

1                   A bill to be entitled  
2           An act relating to postsecondary education; amending s.  
3           467.009, F.S.; deleting a reference to the College-Level  
4           Academic Skills Test (CLAST); amending s. 705.18, F.S.;  
5           revising provisions relating to the disposal of personal  
6           property lost or abandoned on a university or Florida  
7           College System institution campus and the disposition of  
8           proceeds from the sale of such property; requiring that  
9           the university or Florida College System institution  
10          president, or his or her designee, dispose of or make use  
11          of unclaimed property in accordance with university or  
12          Florida College System institution policies and  
13          procedures; repealing s. 1007.07, F.S., relating to the  
14          Florida Business and Education Collaborative; amending s.  
15          1001.64, F.S.; requiring a Florida College System  
16          institution board of trustees to ask the Commissioner of  
17          Education to authorize an investigation of the college  
18          president by the Department of Education's inspector  
19          general in specified circumstances; requiring a report and  
20          recommendations; requiring the inspector general to refer  
21          potential legal violations to the Commission on Ethics,  
22          the Department of Law Enforcement, the Attorney General,  
23          or another appropriate authority; amending s. 1004.015,  
24          F.S.; requiring the Higher Education Coordinating Council  
25          to make recommendations and submit a report relating to  
26          core missions of postsecondary education institutions,  
27          performance outputs and outcomes, articulation policies,  
28          and workforce development education; amending s. 1004.68,

29 F.S.; deleting provisions relating to the use of test  
30 scores for assessment of college-level communication and  
31 computation skills; amending s. 1007.01, F.S.; providing  
32 legislative intent and requirements relating to  
33 articulation; requiring the establishment of the  
34 Articulation Coordinating Committee and providing its  
35 responsibilities; amending s. 1007.25, F.S.; deleting  
36 provisions that require an examination or demonstration of  
37 remediation of academic deficiencies to obtain a  
38 postsecondary degree; amending ss. 1007.264 and 1007.265,  
39 F.S.; deleting provisions that exclude students with  
40 intellectual disabilities from eligibility for substitute  
41 requirements for admission to or graduation from a public  
42 postsecondary education institution; amending s. 1007.27,  
43 F.S.; requiring the Department of Education to use student  
44 performance data to determine appropriate credit-by-  
45 examination scores and courses; deleting an exemption from  
46 summer-term enrollment in a public postsecondary education  
47 institution for students earning accelerated credit;  
48 amending ss. 1001.64 and 1011.30, F.S.; removing  
49 provisions requiring that a budget of a community college  
50 be transmitted to the Department of Education for  
51 approval; amending s. 1008.30, F.S., relating to common  
52 placement testing for public postsecondary education;  
53 deleting a reference to the CLAST; requiring rules for  
54 remediation opportunities, retesting policies, and  
55 academic competencies; requiring that students be advised  
56 of academic requirements, financial aid eligibility, and

57 certain costs; amending s. 1008.345, F.S.; deleting  
 58 Department of Education duties relating to tests and  
 59 assessment procedures that measure student achievement of  
 60 college-level communication and computation skills;  
 61 amending s. 1008.38, F.S.; revising and conforming  
 62 provisions relating to the articulation accountability  
 63 process; amending s. 1009.534, F.S.; revising provisions  
 64 relating to approval of community service work for  
 65 eligibility for the Florida Academic Scholars award;  
 66 amending ss. 267.062, 1004.23, 1010.03, 1010.04, 1010.07,  
 67 and 1013.171, F.S.; replacing references to university  
 68 rules with university regulations; conforming provisions;  
 69 amending s. 1013.33, F.S.; conforming provisions;  
 70 repealing s. 1013.63, F.S., relating to the University  
 71 Concurrency Trust Fund; providing an effective date.

72  
 73 Be It Enacted by the Legislature of the State of Florida:

74  
 75 Section 1. Subsection (3) of section 467.009, Florida  
 76 Statutes, is amended to read:

77 467.009 Midwifery programs; education and training  
 78 requirements.—

79 (3) To be accepted into an approved midwifery program, an  
 80 applicant shall have:

81 (a) A high school diploma or its equivalent.

82 (b) ~~Passed the college level academic scholastic test~~

83 ~~(CLAST)~~ ~~or~~ Taken three college-level credits each of math and

84 English or demonstrated competencies in communication and  
 85 computation.

86 Section 2. Section 705.18, Florida Statutes, is amended to  
 87 read:

88 705.18 Disposal of personal property lost or abandoned on  
 89 university or Florida College System institution ~~community~~  
 90 ~~college~~ campuses; disposition of proceeds from sale.-

91 ~~(1)~~ Whenever any lost or abandoned personal property is  
 92 ~~shall be~~ found on a campus of an institution in the State  
 93 University System or a campus of a Florida College System  
 94 institution ~~state-supported community college~~, the president of  
 95 the institution or the president's designee shall take charge of  
 96 the property and make a record of the date such property was  
 97 found. If the property is not claimed by the owner, within 30  
 98 days after it ~~such property~~ is found, or a longer period of time  
 99 as may be deemed appropriate by the president ~~under the~~  
 100 ~~circumstances, the property is not claimed by the owner~~, the  
 101 president or his or her designee shall dispose of or make use of  
 102 the property in accordance with established policies and  
 103 procedures that best meet the needs of the university or the  
 104 Florida College System institution and its students ~~shall order~~  
 105 ~~it sold at public outcry after giving notice of the time and~~  
 106 ~~place of sale in a publication of general circulation on the~~  
 107 ~~campus of such institution and written notice to the owner if~~  
 108 ~~known~~. The rightful owner of the ~~such~~ property may reclaim the  
 109 property ~~the same~~ at any time prior to the disposition, sale, or  
 110 use of the property in accordance with this section and the  
 111 established policies and procedures of the university or the

112 Florida College System institution.

113 ~~(2) All moneys realized from such institution's sale shall~~  
 114 ~~be placed in an appropriate fund and used solely for student~~  
 115 ~~scholarship and loan purposes.~~

116 Section 3. Section 1000.07, Florida Statutes, is repealed.

117 Section 4. Subsection (3) of section 1001.64, Florida  
 118 Statutes, is amended to read:

119 1001.64 Community college boards of trustees; powers and  
 120 duties.—

121 (3) A board of trustees shall have the power to take  
 122 action without a recommendation from the president and shall  
 123 have the power to require the president to deliver to the board  
 124 of trustees all data and information required by the board of  
 125 trustees in the performance of its duties. A board of trustees  
 126 shall ask the Commissioner of Education to authorize an  
 127 investigation of the president's actions by the department's  
 128 inspector general if the board considers such investigation  
 129 necessary. The inspector general shall provide a report  
 130 detailing each issue under investigation and shall recommend  
 131 corrective action. If the inspector general identifies potential  
 132 legal violations, he or she shall refer the potential legal  
 133 violations to the Commission on Ethics, the Department of Law  
 134 Enforcement, the Attorney General, or another appropriate  
 135 authority.

136 Section 5. Subsection (4) of section 1004.015, Florida  
 137 Statutes, is renumbered as subsection (6) and amended, and new  
 138 subsections (4) and (5) are added to that section, to read:

139 1004.015 Higher Education Coordinating Council.—

140           (4) The council shall make detailed recommendations  
 141 relating to:

142           (a) The primary core mission of public and nonpublic  
 143 postsecondary education institutions in the context of state  
 144 access demands and economic development goals.

145           (b) Performance outputs and outcomes designed to meet  
 146 annual and long-term state goals, including, but not limited to,  
 147 increased student access, preparedness, retention, transfer, and  
 148 completion. Performance measures must be consistent across  
 149 sectors and allow for a comparison of the state's performance to  
 150 that of other states.

151           (c) The state's articulation policies and practices to  
 152 ensure that cost benefits to the state are maximized without  
 153 jeopardizing quality. The recommendation shall consider return  
 154 on investment for both the state and students and propose  
 155 systems to facilitate and ensure institutional compliance with  
 156 state articulation policies.

157           (d) A plan for workforce development education that  
 158 addresses:

159           1. The alignment of school district and Florida College  
 160 System workforce development education programs to ensure cost  
 161 efficiency and mission delineation, including an examination of  
 162 the need for both college credit and noncollege credit  
 163 certificate programs, an evaluation of the merit of retaining  
 164 the associate in applied science degree, and the consolidation  
 165 of adult general education programs within school districts.

166           2. The consistency of workforce education data collected  
 167 and reported by Florida College System institutions and school

168 districts, including the establishment of common elements and  
 169 definitions for any data that is used for state and federal  
 170 funding and program accountability.

171 (5) The council shall submit a report outlining its  
 172 detailed recommendations to the Governor, the President of the  
 173 Senate, the Speaker of the House of Representatives, the Board  
 174 of Governors, and the State Board of Education by December 31,  
 175 2011, which specifically includes recommendations for  
 176 consideration by the Legislature for implementation in the 2012-  
 177 2013 fiscal year.

178 (6)-(4) The Board of Governors and the Department of  
 179 Education shall provide administrative support for the council.

180 Section 6. Section 1004.68, Florida Statutes, is amended  
 181 to read:

182 1004.68 Community college; degrees and certificates; ~~tests~~  
 183 ~~for certain skills.-~~

184 ~~(1) Each community college board of trustees shall adopt~~  
 185 ~~rules establishing student performance standards for the award~~  
 186 ~~of degrees and certificates.~~

187 ~~(2) Each community college board of trustees shall require~~  
 188 ~~the use of scores on tests for college-level communication and~~  
 189 ~~computation skills provided in s. 1008.345(7) as a condition for~~  
 190 ~~graduation with an associate in arts degree.~~

191 Section 7. Section 1007.01, Florida Statutes, is amended  
 192 to read:

193 1007.01 Articulation; legislative intent; purpose; role of  
 194 the State Board of Education and the Board of Governors;  
 195 Articulation Coordinating Committee.-

196 (1) It is the intent of the Legislature to facilitate  
 197 articulation and seamless integration of the K-20 education  
 198 system by building, ~~and~~ sustaining, and strengthening  
 199 relationships among K-20 public organizations, between public  
 200 and private organizations, and between the education system as a  
 201 whole and Florida's communities. The purpose of building, ~~and~~  
 202 sustaining, and strengthening these relationships is to provide  
 203 for the efficient and effective progression and transfer of  
 204 students within the education system and to allow students to  
 205 proceed toward their educational objectives as rapidly as their  
 206 circumstances permit. The Legislature further intends that  
 207 articulation policies and budget actions be implemented  
 208 consistently in the practices of the Department of Education and  
 209 postsecondary educational institutions and expressed in the  
 210 collaborative policy efforts of the State Board of Education and  
 211 the Board of Governors.

212 (2) To improve and facilitate articulation systemwide, the  
 213 State Board of Education and the Board of Governors shall  
 214 collaboratively establish and adopt ~~recommend~~ policies and  
 215 ~~guidelines to the Legislature~~ with input from statewide K-20  
 216 advisory groups established by the Commissioner of Education and  
 217 the Chancellor of the State University System and shall  
 218 recommend the policies to the Legislature. The policies shall  
 219 relate ~~relating~~ to:

220 (a) The alignment between the exit requirements of one  
 221 education system and the admissions requirements of another  
 222 education system into which students typically transfer.

223 (b) The identification of common courses, the level of



224 | courses, institutional participation in a statewide course  
 225 | numbering system, and the transferability of credits among such  
 226 | institutions.

227 |       (c) Identification of courses that meet general education  
 228 | or common degree program prerequisite requirements at public  
 229 | postsecondary educational institutions.

230 |       (d) Dual enrollment course equivalencies.

231 |       (e) Articulation agreements.

232 |       (3) The Commissioner of Education, in consultation with  
 233 | the Chancellor of the State University System, shall establish  
 234 | the Articulation Coordinating Committee which shall make  
 235 | recommendations related to statewide articulation policies to  
 236 | the Higher Education Coordination Council, the State Board of  
 237 | Education, and the Board of Governors. The committee shall  
 238 | consist of two members each representing the State University  
 239 | System, the Florida College System, public career and technical  
 240 | education, public K-12 education, and nonpublic education and  
 241 | one member representing students. The chair shall be elected  
 242 | from the membership. The committee shall:

243 |       (a) Monitor the alignment between the exit requirements of  
 244 | one education system and the admissions requirements of another  
 245 | education system into which students typically transfer and make  
 246 | recommendations for improvement.

247 |       (b) Propose guidelines for interinstitutional agreements  
 248 | between and among public schools, career and technical education  
 249 | centers, Florida College System institutions, state  
 250 | universities, and nonpublic postsecondary institutions.

251 |       (c) Annually recommend dual enrollment course and high

252 school subject area equivalencies for approval by the State  
 253 Board of Education and the Board of Governors.

254 (d) Annually review the statewide articulation agreement  
 255 pursuant to s. 1007.23 and make recommendations for revisions.

256 (e) Annually review the statewide course numbering system,  
 257 the levels of courses, and the application of transfer credit  
 258 requirements among public and nonpublic institutions  
 259 participating in the statewide course numbering system and  
 260 identify instances of student transfer and admissions  
 261 difficulties.

262 (f) Annually publish a list of courses that meet common  
 263 general education and common degree program prerequisite  
 264 requirements at public postsecondary institutions identified  
 265 pursuant to s. 1007.25.

266 (g) Examine statewide data regarding articulation to  
 267 identify issues and make recommendations to improve articulation  
 268 throughout the K-20 education system.

269 (h) Recommend roles and responsibilities of public  
 270 education entities in interfacing with the single, statewide  
 271 computer-assisted student advising system established pursuant  
 272 to s. 1007.28.

273 Section 8. Subsection (12) of section 1007.25, Florida  
 274 Statutes, is amended to read:

275 1007.25 General education courses; common prerequisites;  
 276 ~~and~~ other degree requirements.—

277 ~~(12) (a) A public postsecondary educational institution may~~  
 278 ~~not confer an associate in arts or baccalaureate degree upon any~~  
 279 ~~student who fails to successfully complete one of the following~~

280 ~~requirements:~~

281 ~~1. Achieve a score that meets or exceeds a minimum score~~  
282 ~~on a nationally standardized examination, as established by the~~  
283 ~~State Board of Education in conjunction with the Board of~~  
284 ~~Governors; or~~

285 ~~2. Demonstrate successful remediation of any academic~~  
286 ~~deficiencies and achieve a cumulative grade point average of 2.5~~  
287 ~~or above, on a 4.0 scale, in postsecondary-level coursework~~  
288 ~~identified by the State Board of Education in conjunction with~~  
289 ~~the Board of Governors. The Department of Education shall~~  
290 ~~specify the means by which a student may demonstrate successful~~  
291 ~~remediation.~~

292 ~~(b) Any student who, in the best professional opinion of~~  
293 ~~the postsecondary educational institution, has a specific~~  
294 ~~learning disability such that the student cannot demonstrate~~  
295 ~~successful mastery of one or more of the authorized examinations~~  
296 ~~but is achieving at the college level in every area despite his~~  
297 ~~or her disability, and whose diagnosis indicates that further~~  
298 ~~remediation will not succeed in overcoming the disability, may~~  
299 ~~appeal through the appropriate dean to a committee appointed by~~  
300 ~~the president or the chief academic officer for special~~  
301 ~~consideration. The committee shall examine the evidence of the~~  
302 ~~student's academic and medical records and may hear testimony~~  
303 ~~relevant to the case. The committee may grant a waiver for one~~  
304 ~~or more of the authorized examinations based on the results of~~  
305 ~~its review.~~

306 ~~(c) Each public postsecondary educational institution~~  
307 ~~president shall establish a committee to consider requests for~~

308 ~~waivers from the requirements in paragraph (a). The committee~~  
309 ~~shall be chaired by the chief academic officer of the~~  
310 ~~institution and shall have four additional members appointed by~~  
311 ~~the president as follows:~~

- 312 ~~1. One faculty member from the mathematics department;~~
- 313 ~~2. One faculty member from the English department;~~
- 314 ~~3. The institutional test administrator; and~~
- 315 ~~4. One faculty member from a department other than English~~  
316 ~~or mathematics.~~

317 ~~(d) Any student who has taken the authorized examinations~~  
318 ~~and has not achieved a passing score, but has otherwise~~  
319 ~~demonstrated proficiency in coursework in the same subject area,~~  
320 ~~may request a waiver from the examination requirement. Waivers~~  
321 ~~shall be considered only after students have been provided test~~  
322 ~~accommodations or other administrative adjustments to permit the~~  
323 ~~accurate measurement of the student's proficiency in the subject~~  
324 ~~areas measured by the authorized examinations. The committee~~  
325 ~~shall consider the student's educational records and other~~  
326 ~~evidence as to whether the student should be able to pass the~~  
327 ~~authorized examinations. A waiver may be recommended to the~~  
328 ~~president upon a majority vote of the committee. The president~~  
329 ~~may approve or disapprove the recommendation. The president may~~  
330 ~~not approve a request that the committee has disapproved. If a~~  
331 ~~waiver is approved, the student's transcript shall include a~~  
332 ~~statement that the student did not meet the requirements of this~~  
333 ~~subsection and that a waiver was granted.~~

334 Section 9. Subsection (1) of section 1007.264, Florida  
335 Statutes, is amended to read:

336 1007.264 Persons with disabilities; admission to  
 337 postsecondary educational institutions; substitute requirements;  
 338 rules and regulations.—

339 (1) Any student with a disability, as defined in s.  
 340 1007.02(2), who is otherwise eligible ~~except those students who~~  
 341 ~~have been documented as having intellectual disabilities,~~ shall  
 342 be eligible for reasonable substitution for any requirement for  
 343 admission into a public postsecondary educational institution  
 344 where documentation can be provided that the person's failure to  
 345 meet the admission requirement is related to the disability.

346 Section 10. Subsection (1) of section 1007.265, Florida  
 347 Statutes, is amended to read:

348 1007.265 Persons with disabilities; graduation, study  
 349 program admission, and upper-division entry; substitute  
 350 requirements; rules and regulations.—

351 (1) Any student with a disability, as defined in s.  
 352 1007.02(2), in a public postsecondary educational institution,  
 353 ~~except those students who have been documented as having~~  
 354 ~~intellectual disabilities,~~ shall be eligible for reasonable  
 355 substitution for any requirement for graduation, for admission  
 356 into a program of study, or for entry into the upper division  
 357 where documentation can be provided that the person's failure to  
 358 meet the requirement is related to the disability and where  
 359 failure to meet the graduation requirement or program admission  
 360 requirement does not constitute a fundamental alteration in the  
 361 nature of the program.

362 Section 11. Subsections (2) and (10) of section 1007.27,  
 363 Florida Statutes, are amended to read:

364 1007.27 Articulated acceleration mechanisms.—  
 365 (2) The Department of Education shall annually identify  
 366 and publish the minimum scores, maximum credit, and course or  
 367 courses for which credit is to be awarded for each College Level  
 368 Examination Program (CLEP) ~~general examination, CLEP subject~~  
 369 ~~examination, College Board Advanced Placement Program~~  
 370 ~~examination, Advanced International Certificate of Education~~  
 371 ~~examination, and International Baccalaureate examination. The~~  
 372 ~~department shall use student performance data in subsequent~~  
 373 ~~postsecondary courses to determine the appropriate examination~~  
 374 ~~scores and courses for which credit is to be granted. Minimum~~  
 375 ~~scores may vary by subject area based on available performance~~  
 376 ~~data.~~ In addition, the department shall identify such courses in  
 377 the general education core curriculum of each state university  
 378 and community college.

379 ~~(10) Any student who earns 9 or more credits from one or~~  
 380 ~~more of the acceleration mechanisms provided for in this section~~  
 381 ~~is exempt from any requirement of a public postsecondary~~  
 382 ~~educational institution mandating enrollment during a summer~~  
 383 ~~term.~~

384 Section 12. Subsection (11) of section 1001.64, Florida  
 385 Statutes, is amended to read

386 1001.64 Community college boards of trustees; powers and  
 387 duties.—

388 (11) Each board of trustees shall submit an institutional  
 389 budget request, including a request for fixed capital outlay,  
 390 and an operating budget to the State Board of Education for  
 391 review approval in accordance with guidelines established by the

392 State Board of Education.

393 Section 13. Section 1011.30, Florida Statutes, is amended  
394 to read:

395 1011.30 Budgets for community colleges.—Each community  
396 college president shall recommend to the community college board  
397 of trustees a budget of income and expenditures at such time and  
398 in such form as the State Board of Education may prescribe. Upon  
399 approval of a budget by the community college board of trustees,  
400 such budget shall be transmitted to the Department of Education  
401 for review ~~and approval~~. Rules of the State Board of Education  
402 shall prescribe procedures for effecting budget amendments  
403 subsequent to the final approval of a budget for a given year.

404 Section 14. Subsection (2) and paragraph (a) of subsection  
405 (4) of section 1008.30, Florida Statutes, are amended to read:

406 1008.30 Common placement testing for public postsecondary  
407 education.—

408 (2) The common placement testing program shall include at  
409 a minimum the following: the capacity to diagnose basic  
410 competencies in the areas of English, reading, and mathematics  
411 which are essential to perform college-level work; prerequisite  
412 skills that relate to progressively advanced instruction in  
413 mathematics, such as algebra and geometry; prerequisite skills  
414 that relate to progressively advanced instruction in language  
415 arts, such as English composition and literature; ~~prerequisite~~  
416 ~~skills which relate to the College Level Academic Skills Test~~  
417 ~~(CLAST);~~ and provision of test information to students on the  
418 specific deficiencies.

419           (4) (a) ~~Public postsecondary educational institution~~  
420 Students who have been identified as requiring additional  
421 preparation pursuant to subsection (1) shall enroll in college-  
422 preparatory or other adult education pursuant to s. 1004.93 in  
423 community colleges to develop needed college-entry skills. The  
424 State Board of Education shall specify by rule provisions for  
425 alternative remediation opportunities and retesting policies.  
426 These students shall be permitted to take courses within their  
427 degree program concurrently in other curriculum areas for which  
428 they are qualified while enrolled in college-preparatory  
429 instruction courses. A student enrolled in a college-preparatory  
430 course may concurrently enroll only in college credit courses  
431 that do not require the skills addressed in the college-  
432 preparatory course. ~~The State Board of Education, in conjunction~~  
433 ~~with the Board of Governors, shall specify the college credit~~  
434 ~~courses that are acceptable for students enrolled in each~~  
435 ~~college-preparatory skill area. A degree-seeking student who~~  
436 ~~wishes to earn an associate in arts or a baccalaureate degree,~~  
437 ~~but~~ who is required to complete a college-preparatory course,  
438 must successfully complete the required college-preparatory  
439 studies by the time the student has accumulated 12 hours of  
440 lower-division college credit degree coursework; however, a  
441 student may continue enrollment in degree-earning coursework  
442 provided the student maintains enrollment in college-preparatory  
443 coursework for each subsequent semester until college-  
444 preparatory coursework requirements are completed, and provided  
445 the student demonstrates satisfactory performance in degree-  
446 earning coursework. A student who has accumulated 12 college



447 credit hours and has not yet demonstrated proficiency in the  
 448 basic competency areas of reading, writing, and mathematics must  
 449 be advised in writing of the requirements for associate degree  
 450 completion and state university admission, including information  
 451 about future financial aid eligibility and the potential costs  
 452 of accumulating excessive college credit as described in s.  
 453 1009.286. A passing score on a standardized, institutionally  
 454 ~~developed test must be achieved~~ Before a student is considered  
 455 to have met basic computation and communication skills  
 456 requirements, the student must demonstrate successful mastery of  
 457 the required developmental education competencies as defined in  
 458 State Board of Education rule; however, no student shall be  
 459 ~~required to retake any test or subtest that was previously~~  
 460 ~~passed by said student.~~ Credit awarded for college-preparatory  
 461 instruction may not be counted toward fulfilling the number of  
 462 credits required for a degree.

463 Section 15. Subsection (7) of section 1008.345, Florida  
 464 Statutes, is amended to read:

465 1008.345 Implementation of state system of school  
 466 improvement and education accountability.—

467 (7) As a part of the system of educational accountability,  
 468 the Department of Education shall:

469 (a) Develop minimum standards for various grades and  
 470 subject areas, as required in ss. 1001.03, 1008.22, and 1008.34.

471 (b) Administer the statewide assessment testing program  
 472 created by s. 1008.22.

473 (c) Review the school advisory councils of each district  
 474 as required by s. 1001.452.

475 (d) Conduct the program evaluations required by s.  
476 1001.03.

477 (e) Maintain a listing of college-level communication and  
478 mathematics skills ~~defined pursuant to s. 1008.29 as being~~  
479 associated with successful student performance through the  
480 baccalaureate level and submit it to the State Board of  
481 Education and the Board of Governors for approval.

482 ~~(f) Maintain a listing of tests and other assessment~~  
483 ~~procedures which measure and diagnose student achievement of~~  
484 ~~college-level communication and computation skills and submit it~~  
485 ~~to the State Board of Education and the Board of Governors for~~  
486 ~~approval.~~

487 ~~(g) Maintain for the information of the State Board of~~  
488 ~~Education, the Board of Governors, and the Legislature a file of~~  
489 ~~data to reflect achievement of college-level communication and~~  
490 ~~mathematics competencies by students in state universities and~~  
491 ~~community colleges.~~

492 ~~(h) Develop or contract for, and submit to the State Board~~  
493 ~~of Education and the Board of Governors for approval, tests~~  
494 ~~which measure and diagnose student achievement of college-level~~  
495 ~~communication and mathematics skills. Any tests and related~~  
496 ~~documents developed are exempt from the provisions of s.~~  
497 ~~119.07(1). The commissioner shall maintain statewide~~  
498 ~~responsibility for the administration of such tests and may~~  
499 ~~assign administrative responsibilities for the tests to any~~  
500 ~~state university or community college. The state board, upon~~  
501 ~~recommendation of the commissioner, may enter into contracts for~~  
502 ~~such services beginning in one fiscal year and continuing into~~

503 ~~the next year which are paid from the appropriation for either~~  
 504 ~~or both fiscal years.~~

505 (f)~~(i)~~ Perform any other functions that may be involved in  
 506 educational planning, research, and evaluation or that may be  
 507 required by the commissioner, the State Board of Education, the  
 508 Board of Governors, or law.

509 Section 16. Subsections (4) and (6) of section 1008.38,  
 510 Florida Statutes, are amended to read:

511 1008.38 Articulation accountability process.—The State  
 512 Board of Education, in conjunction with the Board of Governors,  
 513 shall develop articulation accountability measures which assess  
 514 the status of systemwide articulation processes authorized under  
 515 s. 1007.23 and establish an articulation accountability process  
 516 which at a minimum shall address:

517 (4) The smooth transfer of Florida College System  
 518 ~~community college~~ associate ~~in arts~~ degree graduates to a  
 519 Florida College System institution or a state university.

520 (6) The relationship between student attainment of  
 521 college-level ~~the College Level~~ academic skills ~~Test Program~~ and  
 522 articulation to the upper division in public postsecondary  
 523 institutions.

524 Section 17. Subsection (1) of section 1009.534, Florida  
 525 Statutes, is amended to read:

526 1009.534 Florida Academic Scholars award.—

527 (1) A student is eligible for a Florida Academic Scholars  
 528 award if the student meets the general eligibility requirements  
 529 for the Florida Bright Futures Scholarship Program and the  
 530 student:

531 (a) Has achieved a 3.5 weighted grade point average as  
532 calculated pursuant to s. 1009.531, or its equivalent, in high  
533 school courses that are designated by the State Board of  
534 Education as college-preparatory academic courses; and has  
535 attained at least the score pursuant to s. 1009.531(6)(a) on the  
536 combined verbal and quantitative parts of the Scholastic  
537 Aptitude Test, the Scholastic Assessment Test, or the recentered  
538 Scholastic Assessment Test of the College Entrance Examination,  
539 or an equivalent score on the ACT Assessment Program;

540 (b) Has attended a home education program according to s.  
541 1002.41 during grades 11 and 12 or has completed the  
542 International Baccalaureate curriculum but failed to earn the  
543 International Baccalaureate Diploma or has completed the  
544 Advanced International Certificate of Education curriculum but  
545 failed to earn the Advanced International Certificate of  
546 Education Diploma, and has attained at least the score pursuant  
547 to s. 1009.531(6)(a) on the combined verbal and quantitative  
548 parts of the Scholastic Aptitude Test, the Scholastic Assessment  
549 Test, or the recentered Scholastic Assessment Test of the  
550 College Entrance Examination, or an equivalent score on the ACT  
551 Assessment Program;

552 (c) Has been awarded an International Baccalaureate  
553 Diploma from the International Baccalaureate Office or an  
554 Advanced International Certificate of Education Diploma from the  
555 University of Cambridge International Examinations Office;

556 (d) Has been recognized by the merit or achievement  
557 programs of the National Merit Scholarship Corporation as a  
558 scholar or finalist; or

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

561  
 562 A student must complete a program of community service work, as  
 563 approved by the district school board, ~~or~~ the administrators of  
 564 a nonpublic school, or the Department of Education for home  
 565 education program students, which shall include a minimum of 75  
 566 hours of service work and require the student to identify a  
 567 social problem that interests him or her, develop a plan for his  
 568 or her personal involvement in addressing the problem, and,  
 569 through papers or other presentations, evaluate and reflect upon  
 570 his or her experience.

571 Section 18. Subsection (3) of section 267.062, Florida  
 572 Statutes, is amended to read:

573 267.062 Naming of state buildings and other facilities.—

574 (3) Notwithstanding the provisions of subsection (1) or s.  
 575 1013.79(11), any state building, road, bridge, park,  
 576 recreational complex, or other similar facility of a state  
 577 university may be named for a living person by the university  
 578 board of trustees in accordance with regulations ~~rules~~ adopted  
 579 by the Board of Governors of the State University System.

580 Section 19. Subsection (6) of section 1004.23, Florida  
 581 Statutes, is amended to read:

582 1004.23 Universities; powers; patents, copyrights, and  
 583 trademarks.—Any other law to the contrary notwithstanding, each  
 584 state university is authorized, in its own name, to:

585 (6) Do all other acts necessary and proper for the  
 586 execution of powers and duties herein conferred upon the

587 university, including adopting regulations ~~rules~~, as necessary,  
 588 in order to administer this section. Any proceeds therefrom  
 589 shall be deposited and expended in accordance with s. 1004.22.  
 590 Any action taken by the university in securing or exploiting  
 591 such trademarks, copyrights, or patents shall, within 30 days,  
 592 be reported in writing by the president to the Department of  
 593 State.

594 Section 20. Section 1010.03, Florida Statutes, is amended  
 595 to read:

596 1010.03 Delinquent accounts.—District school boards,  
 597 Florida College System institution ~~community college~~ boards of  
 598 trustees, and university boards of trustees:

599 (1) Shall exert every effort to collect all delinquent  
 600 accounts.

601 (2) May charge off or settle such accounts as may prove  
 602 uncollectible.

603 (3) May employ the services of a collection agency when  
 604 deemed advisable in collecting delinquent accounts.

605 (4) May adopt rules, except that university boards of  
 606 trustees may adopt regulations, as necessary, to implement the  
 607 provisions of this section, including setoff procedures, payroll  
 608 deductions, and restrictions on release of transcripts, awarding  
 609 of diplomas, and access to other resources and services of the  
 610 school district, Florida College System institution ~~community~~  
 611 ~~college~~, or university.

612 Section 21. Subsection (2) of section 1010.04, Florida  
 613 Statutes, is amended to read:

614 1010.04 Purchasing.—

615           (2) Each district school board and Florida College System  
 616 institution, ~~community college~~ board of trustees, ~~and each~~  
 617 ~~university board of trustees~~ shall adopt rules, and each  
 618 university board of trustees shall adopt regulations, to be  
 619 followed in making purchases.

620           Section 22. Paragraph (b) of subsection (2) of section  
 621 1010.07, Florida Statutes, is amended to read:

622           1010.07 Bonds or insurance required.—

623           (2)

624           (b) Contractors paid from university funds shall give bond  
 625 for the faithful performance of their contracts in such amount  
 626 and for such purposes as prescribed by s. 255.05 or by  
 627 regulations ~~rules~~ of the Board of Governors relating to the type  
 628 of contract involved. It shall be the duty of the university  
 629 board of trustees to require from construction contractors a  
 630 bond adequate to protect the board and the board's funds  
 631 involved.

632           Section 23. Subsection (4) of section 1013.171, Florida  
 633 Statutes, is amended to read:

634           1013.171 University lease agreements; land, facilities.—

635           (4) Agreements as provided in this section shall be  
 636 entered into with an offeror resulting from publicly announced  
 637 competitive bids or proposals, except that the university may  
 638 enter into an agreement with an entity enumerated in paragraph  
 639 (3) (a) for leasing land or with a direct-support organization as  
 640 provided in s. 1004.28, which shall enter into subsequent  
 641 agreements for financing and constructing the project after  
 642 receiving competitive bids or proposals. Any facility

643 constructed, lease-purchased, or purchased under such  
644 agreements, whether erected on land under the jurisdiction of  
645 the university or not, shall conform to the construction  
646 standards and codes applicable to university facilities. Each  
647 university board of trustees shall adopt such regulations ~~rules~~  
648 as are necessary to carry out its duties and responsibilities  
649 imposed by this section.

650 Section 24. Subsection (12) of section 1013.33, Florida  
651 Statutes, is amended to read:

652 1013.33 Coordination of planning with local governing  
653 bodies.—

654 (12) As early in the design phase as feasible and  
655 consistent with an interlocal agreement entered pursuant to  
656 subsections (2)-(8), but no later than 90 days before commencing  
657 construction, the district school board shall in writing request  
658 a determination of consistency with the local government's  
659 comprehensive plan. The local governing body that regulates the  
660 use of land shall determine, in writing within 45 days after  
661 receiving the necessary information and a school board's request  
662 for a determination, whether a proposed educational facility is  
663 consistent with the local comprehensive plan and consistent with  
664 local land development regulations. If the determination is  
665 affirmative, school construction may commence and further local  
666 government approvals are not required, except as provided in  
667 this section. Failure of the local governing body to make a  
668 determination in writing within 90 days after a district school  
669 board's request for a determination of consistency shall be  
670 considered an approval of the district school board's



CS/HB 7151, Engrossed 3

2011

671 application. Campus master plans and development agreements must  
672 comply with the provisions of s. ~~ss.~~ 1013.30 and ~~1013.63~~.

673 Section 25. Section 1013.63, Florida Statutes, is  
674 repealed.

675 Section 26. This act shall take effect July 1, 2011.