified Vocational Evaluator, C.V.E., certified by the  
338 Commission of Rehabilitation Counselor Certification.

339 6. Certified Occupational Health Nurse, C.O.H.N., certified  
340 by the American Board of Occupational Health Nurses ~~chapter.~~

341 (e) "Reemployment assessment" means a written assessment  
342 performed by a ~~qualified~~ rehabilitation provider which provides  
343 a comprehensive review of the medical diagnosis, treatment, and  
344 prognosis; includes conferences with the employer, physician,  
345 and claimant; and recommends a cost-effective physical and  
346 vocational rehabilitation plan to assist the employee in  
347 returning to suitable gainful employment.

348 (f) "Reemployment services" means services that include,

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349 but are not limited to, vocational counseling, job-seeking  
350 skills training, ergonomic job analysis, transferable skills  
351 analysis, selective job placement, labor market surveys, and  
352 arranging other services such as education or training,  
353 vocational and on-the-job, which may be needed by the employee  
354 to secure suitable gainful employment.

355 (g) "Reemployment status review" means a review to  
356 determine whether an injured employee is at risk of not  
357 returning to work.

358 (h) "Suitable gainful employment" means employment or self-  
359 employment that is reasonably attainable in light of the  
360 employee's age, education, work history, transferable skills,  
361 previous occupation, and injury, and which offers an opportunity  
362 to restore the individual as soon as practicable and as nearly  
363 as possible to his or her average weekly earnings at the time of  
364 injury.

365 (i) "Vocational evaluation" means a review of the  
366 employee's physical and intellectual capabilities, his or her  
367 aptitudes and achievements, and his or her work-related  
368 behaviors to identify the most cost-effective means toward the  
369 employee's return to suitable gainful employment.

370 (2) INTENT.—It is the intent of this section ~~to implement a~~  
371 ~~systematic review by carriers of the factors that are predictive~~  
372 ~~of longer-term disability and~~ to encourage the provision of  
373 medical care coordination and reemployment services that are  
374 necessary to assist the employee in returning to work as soon as  
375 is medically feasible.

376 (3) REEMPLOYMENT STATUS REVIEWS AND REPORTS.—

377 (a) When an employee who has suffered an injury compensable

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378 under this chapter is unemployed 60 days after the date of  
379 injury and is receiving benefits for temporary total disability,  
380 temporary partial disability, or wage loss, and has not yet been  
381 provided medical care coordination and reemployment services  
382 voluntarily by the carrier, the carrier must determine whether  
383 the employee is likely to return to work and must report its  
384 determination to the department and the employee. The report  
385 shall include the identification of both the carrier and the  
386 employee, and the carrier claim number and any case number  
387 assigned by the Office of Judges of Compensation Claims. The  
388 carrier must thereafter determine the reemployment status of the  
389 employee at 90-day intervals as long as the employee remains  
390 unemployed, is not receiving medical care coordination or  
391 reemployment services, and is receiving the benefits specified  
392 in this subsection.

393 (b) If medical care coordination or reemployment services  
394 are voluntarily undertaken within 60 days of the date of injury,  
395 such services may continue to be provided as agreed by the  
396 employee and the carrier.

397 (4) REEMPLOYMENT ASSESSMENTS.—

398 (a) The carrier may require the employee to receive a  
399 reemployment assessment as it considers appropriate. However,  
400 the carrier is encouraged to obtain a reemployment assessment  
401 if:

402 1. The carrier determines that the employee is at risk of  
403 remaining unemployed.

404 2. The case involves catastrophic or serious injury.

405 (b) The carrier shall authorize ~~only a~~ ~~qualified~~  
406 rehabilitation provider to provide the reemployment assessment.

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407 The rehabilitation provider shall conduct its assessment and  
408 issue a report to the carrier and, the employee, ~~and the~~  
409 ~~department~~ within 30 days after the time such assessment is  
410 complete.

411 (c) If the rehabilitation provider recommends that the  
412 employee receive medical care coordination or reemployment  
413 services, the carrier shall advise the employee of the  
414 recommendation and determine whether the employee wishes to  
415 receive such services. The employee shall have 15 days after the  
416 date of receipt of the recommendation in which to agree to  
417 accept such services. If the employee elects to receive  
418 services, the carrier may refer the employee to a rehabilitation  
419 provider for such coordination or services within 15 days of  
420 receipt of the assessment report or notice of the employee's  
421 election, whichever is later.

422 (5) MEDICAL CARE COORDINATION AND REEMPLOYMENT SERVICES.—

423 (a) Once the carrier has assigned a case to a ~~qualified~~  
424 rehabilitation provider for medical care coordination or  
425 reemployment services, the provider shall develop a reemployment  
426 plan and submit the plan to the carrier and the employee for  
427 approval.

428 (b) If the rehabilitation provider concludes that training  
429 and education are necessary to return the employee to suitable  
430 gainful employment, or if the employee has not returned to  
431 suitable gainful employment within 180 days after referral for  
432 reemployment services or receives \$2,500 in reemployment  
433 services, whichever comes first, the carrier must discontinue  
434 reemployment services and refer the employee to the department  
435 for a vocational evaluation. Notwithstanding any provision of

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436 chapter 289 or chapter 627, the cost of a reemployment  
437 assessment and the first \$2,500 in reemployment services to an  
438 injured employee must not be treated as loss adjustment expense  
439 for workers' compensation ratemaking purposes.

440 (c) A carrier may voluntarily provide medical care  
441 coordination or reemployment services to the employee at  
442 intervals more frequent than those required in this section. ~~For~~  
443 ~~the purpose of monitoring reemployment, the carrier or the~~  
444 ~~rehabilitation provider shall report to the department, in the~~  
445 ~~manner prescribed by the department, the date of reemployment~~  
446 ~~and wages of the employee. The carrier shall report its~~  
447 ~~voluntary service activity to the department as required by~~  
448 ~~rule.~~ Voluntary services offered by the carrier for any of the  
449 following injuries must be considered benefits for purposes of  
450 ratemaking: traumatic brain injury; spinal cord injury;  
451 amputation, including loss of an eye or eyes; burns of 5 percent  
452 or greater of the total body surface.

453 (d) If medical care coordination or reemployment services  
454 have not been undertaken as prescribed in paragraph (3) (b), a  
455 ~~qualified~~ rehabilitation service provider, facility, or agency  
456 that performs a reemployment assessment shall not provide  
457 medical care coordination or reemployment services for the  
458 employees it assesses.

459 (6) TRAINING AND EDUCATION.—

460 (a) Upon referral of an injured employee by the carrier, or  
461 upon the request of an injured employee, the department shall  
462 conduct a training and education screening to determine whether  
463 it should refer the employee for a vocational evaluation and, if  
464 appropriate, approve training and education or other vocational

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465 services for the employee. At the time of such referral, the  
466 carrier shall provide the department a copy of any reemployment  
467 assessment or reemployment plan provided to the carrier by a  
468 rehabilitation provider. The department may not approve formal  
469 training and education programs unless it determines, after  
470 consideration of the reemployment assessment, ~~pertinent~~  
471 ~~reemployment status reviews or reports, and such other relevant~~  
472 ~~factors as it prescribes by rule,~~ that the reemployment plan is  
473 likely to result in return to suitable gainful employment. The  
474 department is authorized to expend moneys from the Workers'  
475 Compensation Administration Trust Fund, established by s.  
476 440.50, to secure appropriate training and education at a  
477 Florida public college or at a career center established under  
478 s. 1001.44, or to secure other vocational services when  
479 necessary to satisfy the recommendation of a vocational  
480 evaluator. As used in this paragraph, "appropriate training and  
481 education" includes securing a general education diploma (GED),  
482 if necessary. The department shall by rule establish training  
483 and education standards pertaining to employee eligibility,  
484 course curricula and duration, and associated costs. For  
485 purposes of this subsection, training and education services may  
486 be secured from additional providers if:

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

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

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494 3. The most appropriate training and education program is  
495 available only through a provider other than a Florida public  
496 college or career center or at a Florida public college or  
497 career center located more than 50 miles from the injured  
498 employee's customary residence.

499 (b) When an employee who has attained maximum medical  
500 improvement is unable to earn at least 80 percent of the  
501 compensation rate and requires training and education to obtain  
502 suitable gainful employment, the employer or carrier shall pay  
503 the employee additional training and education temporary total  
504 compensation benefits while the employee receives such training  
505 and education for a period not to exceed 26 weeks, which period  
506 may be extended for an additional 26 weeks or less, if such  
507 extended period is determined to be necessary and proper by a  
508 judge of compensation claims. The benefits provided under this  
509 paragraph shall not be in addition to the 104 weeks as specified  
510 in s. 440.15(2). However, a carrier or employer is not precluded  
511 from voluntarily paying additional temporary total disability  
512 compensation beyond that period. If an employee requires  
513 temporary residence at or near a facility or an institution  
514 providing training and education which is located more than 50  
515 miles away from the employee's customary residence, the  
516 reasonable cost of board, lodging, or travel must be borne by  
517 the department from the Workers' Compensation Administration  
518 Trust Fund established by s. 440.50. An employee who refuses to  
519 accept training and education that is recommended by the  
520 vocational evaluator and considered necessary by the department  
521 will forfeit any additional training and education benefits and  
522 any additional payment for lost wages under this chapter. The

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523 ~~department shall adopt rules to implement this section, which~~  
524 ~~shall include requirements placed upon the carrier shall to~~  
525 ~~notify the injured employee of the availability of training and~~  
526 ~~education benefits as specified in this chapter. The Department~~  
527 ~~of Financial Services shall ~~also~~ include information regarding~~  
528 ~~the eligibility for training and education benefits in~~  
529 ~~informational materials specified in ss. 440.207 and 440.40.~~

530 ~~(7) PROVIDER QUALIFICATIONS.—~~

531 ~~(a) The department shall investigate and maintain a~~  
532 ~~directory of each qualified public and private rehabilitation~~  
533 ~~provider, facility, and agency, and shall establish by rule the~~  
534 ~~minimum qualifications, credentials, and requirements that each~~  
535 ~~rehabilitation service provider, facility, and agency must~~  
536 ~~satisfy to be eligible for listing in the directory. These~~  
537 ~~minimum qualifications and credentials must be based on those~~  
538 ~~generally accepted within the service specialty for which the~~  
539 ~~provider, facility, or agency is approved.~~

540 ~~(b) The department shall impose a biennial application fee~~  
541 ~~of \$25 for each listing in the directory, and all such fees must~~  
542 ~~be deposited in the Workers' Compensation Administration Trust~~  
543 ~~Fund.~~

544 ~~(c) The department shall monitor and evaluate each~~  
545 ~~rehabilitation service provider, facility, and agency qualified~~  
546 ~~under this subsection to ensure its compliance with the minimum~~  
547 ~~qualifications and credentials established by the department.~~  
548 ~~The failure of a qualified rehabilitation service provider,~~  
549 ~~facility, or agency to provide the department with information~~  
550 ~~requested or access necessary for the department to satisfy its~~  
551 ~~responsibilities under this subsection is grounds for~~

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552 ~~disqualifying the provider, facility, or agency from further~~  
553 ~~referrals.~~

554 ~~(d) A qualified rehabilitation service provider, facility,~~  
555 ~~or agency may not be authorized by an employer, a carrier, or~~  
556 ~~the department to provide any services, including expert~~  
557 ~~testimony, under this section in this state unless the provider,~~  
558 ~~facility, or agency is listed or has been approved for listing~~  
559 ~~in the directory. This restriction does not apply to services~~  
560 ~~provided outside this state under this section.~~

561 ~~(e) The department, after consultation with representatives~~  
562 ~~of employees, employers, carriers, rehabilitation providers, and~~  
563 ~~qualified training and education providers, shall adopt rules~~  
564 ~~governing professional practices and standards.~~

565 ~~(8) CARRIER PRACTICES.— The department shall monitor the~~  
566 ~~selection of providers and the provision of services by carriers~~  
567 ~~under this section for consistency with legislative intent set~~  
568 ~~forth in subsection (2).~~

569 ~~(7)(9) PERMANENT DISABILITY.—~~The judge of compensation  
570 claims may not adjudicate an injured employee as permanently and  
571 totally disabled until or unless the carrier is given the  
572 opportunity to provide a reemployment assessment.

573 Section 4. Paragraph (v) of subsection (3) of section  
574 413.011, Florida Statutes, is amended to read:

575 413.011 Division of Blind Services, legislative policy,  
576 intent; internal organizational structure and powers;  
577 Rehabilitation Council for the Blind.—

578 (3) DIVISION STRUCTURE AND DUTIES.—The internal  
579 organizational structure of the Division of Blind Services shall  
580 be designed for the purpose of ensuring the greatest possible

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581 efficiency and effectiveness of services to the blind and to be  
582 consistent with chapter 20. The Division of Blind Services shall  
583 plan, supervise, and carry out the following activities:

584 (v) Receive moneys or properties by gift or bequest from  
585 any person, firm, corporation, or organization for any of the  
586 purposes herein set out, but without authority to bind the state  
587 to any expenditure or policy except such as may be specifically  
588 authorized by law. All such moneys or properties so received by  
589 gift or bequest as herein authorized may be disbursed and  
590 expended by the division upon its own warrant for any of the  
591 purposes herein set forth, and such moneys or properties shall  
592 not constitute or be considered a part of any legislative  
593 appropriation made by the state for the purpose of carrying out  
594 the provisions of this law. When determined to be in the best  
595 interest of the division, the division may lease property  
596 received pursuant to this paragraph, and the Department of  
597 Education may enter into leases of property and sublease  
598 property on behalf of the division. Division and department  
599 leases and subleases may be to governmental, public, or  
600 nonprofit entities for the provision of blind, education,  
601 health, and other social service programs.

602 Section 5. Subsection (2) of section 1004.091, Florida  
603 Statutes, is amended to read:

604 1004.091 Florida Distance Learning Consortium.—

605 (2) The Florida Distance Learning Consortium shall:

606 (a) Manage and promote the Florida Higher Education  
607 Distance Learning Catalog, established pursuant to s. 1004.09,  
608 to help increase student access to undergraduate distance  
609 learning courses and degree programs and to assist students

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610 seeking accelerated access in order to complete their degrees.

611 (b) Beginning with the 2011-2012 academic year, implement  
612 ~~Develop, in consultation with the Florida College System and the~~  
613 ~~State University System, a plan to be submitted to the Board of~~  
614 ~~Governors, the State Board of Education, the Governor, the~~  
615 ~~President of the Senate, and the Speaker of the House of~~  
616 ~~Representatives no later than December 1, 2010, for implementing~~  
617 a streamlined, automated, online registration process for  
618 transient students who are undergraduate students currently  
619 enrolled and pursuing a degree at ~~who have been admitted to a~~  
620 public postsecondary educational institution and who choose wish  
621 to enroll in a course listed in the Florida Higher Education  
622 Distance Learning Catalog which, ~~including courses offered by an~~  
623 ~~institution that is offered by a public postsecondary~~  
624 educational institution that is not the student's degree-  
625 granting or home institution. The consortium shall work with the  
626 Florida College System and the State University System to  
627 implement this admissions application process requiring all  
628 state universities and state colleges to: ~~The plan must describe~~  
629 ~~how such a registration process can be implemented by the 2011-~~  
630 ~~2012 academic year as an alternative to the standard~~  
631 ~~registration process of each institution. The plan must also~~  
632 ~~address:~~

633 1. Use the transient student admissions application  
634 available through the Florida Academic Counseling and Tracking  
635 for Students system established pursuant to s. 1007.28. This  
636 admissions application shall be the only one required for the  
637 enrollment of the transient student defined in this paragraph.

638 2. Implement the financial aid procedures required by the

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639 transient student admissions application process, which must  
640 include the involvement of the financial aid officers.

641 3. Transfer credit awarded by the institutions offering the  
642 distance learning course to the transient student's degree-  
643 granting institution.

644 4. By July 1, 2012, provide for an interface between the  
645 institutional system and the Florida Academic Counseling and  
646 Tracking for Students system in order to electronically send,  
647 receive, and process the transient admissions application.

648 ~~1. Fiscal and substantive policy changes needed to address~~  
649 ~~administrative, academic, and programmatic policies and~~  
650 ~~procedures. Policy areas that the plan must address include, but~~  
651 ~~need not be limited to, student financial aid issues, variations~~  
652 ~~in fees, admission and readmission, registration prioritization~~  
653 ~~issues, transfer of credit, and graduation requirements, with~~  
654 ~~specific attention given to creating recommended guidelines that~~  
655 ~~address students who attend more than one institution in pursuit~~  
656 ~~of a degree.~~

657 ~~2. A method for the expedited transfer of distance learning~~  
658 ~~course credit awarded by an institution offering a distance~~  
659 ~~learning course to a student's degree-granting or home~~  
660 ~~institution upon the student's successful completion of the~~  
661 ~~distance learning course.~~

662 ~~3. Compliance with applicable technology security standards~~  
663 ~~and guidelines to ensure the secure transmission of student~~  
664 ~~information.~~

665 (c) Coordinate the negotiation of statewide licensing and  
666 preferred pricing agreements for distance learning resources and  
667 enter into agreements that result in cost savings with distance

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668 learning resource providers so that postsecondary educational  
669 institutions have the opportunity to benefit from the cost  
670 savings.

671 (d)1. Develop and operate a central instructional content  
672 repository that allows public school and postsecondary  
673 educational institution users ~~faculty~~ to search, locate, and  
674 use, and contribute digital and electronic instructional  
675 resources and content, including open access textbooks. In the  
676 development of the ~~a~~ repository, the consortium shall identify  
677 and seek partnerships ~~with similar national, state, and regional~~  
678 ~~repositories~~ for the purpose of sharing instructional content.  
679 The consortium shall collaborate with the public ~~postsecondary~~  
680 educational institutions to ensure that the repository:

681 a. Is accessible by the ~~Integrates with multiple~~ learning  
682 management systems used by the public postsecondary educational  
683 institutions and the local instructional improvement systems  
684 established pursuant to s. 1006.281.

685 b. Allows institutions to set appropriate copyright and  
686 access restrictions and track content usage.

687 c. Allows for appropriate customization.

688 d. Supports established protocols to access instructional  
689 content within other repositories.

690 2. Provide to ~~Develop, in consultation with the~~ chancellors  
691 of the Florida College System and the State University System,  
692 recommendations ~~a plan~~ for promoting and increasing the use of  
693 open access textbooks as a method for reducing textbook costs.  
694 The recommendations ~~plan shall be submitted to the Board of~~  
695 ~~Governors, the State Board of Education, the Office of Policy~~  
696 ~~and Budget in the Executive Office of the Governor, the chair of~~

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697 ~~the Senate Policy and Steering Committee on Ways and Means, and~~  
698 ~~the chair of the House Full Appropriations Council on Education~~  
699 ~~& Economic Development no later than March 1, 2010, and shall~~  
700 include:

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

702 ~~a.b.~~ A listing of undergraduate courses, in particular  
703 the general education courses, that would be recommended for the  
704 use of open access textbooks.

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

707 ~~d. Recommendations for encouraging and promoting faculty~~  
708 ~~development and use of open access textbooks.~~

709 ~~e. Identification of barriers to the implementation of open~~  
710 ~~access textbooks.~~

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

715 ~~g. Identification of the necessary technology security~~  
716 ~~standards and guidelines to safeguard the use of open access~~  
717 ~~textbooks.~~

718 (e) Identify and evaluate new technologies and  
719 instructional methods that can be used for improving distance  
720 learning instruction, student learning, and the overall quality  
721 of undergraduate distance learning courses and degree programs.

722 (f) Identify methods that will improve student access to  
723 and completion of undergraduate distance learning courses and  
724 degree programs.

725 Section 6. Section 1004.649, Florida Statutes, is created

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726 to read:

727 1004.649 Northwest Regional Data Center.—

728 (1) For the purpose of serving its state agency customers,  
729 the Northwest Regional Data Center at Florida State University  
730 is designated as a primary data center and shall comply with the  
731 following:

732 (a) Operates under a governance structure that represents  
733 its customers proportionally.

734 (b) Maintains an appropriate cost-allocation methodology  
735 that accurately bills state agency customers based solely on the  
736 actual direct and indirect costs of the services provided to  
737 state agency customers, and prohibits the subsidization of  
738 nonstate agency customers' costs by state agency customers.

739 (c) Enters into a service-level agreement with each state  
740 agency customer to provide services as defined and approved by  
741 the governing board of the center. At a minimum, such service-  
742 level agreements must:

743 1. Identify the parties and their roles, duties, and  
744 responsibilities under the agreement;

745 2. State the duration of the agreement term and specify the  
746 conditions for renewal;

747 3. Identify the scope of work;

748 4. Establish the services to be provided, the business  
749 standards that must be met for each service, the cost of each  
750 service, and the process by which the business standards for  
751 each service are to be objectively measured and reported;

752 5. Provide a timely billing methodology for recovering the  
753 cost of services provided; and

754 6. Provide a procedure for modifying the service-level

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755 agreement to address any changes in projected costs of service.

756 (d) Provides to the Board of Governors the total annual  
757 budget by major expenditure category, including, but not limited  
758 to, salaries, expenses, operating capital outlay, contracted  
759 services, or other personnel services by July 30 each fiscal  
760 year.

761 (e) Provides to each state agency customer its projected  
762 annual cost for providing the agreed-upon data center services  
763 by August 1 each fiscal year.

764 (2) The Northwest Regional Data Center's designation as a  
765 primary data center for purposes of serving its state agency  
766 customers may be terminated if:

767 (a) The center requests such termination to the Board of  
768 Governors, the Senate President, and the Speaker of the House of  
769 Representatives; or

770 (b) The center fails to comply with the provisions of this  
771 section.

772 (3) If such designation is terminated, the center shall  
773 have 1 year to provide for the transition of its state agency  
774 customers to the Southwood Shared Resource Center or the  
775 Northwood Shared Resource Center.

776 Section 7. Subsection (7) is added to section 1006.72,  
777 Florida Statutes, to read:

778 1006.72 Licensing electronic library resources.-

779 (7) REPORT.-The chancellors and vice chancellors of the  
780 Florida College System and the State University System shall  
781 annually report to the Executive Office of the Governor and the  
782 chairs of the legislative appropriations committees the cost  
783 savings realized as a result of the collaborative licensing

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784 process identified in this section.

785 Section 8. Subsection (5) is added to section 1007.28,  
786 Florida Statutes, to read:

787 1007.28 Computer-assisted student advising system.—The  
788 Department of Education, in conjunction with the Board of  
789 Governors, shall establish and maintain a single, statewide  
790 computer-assisted student advising system, which must be an  
791 integral part of the process of advising, registering, and  
792 certifying students for graduation and must be accessible to all  
793 Florida students. The state universities and community colleges  
794 shall interface institutional systems with the computer-assisted  
795 advising system required by this section. The State Board of  
796 Education and the Board of Governors shall specify in the  
797 statewide articulation agreement required by s. 1007.23(1) the  
798 roles and responsibilities of the department, the state  
799 universities, and the community colleges in the design,  
800 implementation, promotion, development, and analysis of the  
801 system. The system shall consist of a degree audit and an  
802 articulation component that includes the following  
803 characteristics:

804 (5) The system must provide the admissions application for  
805 transient students who are undergraduate students currently  
806 enrolled and pursuing a degree at a public postsecondary  
807 educational institution and who want to enroll in a course  
808 listed in the Florida Higher Education Distance Learning Catalog  
809 which is offered by a public postsecondary educational  
810 institution that is not the student's degree-granting  
811 institution. This system must include the electronic transfer  
812 and receipt of information and records for the following

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813 functions:

814 (a) Admissions and readmissions;

815 (b) Financial aid; and

816 (c) Transfer of credit awarded by the institution offering  
817 the distance learning course to the transient student's degree-  
818 granting institution.

819 Section 9. Paragraph (g) of subsection (3) of section  
820 1009.605, Florida Statutes, is amended to read:

821 1009.605 Florida Fund for Minority Teachers, Inc.—

822 (3) A board of directors shall administer the corporation.  
823 The Governor shall appoint to the board at least 15 but not more  
824 than 25 members, who shall serve terms of 3 years, except that 4  
825 of the initial members shall serve 1-year terms and 4 shall  
826 serve 2-year terms. At least 4 members must be employed by  
827 public community colleges and at least 11 members must be  
828 employed by public or private postsecondary institutions that  
829 operate colleges of education. At least one member must be a  
830 financial aid officer employed by a postsecondary education  
831 institution operating in Florida. Administrative costs for  
832 support of the Board of Directors and the Florida Fund for  
833 Minority Teachers may not exceed 5 percent of funds allocated  
834 for the program. The board shall:

835 (g) Carry out the training program as required for the  
836 minority teacher education scholars program. No more than 5  
837 percent of the funds appropriated and up to \$100,000 from other  
838 available funds for the minority teacher education scholars  
839 program may be expended annually for administration, including  
840 administration of the required training program.

841 Section 10. Section 1009.215, Florida Statutes, is created

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842 to read:

843 1009.215 Student enrollment pilot program for the spring  
844 and summer terms.-

845 (1) Subject to approval by the Board of Governors, the  
846 University of Florida may plan and implement a student  
847 enrollment pilot program for the spring and summer terms for the  
848 purpose of aligning on-campus student enrollment and the  
849 availability of instructional facilities.

850 (2) The pilot program shall provide for a student cohort  
851 that is limited to on-campus enrollment during the spring and  
852 summer terms. Students in this cohort are not eligible for on-  
853 campus enrollment during the fall term.

854 (3) Students who are enrolled in the pilot program and who  
855 are eligible to receive Bright Futures Scholarships under ss.  
856 1009.53-1009.536 shall be eligible to receive the scholarship  
857 award for attendance in the spring and summer terms, but are not  
858 eligible to receive the scholarship for attendance during the  
859 fall term.

860 (4) By January 31, 2013, the University of Florida shall  
861 report to the Board of Governors, the President of the Senate,  
862 and the Speaker of the House of Representatives regarding the  
863 result of the pilot program.

864 Section 11. Paragraphs (a) and (c) of subsection (3) and  
865 subsections (6) and (10) of section 1009.22, Florida Statutes,  
866 are amended, present subsection (12) of that section is  
867 redesignated as subsection (13), and a new subsection (12) is  
868 added to that section, to read:

869 1009.22 Workforce education postsecondary student fees.-

870 (3) (a) Except as otherwise provided by law, fees for

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871 students who are nonresidents for tuition purposes must offset  
872 the full cost of instruction. Residency of students shall be  
873 determined as required in s. 1009.21. Fee-nonexempt students  
874 enrolled in vocational-preparatory instruction shall be charged  
875 fees equal to the fees charged for adult general education  
876 programs ~~certificate career education instruction~~. Each  
877 community college that conducts college-preparatory and  
878 vocational-preparatory instruction in the same class section may  
879 charge a single fee for both types of instruction.

880 (c) Effective July 1, 2011, for programs leading to a  
881 career certificate or an applied technology diploma, the  
882 standard tuition shall be \$2.22 per contact hour for residents  
883 and nonresidents and the out-of-state fee shall be \$6.66 per  
884 contact hour. For adult general education programs, a block  
885 tuition of \$45 per half year or \$30 per term shall be assessed  
886 for residents and nonresidents, and the out-of-state fee shall  
887 be \$135 per half year or \$90 per term. Each district school  
888 board and Florida College System institution board of trustees  
889 shall adopt policies and procedures for the collection of and  
890 accounting for the expenditure of the block tuition. All funds  
891 received from the block tuition shall be used only for adult  
892 general education programs. Students enrolled in adult general  
893 education programs may not be assessed the fees authorized in  
894 subsection (5), subsection (6), or subsection (7). ~~Effective~~  
895 ~~January 1, 2008, standard tuition shall be \$1.67 per contact~~  
896 ~~hour for programs leading to a career certificate or an applied~~  
897 ~~technology diploma and 83 cents for adult general education~~  
898 ~~programs. The out-of-state fee per contact hour shall be three~~  
899 ~~times the standard tuition per contact hour.~~

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900 (6) (a) Each district school board and community college  
901 board of trustees may establish a separate fee for capital  
902 improvements, technology enhancements, ~~or~~ equipping buildings,  
903 or the acquisition of improved real property which may not  
904 exceed 5 percent of tuition for resident students or 5 percent  
905 of tuition and out-of-state fees for nonresident students. Funds  
906 collected by community colleges through the fee may be bonded  
907 only for the purpose of financing or refinancing new  
908 construction and equipment, renovation, ~~or~~ remodeling of  
909 educational facilities, or the acquisition of improved real  
910 property for use as educational facilities. The fee shall be  
911 collected as a component part of the tuition and fees, paid into  
912 a separate account, and expended only to acquire improved real  
913 property or construct and equip, maintain, improve, or enhance  
914 the certificate career education or adult education facilities  
915 of the school district or the educational facilities of the  
916 community college. Projects and acquisitions of improved real  
917 property funded through the use of the capital improvement fee  
918 must meet the survey and construction requirements of chapter  
919 1013. Pursuant to s. 216.0158, each district school board and  
920 community college board of trustees shall identify each project,  
921 including maintenance projects, proposed to be funded in whole  
922 or in part by such fee. Capital improvement fee revenues may be  
923 pledged by a board of trustees as a dedicated revenue source to  
924 the repayment of debt, including lease-purchase agreements, with  
925 an overall term of not more than 7 years, including renewals,  
926 extensions, and refundings, and revenue bonds with a term not  
927 exceeding 20 years and not exceeding the useful life of the  
928 asset being financed, only for the new construction and

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929 equipment, renovation, or remodeling of educational facilities.  
930 Bonds authorized pursuant to this paragraph shall be requested  
931 by the community college board of trustees and shall be issued  
932 by the Division of Bond Finance in compliance with s. 11(d),  
933 Art. VII of the State Constitution and the State Bond Act. The  
934 Division of Bond Finance may pledge fees collected by one or  
935 more community colleges to secure such bonds. Any project  
936 included in the approved educational plant survey pursuant to  
937 chapter 1013 is approved pursuant to s. 11(f), Art. VII of the  
938 State Constitution. Bonds issued pursuant to the State Bond Act  
939 may be validated in the manner provided by chapter 75. The  
940 complaint for such validation shall be filed in the circuit  
941 court of the county where the seat of state government is  
942 situated, the notice required to be published by s. 75.06 shall  
943 be published only in the county where the complaint is filed,  
944 and the complaint and order of the circuit court shall be served  
945 only on the state attorney of the circuit in which the action is  
946 pending. A maximum of 15 cents per credit hour may be allocated  
947 from the capital improvement fee for child care centers  
948 conducted by the district school board or community college  
949 board of trustees. The use of capital improvement fees for such  
950 purpose shall be subordinate to the payment of any bonds secured  
951 by the fees.

952 (b) The state does hereby covenant with the holders of the  
953 bonds issued under paragraph (a) that it will not take any  
954 action that will materially and adversely affect the rights of  
955 such holders so long as the bonds authorized by paragraph (a)  
956 are outstanding.

957 (10) Each school district and community college may assess

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958 a service charge for the payment of tuition and fees in  
959 installments and a convenience fee for the processing of  
960 automated or online credit card payments. However, the amount of  
961 the convenience fee for automated or online credit card payments  
962 may not exceed the total cost charged by the credit card company  
963 to the school district or Florida College System institution.  
964 Such service charge or convenience fee must be approved by the  
965 district school board or community college board of trustees.

966 (12) (a) The Board of Trustees of Santa Fe College may  
967 establish a transportation access fee. Revenue from the fee may  
968 be used only to provide or improve access to transportation  
969 services for students enrolled at Santa Fe College. The fee may  
970 not exceed \$6 per credit hour. An increase in the transportation  
971 access fee may occur only once each fiscal year and must be  
972 implemented beginning with the fall term. A referendum must be  
973 held by the student government to approve the application of the  
974 fee.

975 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,  
976 the transportation access fee authorized under paragraph (a) may  
977 not be included in calculating the amount a student receives for  
978 a Florida Academic Scholars award, a Florida Medallion Scholars  
979 award, or a Florida Gold Seal Vocational Scholars award.

980 Section 12. Paragraphs (a) and (b) of subsection (3),  
981 paragraph (c) of subsection (8), and paragraph (a) of subsection  
982 (11) of section 1009.23, Florida Statutes, are amended, present  
983 subsection (17) of that section is redesignated as subsection  
984 (19), and new subsections (17) and (18) are added to that  
985 section, to read:

986 1009.23 Community college student fees.—

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

991 ~~1. the standard tuition shall be \$68.56 per credit hour for~~  
992 ~~residents and nonresidents, and the out-of-state fee shall be~~  
993 ~~\$205.82 per credit hour \$51.35 per credit hour for students who~~  
994 ~~are residents for tuition purposes.~~

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

998 (b) Effective July 1, 2011 ~~January 1, 2008~~, for  
999 baccalaureate degree programs, the following tuition and fee  
1000 rates shall apply:

1001 1. The tuition shall be \$87.42 ~~\$65.47~~ per credit hour for  
1002 students who are residents for tuition purposes.

1003 2. The sum of the tuition and the out-of-state fee per  
1004 credit hour for students who are nonresidents for tuition  
1005 purposes shall be no more than 85 percent of the sum of the  
1006 tuition and the out-of-state fee at the state university nearest  
1007 the community college.

1008 (8)

1009 (c) Up to 25 percent or \$600,000, whichever is greater, of  
1010 the financial aid fees collected may be used to assist students  
1011 who demonstrate academic merit; who participate in athletics,  
1012 public service, cultural arts, and other extracurricular  
1013 programs as determined by the institution; or who are identified  
1014 as members of a targeted gender or ethnic minority population.

1015 The financial aid fee revenues allocated for athletic

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1016 scholarships and any fee exemptions provided to athletes  
1017 pursuant to s. 1009.25 (2) ~~(3)~~ must ~~for athletes shall~~ be  
1018 distributed equitably as required by s. 1000.05(3)(d). A minimum  
1019 of 75 percent of the balance of these funds for new awards shall  
1020 be used to provide financial aid based on absolute need, and the  
1021 remainder of the funds shall be used for academic merit purposes  
1022 and other purposes approved by the boards of trustees. Such  
1023 other purposes shall include the payment of child care fees for  
1024 students with financial need. The State Board of Education shall  
1025 develop criteria for making financial aid awards. Each college  
1026 shall report annually to the Department of Education on the  
1027 revenue collected pursuant to this paragraph, the amount carried  
1028 forward, the criteria used to make awards, the amount and number  
1029 of awards for each criterion, and a delineation of the  
1030 distribution of such awards. The report shall include an  
1031 assessment by category of the financial need of every student  
1032 who receives an award, regardless of the purpose for which the  
1033 award is received. Awards that ~~which~~ are based on financial need  
1034 shall be distributed in accordance with a nationally recognized  
1035 system of need analysis approved by the State Board of  
1036 Education. An award for academic merit requires ~~shall require~~ a  
1037 minimum overall grade point average of 3.0 on a 4.0 scale or the  
1038 equivalent for both initial receipt of the award and renewal of  
1039 the award.

1040 (11)(a) Each community college board of trustees may  
1041 establish a separate fee for capital improvements, technology  
1042 enhancements, ~~or~~ equipping student buildings, or the acquisition  
1043 of improved real property which may not exceed 10 percent of  
1044 tuition for resident students or 10 percent of the sum of

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1045 tuition and out-of-state fees for nonresident students. The fee  
1046 for resident students shall be limited to an increase of \$2 per  
1047 credit hour over the prior year. Funds collected by community  
1048 colleges through the fee may be bonded only as provided in this  
1049 subsection for the purpose of financing or refinancing new  
1050 construction and equipment, renovation, ~~or~~ remodeling of  
1051 educational facilities, or the acquisition and renovation or  
1052 remodeling of improved real property for use as educational  
1053 facilities. The fee shall be collected as a component part of  
1054 the tuition and fees, paid into a separate account, and expended  
1055 only to acquire improved real property or construct and equip,  
1056 maintain, improve, or enhance the educational facilities of the  
1057 community college. Projects and acquisitions of improved real  
1058 property funded through the use of the capital improvement fee  
1059 shall meet the survey and construction requirements of chapter  
1060 1013. Pursuant to s. 216.0158, each community college shall  
1061 identify each project, including maintenance projects, proposed  
1062 to be funded in whole or in part by such fee.

1063 (17) Each Florida College System institution that accepts  
1064 transient students, pursuant to s. 1004.091, may establish a  
1065 transient student fee not to exceed \$5 per distance learning  
1066 course for processing the transient student admissions  
1067 application.

1068 (18) (a) The Board of Trustees of Santa Fe College may  
1069 establish a transportation access fee. Revenue from the fee may  
1070 be used only to provide or improve access to transportation  
1071 services for students enrolled at Santa Fe College. The fee may  
1072 not exceed \$6 per credit hour. An increase in the transportation  
1073 access fee may occur only once each fiscal year and must be

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1074 implemented beginning with the fall term. A referendum must be  
1075 held by the student government to approve the application of the  
1076 fee.

1077 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,  
1078 the transportation access fee authorized under paragraph (a) may  
1079 not be included in calculating the amount a student receives for  
1080 a Florida Academic Scholars award, a Florida Medallion Scholars  
1081 award, or a Florida Gold Seal Vocational Scholars award.

1082 Section 13. Paragraph (a) of subsection (4) and paragraph  
1083 (a) of subsection (16) of section 1009.24, Florida Statutes, are  
1084 amended, and paragraph (t) is added to subsection (14) of that  
1085 section, to read:

1086 1009.24 State university student fees.—

1087 (4) (a) Effective July 1, 2011, ~~January 1, 2008,~~ the  
1088 resident undergraduate tuition for lower-level and upper-level  
1089 coursework shall be \$103.32 ~~\$77.39~~ per credit hour.

1090 (14) Except as otherwise provided in subsection (15), each  
1091 university board of trustees is authorized to establish the  
1092 following fees:

1093 (t) A transient student fee that may not exceed \$5 per  
1094 distance learning course for accepting a transient student and  
1095 processing the transient student admissions application pursuant  
1096 to s. 1004.091.

1097  
1098 With the exception of housing rental rates and except as  
1099 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)  
1100 shall be based on reasonable costs of services. The Board of  
1101 Governors shall adopt regulations and timetables necessary to  
1102 implement the fees and fines authorized under this subsection.

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1103 The fees assessed under this subsection may be used for debt  
1104 only as authorized under s. 1010.62.

1105 (16) Each university board of trustees may establish a  
1106 tuition differential for undergraduate courses upon receipt of  
1107 approval from the Board of Governors. The tuition differential  
1108 shall promote improvements in the quality of undergraduate  
1109 education and shall provide financial aid to undergraduate  
1110 students who exhibit financial need.

1111 (a) Seventy percent of the revenues from the tuition  
1112 differential shall be expended for purposes of undergraduate  
1113 education. Such expenditures may include, but are not limited  
1114 to, increasing course offerings, improving graduation rates,  
1115 increasing the percentage of undergraduate students who are  
1116 taught by faculty, decreasing student-faculty ratios, providing  
1117 salary increases for faculty who have a history of excellent  
1118 teaching in undergraduate courses, improving the efficiency of  
1119 the delivery of undergraduate education through academic  
1120 advisement and counseling, and reducing the percentage of  
1121 students who graduate with excess hours. This expenditure for  
1122 undergraduate education may not be used to pay the salaries of  
1123 graduate teaching assistants. Except as otherwise provided in  
1124 this subsection, the remaining 30 percent of the revenues from  
1125 the tuition differential, or the equivalent amount of revenue  
1126 from private sources, shall be expended to provide financial aid  
1127 to undergraduate students who exhibit financial need, including  
1128 students who are scholarship recipients under s. 1009.984, to  
1129 meet the cost of university attendance. This expenditure for  
1130 need-based financial aid shall not supplant the amount of need-  
1131 based aid provided to undergraduate students in the preceding

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1132 fiscal year from financial aid fee revenues, the direct  
1133 appropriation for financial assistance provided to state  
1134 universities in the General Appropriations Act, or from private  
1135 sources. The total amount of tuition differential waived under  
1136 subparagraph (b)8. may be included in calculating the  
1137 expenditures for need-based financial aid to undergraduate  
1138 students required by this subsection. If the entire tuition and  
1139 fee costs of resident students who have applied for and received  
1140 Pell Grant funds have been met and the university has excess  
1141 funds remaining from the 30 percent of the revenues from the  
1142 tuition differential required to be used to assist students who  
1143 exhibit financial need, the university may expend the excess  
1144 portion in the same manner as required for the other 70 percent  
1145 of the tuition differential revenues.

1146 Section 14. Section 1009.25, Florida Statutes, is amended  
1147 to read:

1148 1009.25 Fee exemptions.—

1149 ~~(1) The following Students are exempt from any requirement~~  
1150 ~~for the payment of tuition and fees, including lab fees, for~~  
1151 ~~adult basic, adult secondary, or career preparatory instruction:~~

1152 ~~(a) A student who does not have a high school diploma or~~  
1153 ~~its equivalent.~~

1154 ~~(b) A student who has a high school diploma or its~~  
1155 ~~equivalent and who has academic skills at or below the eighth~~  
1156 ~~grade level pursuant to state board rule. A student is eligible~~  
1157 ~~for this exemption from fees if the student's skills are at or~~  
1158 ~~below the eighth grade level as measured by a test administered~~  
1159 ~~in the English language and approved by the Department of~~  
1160 ~~Education, even if the student has skills above that level when~~

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1161 ~~tested in the student's native language.~~

1162       (1)~~(2)~~ The following students are exempt from the payment  
1163 of tuition and fees, including lab fees, at a school district  
1164 that provides postsecondary career programs, community college,  
1165 or state university:

1166           (a) A student enrolled in a dual enrollment or early  
1167 admission program pursuant to s. 1007.27 or s. 1007.271.

1168           (b) A student enrolled in an approved apprenticeship  
1169 program, as defined in s. 446.021.

1170           (c) A student who is or was at the time he or she reached  
1171 18 years of age in the custody of the Department of Children and  
1172 Family Services or who, after spending at least 6 months in the  
1173 custody of the department after reaching 16 years of age, was  
1174 placed in a guardianship by the court. Such exemption includes  
1175 fees associated with enrollment in career-preparatory  
1176 instruction. The exemption remains valid until the student  
1177 reaches 28 years of age.

1178           (d) A student who is or was at the time he or she reached  
1179 18 years of age in the custody of a relative under s. 39.5085 or  
1180 who was adopted from the Department of Children and Family  
1181 Services after May 5, 1997. Such exemption includes fees  
1182 associated with enrollment in career-preparatory instruction.  
1183 The exemption remains valid until the student reaches 28 years  
1184 of age.

1185           (e) A student enrolled in an employment and training  
1186 program under the welfare transition program. The regional  
1187 workforce board shall pay the state university, community  
1188 college, or school district for costs incurred for welfare  
1189 transition program participants.

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1190 (f) A student who lacks a fixed, regular, and adequate  
1191 nighttime residence or whose primary nighttime residence is a  
1192 public or private shelter designed to provide temporary  
1193 residence for individuals intended to be institutionalized, or a  
1194 public or private place not designed for, or ordinarily used as,  
1195 a regular sleeping accommodation for human beings.

1196 (g) A student who is a proprietor, owner, or worker of a  
1197 company whose business has been at least 50 percent negatively  
1198 financially impacted by the buyout of property around Lake  
1199 Apopka by the State of Florida. Such student may receive a fee  
1200 exemption only if the student has not received compensation  
1201 because of the buyout, the student is designated a Florida  
1202 resident for tuition purposes, pursuant to s. 1009.21, and the  
1203 student has applied for and been denied financial aid, pursuant  
1204 to s. 1009.40, which would have provided, at a minimum, payment  
1205 of all student fees. The student is responsible for providing  
1206 evidence to the postsecondary education institution verifying  
1207 that the conditions of this paragraph have been met, including  
1208 supporting documentation provided by the Department of Revenue.  
1209 The student must be currently enrolled in, or begin coursework  
1210 within, a program area by fall semester 2000. The exemption is  
1211 valid for a period of 4 years after the date that the  
1212 postsecondary education institution confirms that the conditions  
1213 of this paragraph have been met.

1214 (2)~~(3)~~ Each community college is authorized to grant  
1215 student fee exemptions from all fees adopted by the State Board  
1216 of Education and the community college board of trustees for up  
1217 to 40 full-time equivalent students at each institution.

1218 Section 15. Subsection (8) of section 1009.26, Florida

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1219 Statutes, is amended to read:

1220 1009.26 Fee waivers.—

1221 (8) A state university or community college shall waive  
1222 undergraduate tuition for each recipient of a Purple Heart or  
1223 another combat decoration superior in precedence who:

1224 (a) Is enrolled as a full-time, part-time, or summer-school  
1225 student in an undergraduate program that terminates in a degree  
1226 or certificate;

1227 (b) Is currently, and was at the time of the military  
1228 action that resulted in the awarding of the Purple Heart or  
1229 other combat decoration superior in precedence, a resident of  
1230 this state; and

1231 (c) Submits to the state university or the community  
1232 college the DD-214 form issued at the time of separation from  
1233 service as documentation that the student has received a Purple  
1234 Heart or another combat decoration superior in precedence. If  
1235 the DD-214 is not available, other documentation may be  
1236 acceptable if recognized by the United States Department of  
1237 Defense or the United States Department of Veterans Affairs as  
1238 documenting the award.

1239  
1240 Such a waiver for a Purple Heart recipient or recipient of  
1241 another combat decoration superior in precedence shall be  
1242 applicable for 110 percent of the number of required credit  
1243 hours of the degree or certificate program for which the student  
1244 is enrolled.

1245 Section 16. Subsections (2) and (7) of section 1009.286,  
1246 Florida Statutes, are amended to read:

1247 1009.286 Additional student payment for hours exceeding

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1248 baccalaureate degree program completion requirements at state  
1249 universities.—

1250 (2) State universities shall require a student to pay an  
1251 excess hour surcharge equal to 100 ~~50~~ percent of the tuition  
1252 rate for each credit hour in excess of 115 ~~120~~ percent of the  
1253 number of credit hours required to complete the baccalaureate  
1254 degree program in which the student is enrolled.

1255 (7) The provisions of this section become effective for  
1256 students who enter a community college or a state university for  
1257 the first time in the 2011-2012 ~~2009-2010~~ academic year and  
1258 thereafter.

1259 Section 17. Paragraphs (b) and (c) of subsection (6) of  
1260 section 1009.531, Florida Statutes, are amended, and subsection  
1261 (7) is added to that section, to read:

1262 1009.531 Florida Bright Futures Scholarship Program;  
1263 student eligibility requirements for initial awards.—

1264 (6)

1265 (b) The State Board of Education shall publicize the  
1266 examination score required for a student to be eligible for a  
1267 Florida Medallion Scholars award, pursuant to s. 1009.535(1) (a)  
1268 or (b), as follows:

1269 1. For high school students graduating in the 2010-2011  
1270 academic year, the student must earn an SAT score of 970 or a  
1271 concordant ACT score of 20 or the student in a home education  
1272 program whose parent cannot document a college-preparatory  
1273 curriculum must earn an SAT score of 1070 or a concordant ACT  
1274 score of 23.

1275 2. For high school students graduating in the 2011-2012  
1276 academic year, the student must earn an SAT score of 980 which

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1277 corresponds to the 44th SAT percentile rank or a concordant ACT  
1278 score of 21 or the student in a home education program whose  
1279 parent cannot document a college-preparatory curriculum must  
1280 earn an SAT score of 1070 or a concordant ACT score of 23.

1281 3. For high school students graduating in the 2012-2013  
1282 academic year, the student must earn an SAT score of 1020 which  
1283 corresponds to the 51st ~~50th~~ SAT percentile rank or a concordant  
1284 ACT score of 22 or the student in a home education program whose  
1285 parent cannot document a college-preparatory curriculum must  
1286 earn an SAT score of 1070 or a concordant ACT score of 23.

1287 4. For high school students graduating in the 2013-2014  
1288 academic year and thereafter, the student must earn an SAT score  
1289 of 1170 ~~1050~~ which corresponds to the 75th ~~56th~~ SAT percentile  
1290 rank or a concordant ACT score of 26 ~~23~~ or the student in a home  
1291 education program whose parent cannot document a college-  
1292 preparatory curriculum must earn an SAT score of 1220 ~~1100~~ or a  
1293 concordant ACT score of 27 ~~24~~.

1294 (c) The SAT percentile ranks and corresponding SAT scores  
1295 specified in paragraphs (a) and (b) are based on the SAT  
1296 percentile ranks for 2010 ~~2009~~ college-bound seniors in critical  
1297 reading and mathematics as reported by the College Board. The  
1298 next highest SAT score is used when the percentile ranks do not  
1299 directly correspond.

1300 (7) To be eligible for an award under the Florida Bright  
1301 Futures Scholarship Program, a student must submit a Free  
1302 Application for Federal Student Aid which is complete and error  
1303 free prior to disbursement.

1304 Section 18. Subsection (1) of section 1009.534, Florida  
1305 Statutes, is amended to read:

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1306 1009.534 Florida Academic Scholars award.—

1307 (1) A student is eligible for a Florida Academic Scholars  
1308 award if the student meets the general eligibility requirements  
1309 for the Florida Bright Futures Scholarship Program and the  
1310 student:

1311 (a) Has achieved a 3.5 weighted grade point average as  
1312 calculated pursuant to s. 1009.531, or its equivalent, in high  
1313 school courses that are designated by the State Board of  
1314 Education as college-preparatory academic courses; and has  
1315 attained at least the score pursuant to s. 1009.531(6)(a) on the  
1316 combined verbal and quantitative parts of the Scholastic  
1317 Aptitude Test, the Scholastic Assessment Test, or the recentered  
1318 Scholastic Assessment Test of the College Entrance Examination,  
1319 or an equivalent score on the ACT Assessment Program;

1320 (b) Has attended a home education program according to s.  
1321 1002.41 during grades 11 and 12 or has completed the  
1322 International Baccalaureate curriculum but failed to earn the  
1323 International Baccalaureate Diploma or has completed the  
1324 Advanced International Certificate of Education curriculum but  
1325 failed to earn the Advanced International Certificate of  
1326 Education Diploma, and has attained at least the score pursuant  
1327 to s. 1009.531(6)(a) on the combined verbal and quantitative  
1328 parts of the Scholastic Aptitude Test, the Scholastic Assessment  
1329 Test, or the recentered Scholastic Assessment Test of the  
1330 College Entrance Examination, or an equivalent score on the ACT  
1331 Assessment Program;

1332 (c) Has been awarded an International Baccalaureate Diploma  
1333 from the International Baccalaureate Office or an Advanced  
1334 International Certificate of Education Diploma from the

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1335 University of Cambridge International Examinations Office;  
1336 (d) Has been recognized by the merit or achievement  
1337 programs of the National Merit Scholarship Corporation as a  
1338 scholar or finalist; or

1339 (e) Has been recognized by the National Hispanic  
1340 Recognition Program as a scholar recipient.

1341  
1342 A student must complete a program of community service work, as  
1343 approved by the district school board or the administrators of a  
1344 nonpublic school, which shall include a minimum of 75 hours of  
1345 service work for high school students graduating in the 2010-  
1346 2011 academic year and 100 hours of service work for high school  
1347 students graduating in the 2011-2012 academic year and  
1348 thereafter, and must ~~and require the student to~~ identify a  
1349 social problem that interests him or her, develop a plan for his  
1350 or her personal involvement in addressing the problem, and,  
1351 through papers or other presentations, evaluate and reflect upon  
1352 his or her experience.

1353 Section 19. Subsection (1) of section 1009.535, Florida  
1354 Statutes, is amended to read:

1355 1009.535 Florida Medallion Scholars award.—

1356 (1) A student is eligible for a Florida Medallion Scholars  
1357 award if the student meets the general eligibility requirements  
1358 for the Florida Bright Futures Scholarship Program and the  
1359 student:

1360 (a) Has achieved a weighted grade point average of 3.0 as  
1361 calculated pursuant to s. 1009.531, or the equivalent, in high  
1362 school courses that are designated by the State Board of  
1363 Education as college-preparatory academic courses; and has

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1364 attained at least the score pursuant to s. 1009.531(6) (b) on the  
1365 combined verbal and quantitative parts of the Scholastic  
1366 Aptitude Test, the Scholastic Assessment Test, or the recentered  
1367 Scholastic Assessment Test of the College Entrance Examination,  
1368 or an equivalent score on the ACT Assessment Program;

1369 (b) Has completed the International Baccalaureate  
1370 curriculum but failed to earn the International Baccalaureate  
1371 Diploma or has completed the Advanced International Certificate  
1372 of Education curriculum but failed to earn the Advanced  
1373 International Certificate of Education Diploma, and has attained  
1374 at least the score pursuant to s. 1009.531(6) (b) on the combined  
1375 verbal and quantitative parts of the Scholastic Aptitude Test,  
1376 the Scholastic Assessment Test, or the recentered Scholastic  
1377 Assessment Test of the College Entrance Examination, or an  
1378 equivalent score on the ACT Assessment Program;

1379 (c) Has attended a home education program according to s.  
1380 1002.41 during grades 11 and 12 and has attained at least the  
1381 score pursuant to s. 1009.531(6) (b) on the combined verbal and  
1382 quantitative parts of the Scholastic Aptitude Test, the  
1383 Scholastic Assessment Test, or the recentered Scholastic  
1384 Assessment Test of the College Entrance Examination, or an  
1385 equivalent score on the ACT Assessment Program, if the student's  
1386 parent cannot document a college-preparatory curriculum as  
1387 described in paragraph (a);

1388 (d) Has been recognized by the merit or achievement program  
1389 of the National Merit Scholarship Corporation as a scholar or  
1390 finalist but has not completed a program of community service as  
1391 provided in s. 1009.534; or

1392 (e) Has been recognized by the National Hispanic

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1393 Recognition Program as a scholar, but has not completed a  
1394 program of community service as provided in s. 1009.534.

1395  
1396 A high school student graduating in the 2011-2012 academic year  
1397 and thereafter must complete a program of community service work  
1398 approved by the district school board or the administrators of a  
1399 nonpublic school, which shall include a minimum of 75 hours of  
1400 service work, and must identify a social problem that interests  
1401 him or her, develop a plan for his or her personal involvement  
1402 in addressing the problem, and, through papers or other  
1403 presentations, evaluate and reflect upon his or her experience.

1404 Section 20. Paragraph (e) is added to subsection (1) of  
1405 section 1009.536, Florida Statutes, to read:

1406 1009.536 Florida Gold Seal Vocational Scholars award.—The  
1407 Florida Gold Seal Vocational Scholars award is created within  
1408 the Florida Bright Futures Scholarship Program to recognize and  
1409 reward academic achievement and career preparation by high  
1410 school students who wish to continue their education.

1411 (1) A student is eligible for a Florida Gold Seal  
1412 Vocational Scholars award if the student meets the general  
1413 eligibility requirements for the Florida Bright Futures  
1414 Scholarship Program and the student:

1415 (e) Beginning with high school students graduating in the  
1416 2011-2012 academic year and thereafter, completes a program of  
1417 community service work approved by the district school board or  
1418 the administrators of a nonpublic school, which shall include a  
1419 minimum of 30 hours of service work, and identifies a social  
1420 problem that interests him or her, develops a plan for his or  
1421 her personal involvement in addressing the problem, and, through

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1422 papers or other presentations, evaluates and reflects upon his  
1423 or her experience.

1424 Section 21. Subsection (4) is added to section 1009.55,  
1425 Florida Statutes, to read:

1426 1009.55 Rosewood Family Scholarship Program.—

1427 (4) Funding for the program shall be as provided in the  
1428 General Appropriations Act.

1429 Section 22. Subsection (7) is added to section 1009.56,  
1430 Florida Statutes, to read:

1431 1009.56 Seminole and Miccosukee Indian Scholarships.—

1432 (7) Funding for the program shall be as provided in the  
1433 General Appropriations Act.

1434 Section 23. Subsection (3) is added to section 1009.57,  
1435 Florida Statutes, to read:

1436 1009.57 Florida Teacher Scholarship and Forgivable Loan  
1437 Program.—

1438 (3) Funding for the program shall be as provided in the  
1439 General Appropriations Act.

1440 Section 24. Subsection (7) is added to section 1009.60,  
1441 Florida Statutes, to read:

1442 1009.60 Minority teacher education scholars program.—There  
1443 is created the minority teacher education scholars program,  
1444 which is a collaborative performance-based scholarship program  
1445 for African-American, Hispanic-American, Asian-American, and  
1446 Native American students. The participants in the program  
1447 include Florida's community colleges and its public and private  
1448 universities that have teacher education programs.

1449 (7) Funding for the program shall be as provided in the  
1450 General Appropriations Act.

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1451 Section 25. Subsection (8) is added to section 1009.68,  
1452 Florida Statutes, to read:

1453 1009.68 Florida Minority Medical Education Program.—

1454 (8) Funding for the program shall be as provided in the  
1455 General Appropriations Act.

1456 Section 26. Subsection (5) is added to section 1009.69,  
1457 Florida Statutes, to read:

1458 1009.69 Virgil Hawkins Fellows Assistance Program.—

1459 (5) Funding for the program shall be as provided in the  
1460 General Appropriations Act.

1461 Section 27. Subsections (5) and (6) of section 1009.701,  
1462 Florida Statutes, are amended to read:

1463 1009.701 First Generation Matching Grant Program.—

1464 (5) In order to be eligible to receive a grant pursuant to  
1465 this section, an applicant must:

1466 (a) Be a resident for tuition purposes pursuant to s.  
1467 1009.21.

1468 (b) Be a first-generation college student. For the purposes  
1469 of this section, a student is considered "first generation" if  
1470 neither of the student's parents, as defined in s. 1009.21(1),  
1471 earned a college degree at the baccalaureate level or higher or,  
1472 in the case of any individual who regularly resided with and  
1473 received support from only one parent, if that parent did not  
1474 earn a baccalaureate degree.

1475 (c) Be accepted at a state university.

1476 (d) Be enrolled for a minimum of six credit hours per term  
1477 as a degree-seeking undergraduate student.

1478 (e) Have submitted a Free Application for Federal Student  
1479 Aid which is complete and error free prior to disbursement and

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1480 met the eligibility requirements in s. 1009.50 for demonstrated  
1481 financial need for the Florida Public Student Assistance Grant  
1482 Program.

1483 (f) Meet additional eligibility requirements as established  
1484 by the institution.

1485 (6) The award amount shall be based on the student's need  
1486 assessment after any scholarship or grant aid, including, but  
1487 not limited to, a Pell Grant or a Bright Futures Scholarship,  
1488 has been applied. The first priority of funding shall be given  
1489 to students who demonstrate need by qualifying and receiving  
1490 federal Pell Grant funds up to the full cost of tuition and fees  
1491 per term. An award may not exceed the institution's estimated  
1492 annual cost of attendance for the student to attend the  
1493 institution.

1494 Section 28. Subsection (11) is added to section 1009.73,  
1495 Florida Statutes, to read:

1496 1009.73 Mary McLeod Bethune Scholarship Program.—

1497 (11) Funding for the program shall be as provided in the  
1498 General Appropriations Act.

1499 Section 29. Subsection (4) is added to section 1009.74,  
1500 Florida Statutes, to read:

1501 1009.74 The Theodore R. and Vivian M. Johnson Scholarship  
1502 Program.—

1503 (4) Funding for the program shall be as provided in the  
1504 General Appropriations Act.

1505 Section 30. Paragraph (c) of subsection (8) of section  
1506 1009.77, Florida Statutes, is amended, and subsection (11) is  
1507 added to that section, to read:

1508 1009.77 Florida Work Experience Program.—

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1509 (8) A student is eligible to participate in the Florida  
1510 Work Experience Program if the student:

1511 (c) Submits a Free Application for Federal Student Aid  
1512 which is complete and error free prior to disbursement and  
1513 demonstrates financial need, with the first priority of funding  
1514 given to students who demonstrate need by qualifying and  
1515 receiving federal Pell Grant funds up to the full cost of  
1516 tuition and fees per term.

1517 (11) Funding for the program shall be as provided in the  
1518 General Appropriations Act.

1519 Section 31. Subsection (4) and paragraph (a) of subsection  
1520 (5) of section 1009.89, Florida Statutes, are amended to read:

1521 1009.89 The William L. Boyd, IV, Florida resident access  
1522 grants.—

1523 (4) A person is eligible to receive such William L. Boyd,  
1524 IV, Florida resident access grant if:

1525 (a) He or she meets the general requirements, including  
1526 residency, for student eligibility as provided in s. 1009.40,  
1527 except as otherwise provided in this section; ~~and~~

1528 (b)1. He or she is enrolled as a full-time undergraduate  
1529 student at an eligible college or university;

1530 2. He or she is not enrolled in a program of study leading  
1531 to a degree in theology or divinity; and

1532 3. He or she is making satisfactory academic progress as  
1533 defined by the college or university in which he or she is  
1534 enrolled; ~~and~~—

1535 (c) He or she submits a Free Application for Federal  
1536 Student Aid which is complete and error free prior to  
1537 disbursement.

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1538 (5) (a) Funding for the William L. Boyd, IV, Florida  
1539 Resident Access Grant Program for eligible institutions shall be  
1540 as provided in the General Appropriations Act ~~based on a formula~~  
1541 ~~composed of planned enrollment and the state cost of funding~~  
1542 ~~undergraduate enrollment at public institutions pursuant to s.~~  
1543 ~~1011.90. The amount of the William L. Boyd, IV, Florida resident~~  
1544 ~~access grant issued to a full-time student shall be an amount as~~  
1545 ~~specified in the General Appropriations Act. The William L.~~  
1546 ~~Boyd, IV, Florida resident access grant may be paid on a~~  
1547 ~~prorated basis in advance of the registration period. The~~  
1548 ~~department shall make such payments to the college or university~~  
1549 ~~in which the student is enrolled for credit to the student's~~  
1550 ~~account for payment of tuition and fees. Institutions shall~~  
1551 ~~certify to the department the amount of funds disbursed to each~~  
1552 ~~student and shall remit to the department any undisbursed~~  
1553 ~~advances or refunds within 60 days of the end of regular~~  
1554 ~~registration. A student is ~~Students shall~~ not be eligible to~~  
1555 ~~receive the award for more than 9 semesters or 14 quarters,~~  
1556 ~~except as otherwise provided in s. 1009.40(3).~~

1557 Section 32. Subsections (4) and (7) of section 1009.891,  
1558 Florida Statutes are amended to read:

1559 1009.891 The Access to Better Learning and Education Grant  
1560 Program.—

1561 (4) A person is eligible to receive an access grant if:

1562 (a) He or she meets the general requirements, including  
1563 residency, for student eligibility as provided in s. 1009.40,  
1564 except as otherwise provided in this section; ~~and~~

1565 (b)1. He or she is enrolled as a full-time undergraduate  
1566 student at an eligible college or university in a program of

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1567 study leading to a baccalaureate degree;

1568 2. He or she is not enrolled in a program of study leading  
1569 to a degree in theology or divinity; and

1570 3. He or she is making satisfactory academic progress as  
1571 defined by the college or university in which he or she is  
1572 enrolled; and-

1573 (c) He or she submits a Free Application for Federal  
1574 Student Aid which is complete and error free prior to  
1575 disbursement.

1576 (7) Funding for the program shall be as provided in the  
1577 General Appropriations Act. ~~This section shall be implemented~~  
1578 ~~only to the extent specifically funded and authorized by law.~~

1579 Section 33. Subsection (13) is added to section 1011.32,  
1580 Florida Statutes, to read:

1581 1011.32 Community College Facility Enhancement Challenge  
1582 Grant Program.—

1583 (13) Effective July 1, 2011, state matching funds are  
1584 temporarily suspended for donations received for the program on  
1585 or after June 30, 2011. Existing eligible donations remain  
1586 eligible for future matching funds. The program may be restarted  
1587 after \$200 million of the backlog for programs under ss.  
1588 1011.32, 1011.85, 1011.94, and 1013.79 have been matched.

1589 Section 34. Paragraph (c) of subsection (1) of section  
1590 1011.61, Florida Statutes, is amended to read:

1591 1011.61 Definitions.—Notwithstanding the provisions of s.  
1592 1000.21, the following terms are defined as follows for the  
1593 purposes of the Florida Education Finance Program:

1594 (1) A "full-time equivalent student" in each program of the  
1595 district is defined in terms of full-time students and part-time

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1596 students as follows:

1597 (c)1. A "full-time equivalent student" is:

1598 a. A full-time student in any one of the programs listed in  
1599 s. 1011.62(1)(c); or

1600 b. A combination of full-time or part-time students in any  
1601 one of the programs listed in s. 1011.62(1)(c) which is the  
1602 equivalent of one full-time student based on the following  
1603 calculations:

1604 (I) A full-time student, ~~except a postsecondary or adult~~  
1605 ~~student or a senior high school student enrolled in adult~~  
1606 ~~education when such courses are required for high school~~  
1607 ~~graduation,~~ in a combination of programs listed in s.  
1608 1011.62(1)(c) shall be a fraction of a full-time equivalent  
1609 membership in each special program equal to the number of net  
1610 hours per school year for which he or she is a member, divided  
1611 by the appropriate number of hours set forth in subparagraph  
1612 (a)1. or subparagraph (a)2. The difference between that fraction  
1613 or sum of fractions and the maximum value as set forth in  
1614 subsection (4) for each full-time student is presumed to be the  
1615 balance of the student's time not spent in such special  
1616 education programs and shall be recorded as time in the  
1617 appropriate basic program.

1618 (II) A prekindergarten handicapped student shall meet the  
1619 requirements specified for kindergarten students.

1620 (III) A full-time equivalent student for students in  
1621 kindergarten through grade 5 in a school district virtual  
1622 instruction program under s. 1002.45 shall consist of a student  
1623 who has successfully completed a basic program listed in s.  
1624 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade

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1625 level.

1626 (IV) A full-time equivalent student for students in grades  
1627 6 through 12 in a school district virtual instruction program  
1628 under s. 1002.45(1)(b)1. and 2. shall consist of six full credit  
1629 completions in programs listed in s. 1011.62(1)(c)1.b. or c. and  
1630 3. Credit completions can be a combination of either full  
1631 credits or half credits.

1632 (V) A Florida Virtual School full-time equivalent student  
1633 shall consist of six full credit completions in the programs  
1634 listed in s. 1011.62(1)(c)1.b. for grades 6 through 8 and the  
1635 programs listed in s. 1011.62(1)(c)1.c. for grades 9 through 12.  
1636 Credit completions can be a combination of either full credits  
1637 or half credits.

1638 (VI) Each successfully completed credit earned under the  
1639 alternative high school course credit requirements authorized in  
1640 s. 1002.375, which is not reported as a portion of the 900 net  
1641 hours of instruction pursuant to subparagraph (1)(a)1., shall be  
1642 calculated as 1/6 FTE.

1643 2. A student in membership in a program scheduled for more  
1644 or less than 180 school days or the equivalent on an hourly  
1645 basis as specified by rules of the State Board of Education is a  
1646 fraction of a full-time equivalent membership equal to the  
1647 number of instructional hours in membership divided by the  
1648 appropriate number of hours set forth in subparagraph (a)1.;  
1649 however, for the purposes of this subparagraph, membership in  
1650 programs scheduled for more than 180 days is limited to students  
1651 enrolled in juvenile justice education programs and the Florida  
1652 Virtual School.

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1654 The department shall determine and implement an equitable method  
1655 of equivalent funding for experimental schools and for schools  
1656 operating under emergency conditions, which schools have been  
1657 approved by the department to operate for less than the minimum  
1658 school day.

1659 Section 35. Subsections (6), (7), and (10) of section  
1660 1011.80, Florida Statutes, are amended to read:

1661 1011.80 Funds for operation of workforce education  
1662 programs.—

1663 (6) (a) A school district or a community college that  
1664 provides workforce education programs shall receive funds in  
1665 accordance with distributions for base and performance funding  
1666 established by the Legislature in the General Appropriations  
1667 Act. To ensure equitable funding for all school district  
1668 workforce education programs and to recognize enrollment growth,  
1669 the Department of Education shall use the funding model  
1670 developed by the District Workforce Education Funding Steering  
1671 Committee to determine each district's workforce education  
1672 funding needs. To assist the Legislature in allocating workforce  
1673 education funds in the General Appropriations Act, the funding  
1674 model shall annually be provided to the legislative  
1675 appropriations committees no later than March 1. ~~If the General~~  
1676 ~~Appropriations Act does not provide for the distribution of~~  
1677 ~~funds, the following methodology shall apply:~~

1678 ~~1. Base funding shall be allocated based on weighted~~  
1679 ~~enrollment and shall not exceed 90 percent of the allocation.~~  
1680 ~~The Department of Education shall develop a funding process for~~  
1681 ~~school district workforce education programs that is comparable~~  
1682 ~~with community college workforce programs.~~

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1683           ~~2. Performance funding shall be at least 10 percent of the~~  
1684 ~~allocation, based on the previous fiscal year's achievement of~~  
1685 ~~output and outcomes in accordance with formulas adopted pursuant~~  
1686 ~~to subsection (10). Performance funding must incorporate~~  
1687 ~~payments for at least three levels of placements that reflect~~  
1688 ~~wages and workforce demand. Payments for completions must not~~  
1689 ~~exceed 60 percent of the payments for placement. School~~  
1690 ~~districts and community colleges shall be awarded funds pursuant~~  
1691 ~~to this paragraph based on performance output data and~~  
1692 ~~performance outcome data available in that year.~~

1693           (b) A program is established to assist school districts and  
1694 community colleges in responding to the needs of new and  
1695 expanding businesses and thereby strengthening the state's  
1696 workforce and economy. The program may be funded in the General  
1697 Appropriations Act. ~~A school district or community college may~~  
1698 ~~expend funds under the program without regard to performance~~  
1699 ~~criteria set forth in subparagraph (a)2.~~ The district or  
1700 community college shall use the program to provide customized  
1701 training for businesses which satisfies the requirements of s.  
1702 288.047. Business firms whose employees receive the customized  
1703 training must provide 50 percent of the cost of the training.  
1704 Balances remaining in the program at the end of the fiscal year  
1705 shall not revert to the general fund, but shall be carried over  
1706 for 1 additional year and used for the purpose of serving  
1707 incumbent worker training needs of area businesses with fewer  
1708 than 100 employees. Priority shall be given to businesses that  
1709 must increase or upgrade their use of technology to remain  
1710 competitive.

1711           (7) (a) A school district or community college that receives

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1712 workforce education funds must use the money to benefit the  
1713 workforce education programs it provides. The money may be used  
1714 for equipment upgrades, program expansions, or any other use  
1715 that would result in workforce education program improvement.  
1716 The district school board or community college board of trustees  
1717 may not withhold any portion of the performance funding for  
1718 indirect costs.

1719 (b) State funds provided for the operation of postsecondary  
1720 workforce programs may not be expended for the education of  
1721 state or federal inmates.

1722 (10) A high school student dually enrolled under s.  
1723 1007.271 in a workforce education program operated by a  
1724 community college or school district career center generates the  
1725 amount calculated for workforce education funding, including any  
1726 payment of performance funding, and the proportional share of  
1727 full-time equivalent enrollment generated through the Florida  
1728 Education Finance Program for the student's enrollment in a high  
1729 school. If a high school student is dually enrolled in a  
1730 community college program, including a program conducted at a  
1731 high school, the community college earns the funds generated for  
1732 workforce education funding, and the school district earns the  
1733 proportional share of full-time equivalent funding from the  
1734 Florida Education Finance Program. If a student is dually  
1735 enrolled in a career center operated by the same district as the  
1736 district in which the student attends high school, that district  
1737 earns the funds generated for workforce education funding and  
1738 also earns the proportional share of full-time equivalent  
1739 funding from the Florida Education Finance Program. If a student  
1740 is dually enrolled in a workforce education program provided by

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1741 a career center operated by a different school district, the  
1742 funds must be divided between the two school districts  
1743 proportionally from the two funding sources. A student may not  
1744 be reported for funding in a dual enrollment workforce education  
1745 program unless the student has completed the basic skills  
1746 assessment pursuant to s. 1004.91. A student who is coenrolled  
1747 in a K-12 education program and an adult education program may  
1748 not be reported for purposes of funding in an adult education  
1749 program, except that for the 2011-2012 fiscal year only,  
1750 students who are coenrolled in core curricula courses for credit  
1751 recovery or dropout prevention purposes may be reported for  
1752 funding for up to two courses per student. Such students are  
1753 exempt from the payment of the block tuition for adult general  
1754 education programs provided in s. 1009.22(3)(c).

1755 Section 36. Subsection (3) is added to section 1011.81,  
1756 Florida Statutes, to read:

1757 1011.81 Community College Program Fund.—

1758 (3) State funds provided for the Community College Program  
1759 Fund may not be expended for the education of state or federal  
1760 inmates.

1761 Section 37. Subsection (2) of section 1011.85, Florida  
1762 Statutes, is amended, and subsection (13) is added to that  
1763 section, to read:

1764 1011.85 Dr. Philip Benjamin Matching Grant Program for  
1765 Community Colleges.—

1766 (2) Each community college board of trustees receiving  
1767 state appropriations under this program shall approve each gift  
1768 to ensure alignment with the unique mission of the community  
1769 college. The board of trustees must link all requests for a

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1770 state match to the goals and mission statement. The Florida  
1771 Community College Foundation Board receiving state  
1772 appropriations under this program shall approve each gift to  
1773 ensure alignment with its goals and mission statement. Funds  
1774 received from community events and festivals are not eligible  
1775 for state matching funds under this program.

1776 (13) Effective July 1, 2011, state matching funds are  
1777 temporarily suspended for donations received for this program on  
1778 or after June 30, 2011. Existing eligible donations remain  
1779 eligible for future matching funds. The program may be restarted  
1780 after \$200 million of the backlog for programs under ss.  
1781 1011.32, 1011.85, 1011.94, and 1013.79 have been matched.

1782 Section 38. Subsection (8) is added to section 1011.94,  
1783 Florida Statutes, to read:

1784 1011.94 University Major Gifts Program.—

1785 (8) Effective July 1, 2011, state matching funds are  
1786 temporarily suspended for donations received for this program on  
1787 or after June 30, 2011. Existing eligible donations remain  
1788 eligible for future matching funds. The program may be restarted  
1789 after \$200 million of the backlog for programs under ss.  
1790 1011.32, 1011.85, 1011.94, and 1013.79 have been matched.

1791 Section 39. Subsection (4) is added to section 1012.885,  
1792 Florida Statutes, to read:

1793 1012.885 Remuneration of community college presidents;  
1794 limitations.—

1795 (4) LIMITATION ON REMUNERATION.—Notwithstanding the  
1796 provisions of this section, for the 2011-2012 fiscal year, a  
1797 Florida College System institution president may not receive  
1798 more than \$200,000 in remuneration from appropriated state

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1799 funds. Only compensation, as defined in s. 121.021(22), provided  
1800 to a Florida College System institution president may be used in  
1801 calculating benefits under chapter 121.

1802 Section 40. Section 1012.886, Florida Statutes, is created  
1803 to read:

1804 1012.886 Remuneration of Florida College System institution  
1805 administrative employees; limitations.—

1806 (1) DEFINITIONS.—As used in this section, the term:

1807 (a) "Appropriated state funds" means funds appropriated  
1808 from the General Revenue Fund or funds appropriated from state  
1809 trust funds.

1810 (b) "Cash-equivalent compensation" means any benefit that  
1811 may be assigned an equivalent cash value.

1812 (c) "Remuneration" means salary, bonuses, and cash-  
1813 equivalent compensation paid to a Florida College System  
1814 institution administrative employee by his or her employer for  
1815 work performed, excluding health insurance benefits and  
1816 retirement benefits.

1817 (2) LIMITATION ON COMPENSATION.—Notwithstanding any other  
1818 law, resolution, or rule to the contrary, a Florida College  
1819 System institution administrative employee may not receive more  
1820 than \$200,000 in remuneration annually from appropriated state  
1821 funds. Only compensation, as such term is defined in s.  
1822 121.021(22), provided to a Florida College System institution  
1823 administrative employee may be used in calculating benefits  
1824 under chapter 121.

1825 (3) EXCEPTIONS.—This section does not prohibit any party  
1826 from providing cash or cash-equivalent compensation from funds  
1827 that are not appropriated state funds to a Florida College

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1828 System institution administrative employee in excess of the  
1829 limit in subsection (2). If a party is unable or unwilling to  
1830 fulfill an obligation to provide cash or cash-equivalent  
1831 compensation to a Florida College System institution  
1832 administrative employee as permitted under this subsection,  
1833 appropriated state funds may not be used to fulfill such  
1834 obligation. This section does not apply to Florida College  
1835 System institution teaching faculty.

1836 (4) EXPIRATION.—This section expires June 30, 2012.

1837 Section 41. Subsection (4) is added to section 1012.975,  
1838 Florida Statutes, to read:

1839 1012.975 Remuneration of state university presidents;  
1840 limitations.—

1841 (4) LIMITATION ON REMUNERATION.—Notwithstanding the  
1842 provisions of this section, for the 2011-2012 fiscal year, a  
1843 state university president may not receive more than \$200,000 in  
1844 remuneration from public funds. Only compensation, as defined in  
1845 s. 121.021(22), provided to a state university president may be  
1846 used in calculating benefits under chapter 121.

1847 Section 42. Section 1012.976, Florida Statutes, is created  
1848 to read:

1849 1012.976 Remuneration of state university administrative  
1850 employees; limitations.—

1851 (1) DEFINITIONS.—As used in this section, the term:

1852 (a) "Appropriated state funds" means funds appropriated  
1853 from the General Revenue Fund or funds appropriated from state  
1854 trust funds.

1855 (b) "Cash-equivalent compensation" means any benefit that  
1856 may be assigned an equivalent cash value.

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1857        (c) "Remuneration" means salary, bonuses, and cash-  
1858 equivalent compensation paid to a state university  
1859 administrative employee by his or her employer for work  
1860 performed, excluding health insurance benefits and retirement  
1861 benefits.

1862        (2) LIMITATION ON COMPENSATION.—Notwithstanding any other  
1863 law, resolution, or rule to the contrary, a state university  
1864 administrative employee may not receive more than \$200,000 in  
1865 remuneration annually from appropriated state funds. Only  
1866 compensation, as such term is defined in s. 121.021(22),  
1867 provided to a state university administrative employee may be  
1868 used in calculating benefits under chapter 121.

1869        (3) EXCEPTIONS.—This section does not prohibit any party  
1870 from providing cash or cash-equivalent compensation from funds  
1871 that are not appropriated state funds to a state university  
1872 administrative employee in excess of the limit in subsection  
1873 (2). If a party is unable or unwilling to fulfill an obligation  
1874 to provide cash or cash-equivalent compensation to a state  
1875 university administrative employee as permitted under this  
1876 subsection, appropriated state funds may not be used to fulfill  
1877 such obligation. This section does not apply to university  
1878 teaching faculty or medical school faculty or staff.

1879        (4) EXPIRATION.—This section expires June 30, 2012.

1880        Section 43. Subsection (12) of section 1013.33, Florida  
1881 Statutes, is amended to read:

1882        1013.33 Coordination of planning with local governing  
1883 bodies.—

1884        (12) As early in the design phase as feasible and  
1885 consistent with an interlocal agreement entered pursuant to

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1886 subsections (2)-(8), but no later than 90 days before commencing  
1887 construction, the district school board shall in writing request  
1888 a determination of consistency with the local government's  
1889 comprehensive plan. The local governing body that regulates the  
1890 use of land shall determine, in writing within 45 days after  
1891 receiving the necessary information and a school board's request  
1892 for a determination, whether a proposed educational facility is  
1893 consistent with the local comprehensive plan and consistent with  
1894 local land development regulations. If the determination is  
1895 affirmative, school construction may commence and further local  
1896 government approvals are not required, except as provided in  
1897 this section. Failure of the local governing body to make a  
1898 determination in writing within 90 days after a district school  
1899 board's request for a determination of consistency shall be  
1900 considered an approval of the district school board's  
1901 application. Campus master plans and development agreements must  
1902 comply with the provisions of s. ss. 1013.30 and 1013.63.

1903 Section 44. Section 1013.63, Florida Statutes, is repealed.

1904 Section 45. Subsection (12) is added to section 1013.79,  
1905 Florida Statutes, to read:

1906 1013.79 University Facility Enhancement Challenge Grant  
1907 Program.—

1908 (12) Effective July 1, 2011, state matching funds are  
1909 temporarily suspended for donations received for this program on  
1910 or after June 30, 2011. Existing eligible donations remain  
1911 eligible for future matching funds. The program may be restarted  
1912 after \$200 million of the backlog for programs under ss.  
1913 1011.32, 1011.85, 1011.94, and 1013.79 have been matched.

1914 Section 46. Section 1013.737, Florida Statutes, is amended

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1915 to read:

1916           1013.737 The Class Size Reduction and Educational  
1917 Facilities Lottery Revenue Bond Program.—There is established  
1918 the Class Size Reduction and Educational Facilities Lottery  
1919 Revenue Bond Program.

1920           (1) The issuance of revenue bonds is authorized to finance  
1921 or refinance the construction, acquisition, reconstruction, or  
1922 renovation of educational facilities. Such bonds shall be issued  
1923 pursuant to and in compliance with the provisions of s. 11(d),  
1924 Art. VII of the State Constitution, the provisions of the State  
1925 Bond Act, ss. 215.57-215.83, as amended, and the provisions of  
1926 this section.

1927           (2) The bonds are payable from, and secured by a first lien  
1928 on, the first lottery revenues transferred to the Educational  
1929 Enhancement Trust Fund each fiscal year, as provided by s.  
1930 24.121(2), and do not constitute a general obligation of, or a  
1931 pledge of the full faith and credit of, the state.

1932           (3) The state hereby covenants with the holders of such  
1933 revenue bonds that it will not take any action that will  
1934 materially and adversely affect the rights of such holders so  
1935 long as bonds authorized by this section are outstanding. The  
1936 state does hereby additionally authorize the establishment of a  
1937 covenant in connection with the bonds which provides that any  
1938 additional funds received by the state from new or enhanced  
1939 lottery programs; video gaming; banking card games, including  
1940 baccarat, chemin de fer, or blackjack; electronic or  
1941 electromechanical facsimiles of any game of chance; casino  
1942 games; slot machines; or other similar activities will first be  
1943 available for payments relating to bonds pledging revenues

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1944 available pursuant to s. 24.121(2), prior to use for any other  
1945 purpose.

1946 (4) The bonds shall be issued by the Division of Bond  
1947 Finance of the State Board of Administration on behalf of the  
1948 Department of Education in such amount as shall be requested by  
1949 resolution of the State Board of Education. However, the total  
1950 principal amount of bonds, excluding refunding bonds, issued  
1951 pursuant to this section shall not exceed amounts specifically  
1952 authorized in the General Appropriations Act.

1953 (5) Proceeds available from the sale of the bonds shall be  
1954 deposited in the Lottery Capital Outlay and Debt Service Trust  
1955 Fund within the Department of Education.

1956 (6) The facilities to be financed with the proceeds of such  
1957 bonds are designated as state fixed capital outlay projects for  
1958 purposes of s. 11(d), Art. VII of the State Constitution, and  
1959 the specific facilities to be financed shall be determined in  
1960 accordance with state law and appropriations from the  
1961 Educational Enhancement Trust Fund. Projects shall be funded  
1962 from the Lottery Capital Outlay and Debt Service Trust Fund.  
1963 Each educational facility to be financed with the proceeds of  
1964 the bonds issued pursuant to this section is hereby approved as  
1965 required by s. 11(f), Art. VII of the State Constitution.

1966 (7) Any complaint for validation of such bonds is required  
1967 to be filed only in the circuit court of the county where the  
1968 seat of state government is situated. The notice required to be  
1969 published by s. 75.06 is required to be published only in the  
1970 county where the complaint is filed, and the complaint and order  
1971 of the circuit court need be served only on the state attorney  
1972 of the circuit in which the action is pending.

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1973 (8) The Commissioner of Education shall provide for timely  
1974 encumbrances of funds for duly authorized projects. Encumbrances  
1975 may include proceeds to be received under a resolution approved  
1976 by the State Board of Education authorizing issuance of class  
1977 size reduction lottery bonds or educational facilities bonds  
1978 pursuant to s. 11(d), Art. VII of the State Constitution, this  
1979 section, and other applicable law.

1980 Section 47. The Department of Education shall work with the  
1981 College Center for Library Automation (CCLA) to transfer the K-  
1982 12 public school bibliographic database in standard library data  
1983 format to the CCLA for inclusion in its online discovery tool  
1984 product and make it publicly searchable by school district  
1985 students, staff, and parents no later than September 1, 2011.  
1986 The department shall also develop an ongoing process to provide  
1987 for the electronic updating of school district library holdings  
1988 data to the CCLA in a manner that will ensure that the public  
1989 school bibliographic database and searchable catalog is current.

1990 Section 48. By January 1, 2012, the Chancellors of the  
1991 State University System and the Florida College System shall  
1992 submit a plan to the Executive Office of the Governor and to the  
1993 legislative appropriations committees for establishing a joint  
1994 library organization to address the needs of academic libraries  
1995 in the State University System and the Florida College System  
1996 that replaces the Florida Center for Library Automation and the  
1997 College Center for Library Automation. The plan must include,  
1998 but need not be limited to, the following components:

1999 (1) A proposed governance and reporting structure for the  
2000 joint library organization.

2001 (2) Recommended staffing for the joint library

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2002 organization, which includes roles and responsibilities.

2003 (3) A recommended process and schedule for the acquisition  
2004 of a next generation library management system and its  
2005 associated services which includes a discovery tool provided by  
2006 the joint library organization. The library management system  
2007 will replace the current systems and services provided by the  
2008 Florida Center for Library Automation and the College Center for  
2009 Library Automation. The process for acquiring the next  
2010 generation library management system must involve the  
2011 identification of the functional requirements necessary to meet  
2012 the needs of the postsecondary education library users and be  
2013 scalable in order to meet any additional library user needs that  
2014 are identified as being necessary and in the best interest of  
2015 the state.

2016 (4) A proposed schedule for consolidating the computing and  
2017 data center resources and equipment provided by the Florida  
2018 Center for Library Automation and the College Center for Library  
2019 Automation to a statutorily established or designated primary  
2020 data center no later than December 1, 2012, or for  
2021 decommissioning the computing and data center resources and  
2022 equipment that are no longer required by the joint library  
2023 organization and are currently located at and managed by the  
2024 Florida Center for Library Automation and the College Center for  
2025 Library Automation.

2026 (5) A proposed operational budget for the joint library  
2027 organization which is more cost-effective than separately  
2028 funding both the Florida Center for Library Automation and the  
2029 College Center for Library Automation.

2030 (6) Proposed substantive and fiscal policy changes needed

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2031 to implement the joint library organization.

2032 (7) A timeline and implementation strategies for  
2033 establishing the joint library organization.

2034 Section 49. Notwithstanding any section of law to the  
2035 contrary, for the fiscal 2011-2012 year only, a university board  
2036 of trustees is authorized to expend reserve or carry-forward  
2037 balances from prior year operational and programmatic  
2038 appropriations on legislatively approved fixed capital outlay  
2039 projects authorized for the establishment of a new campus.

2040 Section 50. The Florida College System Council of  
2041 Presidents shall develop and recommend an equitable funding  
2042 formula for the distribution of Public Educational Capital  
2043 Outlay funds to the Florida College System institutions. The  
2044 Florida College System Council of Presidents shall submit a  
2045 report, with recommendations, to the State Board of Education,  
2046 the Governor, the President of the Senate, and the Speaker of  
2047 the House of Representatives by December 31, 2011, which  
2048 specifically includes a proposed funding formula that provides  
2049 for the equitable distribution of Public Educational Capital  
2050 Outlay funds to Florida College System institutions for  
2051 consideration by the Legislature for implementation in the 2012-  
2052 2013 fiscal year.

2053 Section 51. This act shall take effect July 1, 2011.