

Amendment No.

CHAMBER ACTION

Senate

House

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1 The Conference Committee on HB 5201 offered the following:

2
3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Paragraph (j) is added to subsection (7) of
6 section 11.45, Florida Statutes, to read:

7 11.45 Definitions; duties; authorities; reports; rules.—

8 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

9 (j) The Auditor General shall notify the Legislative
10 Auditing Committee of any financial or operational audit report
11 prepared pursuant to this section which indicates that a state
12 university or Florida College System institution has failed to
13 take full corrective action in response to a recommendation that
14 was included in the two preceding financial or operational audit
15 reports.

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16 1. The committee may direct the governing body of the
17 state university or Florida College System institution to
18 provide a written statement to the committee explaining why full
19 corrective action has not been taken or, if the governing body
20 intends to take full corrective action, describing the
21 corrective action to be taken and when it will occur.

22 2. If the committee determines that the written statement
23 is not sufficient, the committee may require the chair of the
24 governing body of the state university or Florida College System
25 institution, or the chair's designee, to appear before the
26 committee.

27 3. If the committee determines that the state university
28 or Florida College System institution has failed to take full
29 corrective action for which there is no justifiable reason or
30 has failed to comply with committee requests made pursuant to
31 this section, the committee may proceed in accordance with s.
32 11.40(2).

33 Section 2. Paragraph (b) of subsection (4) of section
34 282.201, Florida Statutes, is amended to read:

35 282.201 State data center system; agency duties and
36 limitations.—A state data center system that includes all
37 primary data centers, other nonprimary data centers, and
38 computing facilities, and that provides an enterprise
39 information technology service as defined in s. 282.0041, is
40 established.

41 (4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

42 (b) By December 31, 2011, the following shall be
43 consolidated into the Northwest Regional Data Center:

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44 1. The Department of Education's Knott Data Center in the
45 Turlington Building.

46 2. The Department of Education's Division of Vocational
47 Rehabilitation.

48 3. The Department of Education's Division of Blind
49 Services, except for the division's disaster recovery site in
50 Daytona Beach.

51 4. The FCAT Explorer.

52 ~~5. FACTS.org.~~

53 Section 3. Effective upon the South Florida Community
54 College receiving accreditation of its baccalaureate degree
55 programs by the Commission on Colleges of the Southern
56 Association of Colleges and Schools, paragraph (z) of subsection
57 (3) of section 1000.21, Florida Statutes, is amended to read:

58 1000.21 Systemwide definitions.—As used in the Florida K-
59 20 Education Code:

60 (3) "Florida College System institution" except as
61 otherwise specifically provided, includes all of the following
62 public postsecondary educational institutions in the Florida
63 College System and any branch campuses, centers, or other
64 affiliates of the institution:

65 (z) South Florida State ~~Community~~ College, which serves
66 DeSoto, Hardee, and Highlands Counties.

67 Section 4. Subsection (47) of section 1001.64, Florida
68 Statutes, is amended, and subsection (48) is added to that
69 section, to read:

70 1001.64 Florida College System institution boards of
71 trustees; powers and duties.—

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72 (47) Each contract or employment agreement, or renewal or
73 renegotiation of an existing contract or employment agreement,
74 containing a provision for severance pay with an officer, agent,
75 employee, or contractor must include the provisions required in
76 s. 215.425. A board of trustees may not enter into an employment
77 contract that requires the Florida College System institution to
78 pay a Florida College System institution president an amount
79 from state funds in excess of 1 year of the president's annual
80 salary for termination, buyout, or any other type of contract
81 settlement. This subsection does not prohibit the payment of
82 leave and benefits accrued by the president in accordance with
83 the Florida College System institution's leave and benefits
84 policies before the contract terminates.

85 (48) Each board of trustees shall use purchasing
86 agreements and state term contracts pursuant to s. 287.056 or
87 enter into consortia and cooperative agreements to maximize the
88 purchasing power for goods and services. A consortium or
89 cooperative agreement may be statewide, regional, or a
90 combination of institutions, as appropriate to achieve the
91 lowest cost, with the goal of achieving a 5-percent savings on
92 existing contract prices through the use of new cooperative
93 arrangements or new consortium contracts.

94 Section 5. Paragraph (i) is added to subsection (3) and
95 paragraph (e) is added to subsection (4) of section 1001.706,
96 Florida Statutes, and paragraph (d) of subsection (6) of that
97 section is amended, to read:

98 1001.706 Powers and duties of the Board of Governors.—

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99 (3) POWERS AND DUTIES RELATING TO ORGANIZATION AND
100 OPERATION OF STATE UNIVERSITIES.—

101 (i) The Board of Governors shall adopt regulations
102 requiring universities to use purchasing agreements or state
103 term contracts pursuant to s. 287.056 or enter into consortia
104 and cooperative agreements to maximize the purchasing power for
105 goods and services. A consortium or cooperative agreement may be
106 statewide, regional, or a combination of institutions, as
107 appropriate to achieve the lowest cost, with the goal of
108 achieving a 5-percent savings on existing contract prices
109 through the use of new cooperative arrangements or new
110 consortium contracts.

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

112 (e) The Board of Governors may transfer unused
113 appropriations from the Education/General Student and Other Fees
114 Trust Fund, pursuant to s. 1011.4106(2), between institutions.

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

116 (d) Each contract or employment agreement, or renewal or
117 renegotiation of an existing contract or employment agreement,
118 containing a provision for severance pay with an officer, agent,
119 employee, or contractor must include the provisions required in
120 s. 215.425. ~~The Board of Governors, or the board's designee, may~~
121 ~~not enter into an employment contract that requires it to pay an~~
122 ~~employee an amount from state funds in excess of 1 year of the~~
123 ~~employee's annual salary for termination, buyout, or any other~~
124 ~~type of contract settlement. This paragraph does not prohibit~~
125 ~~the payment of leave and benefits accrued by the employee in~~

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126 ~~accordance with the board's or designee's leave and benefits~~
127 ~~policies before the contract terminates.~~

128 Section 6. Subsection (5) is added to section 1001.73,
129 Florida Statutes, to read:

130 1001.73 University board empowered to act as trustee.—

131 (5) A board of trustees of a state university may not
132 transfer in excess of \$1 million in funds that are appropriated
133 to the state university in the General Revenue Fund, the
134 Educational Enhancement Trust Fund, and the Education/General
135 Student and Other Fees Trust Fund between the Education and
136 General Activities category and other program categories. A
137 board of trustees may request additional transfer authority from
138 the Board of Governors. Upon approval of the additional transfer
139 authority by the Board of Governors, the Board of Governors may
140 request a budget amendment to transfer appropriations for a
141 state university between categories in excess of \$1 million.
142 Such transfers are subject to review and approval by the
143 Legislative Budget Commission.

144 Section 7. Paragraph (a) of subsection (1) of section
145 1003.4156, Florida Statutes, is amended to read:

146 1003.4156 General requirements for middle grades
147 promotion.—

148 (1) Promotion from a school composed of middle grades 6,
149 7, and 8 requires that:

150 (a) The student must successfully complete academic
151 courses as follows:

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152 1. Three middle school or higher courses in English. These
153 courses shall emphasize literature, composition, and technical
154 text.

155 2. Three middle school or higher courses in mathematics.
156 Each middle school must offer at least one high school level
157 mathematics course for which students may earn high school
158 credit. Successful completion of a high school level Algebra I
159 or geometry course is not contingent upon the student's
160 performance on the end-of-course assessment required under s.
161 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
162 school year, to earn high school credit for an Algebra I course,
163 a middle school student must pass the Algebra I end-of-course
164 assessment, and beginning with the 2012-2013 school year, to
165 earn high school credit for a geometry course, a middle school
166 student must pass the geometry end-of-course assessment.

167 3. Three middle school or higher courses in social
168 studies, one semester of which must include the study of state
169 and federal government and civics education. Beginning with
170 students entering grade 6 in the 2012-2013 school year, one of
171 these courses must be at least a one-semester civics education
172 course that a student successfully completes in accordance with
173 s. 1008.22(3)(c) and that includes the roles and
174 responsibilities of federal, state, and local governments; the
175 structures and functions of the legislative, executive, and
176 judicial branches of government; and the meaning and
177 significance of historic documents, such as the Articles of
178 Confederation, the Declaration of Independence, and the
179 Constitution of the United States.

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180 4. Three middle school or higher courses in science.
181 Successful completion of a high school level Biology I course is
182 not contingent upon the student's performance on the end-of-
183 course assessment required under s. 1008.22(3)(c)2.a.(II).
184 However, beginning with the 2012-2013 school year, to earn high
185 school credit for a Biology I course, a middle school student
186 must pass the Biology I end-of-course assessment.

187 5. One course in career and education planning to be
188 completed in 7th or 8th grade. The course may be taught by any
189 member of the instructional staff; ~~must include career~~
190 ~~exploration using Florida CHOICES or a comparable cost-effective~~
191 ~~program; must include educational planning using the online~~
192 ~~student advising system known as Florida Academic Counseling and~~
193 ~~Tracking for Students at the Internet website FACTS.org; and~~
194 ~~shall result in the completion of a personalized academic and~~
195 ~~career plan.~~ The required personalized academic and career plan
196 must inform students of high school graduation requirements,
197 high school assessment and college entrance test requirements,
198 Florida Bright Futures Scholarship Program requirements, state
199 university and Florida College System institution admission
200 requirements, and programs through which a high school student
201 can earn college credit, including Advanced Placement,
202 International Baccalaureate, Advanced International Certificate
203 of Education, dual enrollment, career academy opportunities, and
204 courses that lead to national industry certification.

205
206 A student with a disability, as defined in s. 1007.02(2), for
207 whom the individual education plan team determines that an end-
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208 of-course assessment cannot accurately measure the student's
209 abilities, taking into consideration all allowable
210 accommodations, shall have the end-of-course assessment results
211 waived for purposes of determining the student's course grade
212 and completing the requirements for middle grades promotion.
213 Each school must hold a parent meeting either in the evening or
214 on a weekend to inform parents about the course curriculum and
215 activities. Each student shall complete an electronic personal
216 education plan that must be signed by the student; the student's
217 instructor, guidance counselor, or academic advisor; and the
218 student's parent. The Department of Education shall develop
219 course frameworks and professional development materials for the
220 career exploration and education planning course. The course may
221 be implemented as a stand-alone course or integrated into
222 another course or courses. The Commissioner of Education shall
223 collect longitudinal high school course enrollment data by
224 student ethnicity in order to analyze course-taking patterns.

225 Section 8. Section 1004.09, Florida Statutes, is repealed.

226 Section 9. Section 1004.091, Florida Statutes, is
227 repealed.

228 Section 10. Subsection (5) of section 1004.39, Florida
229 Statutes, is amended to read:

230 1004.39 College of law at Florida International
231 University.—

232 (5) The Florida International University Board of Trustees
233 and the Board of Governors may accept grants, donations, gifts,
234 and moneys available for this purpose, including moneys for
235 planning and constructing the college. The Florida International
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236 University Board of Trustees may procure and accept any federal
237 funds that are available for the planning, creation, and
238 establishment of the college of law. If the American Bar
239 Association or any other nationally recognized association for
240 the accreditation of colleges of law issues a third disapproval
241 of an application for provisional approval or for full approval
242 or fails to grant, within 5 years following the graduation of
243 the first class, a provisional approval, to the college of law
244 at Florida International University, the Board of Governors
245 shall make recommendations to the Governor and the Legislature
246 as to whether the college of law will cease operations at the
247 end of the full academic year subsequent to the receipt by the
248 college of law of any such third disapproval, or whether the
249 college of law will continue operations and any conditions for
250 continued operations. If the college of law ceases operations
251 pursuant to this section, the following conditions apply:

252 (a) The authority for the college of law at Florida
253 International University and the authority of the Florida
254 International University Board of Trustees and the Board of
255 Governors provided in this section shall terminate upon the
256 cessation of operations of the college of law at Florida
257 International University. The college of law at Florida
258 International University shall receive no moneys allocated for
259 the planning, construction, or operation of the college of law
260 after its cessation of operations other than moneys to be
261 expended for the cessation of operations of the college of law.
262 Any moneys allocated to the college of law at Florida
263 International University not expended prior to or scheduled to
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264 be expended after the date of the cessation of the college of
265 law shall be appropriated for other use by the Legislature of
266 the State of Florida.

267 (b) Any buildings of the college of law at Florida
268 International University constructed from the expenditure of
269 capital outlay funds appropriated by the Legislature shall be
270 owned by the Board of Trustees of the Internal Improvement Trust
271 Fund and managed by the Florida International University Board
272 of Trustees upon the cessation of the college of law.

273
274 ~~Nothing in this section shall undermine commitments to current~~
275 ~~students receiving support as of the date of the enactment of~~
276 ~~this section from the law school scholarship program of the~~
277 ~~Florida Education Fund as provided in s. 1009.70(8). Students~~
278 ~~attending the college of law at Florida International University~~
279 ~~shall be eligible for financial, academic, or other support from~~
280 ~~the Florida Education Fund as provided in s. 1009.70(8) without~~
281 ~~the college's obtaining accreditation by the American Bar~~
282 ~~Association.~~

283 Section 11. Subsection (5) of section 1004.40, Florida
284 Statutes, is amended to read:

285 1004.40 College of law at Florida Agricultural and
286 Mechanical University.-

287 (5) The Florida Agricultural and Mechanical University
288 Board of Trustees and the Board of Governors may accept grants,
289 donations, gifts, and moneys available for this purpose,
290 including moneys for planning and constructing the college. The
291 Florida Agricultural and Mechanical University Board of Trustees
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292 may procure and accept any federal funds that are available for
293 the planning, creation, and establishment of the college of law.
294 If the American Bar Association or any other nationally
295 recognized association for the accreditation of colleges of law
296 issues a third disapproval of an application for provisional
297 approval or for full approval or fails to grant, within 5 years
298 following the graduation of the first class, a provisional
299 approval, to the college of law at Florida Agricultural and
300 Mechanical University, the Board of Governors shall make
301 recommendations to the Governor and Legislature as to whether
302 the college of law will cease operations at the end of the full
303 academic year subsequent to the receipt by the college of law of
304 any such third disapproval, or whether the college of law will
305 continue operations and any conditions for continued operations.
306 If the college of law ceases operations of the college of law
307 pursuant to this section, the following conditions apply:

308 (a) The authority for the college of law at Florida
309 Agricultural and Mechanical University and the authority of the
310 Florida Agricultural and Mechanical University Board of Trustees
311 and the Board of Governors provided in this section shall
312 terminate upon the cessation of operations of the college of law
313 at Florida Agricultural and Mechanical University. The college
314 of law at Florida Agricultural and Mechanical University shall
315 receive no moneys allocated for the planning, construction, or
316 operation of the college of law after its cessation of
317 operations other than moneys to be expended for the cessation of
318 operations of the college of law. Any moneys allocated to the
319 college of law at Florida Agricultural and Mechanical University
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320 not expended prior to or scheduled to be expended after the date
321 of the cessation of the college of law shall be appropriated for
322 other use by the Legislature of the State of Florida.

323 (b) Any buildings of the college of law at Florida
324 Agricultural and Mechanical University constructed from the
325 expenditure of capital outlay funds appropriated by the
326 Legislature shall be owned by the Board of Trustees of the
327 Internal Improvement Trust Fund and managed by the Florida
328 Agricultural and Mechanical University Board of Trustees upon
329 the cessation of the college of law.

330
331 ~~Nothing in this section shall undermine commitments to current~~
332 ~~students receiving support as of the date of the enactment of~~
333 ~~this section from the law school scholarship program of the~~
334 ~~Florida Education Fund as provided in s. 1009.70(8). Students~~
335 ~~attending the college of law at Florida Agricultural and~~
336 ~~Mechanical University shall be eligible for financial, academic,~~
337 ~~or other support from the Florida Education Fund as provided in~~
338 ~~s. 1009.70(8) without the college's obtaining accreditation by~~
339 ~~the American Bar Association.~~

340 Section 12. Section 1004.935, Florida Statutes, is created
341 to read:

342 1004.935 Adults with Disabilities Workforce Education
343 Pilot Program.—

344 (1) The Adults with Disabilities Workforce Education Pilot
345 Program is established in the Department of Education for 2
346 years in Hardee, DeSoto, Manatee, and Sarasota Counties to

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347 provide the option of receiving a scholarship for instruction at
348 private schools for up to 30 students who:

349 (a) Have a disability;

350 (b) Are 22 years of age;

351 (c) Are receiving instruction from an instructor in a
352 private school to meet the high school graduation requirements
353 in s. 1003.428;

354 (d) Do not have a standard high school diploma or a
355 special high school diploma; and

356 (e) Receive "supported employment services," which means
357 employment that is located or provided in an integrated work
358 setting with earnings paid on a commensurate wage basis and for
359 which continued support is needed for job maintenance.

360
361 As used in this section, the term "student with a disability"
362 includes a student who is documented as having an intellectual
363 disability; a speech impairment; a language impairment; a
364 hearing impairment, including deafness; a visual impairment,
365 including blindness; a dual sensory impairment; an orthopedic
366 impairment; another health impairment; an emotional or
367 behavioral disability; a specific learning disability,
368 including, but not limited to, dyslexia, dyscalculia, or
369 developmental aphasia; a traumatic brain injury; a developmental
370 delay; or autism spectrum disorder.

371 (2) A student participating in the pilot program may
372 continue to participate in the program until the student
373 graduates from high school or reaches the age of 30 years,
374 whichever occurs first.

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375 (3) Supported employment services may be provided at more
376 than one site.

377 (4) The provider of supported employment services must be
378 a nonprofit corporation under s. 501(c)(3) of the Internal
379 Revenue Code which serves Hardee County, DeSoto County, Manatee
380 County, or Sarasota County and must contract with a private
381 school in this state which meets the requirements in subsection
382 (5).

383 (5) A private school that participates in the pilot
384 program may be sectarian or nonsectarian and must:

385 (a) Be academically accountable for meeting the
386 educational needs of the student by annually providing to the
387 provider of supported employment services a written explanation
388 of the student's progress.

389 (b) Comply with the antidiscrimination provisions of 42
390 U.S.C. s. 2000d.

391 (c) Meet state and local health and safety laws and codes.

392 (d) Provide to the provider of supported employment
393 services all documentation required for a student's
394 participation, including the private school's and student's fee
395 schedules, at least 30 days before any quarterly scholarship
396 payment is made for the student. A student is not eligible to
397 receive a quarterly scholarship payment if the private school
398 fails to meet this deadline.

399
400 The inability of a private school to meet the requirements of
401 this subsection constitutes a basis for the ineligibility of the
402 private school to participate in the pilot program.

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403 (6) (a) If the student chooses to participate in the pilot
404 program and is accepted by the provider of supported employment
405 services, the student must notify the Department of Education of
406 his or her acceptance into the program 60 days before the first
407 scholarship payment and before participating in the pilot
408 program in order to be eligible for the scholarship.

409 (b) Upon receipt of a scholarship warrant, the student or
410 parent to whom the warrant is made must restrictively endorse
411 the warrant to the provider of supported employment services for
412 deposit into the account of the provider. The student or parent
413 may not designate any entity or individual associated with the
414 participating provider of supported employment services as the
415 student's or parent's attorney in fact to endorse a scholarship
416 warrant. A participant who fails to comply with this paragraph
417 forfeits the scholarship.

418 (7) Funds for the scholarship shall be provided from the
419 appropriation from the school district's Workforce Development
420 Fund in the General Appropriations Act for students who reside
421 in the Hardee County School District, the DeSoto County School
422 District, the Manatee County School District, or the Sarasota
423 County School District. During the 2-year pilot program, the
424 scholarship amount granted for an eligible student with a
425 disability shall be equal to the cost per unit of a full-time
426 equivalent adult general education student, multiplied by the
427 adult general education funding factor, and multiplied by the
428 district cost differential pursuant to the formula required by
429 s. 1011.80(6) (a) for the district in which the student resides.

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430 (8) Upon notification by the Department of Education that
431 it has received the required documentation, the Chief Financial
432 Officer shall make scholarship payments in four equal amounts no
433 later than September 1, November 1, February 1, and April 1 of
434 each academic year in which the scholarship is in force. The
435 initial payment shall be made after the Department of Education
436 verifies that the student was accepted into the pilot program,
437 and subsequent payments shall be made upon verification of
438 continued participation in the pilot program. Payment must be by
439 individual warrant made payable to the student or parent and
440 mailed by the Department of Education to the provider of
441 supported employment services, and the student or parent shall
442 restrictively endorse the warrant to the provider of supported
443 employment services for deposit into the account of that
444 provider.

445 (9) Subsequent to each scholarship payment, the Department
446 of Education shall request from the Department of Financial
447 Services a sample of endorsed warrants to review and confirm
448 compliance with endorsement requirements.

449 Section 13. Subsections (2), (4), (5), and (6) of section
450 1006.72, Florida Statutes, are amended to read:

451 1006.72 Licensing electronic library resources.-

452 (2) PROCESS TO IDENTIFY RESOURCES.-Library staff from
453 Florida College System institutions, state universities, school
454 districts, and public libraries shall implement a process that
455 annually identifies the electronic library resources for each of
456 the core categories established in this section. To the extent
457 possible, the Florida Virtual Campus Center for Library

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458 ~~Automation, the College Center for Library Automation,~~ and the
459 Division of Library and Information Services within the
460 Department of State shall jointly coordinate this annual
461 process.

462 (4) POSTSECONDARY EDUCATION CORE RESOURCES.—For purposes
463 of licensing electronic library resources ~~required by both the~~
464 ~~Florida Center for Library Automation and the College Center for~~
465 ~~Library Automation~~ from funds appropriated to the Florida
466 Virtual Campus centers, Florida College System institution and
467 state university library staff shall identify the postsecondary
468 education core resources that will be available to all public
469 postsecondary education students.

470 (5) FOUR-YEAR DEGREE CORE RESOURCES.—For purposes of
471 licensing electronic library resources beyond the postsecondary
472 education core resources by the Florida Virtual Campus Center
473 ~~for Library Automation~~ from funds appropriated to the campus
474 ~~center~~, state university library staff, in consultation with
475 Florida College System institution library staff, shall identify
476 the 4-year degree core resources that will be available to all
477 4-year degree-seeking students in the State University System
478 and the Florida College System. The Florida Virtual Campus
479 ~~Center for Library Automation~~ shall include in the negotiated
480 pricing model any Florida College System institution interested
481 in licensing a resource.

482 (6) TWO-YEAR DEGREE CORE RESOURCES.—For purposes of
483 licensing electronic library resources beyond the postsecondary
484 education core resources by the Florida Virtual Campus College
485 ~~Center for Library Automation~~ from funds appropriated to the
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486 ~~campus center~~, Florida College System institution library staff
487 shall identify the 2-year degree core resources that will be
488 available to all Florida College System institution students.
489 The Florida Virtual Campus ~~College Center for Library Automation~~
490 shall include in the negotiated pricing model any state
491 university interested in licensing a resource.

492 Section 14. Section 1006.73, Florida Statutes, is created
493 to read:

494 1006.73 Florida Virtual Campus.-

495 (1) The Florida Virtual Campus is established to provide
496 access to online student and library support services and to
497 serve as a statewide resource and clearinghouse for public
498 postsecondary education distance learning courses and degree
499 programs. The primary purposes of the Florida Virtual Campus are
500 to:

501 (a) Establish a single library automation system and
502 associated resources and services that all public postsecondary
503 education institutions will use to support their learning,
504 teaching, and research needs.

505 (b) Enhance and expand educational access and increase
506 public postsecondary education degree attainment across the
507 state.

508 (c) Address the educational needs of traditional students,
509 place-bound students, time-bound students, and adult learners.

510 (d) Increase workforce skills and expand professional
511 development opportunities.

512 (2) The chancellors of the Florida College System and the
513 State University System shall exercise joint oversight of the

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514 Florida Virtual Campus and shall establish its governance and
515 reporting structure, administrative and operational guidelines
516 and processes, staffing requirements, and operational budget.
517 All data center services needed by the Florida Virtual Campus
518 shall be provided by a primary data center established pursuant
519 to ss. 282.201 and 1004.649.

520 (a) In carrying out the purposes of this section:

521 1. The campus is not an "agency" as defined in s.
522 20.03(11) and is not subject to chapter 287.

523 2. The campus shall be deemed to be acting as an
524 instrumentality of the state for purposes of sovereign immunity
525 pursuant to s. 768.28(2).

526 3. All records of the campus are public records unless
527 made confidential or exempt from law.

528 (b) The campus shall maintain an unencumbered balance of
529 not less than 5 percent of its approved operating budget.

530 (c) The campus may secure comprehensive general liability
531 coverage, professional liability coverage, property and casualty
532 coverage, and any other insurance coverage deemed appropriate by
533 the chancellors.

534 (d) The campus may contract for administrative services
535 with a public postsecondary education institution. The
536 administrative overhead costs charged by the institution may not
537 exceed the actual cost of providing the services and shall
538 require a specific appropriation in the General Appropriations
539 Act.

540 (3) The Florida Virtual Campus, upon approval of the
541 chancellors of the Florida College System and the State

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542 University System, shall have authority to apply for and accept
543 funds, grants, gifts, and services from local, state, or federal
544 governments or any of their agencies or from any other public or
545 private source and is authorized to use funds derived from these
546 sources to defray administrative costs and implement programs as
547 may be necessary to support the services and resources provided
548 by the campus.

549 (4) The Florida Virtual Campus shall be subject to the
550 audit requirements of s. 11.45 for Florida College System
551 institutions and state universities. The chancellors of the
552 Florida College System and the State University System shall
553 jointly serve as the governing body of the campus for purposes
554 of the audit and all related activities.

555 (5) The Florida Virtual Campus shall:

556 (a) Develop and manage a library information portal and
557 automated library management tools for use by the Florida
558 College System institutions and state universities. The library
559 information portal and automated library management tools shall
560 include, but are not limited to, the following services and
561 functions:

562 1. A shared Internet-based catalog and a discovery tool
563 that allow a user to search and, if authorized, access the
564 aggregate library holdings of the state's public postsecondary
565 education institutions. The catalog and discovery tool shall
566 allow the user to search the library holdings of one
567 institution, selected institutions, or all institutions and, to
568 the extent feasible, shall include an interlibrary loan function

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569 that ensures the authorized user can access the required library
570 holding.

571 2. An Internet-based searchable collection of electronic
572 resources which shall include, but not be limited to, full-text
573 journals, articles, databases, and electronic books that the
574 Florida Virtual Campus licenses pursuant to s. 1006.72.

575 3. An integrated library management system and its
576 associated services which all public postsecondary education
577 institution academic libraries must use for purposes of
578 acquiring, cataloging, circulating, and tracking library
579 material.

580 4. A statewide searchable database that includes an
581 inventory of digital archives and collections held by public
582 postsecondary education institutions.

583 (b) Develop and manage a statewide Internet-based catalog
584 of distance learning courses, degree programs, and resources
585 offered by public postsecondary education institutions which is
586 intended to assist in the coordination and collaboration of
587 articulation and access pursuant to parts II and III of chapter
588 1007. The campus shall establish operational guidelines and
589 procedures for the catalog which must:

590 1. Require participating institutions to provide
591 information concerning the distance learning course to include
592 information on the availability of the course; the type of
593 required technology; any prerequisite course or technology
594 competency or skill; the availability of academic support
595 services and financial aid resources; and course costs, fees,
596 and payment policies.

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- 597 2. Require that distance learning courses and degree
598 programs meet applicable accreditation standards and criteria.
- 599 3. Require that, at a minimum, the catalog is reviewed at
600 the start of each academic semester to ensure that distance
601 learning courses and degree programs comply with all operational
602 guidelines and procedures.
- 603 4. Use an Internet-based analytic tool that allows for the
604 collection and analysis of data, including, but not limited to:
- 605 a. The number and type of students who use the catalog to
606 search for distance learning courses and degree programs.
- 607 b. The number and type of requests for information on
608 distance learning courses and degree programs that are not
609 listed in the catalog.
- 610 c. A summary of specific requests by course type or course
611 number, delivery method, offering institution, and semester.
- 612 5. Periodically obtain and analyze data from the Florida
613 College System and the State University System concerning:
- 614 a. Costs of distance learning courses and degree programs.
- 615 b. Graduation and retention rates of students enrolled in
616 distance learning programs.
- 617 c. Distance learning course completion.
- 618 (c) Implement a streamlined, automated, online admissions
619 application process for undergraduate transient students who are
620 currently enrolled and pursuing a degree at a public
621 postsecondary education institution and who enroll in a course
622 offered by a public postsecondary education institution that is
623 not the student's degree-granting institution. The Florida
624 Virtual Campus shall work with the Florida College System and

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625 the State University System to implement this process which
626 requires all Florida College System institutions and state
627 universities to:

628 1. Use the transient student admissions application
629 available through the statewide computer-assisted student
630 advising system established pursuant to paragraph (d). This
631 admissions application is the only application required for the
632 enrollment of a transient student as described in this
633 paragraph.

634 2. Implement the financial aid procedures required by the
635 transient student admissions application process.

636 3. Transfer credit awarded by the institutions offering
637 the course to the transient student's degree-granting
638 institution.

639 4. By December 1, 2012, provide for an interface between
640 the institutional advising system and the statewide computer-
641 assisted student advising system established pursuant to
642 paragraph (d) in order to electronically send, receive, and
643 process the transient student admissions application.

644 (d) Develop and manage a statewide computer-assisted
645 student advising system which shall support the process of
646 advising, registering, and certifying students for graduation
647 and include a degree audit and an articulation component. The
648 Florida College System institutions and state universities shall
649 interface institutional advising systems with the statewide
650 computer-assisted student advising system. At a minimum, the
651 statewide computer-assisted student advising system shall:

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652 1. Allow a student to access the system at any time,
653 search public postsecondary education institutions, and identify
654 course options that will meet the requirements of a selected
655 path toward a degree.

656 2. Audit transcripts of students enrolled in a public
657 postsecondary education institution to assess current academic
658 standing, the impact of changing majors or institutions, the
659 requirements for a student to transfer to another institution,
660 and all requirements necessary for graduation.

661 3. Serve as the official statewide repository for the
662 common prerequisite manual, admissions information for
663 transferring programs, foreign language requirements, residency
664 requirements, and statewide articulation agreements.

665 4. Provide information relating to career descriptions and
666 corresponding educational requirements, admissions requirements,
667 and available sources of student financial assistance.

668 5. Provide the admissions application for transient
669 students pursuant to paragraph (c) which must include the
670 electronic transfer and receipt of information and records for:

671 a. Admissions and readmissions.

672 b. Financial aid.

673 c. Transfer of credit awarded by the institution offering
674 the course to the transient student's degree-granting
675 institution.

676 (e) Coordinate the negotiation of statewide licensing of
677 electronic library resources and preferred pricing agreements,
678 issue purchase orders, and enter into contracts for the
679 acquisition of distance learning resources, student and library

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680 support services, electronic resources, and other goods and
681 services necessary to carry out its duties under this section.

682 (f) Promote and provide recommendations concerning the use
683 and distribution of open-access textbooks and education
684 resources as a method for reducing costs and work with public
685 postsecondary education institutions in developing a
686 standardized process for the review and approval of open-access
687 textbooks.

688 (g) Provide appropriate help desk support and training and
689 consultation services to institutions and students using the
690 services and resources of the Florida Virtual Campus.

691 (h) Identify and evaluate new technologies and
692 instructional methods that can be used for improving distance
693 learning instruction, student learning, the efficient delivery
694 of student support services, and the overall quality of
695 undergraduate distance learning courses and degree programs.

696 (6) Beginning September 30, 2013, and annually thereafter,
697 the chancellors of the Florida College System and the State
698 University System shall jointly publish a report regarding the
699 activities of the Florida Virtual Campus in the prior fiscal
700 year. The report shall include, but not be limited to,
701 information related to the provision of library services and
702 electronic resources, to include those resources licensed
703 pursuant to s. 1006.72; distance learning resources; the
704 computer-assisted student advising system; and other provided
705 programs, activities, and services.

706 (7) All records, personnel, property, existing contracts,
707 and unexpended balances of appropriations, allocations, grants,
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708 and other funds of the Florida Distance Learning Consortium, the
709 Florida Center for Library Automation, the College Center for
710 Library Automation, and FACTS.org shall be transferred to the
711 Florida Virtual Campus. The campus shall be the successor in
712 interest to these organizations and shall be responsible for the
713 provision of all services as authorized by this section.

714 Section 15. Effective upon this act becoming a law,
715 section 1006.735, Florida Statutes, is created to read:

716 1006.735 Degree Completion Pilot Project.-

717 (1) The Degree Completion Pilot Project is established for
718 the purpose of recruiting, recovering, and retaining the state's
719 adult learners and assisting them in completing an associate
720 degree or a baccalaureate degree that is aligned to high-wage,
721 high-skill workforce needs. As used in this section, the term
722 "adult learner" means a student who has successfully completed
723 college-level coursework in multiple semesters but has left an
724 institution in good standing before completing his or her
725 degree. The pilot project shall give priority to adult learners
726 who are veterans or active duty members of the United States
727 Armed Forces.

728 (2) The pilot project shall be implemented by the
729 University of West Florida, acting as the lead institution, the
730 University of South Florida, Florida State College at
731 Jacksonville, and St. Petersburg College and shall include the
732 associate, applied baccalaureate, and baccalaureate degree
733 programs that these institutions have selected. Other partnering
734 public postsecondary education institutions shall provide areas
735 of specialization or concentration.

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736 (3) For purposes of selecting the degree programs that
737 will be given priority in the pilot project, the institutions
738 identified in subsection (2) shall partner with public and
739 private job recruitment and placement agencies and use labor
740 market data and projections to identify the specific workforce
741 needs and targeted occupations of the state.

742 (4) The pilot project shall provide adult learners with a
743 single point of access to information and links to innovative
744 online and accelerated distance learning courses, student and
745 library support services, and electronic resources that will
746 guide the adult learner toward the successful completion of a
747 postsecondary degree.

748 (5) Beginning with the 2012-2013 academic year, the pilot
749 project shall be implemented and must:

750 (a) Use the distance learning course catalog established
751 pursuant to s. 1006.73 to communicate course availability to the
752 adult learner.

753 (b) Develop and implement an advising and student support
754 system that includes the use of degree completion specialists,
755 is based upon best practices and processes, and includes
756 academic and career support services designed specifically for
757 the adult learner.

758 (c) Use the streamlined, automated, online admissions
759 application process for transient students established pursuant
760 to s. 1006.73. The pilot project shall identify any additional
761 admissions and registration policies and practices that could be
762 further streamlined and automated for purposes of assisting the
763 adult learner.

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764 (d) Use existing and, if necessary, develop new
765 competency-based instructional and evaluation tools to assess
766 prior performance, experience, and education for the award of
767 college credit in order to reduce the time required for adult
768 learners to complete their degrees. The tools may include the
769 use of the American Council on Education's collaborative link
770 between the United States Department of Defense and higher
771 education through the review of military training and
772 experiences for the award of equivalent college credit for
773 members of the United States Armed Forces.

774 (e) Develop and implement an evaluation process that
775 collects, analyzes, and provides to the participating
776 postsecondary education institutions, the chairs of the
777 legislative appropriations committees, and the Executive Office
778 of the Governor information on the effectiveness of the pilot
779 project and the attainment of its goals. Such a process shall
780 include a management information system that collects the
781 appropriate student, programmatic, and fiscal data necessary to
782 complete the evaluation of the pilot project. Institutions
783 involved in the pilot project shall also collect job placement
784 and employment data on the adult learners who have completed
785 their degrees as a result of the pilot project.

786 (f) Develop and implement a statewide marketing campaign
787 targeted toward recruiting adult learners, particularly veterans
788 and active duty members of the United States Armed Forces, for
789 enrollment in the degree programs offered through the pilot
790 project.

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791 (6) For purposes of the pilot project, each institution's
792 current tuition and fee structure shall be used. However, all
793 participating institutions shall collaboratively identify the
794 applicable cost components involved in the development and
795 delivery of distance learning courses, collect information on
796 these cost components, and submit the information to the Florida
797 Virtual Campus. The chancellors of the Florida College System
798 and the State University System shall submit a report to the
799 chairs of the legislative appropriations committees no later
800 than December 31, 2013, on the need for a differentiated tuition
801 and fee structure for the development and delivery of distance
802 learning courses.

803 (7) The University of West Florida, in collaboration with
804 the University of South Florida, Florida State College at
805 Jacksonville, and St. Petersburg College, shall submit to the
806 chairs of the legislative appropriations committees no later
807 than June 1, 2012, a detailed project plan that defines the
808 major work activities, student eligibility criteria, timeline,
809 and cost for implementing the pilot project.

810 (8) The University of West Florida, in collaboration with
811 the University of South Florida, Florida State College at
812 Jacksonville, and St. Petersburg College, shall develop and
813 implement a transition plan that transfers the administration of
814 the pilot project to the Florida Virtual Campus no later than
815 June 30, 2013.

816 Section 16. Paragraph (h) of subsection (3) of section
817 1007.01, Florida Statutes, is amended to read:

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818 1007.01 Articulation; legislative intent; purpose; role of
819 the State Board of Education and the Board of Governors;
820 Articulation Coordinating Committee.—

821 (3) The Commissioner of Education, in consultation with
822 the Chancellor of the State University System, shall establish
823 the Articulation Coordinating Committee which shall make
824 recommendations related to statewide articulation policies to
825 the Higher Education Coordination Council, the State Board of
826 Education, and the Board of Governors. The committee shall
827 consist of two members each representing the State University
828 System, the Florida College System, public career and technical
829 education, public K-12 education, and nonpublic education and
830 one member representing students. The chair shall be elected
831 from the membership. The committee shall:

832 (h) Recommend roles and responsibilities of public
833 education entities in interfacing with the single, statewide
834 computer-assisted student advising system established pursuant
835 to s. 1006.73 ~~1007.28~~.

836 Section 17. Subsection (1) of section 1007.27, Florida
837 Statutes, is amended to read:

838 1007.27 Articulated acceleration mechanisms.—

839 (1) It is the intent of the Legislature that a variety of
840 articulated acceleration mechanisms be available for secondary
841 and postsecondary students attending public educational
842 institutions. It is intended that articulated acceleration serve
843 to shorten the time necessary for a student to complete the
844 requirements associated with the conference of a high school
845 diploma and a postsecondary degree, broaden the scope of

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846 curricular options available to students, or increase the depth
847 of study available for a particular subject. Articulated
848 acceleration mechanisms shall include, but not be limited to,
849 dual enrollment as provided for in s. 1007.271, early admission,
850 advanced placement, credit by examination, the International
851 Baccalaureate Program, and the Advanced International
852 Certificate of Education Program. Credit earned through the
853 Florida Virtual School shall provide additional opportunities
854 for early graduation and acceleration. Students of Florida
855 public secondary schools enrolled pursuant to this subsection
856 shall be deemed authorized users of the state-funded electronic
857 library resources that are licensed for Florida College System
858 institutions and state universities by the Florida Virtual
859 Campus ~~Florida Center for Library Automation and the College~~
860 ~~Center for Library Automation~~. Verification of eligibility shall
861 be in accordance with rules established by the State Board of
862 Education and regulations established by the Board of Governors
863 and processes implemented by Florida College System institutions
864 and state universities.

865 Section 18. Section 1007.28, Florida Statutes, is
866 repealed.

867 Section 19. Subsection (7) of section 1007.33, Florida
868 Statutes, is renumbered as subsection (6), and present
869 subsection (6) of that section is amended to read:

870 1007.33 Site-determined baccalaureate degree access.—

871 ~~(6)(a) Beginning July 1, 2010, and each subsequent July 1,~~
872 ~~the Division of Florida Colleges may accept and review~~
873 ~~applications from a Florida College System institution to obtain~~
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874 ~~an exemption from the State Board of Education's approval for~~
875 ~~subsequent degrees as required in subsection (5), if the Florida~~
876 ~~College System institution is accredited by the Commission on~~
877 ~~Colleges of the Southern Association of Colleges and Schools as~~
878 ~~a baccalaureate degree-granting institution and has been~~
879 ~~offering baccalaureate degree programs for 3 or more years. The~~
880 ~~division shall develop criteria for determining eligibility for~~
881 ~~an exemption based upon demonstrated compliance with the~~
882 ~~requirements for baccalaureate degrees, primary mission, and~~
883 ~~fiscal, including, but not limited to:~~

884 ~~1. Obtaining and maintaining appropriate SACS~~
885 ~~accreditation;~~

886 ~~2. The maintenance of qualified faculty and institutional~~
887 ~~resources;~~

888 ~~3. The maintenance of enrollment projections in previously~~
889 ~~approved programs;~~

890 ~~4. The appropriate management of fiscal resources;~~

891 ~~5. Compliance with the primary mission and responsibility~~
892 ~~requirements in subsections (2) and (3);~~

893 ~~6. The timely submission of the institution's annual~~
894 ~~performance accountability report; and~~

895 ~~7. Other indicators of success such as program completers,~~
896 ~~placements, and surveys of students and employers.~~

897 ~~(b) If the Florida College System institution has~~
898 ~~demonstrated satisfactory progress in fulfilling the eligibility~~
899 ~~criteria in this subsection, the Division of Florida Colleges~~
900 ~~may recommend to the State Board of Education that the~~
901 ~~institution be exempt from the requirement in subsection (5) for~~
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902 ~~approval of future baccalaureate degree programs. The State~~
903 ~~Board of Education shall review the division's recommendation~~
904 ~~and determine if an exemption is warranted. If the State Board~~
905 ~~of Education approves the application, the Florida College~~
906 ~~System institution is exempt from subsequent program approval~~
907 ~~under subsection (5) and such authority is delegated to the~~
908 ~~Florida College System institution board of trustees. If the~~
909 ~~State Board of Education disapproves of the Florida College~~
910 ~~System institution's request for an exemption, the college shall~~
911 ~~continue to be subject to the State Board of Education's~~
912 ~~approval of subsequent baccalaureate degree programs.~~

913 ~~(c) Prior to developing or proposing a new baccalaureate~~
914 ~~degree program, all Florida College System institutions,~~
915 ~~regardless of an exemption from subsection (5), shall:~~

916 ~~1. Engage in need, demand, and impact discussions with the~~
917 ~~state university in their service district and other local and~~
918 ~~regional, accredited postsecondary providers in their region.~~

919 ~~2. Send documentation, data, and other information from~~
920 ~~the inter-institutional discussions regarding program need,~~
921 ~~demand, and impact required in subparagraph 1. to the college's~~
922 ~~board of trustees, the Division of Florida Colleges, and the~~
923 ~~Chancellor of the State University System.~~

924 ~~3. Base board of trustees approval of the new program upon~~
925 ~~the documentation, data, and other information required in this~~
926 ~~paragraph and the factors in subsection (5)(d).~~

927
928 ~~The Division of Florida Colleges shall use the documentation,~~
929 ~~data, and other information required in this subsection,~~

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930 ~~including information from the Chancellor of the State~~
931 ~~University System, in its compliance review.~~

932 ~~(d) The board of trustees of a Florida College System~~
933 ~~institution that is exempt from subsection (5) must submit newly~~
934 ~~approved programs to the Division of Florida Colleges and SACS~~
935 ~~within 30 days after approval.~~

936 ~~(e) Within 30 days after receiving the approved~~
937 ~~baccalaureate degree program, the Division of Florida Colleges~~
938 ~~shall conduct a compliance review and notify the college if the~~
939 ~~proposal meets the criteria for implementation based upon the~~
940 ~~criteria in paragraphs (5) (d) and (6) (c). If the program fails~~
941 ~~to meet the criteria for implementation as determined by the~~
942 ~~Division of Florida Colleges, the college may not proceed with~~
943 ~~implementation of the program until the State Board of Education~~
944 ~~reviews the proposal and the compliance materials and gives its~~
945 ~~final approval of the program.~~

946 Section 20. Subsection (3) of section 1009.215, Florida
947 Statutes, is amended to read:

948 1009.215 Student enrollment pilot program for the spring
949 and summer terms.-

950 (3) Students who are enrolled in the pilot program and who
951 are eligible to receive Bright Futures Scholarships under ss.
952 1009.53-1009.536 shall be eligible to receive the scholarship
953 award for attendance during no more than 2 semesters or the
954 equivalent in any fiscal year, including the summer term ~~in the~~
955 ~~spring and summer terms but are not eligible to receive the~~
956 ~~scholarship for attendance during the fall term.~~

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957 Section 21. Paragraph (a) of subsection (11), paragraphs
958 (a) and (c) of subsection (16), and subsection (17) of section
959 1009.23, Florida Statutes, are amended to read:

960 1009.23 Florida College System institution student fees.—

961 (11) (a) Each Florida College System institution board of
962 trustees may establish a separate fee for capital improvements,
963 technology enhancements, equipping student buildings, or the
964 acquisition of improved real property which may not exceed 20 ~~10~~
965 percent of tuition for resident students or 20 ~~10~~ percent of the
966 sum of tuition and out-of-state fees for nonresident students.
967 The fee for resident students shall be limited to an increase of
968 \$2 per credit hour over the prior year. Funds collected by
969 Florida College System institutions through the fee may be
970 bonded only as provided in this subsection for the purpose of
971 financing or refinancing new construction and equipment,
972 renovation, remodeling of educational facilities, or the
973 acquisition and renovation or remodeling of improved real
974 property for use as educational facilities. The fee shall be
975 collected as a component part of the tuition and fees, paid into
976 a separate account, and expended only to acquire improved real
977 property or construct and equip, maintain, improve, or enhance
978 the educational facilities of the Florida College System
979 institution. Projects and acquisitions of improved real property
980 funded through the use of the capital improvement fee shall meet
981 the survey and construction requirements of chapter 1013.
982 Pursuant to s. 216.0158, each Florida College System institution
983 shall identify each project, including maintenance projects,
984 proposed to be funded in whole or in part by such fee.

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985 (16) (a) Each Florida College System institution may assess
986 a student who enrolls in a course listed in the ~~Florida Higher~~
987 ~~Education~~ distance learning catalog, established pursuant to s.
988 1006.73 ~~1004.09~~, a per-credit-hour distance learning course user
989 fee. For purposes of assessing this fee, a distance learning
990 course is a course in which at least 80 percent of the direct
991 instruction of the course is delivered using some form of
992 technology when the student and instructor are separated by time
993 or space, or both.

994 (c) The link for the catalog must be prominently displayed
995 within the advising and distance learning sections of the
996 institution's website, using a graphic and description provided
997 by the Florida Virtual Campus ~~Distance Learning Consortium~~, to
998 inform students of the catalog.

999 (17) Each Florida College System institution that accepts
1000 transient students, pursuant to s. 1006.73 ~~1004.091~~, may
1001 establish a transient student fee not to exceed \$5 per ~~distance~~
1002 ~~learning~~ course for processing the transient student admissions
1003 application.

1004 Section 22. Subsection (8), paragraph (t) of subsection
1005 (14), and paragraphs (a) and (c) of subsection (17) of section
1006 1009.24, Florida Statutes, are amended to read:

1007 1009.24 State university student fees.—

1008 (8) (a) The Capital Improvement Trust Fund fee is
1009 established as \$4.76 ~~\$2.44~~ per credit hour per semester. ~~The~~
1010 ~~building fee is established as \$2.32 per credit hour per~~
1011 ~~semester.~~

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1012 (b) Beginning with the 2012 fall term, each university
1013 board of trustees may increase the Capital Improvement Trust
1014 Fund fee. Any increase in the fee must be recommended by a
1015 Capital Improvement Trust Fund committee, at least half of whom
1016 are students appointed by the student body president. The
1017 remainder of the committee shall be appointed by the university
1018 president. A chair, appointed jointly by the university
1019 president and the student body president, shall vote only in the
1020 case of a tie. The recommendations of the committee shall take
1021 effect only after approval by the university president, after
1022 consultation with the student body president, with final
1023 approval by the university board of trustees. An increase in the
1024 fee may occur only once each fiscal year and must be implemented
1025 beginning with the fall term. The Board of Governors shall adopt
1026 regulations and timetables to implement the fee.

1027 (c) The fee may not exceed 10 percent of the tuition for
1028 resident students or 10 percent of the sum of tuition and out-
1029 of-state fees for nonresident students. The fee for resident
1030 students shall be limited to an increase of \$2 per credit hour
1031 over the prior year. The Capital Improvement Trust Fund fee may
1032 be used to fund any project or real property acquisition that
1033 meets the requirements of chapter 1013. The Division of Bond
1034 Finance of the State Board of Administration shall analyze any
1035 proposed reductions to the Capital Improvement Trust Fund fee to
1036 ensure consistency with prudent financial management of the bond
1037 program associated with the revenues from the fee. The Board of
1038 Governors shall approve any proposed fee reductions provided

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1039 that no such reduction reduces the fee below the level
1040 established in paragraph (a).

1041 (14) Except as otherwise provided in subsection (15), each
1042 university board of trustees is authorized to establish the
1043 following fees:

1044 (t) A transient student fee that may not exceed \$5 per
1045 ~~distance learning~~ course for accepting a transient student and
1046 processing the transient student admissions application pursuant
1047 to s. 1006.73 ~~1004.091~~.

1048
1049 With the exception of housing rental rates and except as
1050 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)
1051 shall be based on reasonable costs of services. The Board of
1052 Governors shall adopt regulations and timetables necessary to
1053 implement the fees and fines authorized under this subsection.
1054 The fees assessed under this subsection may be used for debt
1055 only as authorized under s. 1010.62.

1056 (17) (a) A state university may assess a student who
1057 enrolls in a course listed in the ~~Florida Higher Education~~
1058 distance learning catalog, established pursuant to s. 1006.73
1059 ~~1004.09~~, a per-credit-hour distance learning course fee. For
1060 purposes of assessing this fee, a distance learning course is a
1061 course in which at least 80 percent of the direct instruction of
1062 the course is delivered using some form of technology when the
1063 student and instructor are separated by time or space, or both.

1064 (c) The link for the catalog must be prominently displayed
1065 within the advising and distance learning sections of the
1066 institution's website, using a graphic and description provided
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1067 by the Florida Virtual Campus ~~Distance Learning Consortium~~,
1068 informing students of the catalog.

1069 Section 23. Subsection (1) of section 1009.25, Florida
1070 Statutes, is amended to read:

1071 1009.25 Fee exemptions.—

1072 (1) The following students are exempt from the payment of
1073 tuition and fees, including lab fees, at a school district that
1074 provides workforce education ~~postsecondary career~~ programs,
1075 Florida College System institution, or state university:

1076 (a) A student enrolled in a dual enrollment or early
1077 admission program pursuant to s. 1007.27 or s. 1007.271.

1078 (b) A student enrolled in an approved apprenticeship
1079 program, as defined in s. 446.021.

1080 (c) A student who is or was at the time he or she reached
1081 18 years of age in the custody of the Department of Children and
1082 Family Services or who, after spending at least 6 months in the
1083 custody of the department after reaching 16 years of age, was
1084 placed in a guardianship by the court. Such exemption includes
1085 fees associated with enrollment in career-preparatory
1086 instruction. The exemption remains valid until the student
1087 reaches 28 years of age.

1088 (d) A student who is or was at the time he or she reached
1089 18 years of age in the custody of a relative under s. 39.5085 or
1090 who was adopted from the Department of Children and Family
1091 Services after May 5, 1997. Such exemption includes fees
1092 associated with enrollment in career-preparatory instruction.
1093 The exemption remains valid until the student reaches 28 years
1094 of age.

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1095 (e) A student enrolled in an employment and training
1096 program under the welfare transition program. The regional
1097 workforce board shall pay the state university, Florida College
1098 System institution, or school district for costs incurred for
1099 welfare transition program participants.

1100 (f) A student who lacks a fixed, regular, and adequate
1101 nighttime residence or whose primary nighttime residence is a
1102 public or private shelter designed to provide temporary
1103 residence for individuals intended to be institutionalized, or a
1104 public or private place not designed for, or ordinarily used as,
1105 a regular sleeping accommodation for human beings.

1106 (g) A student who is a proprietor, owner, or worker of a
1107 company whose business has been at least 50 percent negatively
1108 financially impacted by the buyout of property around Lake
1109 Apopka by the State of Florida. Such student may receive a fee
1110 exemption only if the student has not received compensation
1111 because of the buyout, the student is designated a Florida
1112 resident for tuition purposes, pursuant to s. 1009.21, and the
1113 student has applied for and been denied financial aid, pursuant
1114 to s. 1009.40, which would have provided, at a minimum, payment
1115 of all student fees. The student is responsible for providing
1116 evidence to the postsecondary education institution verifying
1117 that the conditions of this paragraph have been met, including
1118 supporting documentation provided by the Department of Revenue.
1119 The student must be currently enrolled in, or begin coursework
1120 within, a program area by fall semester 2000. The exemption is
1121 valid for a period of 4 years after the date that the

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1122 postsecondary education institution confirms that the conditions
1123 of this paragraph have been met.

1124 Section 24. Subsections (2) and (7) of section 1009.286,
1125 Florida Statutes, are amended to read:

1126 1009.286 Additional student payment for hours exceeding
1127 baccalaureate degree program completion requirements at state
1128 universities.-

1129 (2) State universities shall require a student to pay an
1130 excess hour surcharge ~~equal to 100 percent of the tuition rate~~
1131 ~~for each credit hour in excess of 115 percent~~ of the number of
1132 credit hours required to complete the baccalaureate degree
1133 program in which the student is enrolled. The excess hour
1134 surcharge shall become effective for students who enter a state
1135 university for the first time and maintain continuous enrollment
1136 as follows:

1137 (a) For the 2009-2010 and 2010-2011 academic years, an
1138 excess hour surcharge equal to 50 percent of the tuition rate
1139 for each credit hour in excess of 120 percent.

1140 (b) For the 2011-2012 academic year, an excess hour
1141 surcharge equal to 100 percent of the tuition rate for each
1142 credit hour in excess of 115 percent.

1143 (c) For the 2012-2013 academic year and thereafter, an
1144 excess hour surcharge equal to 100 percent of the tuition rate
1145 for each credit hour in excess of 110 percent.

1146 ~~(7) The provisions of this section become effective for~~
1147 ~~students who enter a Florida College System institution or a~~
1148 ~~state university for the first time in the 2011-2012 academic~~
1149 ~~year and thereafter.~~

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1150 Section 25. Subsections (2) and (7) of section 1009.531,
1151 Florida Statutes, are amended to read:

1152 1009.531 Florida Bright Futures Scholarship Program;
1153 student eligibility requirements for initial awards.-

1154 (2) (a) A student ~~For students~~ graduating from high school
1155 prior to the 2010-2011 academic year, ~~a student~~ is eligible to
1156 accept an initial award for 3 years following high school
1157 graduation and to accept a renewal award for 7 years following
1158 high school graduation. A student who applies for an award by
1159 high school graduation and who meets all other eligibility
1160 requirements, but who does not accept his or her award, may
1161 reapply during subsequent application periods up to 3 years
1162 after high school graduation. For a student who enlists in the
1163 United States Armed Forces immediately after completion of high
1164 school, the 3-year eligibility period for his or her initial
1165 award shall begin upon the date of separation from active duty.
1166 For a student who is receiving a Florida Bright Futures
1167 Scholarship and discontinues his or her education to enlist in
1168 the United States Armed Forces, the remainder of his or her 7-
1169 year renewal period shall commence upon the date of separation
1170 from active duty.

1171 (b) ~~For~~ Students graduating from high school in the 2010-
1172 2011 and 2011-2012 academic years ~~are year and thereafter, a~~
1173 ~~student is~~ eligible to accept an initial award for 3 years
1174 following high school graduation and to accept a renewal award
1175 for 5 years following high school graduation. A student who
1176 applies for an award by high school graduation and who meets all
1177 other eligibility requirements, but who does not accept his or
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1178 her award, may reapply during subsequent application periods up
1179 to 3 years after high school graduation. For a student who
1180 enlists in the United States Armed Forces immediately after
1181 completion of high school, the 3-year eligibility period for his
1182 or her initial award and the 5-year renewal period shall begin
1183 upon the date of separation from active duty. For a student who
1184 is receiving a Florida Bright Futures Scholarship award and
1185 discontinues his or her education to enlist in the United States
1186 Armed Forces, the remainder of his or her 5-year renewal period
1187 shall commence upon the date of separation from active duty. If
1188 a course of study is not completed after 5 academic years, an
1189 exception of 1 year to the renewal timeframe may be granted due
1190 to a verifiable illness or other documented emergency pursuant
1191 to s. 1009.40(1)(b)4.

1192 (c) A student graduating from high school in the 2012-2013
1193 academic year and thereafter is eligible to accept an initial
1194 award for 2 years following high school graduation and to accept
1195 a renewal award for 5 years following high school graduation. A
1196 student who applies for an award by high school graduation and
1197 who meets all other eligibility requirements, but who does not
1198 accept his or her award, may reapply during subsequent
1199 application periods up to 2 years after high school graduation.
1200 For a student who enlists in the United States Armed Forces
1201 immediately after completion of high school, the 2-year
1202 eligibility period for his or her initial award and the 5-year
1203 renewal period shall begin upon the date of separation from
1204 active duty. For a student who is receiving a Florida Bright
1205 Futures Scholarship award and discontinues his or her education

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1206 to enlist in the United States Armed Forces, the remainder of
1207 his or her 5-year renewal period shall commence upon the date of
1208 separation from active duty. If a course of study is not
1209 completed after 5 academic years, an exception of 1 year to the
1210 renewal timeframe may be granted due to a verifiable illness or
1211 other documented emergency pursuant to s. 1009.40(1)(b)4.

1212 (7) To be eligible for an initial award and each renewal
1213 award under the Florida Bright Futures Scholarship Program, a
1214 student must submit a Free Application for Federal Student Aid
1215 which is complete and error free prior to disbursement.

1216 Section 26. Subsection (3) of section 1009.532, Florida
1217 Statutes, is amended to read:

1218 1009.532 Florida Bright Futures Scholarship Program;
1219 student eligibility requirements for renewal awards.-

1220 (3)(a) A student who is initially eligible prior to the
1221 2010-2011 academic year and is enrolled in a program that
1222 terminates in an associate degree or a baccalaureate degree may
1223 receive an award for a maximum of 110 percent of the number of
1224 credit hours required to complete the program. A student who is
1225 enrolled in a program that terminates in a career certificate
1226 may receive an award for a maximum of 110 percent of the credit
1227 hours or clock hours required to complete the program up to 90
1228 credit hours.

1229 (b) Students ~~For a student~~ who are ~~is~~ initially eligible
1230 in the 2010-2011 and 2011-2012 academic years ~~term and~~
1231 ~~thereafter, the student~~ may receive an award for a maximum of
1232 100 percent of the number of credit hours required to complete
1233 an associate degree program or a baccalaureate degree program,

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1234 or ~~the student may~~ receive an award for a maximum of 100 percent
1235 of the credit hours or clock hours required to complete up to 90
1236 credit hours of a program that terminates in a career
1237 certificate.

1238 (c) A student who is initially eligible in the 2012-2013
1239 academic year and thereafter may receive an award for a maximum
1240 of 100 percent of the number of credit hours required to
1241 complete an associate degree program, a baccalaureate degree
1242 program, or a postsecondary career certificate program or, for a
1243 Florida Gold Seal Vocational Scholars award, may receive an
1244 award for a maximum of 100 percent of the number of credit hours
1245 or equivalent clock hours required to complete one of the
1246 following at a Florida public or nonpublic education institution
1247 that offers these specific programs: for an applied technology
1248 diploma program as defined in s. 1004.02(8), up to 60 credit
1249 hours or equivalent clock hours; for a technical degree
1250 education program as defined in s. 1004.02(14), up to the number
1251 of hours required for a specific degree not to exceed 72 credit
1252 hours or equivalent clock hours; or for a career certificate
1253 program as defined in s. 1004.02(21), up to the number of hours
1254 required for a specific certificate not to exceed 72 credit
1255 hours or equivalent clock hours. A student who transfers from
1256 one of these program levels to another program level becomes
1257 eligible for the higher of the two credit hour limits.

1258 Section 27. Subsections (2), (4), and (5) of section
1259 1009.534, Florida Statutes, are amended to read:

1260 1009.534 Florida Academic Scholars award.-

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1261 (2) ~~Effective January 1, 2008,~~ A Florida Academic Scholar
1262 who is enrolled in a certificate, diploma, associate, or
1263 baccalaureate degree program at a public or nonpublic
1264 postsecondary education institution is eligible for an award
1265 equal to the amount specified in the General Appropriations Act
1266 to assist with the payment of educational expenses ~~required to~~
1267 ~~pay tuition and fees. A student who is enrolled in a nonpublic~~
1268 ~~postsecondary education institution is eligible for an award~~
1269 ~~equal to the amount that would be required to pay for the~~
1270 ~~average tuition and fees of a public postsecondary education~~
1271 ~~institution at the comparable level.~~

1272 (4) In each school district, the Florida Academic Scholar
1273 with the highest academic ranking shall receive an additional
1274 award equal to the amount specified in the General
1275 Appropriations Act ~~of \$1,500~~ for college-related expenses. This
1276 award must be funded from the Florida Bright Futures Scholarship
1277 Program.

1278 ~~(5) Notwithstanding subsections (2) and (4), a Florida~~
1279 ~~Academic Scholar is eligible for an award equal to the amount~~
1280 ~~specified in the General Appropriations Act.~~

1281 Section 28. Subsections (1), (2), and (4) of section
1282 1009.535, Florida Statutes, are amended to read:

1283 1009.535 Florida Medallion Scholars award.—

1284 (1) A student is eligible for a Florida Medallion Scholars
1285 award if the student meets the general eligibility requirements
1286 for the Florida Bright Futures Scholarship Program and the
1287 student:

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1288 (a) Has achieved a weighted grade point average of 3.0 as
1289 calculated pursuant to s. 1009.531, or the equivalent, in high
1290 school courses that are designated by the State Board of
1291 Education as college-preparatory academic courses; and has
1292 attained at least the score pursuant to s. 1009.531(6)(b) on the
1293 combined verbal and quantitative parts of the Scholastic
1294 Aptitude Test, the Scholastic Assessment Test, or the recentered
1295 Scholastic Assessment Test of the College Entrance Examination,
1296 or an equivalent score on the ACT Assessment Program;

1297 (b) Has completed the International Baccalaureate
1298 curriculum but failed to earn the International Baccalaureate
1299 Diploma or has completed the Advanced International Certificate
1300 of Education curriculum but failed to earn the Advanced
1301 International Certificate of Education Diploma, and has attained
1302 at least the score pursuant to s. 1009.531(6)(b) on the combined
1303 verbal and quantitative parts of the Scholastic Aptitude Test,
1304 the Scholastic Assessment Test, or the recentered Scholastic
1305 Assessment Test of the College Entrance Examination, or an
1306 equivalent score on the ACT Assessment Program;

1307 (c) Has attended a home education program according to s.
1308 1002.41 during grades 11 and 12 and has attained at least the
1309 score pursuant to s. 1009.531(6)(b) on the combined verbal and
1310 quantitative parts of the Scholastic Aptitude Test, the
1311 Scholastic Assessment Test, or the recentered Scholastic
1312 Assessment Test of the College Entrance Examination, or an
1313 equivalent score on the ACT Assessment Program, if the student's
1314 parent cannot document a college-preparatory curriculum as
1315 described in paragraph (a);

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1316 (d) Has been recognized by the merit or achievement
1317 program of the National Merit Scholarship Corporation as a
1318 scholar or finalist but has not completed a program of community
1319 service as provided in s. 1009.534; or

1320 (e) Has been recognized by the National Hispanic
1321 Recognition Program as a scholar, but has not completed a
1322 program of community service as provided in s. 1009.534.

1323
1324 A high school student graduating in the 2011-2012 academic year
1325 and thereafter must complete a program of community service work
1326 approved by the district school board, ~~or~~ the administrators of
1327 a nonpublic school, or the Department of Education for home
1328 education program students, which shall include a minimum of 75
1329 hours of service work, and must identify a social problem that
1330 interests him or her, develop a plan for his or her personal
1331 involvement in addressing the problem, and, through papers or
1332 other presentations, evaluate and reflect upon his or her
1333 experience.

1334 (2) A Florida Medallion Scholar who is enrolled in a
1335 certificate, diploma, associate, or baccalaureate degree program
1336 at a public or nonpublic postsecondary education institution is
1337 eligible for an award equal to the amount specified in the
1338 General Appropriations Act to assist with the payment of
1339 educational expenses required to pay 75 percent of tuition and
1340 fees if the student is enrolled in a state university or a
1341 baccalaureate degree program authorized pursuant to s. 1007.33.
1342 ~~A Florida Medallion Scholar is eligible for an award equal to~~
1343 ~~the amount required to pay 100 percent of tuition and fees for~~
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1344 ~~college credit courses leading to an associate degree if the~~
1345 ~~student is enrolled in a Florida College System institution. A~~
1346 ~~student who is enrolled in a nonpublic postsecondary education~~
1347 ~~institution is eligible for an award equal to the amount that~~
1348 ~~would be required to pay 75 percent of the tuition and fees of a~~
1349 ~~public postsecondary education institution at the comparable~~
1350 ~~level.~~

1351 ~~(4) Notwithstanding subsection (2), a Florida Medallion~~
1352 ~~Scholar is eligible for an award equal to the amount specified~~
1353 ~~in the General Appropriations Act.~~

1354 Section 29. Paragraphs (a) and (e) of subsection (1) and
1355 subsections (2), (4), and (5) of section 1009.536, Florida
1356 Statutes, are amended to read:

1357 1009.536 Florida Gold Seal Vocational Scholars award.—The
1358 Florida Gold Seal Vocational Scholars award is created within
1359 the Florida Bright Futures Scholarship Program to recognize and
1360 reward academic achievement and career preparation by high
1361 school students who wish to continue their education.

1362 (1) A student is eligible for a Florida Gold Seal
1363 Vocational Scholars award if the student meets the general
1364 eligibility requirements for the Florida Bright Futures
1365 Scholarship Program and the student:

1366 (a) Completes the secondary school portion of a sequential
1367 program of studies that requires at least three secondary school
1368 career credits ~~taken over at least 2 academic years, and is~~
1369 ~~continued in a planned, related postsecondary education program.~~
1370 ~~If the student's school does not offer such a two plus two or~~
1371 ~~tech-prep program, the student must complete a job-preparatory~~

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1372 ~~career education program selected by Workforce Florida, Inc.,~~
1373 ~~for its ability to provide high-wage employment in an occupation~~
1374 ~~with high potential for employment opportunities.~~ On-the-job
1375 training may not be substituted for any of the three required
1376 career credits.

1377 (e) Beginning with high school students graduating in the
1378 2011-2012 academic year and thereafter, completes a program of
1379 community service work approved by the district school board, ~~or~~
1380 the administrators of a nonpublic school, or the Department of
1381 Education for home education program students, which shall
1382 include a minimum of 30 hours of service work, and identifies a
1383 social problem that interests him or her, develops a plan for
1384 his or her personal involvement in addressing the problem, and,
1385 through papers or other presentations, evaluates and reflects
1386 upon his or her experience.

1387 (2) A Florida Gold Seal Vocational Scholar who is enrolled
1388 in a public or nonpublic postsecondary education institution is
1389 eligible for an award equal to the amount specified in the
1390 General Appropriations Act to assist with the payment of
1391 educational expenses ~~required to pay 75 percent of tuition and~~
1392 ~~fees, if the student is enrolled in a public postsecondary~~
1393 ~~education institution. A student who is enrolled in a nonpublic~~
1394 ~~postsecondary education institution is eligible for an award~~
1395 ~~equal to the amount that would be required to pay 75 percent of~~
1396 ~~the tuition and mandatory fees of a public postsecondary~~
1397 ~~education institution at the comparable level.~~

1398 (4)(a) A student who is initially eligible prior to the
1399 2010-2011 academic year may earn a Florida Gold Seal Vocational
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1400 Scholarship for 110 percent of the number of credit hours
1401 required to complete the program, up to 90 credit hours or the
1402 equivalent.

1403 (b) Students ~~For a student~~ who are ~~is~~ initially eligible
1404 in the 2010-2011 and 2011-2012 academic years ~~term and~~
1405 ~~thereafter, the student~~ may earn a Florida Gold Seal Vocational
1406 Scholarship for 100 percent of the number of credit hours
1407 required to complete the program, up to 90 credit hours or the
1408 equivalent.

1409 (c) A student who is initially eligible in the 2012-2013
1410 academic year and thereafter may earn a Florida Gold Seal
1411 Vocational Scholarship for a maximum of 100 percent of the
1412 number of credit hours or equivalent clock hours required to
1413 complete one of the following at a Florida public or nonpublic
1414 education institution that offers these specific programs: for
1415 an applied technology diploma program as defined in s.
1416 1004.02(8), up to 60 credit hours or equivalent clock hours; for
1417 a technical degree education program as defined in s.
1418 1004.02(14), up to the number of hours required for a specific
1419 degree not to exceed 72 credit hours or equivalent clock hours;
1420 or for a career certificate program as defined in s.
1421 1004.02(21), up to the number of hours required for a specific
1422 certificate not to exceed 72 credit hours or equivalent clock
1423 hours.

1424 ~~(5) Notwithstanding subsection (2), a Florida Gold Seal~~
1425 ~~Vocational Scholar is eligible for an award equal to the amount~~
1426 ~~specified in the General Appropriations Act.~~

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1427 Section 30. Subsection (7) of section 1009.60, Florida
1428 Statutes, is renumbered as subsection (8), and a new subsection
1429 (7) is added to that section to read:

1430 1009.60 Minority teacher education scholars program.—There
1431 is created the minority teacher education scholars program,
1432 which is a collaborative performance-based scholarship program
1433 for African-American, Hispanic-American, Asian-American, and
1434 Native American students. The participants in the program
1435 include Florida's Florida College System institutions and its
1436 public and private universities that have teacher education
1437 programs.

1438 (7) The Florida Fund for Minority Teachers, Inc., shall
1439 use a contingency collections agency to collect repayments of
1440 defaulted scholarships.

1441 Section 31. Paragraph (b) of subsection (2) of section
1442 1009.605, Florida Statutes, is amended to read:

1443 1009.605 Florida Fund for Minority Teachers, Inc.—

1444 (2)

1445 (b) The corporation shall report to the Department of
1446 Education, by the date established by the department, the
1447 eligible students to whom scholarship moneys are disbursed each
1448 academic term, the annual balance of the corporation's assets
1449 and cash reserves, and any other information requested by the
1450 department in accordance with s. 1009.94. By June 30 of each
1451 fiscal year, the corporation shall remit to the department any
1452 appropriated funds that were not distributed for scholarships,
1453 less the 5 percent for administration, including administration

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1454 of the required training program, authorized pursuant to
1455 subsection (3).

1456 Section 32. Subsections (2), (5), (7), and (8) of section
1457 1009.70, Florida Statutes, are amended to read:

1458 1009.70 Florida Education Fund.—

1459 (2) (a) The Florida Education Fund, a not-for-profit
1460 statutory corporation, is created from a challenge endowment
1461 grant from the McKnight Foundation and operates on income
1462 derived from the investment of endowment gifts and other gifts
1463 as provided by state statute and appropriate matching funds as
1464 provided by the state.

1465 (b) The Legislature may appropriate funds to the Florida
1466 Education Fund to be used for scholarships under subsection (5).
1467 Funds ~~The amount~~ appropriated to the Florida Education Fund
1468 shall be matched on a dollar-for-dollar the basis by funds of \$1
1469 for each \$2 contributed from by private sources, including, but
1470 not limited to, income earned from investment returns on the
1471 Florida Education Fund Endowment, the value of monetary and in-
1472 kind contributions to the McKnight Doctoral Fellowship Program,
1473 the value of services provided by McKnight Doctoral Fellows to
1474 Florida not-for-profit corporations and public and nonpublic
1475 colleges and universities, and the value of tuition and fees
1476 paid on behalf of McKnight Doctoral Fellows from funds not
1477 appropriated to the Florida Education Fund. The Florida
1478 Education Fund shall certify to the Department of Education's
1479 Office of Student Financial Assistance ~~Legislature~~ the estimated
1480 value of such matching amounts prior to the disbursement of the
1481 appropriation and shall certify to the Legislature the actual

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1482 value of such matching amounts as of June 30 each year amount of
1483 donations contributed between July 1, 1990, and June 30, 1991.

1484 ~~Only the new donations above the certified base shall be~~
1485 ~~calculated for state matching funds during the first year of the~~
1486 ~~program. In subsequent years, only the new donations above the~~
1487 ~~certified prior year base shall be calculated for state matching~~
1488 ~~funds. The department shall provide the format for which the~~
1489 ~~Florida Education Fund shall comply with the reporting~~
1490 ~~requirements of this paragraph.~~

1491 (c) The corporation shall provide to the department a copy
1492 of its certified financial statement and annual report,
1493 including the corporation's assets and cash reserve balances.

1494 The corporation shall also provide the department documentation
1495 which includes the name of each scholarship recipient, the
1496 postsecondary education institution attended, the discipline of
1497 study, and the amount awarded to each recipient. The corporation
1498 shall post a copy of its certified financial statement and
1499 annual report on its website.

1500 (5) The Board of Directors of the Florida Education Fund
1501 shall review and evaluate initial programs created by the
1502 McKnight Foundation and continue funding the McKnight Doctoral
1503 ~~Black Doctorate~~ Fellowship Program and the McKnight Junior
1504 Faculty Fellowship Program if the evaluations are ~~evaluation is~~
1505 positive, and the board shall identify, initiate, and fund new
1506 and creative programs and monitor, review, and evaluate those
1507 programs. The purpose of this commitment is to broaden the
1508 participation and funding potential for further significant

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1509 support of higher education in this state. In addition, the
1510 board shall:

1511 (a) Hold such meetings as are necessary to implement ~~the~~
1512 ~~provisions of~~ this section.

1513 (b) Select a chairperson annually.

1514 (c) Adopt and use an official seal in the authentication
1515 of its acts.

1516 (d) Make rules for its own government.

1517 (e) Administer this section.

1518 (f) Appoint an executive director to serve at its pleasure
1519 and perform all duties assigned by the board. The executive
1520 director shall be the chief administrative officer and agent of
1521 the board.

1522 (g) Maintain a record of its proceedings.

1523 (h) Delegate to the chairperson of the board the
1524 responsibility for signing final orders.

1525 (i) Utilize existing higher education organizations,
1526 associations, and agencies to carry out its educational programs
1527 and purposes with minimal staff employment.

1528 (j) Be empowered to enter into contracts with the Federal
1529 Government, state agencies, or individuals.

1530 (k) Receive bequests, gifts, grants, donations, and other
1531 valued goods and services. Such bequests and gifts shall be used
1532 only for the purpose or purposes stated by the donor.

1533 (7) It is the intent of the Legislature that the Board of
1534 Directors of the Florida Education Fund recruit eligible
1535 residents of the state before it extends its search to eligible
1536 nonresidents. ~~However, for the purposes of subsection (8), the~~
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1537 ~~board of directors shall recruit eligible residents only.~~ It is
1538 further the intent of the Legislature that the board of
1539 directors establish service terms, if any, that accompany the
1540 award of moneys from the fund.

1541 ~~(8) There is created a legal education component of the~~
1542 ~~Florida Education Fund to provide the opportunity for minorities~~
1543 ~~to attain representation within the legal profession~~
1544 ~~proportionate to their representation within the general~~
1545 ~~population. The legal education component of the Florida~~
1546 ~~Education Fund includes a law school program and a pre-law~~
1547 ~~program.~~

1548 ~~(a) The law school scholarship program of the Florida~~
1549 ~~Education Fund is to be administered by the Board of Directors~~
1550 ~~of the Florida Education Fund for the purpose of increasing the~~
1551 ~~number of minority students enrolled in law schools in this~~
1552 ~~state by 200. Implementation of this program is to be phased in~~
1553 ~~over a 3-year period.~~

1554 ~~1. The board of directors shall provide financial,~~
1555 ~~academic, and other support to students selected for~~
1556 ~~participation in this program from funds appropriated by the~~
1557 ~~Legislature.~~

1558 ~~2. Student selection must be made in accordance with rules~~
1559 ~~adopted by the board of directors for that purpose and must be~~
1560 ~~based, at least in part, on an assessment of potential for~~
1561 ~~success, merit, and financial need.~~

1562 ~~3. Support must be made available to students who enroll~~
1563 ~~in private, as well as public, law schools in this state which~~
1564 ~~are accredited by the American Bar Association.~~

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1565 ~~4. Scholarships must be paid directly to the participating~~
1566 ~~students.~~

1567 ~~5. Students who participate in this program must agree in~~
1568 ~~writing to sit for The Florida Bar examination and, upon~~
1569 ~~successful admission to The Florida Bar, to practice law in the~~
1570 ~~state for a period equal to the amount of time for which the~~
1571 ~~student received aid, up to 3 years, or repay the amount of aid~~
1572 ~~received.~~

1573 ~~(b) The minority pre-law scholarship loan program of the~~
1574 ~~Florida Education Fund is to be administered by the Board of~~
1575 ~~Directors of the Florida Education Fund for the purpose of~~
1576 ~~increasing the opportunity of minority students to prepare for~~
1577 ~~law school.~~

1578 ~~1. From funds appropriated by the Legislature, the board~~
1579 ~~of directors shall provide for student fees, room, board, books,~~
1580 ~~supplies, and academic and other support to selected minority~~
1581 ~~undergraduate students matriculating at eligible public and~~
1582 ~~independent colleges and universities in Florida.~~

1583 ~~2. Student selection must be made in accordance with rules~~
1584 ~~adopted by the board of directors for that purpose and must be~~
1585 ~~based, at least in part, on an assessment of potential for~~
1586 ~~success, merit, and financial need.~~

1587 ~~3. To be eligible, a student must make a written agreement~~
1588 ~~to enter or be accepted to enter a law school in this state~~
1589 ~~within 2 years after graduation or repay the scholarship loan~~
1590 ~~amount plus interest at the prevailing rate.~~

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1591 ~~4. Recipients who fail to gain admission to a law school~~
1592 ~~within the specified period, may, upon admission to law school,~~
1593 ~~be eligible to have their loans canceled.~~

1594 ~~5. Minority pre-law scholarship loans shall be provided to~~
1595 ~~34 minority students per year for up to 4 years each, for a~~
1596 ~~total of 136 scholarship loans. To continue receiving~~
1597 ~~scholarship loans, recipients must maintain a 2.75 grade point~~
1598 ~~average for the freshman year and a 3.25 grade point average~~
1599 ~~thereafter. Participants must also take specialized courses to~~
1600 ~~enhance competencies in English and logic.~~

1601 ~~6. The board of directors shall maintain records on all~~
1602 ~~scholarship loan recipients. Participating institutions shall~~
1603 ~~submit academic progress reports to the board of directors~~
1604 ~~following each academic term.~~

1605 Section 33. Subsection (4) of section 1009.72, Florida
1606 Statutes, is amended to read:

1607 1009.72 Jose Marti Scholarship Challenge Grant Program.—

1608 (4) The amounts appropriated for the program shall be
1609 allocated by the department on the basis of one \$5,000 challenge
1610 grant for each \$5,000 ~~\$2,500~~ raised from private sources.

1611 Matching funds shall be generated through contributions made
1612 after July 1, 1986, and pledged for the purposes of this
1613 section. Pledged contributions shall not be eligible for
1614 matching prior to the actual collection of the total funds.

1615 Section 34. Subsection (4) of section 1009.73, Florida
1616 Statutes, is amended to read:

1617 1009.73 Mary McLeod Bethune Scholarship Program.—

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1618 (4) The moneys for the program shall be allocated by the
1619 department among the institutions of higher education listed in
1620 subsection (1) on the basis of one \$2,000 challenge grant for
1621 each \$2,000 ~~\$1,000~~ raised from private sources. Matching funds
1622 shall be generated through contributions made after July 1,
1623 1990, and pledged for the purposes of this section. Pledged
1624 contributions shall not be eligible for matching prior to the
1625 actual collection of the total funds. The department shall
1626 allocate to each of those institutions a proportionate share of
1627 the contributions received on behalf of those institutions and a
1628 share of the appropriations and matching funds generated by such
1629 institution.

1630 Section 35. Section 1010.30, Florida Statutes, is amended
1631 to read:

1632 1010.30 Audits required.—

1633 (1) School districts, Florida College System institutions,
1634 and other institutions and agencies under the supervision of the
1635 State Board of Education and state universities under the
1636 supervision of the Board of Governors are subject to the audit
1637 provisions of ~~under~~ ss. 11.45 and 218.39.

1638 (2) If an audit contains a significant finding, the
1639 district school board, the Florida College System institution
1640 board of trustees, or the university board of trustees shall
1641 conduct an audit overview during a public meeting.

1642 Section 36. Subsection (10) of section 1011.80, Florida
1643 Statutes, is amended to read:

1644 1011.80 Funds for operation of workforce education
1645 programs.—

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1646 (10) A high school student dually enrolled under s.
1647 1007.271 in a workforce education program operated by a Florida
1648 College System institution or school district career center
1649 generates the amount calculated for workforce education funding,
1650 including any payment of performance funding, and the
1651 proportional share of full-time equivalent enrollment generated
1652 through the Florida Education Finance Program for the student's
1653 enrollment in a high school. If a high school student is dually
1654 enrolled in a Florida College System institution program,
1655 including a program conducted at a high school, the Florida
1656 College System institution earns the funds generated for
1657 workforce education funding, and the school district earns the
1658 proportional share of full-time equivalent funding from the
1659 Florida Education Finance Program. If a student is dually
1660 enrolled in a career center operated by the same district as the
1661 district in which the student attends high school, that district
1662 earns the funds generated for workforce education funding and
1663 also earns the proportional share of full-time equivalent
1664 funding from the Florida Education Finance Program. If a student
1665 is dually enrolled in a workforce education program provided by
1666 a career center operated by a different school district, the
1667 funds must be divided between the two school districts
1668 proportionally from the two funding sources. A student may not
1669 be reported for funding in a dual enrollment workforce education
1670 program unless the student has completed the basic skills
1671 assessment pursuant to s. 1004.91. A student who is coenrolled
1672 in a K-12 education program and an adult education program may
1673 not be reported for purposes of funding in an adult education
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1674 program, except that for the 2011-2012 and 2012-2013 fiscal
1675 years ~~year only~~, students who are coenrolled in core curricula
1676 courses for credit recovery or dropout prevention purposes and
1677 do not have a pattern of excessive absenteeism or habitual
1678 truancy or a history of disruptive behavior in school may be
1679 reported for funding for up to two courses per student. Such
1680 students are exempt from the payment of the block tuition for
1681 adult general education programs provided in s. 1009.22(3)(c).

1682 Section 37. Subsection (2) of section 1012.83, Florida
1683 Statutes, is amended to read:

1684 1012.83 Contracts with administrative and instructional
1685 staff.—

1686 (2) Each contract or employment agreement, or renewal or
1687 renegotiation of an existing contract or employment agreement,
1688 containing a provision for severance pay with an officer, agent,
1689 employee, or contractor must include the provisions required in
1690 s. 215.425. A Florida College System institution board of
1691 ~~trustees may not enter into an employment contract that requires~~
1692 ~~the Florida College System institution to pay an employee an~~
1693 ~~amount from appropriated state funds in excess of 1 year of the~~
1694 ~~employee's annual salary for termination, buyout, or any other~~
1695 ~~type of contract settlement. This subsection does not prohibit~~
1696 ~~the payment of leave and benefits accrued by the employee in~~
1697 ~~accordance with the Florida College System institution's leave~~
1698 ~~and benefits policies before the contract terminates.~~

1699 Section 38. Subsection (4) of section 1012.885, Florida
1700 Statutes, is amended to read:

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Amendment No.

1701 1012.885 Remuneration of Florida College System

1702 institution presidents; limitations.-

1703 (4) LIMITATION ON REMUNERATION.-Notwithstanding the
1704 provisions of this section, for the 2012-2013 ~~2011-2012~~ fiscal
1705 year, a Florida College System institution president may not
1706 receive more than \$200,000 in remuneration from appropriated
1707 state funds. Only compensation, as defined in s. 121.021(22),
1708 provided to a Florida College System institution president may
1709 be used in calculating benefits under chapter 121.

1710 Section 39. Section 1012.886, Florida Statutes, is
1711 reenacted and amended to read:

1712 1012.886 Remuneration of Florida College System
1713 institution administrative employees; limitations.-

1714 (1) DEFINITIONS.-As used in this section, the term:

1715 (a) "Appropriated state funds" means funds appropriated
1716 from the General Revenue Fund or funds appropriated from state
1717 trust funds.

1718 (b) "Cash-equivalent compensation" means any benefit that
1719 may be assigned an equivalent cash value.

1720 (c) "Remuneration" means salary, bonuses, and cash-
1721 equivalent compensation paid to a Florida College System
1722 institution administrative employee by his or her employer for
1723 work performed, excluding health insurance benefits and
1724 retirement benefits.

1725 (2) LIMITATION ON COMPENSATION.-Notwithstanding any other
1726 law, resolution, or rule to the contrary, a Florida College
1727 System institution administrative employee may not receive more
1728 than \$200,000 in remuneration annually from appropriated state
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1729 funds. Only compensation, as such term is defined in s.
1730 121.021(22), provided to a Florida College System institution
1731 administrative employee may be used in calculating benefits
1732 under chapter 121.

1733 (3) EXCEPTIONS.—This section does not prohibit any party
1734 from providing cash or cash-equivalent compensation from funds
1735 that are not appropriated state funds to a Florida College
1736 System institution administrative employee in excess of the
1737 limit in subsection (2). If a party is unable or unwilling to
1738 fulfill an obligation to provide cash or cash-equivalent
1739 compensation to a Florida College System institution
1740 administrative employee as permitted under this subsection,
1741 appropriated state funds may not be used to fulfill such
1742 obligation. This section does not apply to Florida College
1743 System institution teaching faculty.

1744 (4) EXPIRATION.—This section expires June 30, 2013 ~~2012~~.
1745 Section 40. Subsection (4) of section 1012.975, Florida
1746 Statutes, is amended to read:

1747 1012.975 Remuneration of state university presidents;
1748 limitations.—

1749 (4) LIMITATION ON REMUNERATION.—Notwithstanding the
1750 provisions of this section, for the 2012-2013 ~~2011-2012~~ fiscal
1751 year, a state university president may not receive more than
1752 \$200,000 in remuneration from public funds. Only compensation,
1753 as defined in s. 121.021(22), provided to a state university
1754 president may be used in calculating benefits under chapter 121.

1755 Section 41. Section 1012.976, Florida Statutes, is
1756 reenacted and amended to read:

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Amendment No.

1757 1012.976 Remuneration of state university administrative
1758 employees; limitations.-

1759 (1) DEFINITIONS.-As used in this section, the term:

1760 (a) "Appropriated state funds" means funds appropriated
1761 from the General Revenue Fund or funds appropriated from state
1762 trust funds.

1763 (b) "Cash-equivalent compensation" means any benefit that
1764 may be assigned an equivalent cash value.

1765 (c) "Remuneration" means salary, bonuses, and cash-
1766 equivalent compensation paid to a state university
1767 administrative employee by his or her employer for work
1768 performed, excluding health insurance benefits and retirement
1769 benefits.

1770 (2) LIMITATION ON COMPENSATION.-Notwithstanding any other
1771 law, resolution, or rule to the contrary, a state university
1772 administrative employee may not receive more than \$200,000 in
1773 remuneration annually from appropriated state funds. Only
1774 compensation, as such term is defined in s. 121.021(22),
1775 provided to a state university administrative employee may be
1776 used in calculating benefits under chapter 121.

1777 (3) EXCEPTIONS.-This section does not prohibit any party
1778 from providing cash or cash-equivalent compensation from funds
1779 that are not appropriated state funds to a state university
1780 administrative employee in excess of the limit in subsection
1781 (2). If a party is unable or unwilling to fulfill an obligation
1782 to provide cash or cash-equivalent compensation to a state
1783 university administrative employee as permitted under this
1784 subsection, appropriated state funds may not be used to fulfill

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1785 such obligation. This section does not apply to university
1786 teaching faculty or medical school faculty or staff.

1787 (4) EXPIRATION.—This section expires June 30, 2013 ~~2012~~.

1788 Section 42. Notwithstanding the 5-percent limitation
1789 provided in s. 1010.62(2)(a), Florida Statutes, the University
1790 of Florida may use revenues derived from the activity and
1791 service fee to pay and secure debt with annual debt service in
1792 an amount not to exceed \$3.5 million to finance or refinance the
1793 renovation and expansion of the university's J. Wayne Reitz
1794 Union.

1795 Section 43. Effective upon this act becoming a law and
1796 notwithstanding s. 1001.73(5), Florida Statutes, as created by
1797 this act, or section 32 of the 2012 regular legislative session
1798 Conference Report for House Bill 5001, for the 2011-2012 fiscal
1799 year, state universities may make transfers between the
1800 Educational and General Activities category and other program
1801 categories up to \$2 million to make necessary adjustments.

1802 Section 44. Notwithstanding ss. 1013.30(10), (11), (12),
1803 and (13) and 1013.51(4), Florida Statutes, for the 2012-2013
1804 fiscal year, a state university may enter into a local
1805 development agreement with an affected host local government to
1806 identify specific projects in the university's campus master
1807 plan to be constructed by the university for purposes of
1808 negotiating mitigation of the impact of such projects on the
1809 host local government.

1810 Section 45. Except as otherwise expressly provided in this
1811 act, this act shall take effect July 1, 2012.

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Amendment No.

T I T L E A M E N D M E N T

Remove the entire title and insert:

A bill to be entitled

An act relating to postsecondary education funding;
amending s. 11.45, F.S.; requiring that the Auditor
General notify the Legislative Auditing Committee of
any financial or operational audit report indicating
that a state university or Florida College System
institution has failed to take full corrective action
in response to recommendations in previous audit
reports; amending s. 282.201, F.S.; conforming
provisions to changes made by the act; amending s.
1000.21, F.S.; revising the name of South Florida
Community College; providing for contingent effect;
amending s. 1001.64, F.S.; requiring that each
contract or employment agreement, or renewal or
renegotiation of an existing contract or employment
agreement, containing a provision for severance pay
include certain provisions; requiring each board of
trustees to use certain agreements and contracts or
enter into certain consortia and cooperative
agreements to achieve the lowest cost; amending s.
1001.706, F.S.; requiring that the Board of Governors
adopt regulations requiring universities to enter into
consortia and cooperative agreements; authorizing the

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1841 Board of Governors to transfer certain funds between
1842 state universities; revising provisions relating to
1843 employment contracts with the Board of Governors;
1844 amending s. 1001.73, F.S.; providing a restriction on
1845 the transfer of certain funds by a state university
1846 board of trustees; providing procedures for additional
1847 transfer of funds; amending s. 1003.4156, F.S.;
1848 conforming provisions to changes made by the act;
1849 repealing s. 1004.09, F.S., relating to the Florida
1850 Higher Education Distance Learning Catalog; repealing
1851 s. 1004.091, F.S., relating to the Florida Distance
1852 Learning Consortium; amending ss. 1004.39 and 1004.40,
1853 F.S.; conforming provisions to changes made by the
1854 act; creating s. 1004.935, F.S.; establishing the
1855 Adults with Disabilities Workforce Education Pilot
1856 Program for a specified period in certain counties;
1857 providing a purpose; providing eligibility
1858 requirements for participation in the program;
1859 defining the term "student with a disability" for
1860 purposes of the pilot program; providing requirements
1861 for providers of supported employment services and
1862 private schools to participate in the pilot program;
1863 providing notice requirements for students who are
1864 accepted into the pilot program; providing for
1865 funding; requiring that the Chief Financial Officer
1866 make scholarship payments; requiring that the
1867 Department of Education request from the Department of
1868 Financial Services a sample of endorsed warrants after

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Amendment No.

1869 each scholarship payment; amending s. 1006.72, F.S.;

1870 conforming provisions to changes made by the act;

1871 creating s. 1006.73, F.S.; establishing the Florida

1872 Virtual Campus to provide access to online student and

1873 library support services and to serve as a statewide

1874 resource and clearinghouse for technology-based public

1875 postsecondary education distance learning courses and

1876 degree programs; requiring the Florida Virtual Campus

1877 to develop and manage a library information portal and

1878 automated library management tools, to develop and

1879 manage an Internet-based catalog of distance learning

1880 courses, to implement an online admissions application

1881 process for transient students, to develop and manage

1882 a computer-assisted student advising system, to

1883 license and acquire electronic library resources, to

1884 promote and provide recommendations concerning the use

1885 and distribution of open-access textbooks, to provide

1886 help desk support to institutions and students, and to

1887 identify and evaluate new technologies and

1888 instructional methods; providing for the transfer of

1889 assets and liabilities of the Florida Distance

1890 Learning Consortium, the Florida Center for Library

1891 Automation, the College Center for Library Automation,

1892 and FACTS.org to the Florida Virtual Campus; requiring

1893 recommendations to the Legislature; creating s.

1894 1006.735, F.S.; establishing the Degree Completion

1895 Pilot Project to recruit, recover, and retain adult

1896 learners and assist them in completing degrees aligned

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1897 to high-wage, high-skill workforce needs; specifying
1898 components of the pilot project and the tuition and
1899 fee structure to be used; requiring submission of a
1900 project plan to the Legislature; amending s. 1007.01,
1901 F.S.; conforming a cross-reference; amending s.
1902 1007.27, F.S.; conforming provisions to changes made
1903 by the act; repealing s. 1007.28, F.S., relating to a
1904 computer-assisted student advising system; amending s.
1905 1007.33, F.S.; deleting provisions relating to
1906 exemption from State Board of Education approval of
1907 certain baccalaureate degree programs at a Florida
1908 College System institution; amending s. 1009.215,
1909 F.S.; revising provisions relating to scholarship
1910 awards under a student enrollment pilot program for
1911 the spring and summer terms; amending s. 1009.23,
1912 F.S.; revising provisions relating to the capital
1913 improvement fee for Florida College System
1914 institutions; amending s. 1009.24, F.S.; revising
1915 provisions relating to the Capital Improvement Trust
1916 Fund fee for state universities; amending s. 1009.25,
1917 F.S.; revising terminology; amending s. 1009.286,
1918 F.S., relating to additional student payment for
1919 credit hours exceeding baccalaureate degree program
1920 completion requirements; revising criteria for the
1921 excess credit hour surcharge; amending ss. 1009.531
1922 and 1009.532, F.S.; revising eligibility requirements
1923 for initial and renewal awards under the Florida
1924 Bright Futures Scholarship Program; amending ss.

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Amendment No.

1925 1009.534, 1009.535, and 1009.536, F.S.; revising
1926 provisions relating to the amount of a Florida
1927 Academic Scholars award, a Florida Medallion Scholars
1928 award, and a Florida Gold Seal Vocational Scholars
1929 award; revising student eligibility requirements for
1930 renewal awards; providing that a student may earn a
1931 Florida Gold Seal Vocational Scholarship for credit
1932 hours or equivalent clock hours to complete an applied
1933 technology diploma program, a technical degree
1934 education program, or a career certificate program;
1935 amending s. 1009.60, F.S.; providing a duty of the
1936 Florida Fund for Minority Teachers, Inc., relating to
1937 collections under the minority teacher education
1938 scholars program; amending s. 1009.605, F.S.;;
1939 providing a duty of the Florida Fund for Minority
1940 Teachers, Inc., relating to reporting; amending s.
1941 1009.70, F.S.; revising provisions relating to the
1942 Florida Education Fund; authorizing the Legislature to
1943 appropriate funds and providing the basis for matched
1944 funding and expenditures; requiring the fund to
1945 provide the Department of Education with its financial
1946 statement and annual report; revising the names of
1947 certain fellowship programs; providing requirements
1948 for the award of scholarships; deleting the legal
1949 education component of the fund which includes a law
1950 and pre-law program; amending ss. 1009.72 and 1009.73,
1951 F.S.; revising requirements for matching funds under
1952 the Jose Marti Scholarship Challenge Grant Program and

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Amendment No.

1953 the Mary McLeod Bethune Scholarship Program; amending
1954 s. 1010.30, F.S.; requiring that the district school
1955 board, the Florida College System institution board of
1956 trustees, or the university board of trustees conduct
1957 an audit overview during a public meeting if an audit
1958 contains significant findings; amending s. 1011.80,
1959 F.S.; revising provisions relating to the reporting
1960 for funding purposes of certain students who are
1961 coenrolled in a K-12 education program and an adult
1962 education program; amending s. 1012.83, F.S.; revising
1963 provisions relating to employment contracts with
1964 Florida College System institutions; requiring that
1965 each contract or employment agreement, or renewal or
1966 renegotiation of an existing contract or employment
1967 agreement, containing a provision for severance pay
1968 include certain provisions; amending s. 1012.885,
1969 F.S.; extending provisions relating to remuneration of
1970 Florida College System institution presidents;
1971 reenacting and amending s. 1012.886, F.S.; delaying
1972 the expiration of provisions relating to the
1973 remuneration of Florida College System institution
1974 administrative employees; amending s. 1012.975, F.S.;
1975 extending provisions relating to remuneration of state
1976 university presidents; reenacting and amending s.
1977 1012.976, F.S.; delaying the expiration of provisions
1978 relating to the remuneration of state university
1979 administrative employees; authorizing the University
1980 of Florida to use revenues from the activity and

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Amendment No.

1981 service fee to finance the renovation and expansion of
1982 the university's J. Wayne Reitz Union; authorizing
1983 state universities to make certain fund transfers
1984 between program categories for the 2011-2012 fiscal
1985 year; authorizing a state university to enter into a
1986 local development agreement with a host local
1987 government for certain purposes relating to the campus
1988 master plan for the 2012-2013 fiscal year; providing
1989 effective dates.