

FOR CONSIDERATION By the Committee on Budget

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

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30 System to implement the admissions application
31 process; providing certain requirements for state
32 universities and state colleges; amending s. 1006.72,
33 F.S.; revising provisions relating to the licensing of
34 electronic library resources; requiring that the
35 Chancellor and Vice Chancellor of the Florida College
36 System and the State University System report cost
37 savings resulting from the collaborative licensing
38 process to the Executive Office of the Governor and
39 the chairs of the legislative appropriations
40 committees; amending s. 1007.28, F.S.; revising
41 provisions relating to the computer-assisted student
42 advising system; requiring that the system provide a
43 transient student admissions application process for
44 certain students; creating s. 1009.215, F.S.;

45 authorizing each university, with the approval of the
46 Board of Governors of the State University System, to
47 plan and implement a program for students to enroll
48 for the spring and summer terms rather than the fall
49 terms in order to align student enrollment with
50 available instructional staff and facilities;
51 providing for eligibility for the Bright Futures
52 Scholarship to conform to periods of a student's
53 enrollment; requiring each university that implements
54 the plan to report to the Legislature by a specified
55 date; amending s. 1009.22, F.S.; revising provisions
56 relating to workforce education postsecondary student
57 fees; revising the standard tuition for programs
58 leading to a career certificate or an applied

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59 technology diploma; requiring that a block tuition be
60 assessed for residents and nonresidents enrolled in
61 adult general education programs; amending s. 1009.23,
62 F.S.; revising provisions relating to community
63 college student fees, including the standard tuition
64 for residents and nonresidents and the out-of-state
65 fee; authorizing each college to assess a transient
66 student fee that does not exceed a specified amount
67 per distance learning course; amending s. 1009.24,
68 F.S.; revising provisions relating to state university
69 student fees; authorizing each university board of
70 trustees to establish a transient student fee that
71 does not exceed a specified amount per distance
72 learning course for processing the transient student
73 admissions application; revising provisions relating
74 to the tuition differential; amending s. 1009.25,
75 F.S.; deleting provisions that exempt students from
76 paying tuition and fees for adult basic, adult
77 secondary, or career preparatory instruction; creating
78 s. 1009.251, F.S.; creating the STEM Scholarship
79 Program; providing a purpose; providing definitions;
80 providing eligibility requirements; providing that
81 funds appropriated by the Legislature in the General
82 Appropriations Act be allocated by the Office of
83 Student Financial Assistance within the Department of
84 Education; providing for the issuance of scholarship
85 awards annually; authorizing the State Board of
86 Education to establish rules; amending s. 1009.286,
87 F.S.; revising provisions relating to a surcharge for

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88 hours exceeding baccalaureate degree program
89 completion requirements at state universities;
90 increasing the percentage of the tuition rate that
91 must be paid; amending ss. 1009.55, 1009.56, 1009.57,
92 1009.60, and 1009.69, F.S.; requiring that the funding
93 for the Rosewood Family Scholarship Program, the
94 Seminole and Miccosukee Indian Scholarships, the
95 Florid Teacher Scholarship and Forgivable Loan
96 Program, the Minority Teacher Education Scholars
97 Program, the Florida Minority Medical Education
98 Program, and the Virgil Hawkins Fellows Assistance
99 Program be as provided in the General Appropriations
100 Act; amending s. 1009.701, F.S.; revising provisions
101 relating to the First Generation Matching Grant
102 Program; requiring that the first priority of funding
103 be given to certain students who qualify and receive
104 federal Pell Grant funds; amending ss. 1009.73 and
105 1009.74, F.S.; providing that funding for the Mary
106 McLeod Bethune Scholarship Program and the Theodore R.
107 and Vivian M. Johnson Scholarship Program be as
108 provided in the General Appropriations Act; amending
109 s. 1009.77, F.S.; revising provisions relating to the
110 Florida Work Experience Program; requiring that first
111 priority of funding be given to certain students who
112 qualify and receive federal Pell Grant funds;
113 requiring that the funding of the program be provided
114 as in the General Appropriations Act; amending ss.
115 1009.89 and 1009.891, F.S.; requiring that funding of
116 the William L. Boyd, IV, Florida Resident Access Grant

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117 Program and the Access to Better Learning and
118 Education Grant Program be provided as in the General
119 Appropriations Act; creating s. 1009.985, F.S.;
120 suspending the sale of new Florida prepaid college
121 advance payment contracts during a specified fiscal
122 year; providing an exception; amending s. 1011.32,
123 F.S.; providing that state matching funds for the
124 Community College Facility Enhancement Challenge Grant
125 Program be temporarily suspended for donations made
126 after a specified date; providing that existing
127 donations remain eligible for future matching funds;
128 amending s. 1011.52, F.S.; deleting a provision that
129 requires the Legislature to provide an annual
130 appropriation to the first accredited medical school;
131 amending s. 1011.61, F.S.; revising the definition of
132 the term "full-time equivalent student"; amending s.
133 1011.80, F.S.; revising provisions relating to funds
134 for the operation of workforce education programs;
135 prohibiting the expenditure of funds for the education
136 of state or federal inmates; prohibiting the reporting
137 of a student who is coenrolled in a K-12 education
138 program and an adult education program for funding
139 purposes; amending s. 1011.81, F.S.; revising
140 provisions relating to the Community College Program
141 Fund to prohibit the expenditure of funds for the
142 education of state or federal inmates; amending s.
143 1011.85, F.S.; revising provisions relating to the Dr.
144 Philip Benjamin Matching Grant Program for Community
145 Colleges; providing that funds received from community

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146 events, festivals, or other such activities are not
147 eligible for state matching funds; providing that
148 state matching funds under the program be temporarily
149 suspended for donations after a specified date;
150 providing that existing donations remain eligible for
151 future matching funds; amending ss. 1011.94 and
152 1013.79, F.S.; providing that state matching funds for
153 donations to the University Major Gifts Program and
154 the University Facility Enhancement Challenge Grant
155 Program are temporarily suspended; providing that
156 existing donations remain eligible for future matching
157 funds; amending s. 1013.737, F.S.; revising the name
158 of the Class Size Reduction Lottery Revenue Bond
159 Program to the Class Size Reduction and Educational
160 Facilities Lottery Revenue Bond Program; authorizing
161 the issuance of educational facilities bonds;
162 requiring that the Department of Education work with
163 the College Center for Library Automation to transfer
164 the Sunlink bibliographic database for inclusion in
165 CCLA's online discovery tool product for the public to
166 search; requiring that the department also develop an
167 ongoing process to provided for the updating of such
168 data; requiring that the Florida Center for Library
169 Automation and the CCLA develop and submit a plan to
170 the Governor and the Legislature for establishing a
171 single postsecondary education union catalog;
172 requiring that the Task Force for the Future of
173 Academic Libraries in Florida submit a plan to the
174 Governor and Legislature regarding the establishment

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175 of a joint library technology organizational
176 structure; providing effective dates.

177

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

179

180 Section 1. Paragraph (dd) is added to subsection (8) of
181 section 213.053, Florida Statutes, as amended by chapter 2010-
182 280, Laws of Florida, to read:

183 213.053 Confidentiality and information sharing.—

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

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

189

190 Disclosure of information under this subsection shall be
191 pursuant to a written agreement between the executive director
192 and the agency. Such agencies, governmental or nongovernmental,
193 shall be bound by the same requirements of confidentiality as
194 the Department of Revenue. Breach of confidentiality is a
195 misdemeanor of the first degree, punishable as provided by s.
196 775.082 or s. 775.083.

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

199 215.61 State system of public education capital outlay
200 bonds.—

201 (6) In making the determination as required by subsection
202 (3) of the amount that can be serviced by the gross receipts
203 tax, the State Board of Education shall disregard the effects on

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204 the reported gross receipts tax revenues collected during a tax
205 period of any refund paid by the Department of Revenue as a
206 direct result of a refund request made pursuant to the
207 settlement reached in *In re: AT&T Mobility Wireless Data*
208 *Services Sales Litigation*, 270 F.R.D. 330, (Aug. 11, 2010). The
209 Department of Revenue shall provide to the State Board of
210 Education, the Division of Bond Finance, and the Office of
211 Economic and Demographic Research the amount of any such refund
212 and the tax period in which the refund is included.

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

216 1001.706 Powers and duties of the Board of Governors.—

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

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

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

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

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

228 1004.091 Florida Distance Learning Consortium.—

229 (2) The Florida Distance Learning Consortium shall:

230 (a) Manage and promote the Florida Higher Education
231 Distance Learning Catalog, established pursuant to s. 1004.09,
232 to help increase student access to undergraduate distance

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233 learning courses and degree programs and to assist students
234 seeking accelerated access in order to complete their degrees.

235 (b) Beginning with the 2011-2012 academic year, implement
236 ~~Develop, in consultation with the Florida College System and the~~
237 ~~State University System, a plan to be submitted to the Board of~~
238 ~~Governors, the State Board of Education, the Governor, the~~
239 ~~President of the Senate, and the Speaker of the House of~~
240 ~~Representatives no later than December 1, 2010, for implementing~~
241 a streamlined, automated, online registration process for
242 transient students who are undergraduate students currently
243 enrolled and pursuing a degree at who have been admitted to a
244 public postsecondary educational institution and who choose wish
245 to enroll in a course listed in the Florida Higher Education
246 Distance Learning Catalog which, ~~including courses offered by an~~
247 ~~institution that~~ is offered by a public postsecondary
248 educational institution that is not the student's degree-
249 granting or home institution. The consortium shall work with the
250 Florida College System and the State University System to
251 implement this admissions application process requiring all
252 state universities and state colleges to: The plan must describe
253 ~~how such a registration process can be implemented by the 2011-~~
254 ~~2012 academic year as an alternative to the standard~~
255 ~~registration process of each institution. The plan must also~~
256 ~~address:~~

257 1. Use the transient student admissions application
258 available through the Florida Academic Counseling and Tracking
259 for Students system established pursuant to s. 1007.28. This
260 admissions application shall be the only one required for the
261 enrollment of the transient student defined in this paragraph.

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262 2. Implement the financial aid procedures required by the
263 transient student admissions application process in accordance
264 to the published specifications, which must include the
265 involvement of the financial aid officers.

266 3. Transfer credit awarded by the institutions offering the
267 distance learning course to the transient student's degree-
268 granting institution.

269 4. Interface their institutional systems to the Florida
270 Academic Counseling and Tracking for Students system in order to
271 electronically send, receive, and process the transient
272 admissions application no later than July 1, 2012. ~~Fiscal and~~
273 ~~substantive policy changes needed to address administrative,~~
274 ~~academic, and programmatic policies and procedures. Policy areas~~
275 ~~that the plan must address include, but need not be limited to,~~
276 ~~student financial aid issues, variations in fees, admission and~~
277 ~~readmission, registration-prioritization issues, transfer of~~
278 ~~credit, and graduation requirements, with specific attention~~
279 ~~given to creating recommended guidelines that address students~~
280 ~~who attend more than one institution in pursuit of a degree.~~

281 ~~2. A method for the expedited transfer of distance learning~~
282 ~~course credit awarded by an institution offering a distance~~
283 ~~learning course to a student's degree-granting or home~~
284 ~~institution upon the student's successful completion of the~~
285 ~~distance learning course.~~

286 ~~3. Compliance with applicable technology security standards~~
287 ~~and guidelines to ensure the secure transmission of student~~
288 ~~information.~~

289 (c) Coordinate the negotiation of statewide licensing and
290 preferred pricing agreements for distance learning resources and

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291 enter into agreements that result in cost savings with distance
292 learning resource providers so that postsecondary educational
293 institutions have the opportunity to benefit from the cost
294 savings.

295 (d)1. Develop and operate a central instructional content
296 repository that allows public school and postsecondary
297 educational institution users ~~faculty~~ to search, locate, ~~and~~
298 use, and contribute digital and electronic instructional
299 resources and content, including open access textbooks. In the
300 development of the ~~a~~ repository, the consortium shall identify
301 and seek partnerships ~~with similar national, state, and regional~~
302 ~~repositories~~ for the purpose of sharing instructional content.
303 The consortium shall collaborate with the public ~~postsecondary~~
304 educational institutions to ensure that the repository:

305 a. Is accessible by the ~~Integrates with multiple~~ learning
306 management systems used by the public postsecondary educational
307 institutions and the local instructional improvement systems
308 established pursuant to s. 1006.281.

309 b. Allows institutions to set appropriate copyright and
310 access restrictions and track content usage.

311 c. Allows for appropriate customization.

312 d. Supports established protocols to access instructional
313 content within other repositories.

314 2. Provide to ~~Develop, in consultation with the~~ chancellors
315 of the Florida College System and the State University System,
316 recommendations ~~a plan~~ for promoting and increasing the use of
317 open access textbooks as a method for reducing textbook costs.
318 The recommendations ~~plan shall be submitted to the Board of~~
319 ~~Governors, the State Board of Education, the Office of Policy~~

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320 and Budget in the Executive Office of the Governor, the chair of
321 the Senate Policy and Steering Committee on Ways and Means, and
322 the chair of the House Full Appropriations Council on Education
323 & Economic Development no later than March 1, 2010, and shall
324 include:

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

326 a.b. The ~~A~~ listing of undergraduate courses, in particular
327 the general education courses, that would be recommended for the
328 use of open access textbooks.

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

331 ~~d. Recommendations for encouraging and promoting faculty
332 development and use of open access textbooks.~~

333 ~~e. Identification of barriers to the implementation of open
334 access textbooks.~~

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

339 ~~g. Identification of the necessary technology security
340 standards and guidelines to safeguard the use of open access
341 textbooks.~~

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

346 (e) ~~(f)~~ Identify methods that will improve student access to
347 and completion of undergraduate distance learning courses and
348 degree programs.

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

351 1006.72 Licensing electronic library resources.—

352 (7) REPORT.—The Chancellor and Vice Chancellor of the
353 Florida College System and the State University System shall
354 annually report to the Executive Office of the Governor and the
355 chairs of the House Appropriations Committee and the Senate
356 Budget Committee the cost savings realized as a result of the
357 collaborative licensing process identified in this section.

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

360 1007.28 Computer-assisted student advising system.—The
361 Department of Education, in conjunction with the Board of
362 Governors, shall establish and maintain a single, statewide
363 computer-assisted student advising system, which must be an
364 integral part of the process of advising, registering, and
365 certifying students for graduation and must be accessible to all
366 Florida students. The state universities and community colleges
367 shall interface institutional systems with the computer-assisted
368 advising system required by this section. The State Board of
369 Education and the Board of Governors shall specify in the
370 statewide articulation agreement required by s. 1007.23(1) the
371 roles and responsibilities of the department, the state
372 universities, and the community colleges in the design,
373 implementation, promotion, development, and analysis of the
374 system. The system shall consist of a degree audit and an
375 articulation component that includes the following
376 characteristics:

377 (5) The system must provide the transient student

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378 admissions application process for those students defined in s.
379 1004.091, which includes the electronic transfer and receipt of
380 information and records for the following functions:

381 (a) Admissions and readmissions;

382 (b) Financial aid; and

383 (c) Transfer of credit awarded by the institution offering
384 the distance learning course to the transient student's degree-
385 granting institution.

386 Section 7. Section 1009.215, Florida Statutes, is created
387 to read:

388 1009.215 Spring and summer term student enrollment.-

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

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

398 (3) Students who enroll for the spring and summer terms and
399 who are eligible to receive Bright Futures Scholarships under
400 ss. 1009.53-1009.536 are eligible to receive the scholarship
401 award for attendance during the spring and summer terms but are
402 not eligible to receive the scholarship for attendance during
403 the fall terms.

404 (4) By January 31, 2013, each university that has
405 implemented this plan shall report to the President of the
406 Senate and the Speaker of the House of Representatives regarding

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407 the status of the plan's implementation.

408 Section 8. Paragraph (c) of subsection (3) of section
409 1009.22, Florida Statutes, is amended to read:

410 1009.22 Workforce education postsecondary student fees.—
411 (3)

412 (c) Effective July 1, 2011, for programs leading to a
413 career certificate or an applied technology diploma, the
414 standard tuition shall be \$2.22 per contact hour for residents
415 and nonresidents and the out-of-state fee shall be \$6.66 per
416 contact hour. For adult general education programs, a block
417 tuition of \$45 per half year shall be assessed for residents and
418 nonresidents, and the out-of-state fee shall be \$135 per half
419 year. ~~Effective January 1, 2008, standard tuition shall be \$1.67~~
420 ~~per contact hour for programs leading to a career certificate or~~
421 ~~an applied technology diploma and 83 cents for adult general~~
422 ~~education programs. The out-of-state fee per contact hour shall~~
423 ~~be three times the standard tuition per contact hour.~~

424 Section 9. Paragraphs (a) and (b) of subsection (3) of
425 section 1009.23, Florida Statutes, are amended and present
426 subsection (17) of that section is redesignated as subsection
427 (18), and a new subsection (17) is added to that section, to
428 read:

429 1009.23 Community college student fees.—

430 (3) (a) Effective July 1, 2011 ~~January 1, 2008~~, for advanced
431 and professional, postsecondary vocational, college preparatory,
432 and educator preparation institute programs, the following
433 tuition and fee rates shall apply÷

434 ~~1.~~ the standard tuition shall be \$68.56 per credit hour for
435 residents and nonresidents, and the out-of-state fee shall be

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436 \$205.82 per credit hour ~~\$51.35 per credit hour for students who~~
437 ~~are residents for tuition purposes.~~

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

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

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

446 2. The sum of the tuition and the out-of-state fee per
447 credit hour for students who are nonresidents for tuition
448 purposes shall be no more than 85 percent of the sum of the
449 tuition and the out-of-state fee at the state university nearest
450 the community college.

451 (17) Each college may assess a transient student fee not to
452 exceed \$5 per distance learning course for processing the
453 transient student admissions application pursuant to s.
454 1004.091.

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

458 1009.24 State university student fees.—

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

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

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466 With the exception of housing rental rates and except as
467 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)
468 shall be based on reasonable costs of services. The Board of
469 Governors shall adopt regulations and timetables necessary to
470 implement the fees and fines authorized under this subsection.
471 The fees assessed under this subsection may be used for debt
472 only as authorized under s. 1010.62.

473 (16) Each university board of trustees may establish a
474 tuition differential for undergraduate courses upon receipt of
475 approval from the Board of Governors. The tuition differential
476 shall promote improvements in the quality of undergraduate
477 education and shall provide financial aid to undergraduate
478 students who exhibit financial need.

479 (a) Seventy percent of the revenues from the tuition
480 differential shall be expended for purposes of undergraduate
481 education. Such expenditures may include, but are not limited
482 to, increasing course offerings, improving graduation rates,
483 increasing the percentage of undergraduate students who are
484 taught by faculty, decreasing student-faculty ratios, providing
485 salary increases for faculty who have a history of excellent
486 teaching in undergraduate courses, improving the efficiency of
487 the delivery of undergraduate education through academic
488 advisement and counseling, and reducing the percentage of
489 students who graduate with excess hours. This expenditure for
490 undergraduate education may not be used to pay the salaries of
491 graduate teaching assistants. Except as otherwise provided in
492 this subsection, the remaining 30 percent of the revenues from
493 the tuition differential, or the equivalent amount of revenue

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494 from private sources, shall be expended to provide financial aid
495 to undergraduate students who exhibit financial need, including
496 students who are scholarship recipients under s. 1009.984, to
497 meet the cost of university attendance. This expenditure for
498 need-based financial aid shall not supplant the amount of need-
499 based aid provided to undergraduate students in the preceding
500 fiscal year from financial aid fee revenues, the direct
501 appropriation for financial assistance provided to state
502 universities in the General Appropriations Act, or from private
503 sources. The total amount of tuition differential waived under
504 subparagraph (b)8. may be included in calculating the
505 expenditures for need-based financial aid to undergraduate
506 students required by this subsection. If the entire tuition and
507 fee costs of students who have applied for and received Pell
508 Grant funds have been met and the university has excess funds
509 remaining from the 30 percent of the revenues from the tuition
510 differential required to be used to assist students who exhibit
511 financial need, the university may expend the excess portion in
512 the same manner as required for the other 70 percent of the
513 tuition differential revenues.

514 Section 11. Section 1009.25, Florida Statutes, is amended
515 to read:

516 1009.25 Fee exemptions.—

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

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

522 ~~(b) A student who has a high school diploma or its~~

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523 ~~equivalent and who has academic skills at or below the eighth~~
524 ~~grade level pursuant to state board rule. A student is eligible~~
525 ~~for this exemption from fees if the student's skills are at or~~
526 ~~below the eighth grade level as measured by a test administered~~
527 ~~in the English language and approved by the Department of~~
528 ~~Education, even if the student has skills above that level when~~
529 ~~tested in the student's native language.~~

530 (1)~~(2)~~ The following students are exempt from the payment
531 of tuition and fees, including lab fees, at a school district
532 that provides postsecondary career programs, community college,
533 or state university:

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

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

538 (c) A student who is or was at the time he or she reached
539 18 years of age in the custody of the Department of Children and
540 Family Services or who, after spending at least 6 months in the
541 custody of the department after reaching 16 years of age, was
542 placed in a guardianship by the court. Such exemption includes
543 fees associated with enrollment in career-preparatory
544 instruction. The exemption remains valid until the student
545 reaches 28 years of age.

546 (d) A student who is or was at the time he or she reached
547 18 years of age in the custody of a relative under s. 39.5085 or
548 who was adopted from the Department of Children and Family
549 Services after May 5, 1997. Such exemption includes fees
550 associated with enrollment in career-preparatory instruction.
551 The exemption remains valid until the student reaches 28 years

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552 of age.

553 (e) A student enrolled in an employment and training
554 program under the welfare transition program. The regional
555 workforce board shall pay the state university, community
556 college, or school district for costs incurred for welfare
557 transition program participants.

558 (f) A student who lacks a fixed, regular, and adequate
559 nighttime residence or whose primary nighttime residence is a
560 public or private shelter designed to provide temporary
561 residence for individuals intended to be institutionalized, or a
562 public or private place not designed for, or ordinarily used as,
563 a regular sleeping accommodation for human beings.

564 (g) A student who is a proprietor, owner, or worker of a
565 company whose business has been at least 50 percent negatively
566 financially impacted by the buyout of property around Lake
567 Apopka by the State of Florida. Such student may receive a fee
568 exemption only if the student has not received compensation
569 because of the buyout, the student is designated a Florida
570 resident for tuition purposes, pursuant to s. 1009.21, and the
571 student has applied for and been denied financial aid, pursuant
572 to s. 1009.40, which would have provided, at a minimum, payment
573 of all student fees. The student is responsible for providing
574 evidence to the postsecondary education institution verifying
575 that the conditions of this paragraph have been met, including
576 supporting documentation provided by the Department of Revenue.
577 The student must be currently enrolled in, or begin coursework
578 within, a program area by fall semester 2000. The exemption is
579 valid for a period of 4 years after the date that the
580 postsecondary education institution confirms that the conditions

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581 of this paragraph have been met.

582 ~~(2)(3)~~ Each community college is authorized to grant
583 student fee exemptions from all fees adopted by the State Board
584 of Education and the community college board of trustees for up
585 to 40 full-time equivalent students at each institution.

586 Section 12. Section 1009.251, Florida Statutes, is created
587 to read:

588 1009.251 STEM Scholarship Program.—

589 (1) PURPOSE.—The STEM Scholarship Program is created for
590 students who are accepted and enrolled in an eligible major in
591 programs of study in the fields of physical science, life
592 science, computer science, technology, engineering, or
593 mathematics. The purpose of the STEM Scholarship Program is to
594 help eligible junior and senior undergraduate students who
595 demonstrate need and are pursuing eligible majors to meet the
596 cost of their postsecondary education. The program shall be
597 administered by the participating institutions in accordance
598 with rules of the State Board of Education.

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

600 (a) "STEM" means any program of study leading to a
601 baccalaureate degree in the field of physical, life, or computer
602 sciences, mathematics, technology, or engineering. Eligible
603 programs shall be designated by the Department of Education
604 through the federal Classification of Instructional Programs
605 Codes in the following areas:

606 1. Computer science.—The branch of knowledge or study of
607 computers, including such fields of knowledge or study related
608 to computer hardware, computer software, computer engineering,
609 information systems, and robotics.

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610 2. Engineering.—The science by which the properties of
611 matter and the sources of energy in nature are made useful to
612 humanity in structures, machines, and products, as in the
613 construction of engines, bridges, buildings, mines, and chemical
614 plants, including such fields of knowledge or study related to
615 aeronautical engineering, chemical engineering, civil
616 engineering, electrical engineering, industrial engineering,
617 materials engineering, manufacturing engineering, and mechanical
618 engineering.

619 3. Life sciences.—The branch of knowledge or study of
620 living things, including such fields of knowledge or study
621 related to biology, biochemistry, biophysics, microbiology,
622 genetics, physiology, botany, zoology, ecology, and behavioral
623 biology, except that the term does not encompass the health
624 professions.

625 4. Mathematics.—The branch of knowledge or study of numbers
626 and the systematic treatment of magnitude, relationships between
627 figures and forms, and relationships between quantities
628 expressed symbolically, including such fields of knowledge or
629 study related to statistics, applied mathematics, and operations
630 research.

631 5. Natural resources and conservation.—Instructional
632 programs that focus on the various natural resources and
633 conservation fields and prepare students for related
634 occupations.

635 6. Physical sciences.—The branch of knowledge or study of
636 the material universe, including such fields of knowledge or
637 study related to astronomy, atmospheric sciences, chemistry,
638 earth sciences, ocean sciences, physics, and planetary sciences.

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

641 8. Multidisciplinary studies related to the areas described
642 in subparagraphs 1.-7.

643 (b) "Need" means the difference between the student's cost
644 of attendance and the expected family contribution and other
645 financial resources available to the student to meet this cost.

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

648 (d) "Junior" means a student who has earned between 60 and
649 89 semester hours, or the equivalent, and has been accepted into
650 an eligible major.

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

654 (3) ELIGIBILITY.—

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

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

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

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668 3. A student applying for a STEM scholarship must apply for
669 the Pell Grant. The Pell Grant entitlement shall be considered
670 when conducting an assessment of the financial resources
671 available to each student. The first priority of funding shall
672 be given to students having the lowest total family resources
673 and who demonstrate need by qualifying and receiving federal
674 Pell Grant funds. The amount of the STEM Scholarship award shall
675 supplement the Pell Grant amount at least, but not limited to,
676 up to the full cost of tuition and fees per term, not to exceed
677 the maximum term award. An institution may not impose additional
678 criteria to determine a student's eligibility to receive a grant
679 award.

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

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

684 6. A student is eligible to receive an annual STEM
685 Scholarship award during the student's junior and senior
686 academic years in all eligible programs for a maximum of 6
687 terms.

688 (b) The eligibility status of each student to receive a
689 disbursement shall be determined by each institution at the end
690 of its regular registration period, inclusive of a drop and add
691 period. Institutions are not be required to reevaluate a
692 student's eligibility status after this date for purposes of
693 changing eligibility determinations previously made.

694 (4) AWARD AMOUNT.—The annual award amount shall be \$1,000
695 or an amount as specified in the General Appropriations Act.
696 Funds appropriated by the Legislature shall be allocated by the

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697 Office of Student Financial Assistance. If funds appropriated
698 are not adequate to provide the maximum allowable award to each
699 eligible applicant, awards may be paid on a prorated basis.

700 (5) ISSUANCE OF AWARDS.—The department shall issue awards
701 from the scholarship program annually. Before the registration
702 period each semester, the department shall transmit payment for
703 each award to the president or director of the postsecondary
704 education institution, or his or her representative, except that
705 the department may withhold payment if the receiving institution
706 fails to report or to make refunds to the department as required
707 in this section. Institutions shall notify students of the
708 amount of their awards. Each participating institution shall
709 report to the department by the established date the eligible
710 students to whom grant moneys are disbursed each academic term.
711 Each institution shall also report to the department necessary
712 demographic and eligibility data for such students. Within 30
713 days after the end of regular registration each semester, the
714 educational institution shall certify to the department the
715 eligibility status of each student who receives an award. After
716 the end of the drop and add period, an institution is not
717 required to reevaluate or revise a student's eligibility status.
718 An institution that receives funds from the program shall
719 certify to the department the amount of funds disbursed to each
720 student and shall remit to the department any undisbursed
721 advances within 60 days after the end of regular registration
722 and by June 1 of each year.

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

725 (7) IMPLEMENTATION.—This section shall be implemented only

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726 to the extent specifically funded.

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

729 1009.286 Additional student payment for hours exceeding
730 baccalaureate degree program completion requirements at state
731 universities.—

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

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

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

743 1009.55 Rosewood Family Scholarship Program.—

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

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

748 1009.56 Seminole and Miccosukee Indian Scholarships.—

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

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

753 1009.57 Florida Teacher Scholarship and Forgivable Loan
754 Program.—

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

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

759 1009.60 Minority teacher education scholars program.—There
760 is created the minority teacher education scholars program,
761 which is a collaborative performance-based scholarship program
762 for African-American, Hispanic-American, Asian-American, and
763 Native American students. The participants in the program
764 include Florida's community colleges and its public and private
765 universities that have teacher education programs.

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

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

770 1009.68 Florida Minority Medical Education Program.—

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

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

775 1009.69 Virgil Hawkins Fellows Assistance Program.—

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

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

780 1009.701 First Generation Matching Grant Program.—

781 (6) The award amount shall be based on the student's need
782 assessment after any scholarship or grant aid, including, but
783 not limited to, a Pell Grant or a Bright Futures Scholarship,

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784 has been applied. The first priority of funding shall be given
785 to students who demonstrate need by qualifying and receiving
786 federal Pell Grant funds up to the full cost of tuition and fees
787 per term. An award may not exceed the institution's estimated
788 annual cost of attendance for the student to attend the
789 institution.

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

792 1009.73 Mary McLeod Bethune Scholarship Program.—

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

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

797 1009.74 The Theodore R. and Vivian M. Johnson Scholarship
798 Program.—

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

801 Section 23. Effective upon this act becoming a law,
802 paragraph (c) of subsection (8) of section 1009.77, Florida
803 Statutes, is amended, and subsection (11) is added to that
804 section, to read:

805 1009.77 Florida Work Experience Program.—

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

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

812 (11) Funding for the program shall be as provided in the

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813 General Appropriations Act.

814 Section 24. Paragraph (a) of subsection (5) of section
815 1009.89, Florida Statutes, is amended to read:

816 1009.89 The William L. Boyd, IV, Florida resident access
817 grants.—

818 (5) (a) Funding for the William L. Boyd, IV, Florida
819 Resident Access Grant Program for eligible institutions shall be
820 as provided in the General Appropriations Act ~~based on a formula~~
821 ~~composed of planned enrollment and the state cost of funding~~
822 ~~undergraduate enrollment at public institutions pursuant to s.~~
823 ~~1011.90~~. The amount of the William L. Boyd, IV, Florida resident
824 access grant issued to a full-time student shall be ~~an amount~~ as
825 specified in the General Appropriations Act. The William L.
826 Boyd, IV, Florida resident access grant may be paid on a
827 prorated basis in advance of the registration period. The
828 department shall make such payments to the college or university
829 in which the student is enrolled for credit to the student's
830 account for payment of tuition and fees. Institutions shall
831 certify to the department the amount of funds disbursed to each
832 student and shall remit to the department any undisbursed
833 advances or refunds within 60 days of the end of regular
834 registration. Students shall not be eligible to receive the
835 award for more than 9 semesters or 14 quarters, except as
836 otherwise provided in s. 1009.40(3).

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

839 1009.891 The Access to Better Learning and Education Grant
840 Program.—

841 (7) Funding for the program shall be as provided in the

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842 General Appropriations Act. ~~This section shall be implemented~~
843 ~~only to the extent specifically funded and authorized by law.~~

844 Section 26. Effective upon this act becoming a law, section
845 1009.985, Florida Statutes, is created to read:

846 1009.985 Sale of Florida Prepaid College advance payment
847 contracts suspended.—The sale of new Florida prepaid college
848 advance payment contracts under the provisions of s. 1009.98
849 shall be suspended during the 2011-2012 fiscal year, except for
850 STARS scholarships and additional plan components for existing
851 participants. Contracts entered into before the effective date
852 of this section may be continued in accordance with the terms of
853 the contract.

854 Section 27. Subsection (13) is added to section 1011.32,
855 Florida Statutes, to read:

856 1011.32 Community College Facility Enhancement Challenge
857 Grant Program.—

858 (13) Effective July 1, 2011, state matching funds are
859 temporarily suspended for donations received for the program
860 after June 30, 2011. Existing eligible donations remain eligible
861 for future matching funds.

862 Section 28. Subsection (1) of section 1011.52, Florida
863 Statutes, is amended to read:

864 1011.52 Appropriation to first accredited medical school.—

865 (1) Subject to the provisions hereinafter set forth, the
866 Legislature may ~~shall~~ provide an annual appropriation to the
867 first accredited medical school. Payments of moneys from such
868 appropriation shall be made semiannually at the beginning of the
869 first and third quarters.

870 Section 29. Paragraph (c) of subsection (1) of section

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871 1011.61, Florida Statutes, is amended to read:

872 1011.61 Definitions.—Notwithstanding the provisions of s.
873 1000.21, the following terms are defined as follows for the
874 purposes of the Florida Education Finance Program:

875 (1) A “full-time equivalent student” in each program of the
876 district is defined in terms of full-time students and part-time
877 students as follows:

878 (c)1. A “full-time equivalent student” is:

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

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

885 (I) A full-time student, ~~except a postsecondary or adult~~
886 ~~student or a senior high school student enrolled in adult~~
887 ~~education when such courses are required for high school~~
888 ~~graduation,~~ in a combination of programs listed in s.
889 1011.62(1)(c) shall be a fraction of a full-time equivalent
890 membership in each special program equal to the number of net
891 hours per school year for which he or she is a member, divided
892 by the appropriate number of hours set forth in subparagraph
893 (a)1. or subparagraph (a)2. The difference between that fraction
894 or sum of fractions and the maximum value as set forth in
895 subsection (4) for each full-time student is presumed to be the
896 balance of the student’s time not spent in such special
897 education programs and shall be recorded as time in the
898 appropriate basic program.

899 (II) A prekindergarten handicapped student shall meet the

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900 requirements specified for kindergarten students.

901 (III) A full-time equivalent student for students in
902 kindergarten through grade 5 in a school district virtual
903 instruction program under s. 1002.45 shall consist of a student
904 who has successfully completed a basic program listed in s.
905 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade
906 level.

907 (IV) A full-time equivalent student for students in grades
908 6 through 12 in a school district virtual instruction program
909 under s. 1002.45(1)(b)1. and 2. shall consist of six full credit
910 completions in programs listed in s. 1011.62(1)(c)1.b. or c. and
911 3. Credit completions can be a combination of either full
912 credits or half credits.

913 (V) A Florida Virtual School full-time equivalent student
914 shall consist of six full credit completions in the programs
915 listed in s. 1011.62(1)(c)1.b. for grades 6 through 8 and the
916 programs listed in s. 1011.62(1)(c)1.c. for grades 9 through 12.
917 Credit completions can be a combination of either full credits
918 or half credits.

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

924 2. A student in membership in a program scheduled for more
925 or less than 180 school days or the equivalent on an hourly
926 basis as specified by rules of the State Board of Education is a
927 fraction of a full-time equivalent membership equal to the
928 number of instructional hours in membership divided by the

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929 appropriate number of hours set forth in subparagraph (a)1.;

930 however, for the purposes of this subparagraph, membership in

931 programs scheduled for more than 180 days is limited to students

932 enrolled in juvenile justice education programs and the Florida

933 Virtual School.

934

935 The department shall determine and implement an equitable method

936 of equivalent funding for experimental schools and for schools

937 operating under emergency conditions, which schools have been

938 approved by the department to operate for less than the minimum

939 school day.

940 Section 30. Subsections (7) and (10) of section 1011.80,

941 Florida Statutes, are amended to read:

942 1011.80 Funds for operation of workforce education

943 programs.—

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

945 workforce education funds must use the money to benefit the

946 workforce education programs it provides. The money may be used

947 for equipment upgrades, program expansions, or any other use

948 that would result in workforce education program improvement.

949 The district school board or community college board of trustees

950 may not withhold any portion of the performance funding for

951 indirect costs.

952 (b) Any funds for the operation of postsecondary workforce

953 programs may not be expended for the education of state or

954 federal inmates.

955 (10) A high school student dually enrolled under s.

956 1007.271 in a workforce education program operated by a

957 community college or school district career center generates the

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958 amount calculated for workforce education funding, including any
959 payment of performance funding, and the proportional share of
960 full-time equivalent enrollment generated through the Florida
961 Education Finance Program for the student's enrollment in a high
962 school. If a high school student is dually enrolled in a
963 community college program, including a program conducted at a
964 high school, the community college earns the funds generated for
965 workforce education funding, and the school district earns the
966 proportional share of full-time equivalent funding from the
967 Florida Education Finance Program. If a student is dually
968 enrolled in a career center operated by the same district as the
969 district in which the student attends high school, that district
970 earns the funds generated for workforce education funding and
971 also earns the proportional share of full-time equivalent
972 funding from the Florida Education Finance Program. If a student
973 is dually enrolled in a workforce education program provided by
974 a career center operated by a different school district, the
975 funds must be divided between the two school districts
976 proportionally from the two funding sources. A student may not
977 be reported for funding in a dual enrollment workforce education
978 program unless the student has completed the basic skills
979 assessment pursuant to s. 1004.91. A student who is coenrolled
980 in a K-12 education program and an adult education program may
981 not be reported for purposes of funding in an adult education
982 program.

983 Section 31. Subsection (3) is added to section 1011.81,
984 Florida Statutes, to read:

985 1011.81 Community College Program Fund.—

986 (3) Any funds that are allocated to a college from the

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987 Community College Program Fund may not be expended for the
988 education for state or federal inmates.

989 Section 32. Subsection (2) of section 1011.85, Florida
990 Statutes, is amended, and subsection (13) is added to that
991 section, to read:

992 1011.85 Dr. Philip Benjamin Matching Grant Program for
993 Community Colleges.—

994 (2) Each community college board of trustees receiving
995 state appropriations under this program shall approve each gift
996 to ensure alignment with the unique mission of the community
997 college. The board of trustees must link all requests for a
998 state match to the goals and mission statement. The Florida
999 Community College Foundation Board receiving state
1000 appropriations under this program shall approve each gift to
1001 ensure alignment with its goals and mission statement. Funds
1002 received from community events, festivals, or other such
1003 activities are not eligible for state matching funds under this
1004 program.

1005 (13) Effective July 1, 2011, state matching funds are
1006 temporarily suspended for donations received for this program
1007 after June 30, 2011. Existing eligible donations remain eligible
1008 for future matching funds.

1009 Section 33. Subsection (8) is added to section 1011.94,
1010 Florida Statutes, to read:

1011 1011.94 University Major Gifts Program.—

1012 (8) Effective July 1, 2011, state matching funds are
1013 temporarily suspended for donations received for this program
1014 after June 30, 2011. Existing eligible donations remain eligible
1015 for future matching funds.

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1016 Section 34. Subsection (12) is added to section 1013.79,
1017 Florida Statutes, to read:

1018 1013.79 University Facility Enhancement Challenge Grant
1019 Program.—

1020 (12) Effective July 1, 2011, state matching funds are
1021 temporarily suspended for donations received for this program
1022 after June 30, 2011. Existing eligible donations remain eligible
1023 for future matching funds.

1024 Section 35. Section 1013.737, Florida Statutes, is amended
1025 to read:

1026 1013.737 The Class Size Reduction and Educational
1027 Facilities Lottery Revenue Bond Program.—There is established
1028 the Class Size Reduction and Educational Facilities Lottery
1029 Revenue Bond Program.

1030 (1) The issuance of revenue bonds is authorized to finance
1031 or refinance the construction, acquisition, reconstruction, or
1032 renovation of educational facilities. Such bonds shall be issued
1033 pursuant to and in compliance with the provisions of s. 11(d),
1034 Art. VII of the State Constitution, the provisions of the State
1035 Bond Act, ss. 215.57-215.83, as amended, and the provisions of
1036 this section.

1037 (2) The bonds are payable from, and secured by a first lien
1038 on, the first lottery revenues transferred to the Educational
1039 Enhancement Trust Fund each fiscal year, as provided by s.
1040 24.121(2), and do not constitute a general obligation of, or a
1041 pledge of the full faith and credit of, the state.

1042 (3) The state hereby covenants with the holders of such
1043 revenue bonds that it will not take any action that will
1044 materially and adversely affect the rights of such holders so

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1045 long as bonds authorized by this section are outstanding. The
1046 state does hereby additionally authorize the establishment of a
1047 covenant in connection with the bonds which provides that any
1048 additional funds received by the state from new or enhanced
1049 lottery programs; video gaming; banking card games, including
1050 baccarat, chemin de fer, or blackjack; electronic or
1051 electromechanical facsimiles of any game of chance; casino
1052 games; slot machines; or other similar activities will first be
1053 available for payments relating to bonds pledging revenues
1054 available pursuant to s. 24.121(2), prior to use for any other
1055 purpose.

1056 (4) The bonds shall be issued by the Division of Bond
1057 Finance of the State Board of Administration on behalf of the
1058 Department of Education in such amount as shall be requested by
1059 resolution of the State Board of Education. However, the total
1060 principal amount of bonds, excluding refunding bonds, issued
1061 pursuant to this section shall not exceed amounts specifically
1062 authorized in the General Appropriations Act.

1063 (5) Proceeds available from the sale of the bonds shall be
1064 deposited in the Lottery Capital Outlay and Debt Service Trust
1065 Fund within the Department of Education.

1066 (6) The facilities to be financed with the proceeds of such
1067 bonds are designated as state fixed capital outlay projects for
1068 purposes of s. 11(d), Art. VII of the State Constitution, and
1069 the specific facilities to be financed shall be determined in
1070 accordance with state law and appropriations from the
1071 Educational Enhancement Trust Fund. Projects shall be funded
1072 from the Lottery Capital Outlay and Debt Service Trust Fund.
1073 Each educational facility to be financed with the proceeds of

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1074 the bonds issued pursuant to this section is hereby approved as
1075 required by s. 11(f), Art. VII of the State Constitution.

1076 (7) Any complaint for validation of such bonds is required
1077 to be filed only in the circuit court of the county where the
1078 seat of state government is situated. The notice required to be
1079 published by s. 75.06 is required to be published only in the
1080 county where the complaint is filed, and the complaint and order
1081 of the circuit court need be served only on the state attorney
1082 of the circuit in which the action is pending.

1083 (8) The Commissioner of Education shall provide for timely
1084 encumbrances of funds for duly authorized projects. Encumbrances
1085 may include proceeds to be received under a resolution approved
1086 by the State Board of Education authorizing issuance of class
1087 size reduction lottery bonds or educational facilities bonds
1088 pursuant to s. 11(d), Art. VII of the State Constitution, this
1089 section, and other applicable law.

1090 Section 36. The Department of Education shall work with the
1091 College Center for Library Automation (CCLA) to transfer the
1092 Sunlink bibliographic database in standard library data format
1093 to the CCLA for inclusion in its online discovery tool product
1094 and made publicly searchable by school district students, staff,
1095 and parents no later than September 1, 2011. The department
1096 shall also develop an ongoing process to provide for the
1097 electronic updating of school district library holdings data to
1098 the CCLA in a manner that will ensure that the public school
1099 bibliographic database and searchable catalog is current.

1100 Section 37. The Florida Center for Library Automation
1101 (FCLA) and the College Center for Library Automation (CCLA)
1102 shall develop and submit a plan by December 1, 2011, to the

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1103 Executive Office of the Governor and to the chairs of the House
1104 Appropriations Committee and the Senate Budget Committee for
1105 establishing a single postsecondary education union catalog that
1106 includes the combined holdings and electronic resources of all
1107 the state universities and colleges and that allows a user to
1108 search these holdings and electronic resources by an individual
1109 state university or college, selected state universities or
1110 colleges, or all state universities and colleges. The plan must
1111 also include the projected costs for the development and ongoing
1112 maintenance of the postsecondary education union catalog,
1113 projected cost savings resulting from FCLA and CCLA no longer
1114 being required to maintain separate online discovery tool
1115 products and associated resources, and timeline and
1116 implementation strategies for making the postsecondary education
1117 union catalog available for use.

1118 Section 38. By January 1, 2012, the Task Force for the
1119 Future of Academic Libraries in Florida shall submit a plan to
1120 the Executive Office of the Governor and to the chairs of the
1121 House Appropriations Committee and the Senate Budget Committee
1122 that describes the establishment of a joint library technology
1123 organizational structure that will meet the needs of academic
1124 libraries in both the Florida College System and the State
1125 University System in a manner that must be more cost-effective
1126 than the current organizational structure that includes the
1127 Florida Center for Library Automation and the College Center for
1128 Library Automation. The plan must include the recommended
1129 governance and reporting structure, staffing, funding, and
1130 duties and responsibilities of the joint library technology
1131 organizational structure, and provide recommendations for any

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1132 substantive and fiscal changes needed to establish and fund the
1133 organizational structure.

1134 Section 39. Except as otherwise expressly provided in this
1135 act and except for this section, which shall take effect upon
1136 this act becoming a law, this act shall take effect July 1,
1137 2011.