

FOR CONSIDERATION By the Committee on Budget

576-01966G-12

20127098

1 A bill to be entitled
2 An act relating to postsecondary education; amending
3 s. 11.45, F.S.; requiring that the Auditor General
4 notify the Legislative Auditing Committee of any
5 financial or operational audit report indicating that
6 a state university or state college has failed to take
7 full corrective action in response to recommendations
8 in previous audit reports; authorizing the committee
9 to direct the governing body of the state university
10 or state college to provide a written statement
11 explaining why full corrective action has not been
12 taken or notifying that it intends to take full
13 corrective action; requiring that a hearing be held if
14 the committee determines that the state university or
15 state college has, without justification, failed to
16 take full corrective action; amending s. 287.057,
17 F.S.; deleting a provision that exempts from
18 competitive-solicitation requirements training and
19 education services for injured employees, to conform
20 to changes made by the act; amending s. 402.7305,
21 F.S.; conforming a cross-reference; amending s.
22 413.011, F.S.; revising the duties of the Division of
23 Blind Services within the Department of Education;
24 requiring that Daytona State College be given priority
25 for the use of available property located in Daytona
26 Beach which is no longer needed by the division;
27 requiring prior approval by the Division of Blind
28 Services and the Division of State Lands within the
29 Department of Environmental Protection for the future

576-01966G-12

20127098

30 construction of facilities not related to programs
31 under the Division of Blind Services; amending s.
32 427.0135, F.S.; conforming a cross-reference; amending
33 s. 440.15, F.S.; revising provisions to conform to
34 changes made by the act; repealing s. 440.33(3), F.S.,
35 relating to provisions that authorize a judge of
36 compensation claims to request an evaluation pursuant
37 to s. 440.491, F.S., to conform to changes made by the
38 act; repealing s. 440.491, F.S., relating to the
39 reemployment of injured workers and rehabilitation;
40 amending s. 440.50, F.S.; revising provisions to
41 conform to changes made by the act; amending s.
42 1001.02, F.S.; requiring that the State Board of
43 Education delegate to the Division of Florida Colleges
44 oversight responsibility for certain Florida College
45 System institutions; amending s. 1001.64, F.S.;

46 requiring that each contract or employment agreement,
47 or renewal or renegotiation of an existing contract or
48 employment agreement, containing a provision for
49 severance pay include certain provisions; requiring
50 that each board of trustees enter into consortia and
51 cooperative agreements; providing that a consortium or
52 cooperative agreement may be statewide, regional, or a
53 combination of institutions, as appropriate to achieve
54 the lowest cost; amending s. 1001.706, F.S.; requiring
55 that the Board of Governors adopt regulations
56 requiring universities to enter into consortia and
57 cooperative agreements; authorizing the Board of
58 Governors to approve the transfer between institutions

576-01966G-12

20127098

59 of unused budget authority from the Education/General
60 Student and Other Fees Trust Fund; revising provisions
61 relating to employment contracts with the Board of
62 Governors; requiring that each contract or employment
63 agreement, or renewal or renegotiation of an existing
64 contract or employment agreement, containing a
65 provision for severance pay include certain
66 provisions; creating s. 1004.092, F.S.; establishing
67 the Florida Degree Consortium by merging the Florida
68 Distance Learning Consortium, the computer-assisted
69 student advising system, and the degree completion
70 pilot program; providing a purpose; requiring that the
71 Chancellor of the State University System and the
72 Chancellor of the Florida College System jointly
73 oversee the implementation of the Florida Degree
74 Consortium; creating s. 1004.093, F.S.; creating the
75 degree completion pilot program; providing a purpose;
76 requiring that the Chancellor of the State University
77 System and the Chancellor of the Florida College
78 System jointly oversee the implementation of the pilot
79 program; defining the term "adult learner"; providing
80 that priority attention be given to adult learners who
81 are veterans and active-duty servicemembers; providing
82 for implementation and requirements of the pilot
83 program; requiring that the chancellors submit a
84 detailed project plan to the Legislature by a
85 specified date; creating s. 1006.73, F.S.;
86 establishing the Florida Education Library Resource
87 Center; providing a purpose; requiring that the

576-01966G-12

20127098

88 Chancellor of the State University System and the
89 Chancellor of the Florida College System jointly
90 govern and oversee the center; providing for
91 membership; authorizing the center to enter into
92 contracts with postsecondary education institutions
93 for certain support services; requiring that the
94 Florida Center for Library Automation and the College
95 Center for Library Automation cease independent
96 operations by a specified date; providing for all
97 remaining assets and responsibilities to be
98 transferred to the center; providing authority and
99 duties of the center; amending s. 1009.215, F.S.;
100 providing that students who are enrolled in the
101 student enrollment pilot program and who are eligible
102 to receive Bright Futures Scholarships may receive the
103 scholarship award during the summer term; prohibiting
104 a student from receiving the scholarship award for
105 more than 2 semesters in any given fiscal year;
106 amending s. 1009.25, F.S.; revising provisions
107 relating to exemptions from the payment of tuition and
108 fees at a school district that provides workforce
109 education for certain students; providing such
110 exemption for a student for whom the full program cost
111 is paid by another party; amending s. 1009.286, F.S.;
112 requiring that state universities require each student
113 to pay an excess hour surcharge; providing for
114 application; amending s. 1009.531, F.S.; revising
115 provisions relating to student eligibility for Florida
116 Bright Futures Scholarships; providing that certain

576-01966G-12

20127098

117 students are eligible to accept an initial award and a
118 renewal award for a specified period after high school
119 graduation; providing exceptions; authorizing the
120 Department of Education to provide an alternate form
121 to the Free Application for Federal Student Aid for
122 purposes of eligibility under the Florida Bright
123 Futures Scholarship Program; amending s. 1009.532,
124 F.S.; revising provisions relating the student
125 eligibility requirements for renewal awards of a
126 Florida Bright Futures Scholarship; providing that
127 certain students may receive an award for a maximum
128 percentage of the number of credit hours required to
129 complete an associate degree program or a
130 baccalaureate degree program; providing that a student
131 may receive a Florida Gold Seal Vocational Scholarship
132 award for a maximum percentage of the credit hours or
133 equivalent clock hours; amending ss. 1009.534 and
134 1009.535, F.S.; authorizing the Legislature to provide
135 an additional supplement in the General Appropriations
136 Act for upper-division courses in the fields of
137 science, technology, engineering, and mathematics for
138 the Florida Academic Scholars and Florida Medallion
139 Scholars awards; amending s. 1009.536, F.S.; revising
140 the eligibility requirements for receiving a Florida
141 Gold Seal Vocational Scholars award; providing that a
142 Florida Gold Seal Vocational Scholar is eligible for
143 an award equal to the amount specified in the General
144 Appropriations Act; providing that certain students
145 may earn a Florida Gold Seal Vocational Scholarship

576-01966G-12

20127098

146 for up to a specified percentage of the credit hours
147 or equivalent clock hours required to complete an
148 applied technology diploma program, a technology
149 degree program, or a career certificate program;
150 amending s. 1009.60, F.S.; requiring that the Florida
151 Fund for Minority Teachers, Inc., use a contingency
152 collections agency to collect repayments of defaulted
153 scholarships awarded through the minority teacher
154 education scholars program; amending s. 1009.605,
155 F.S.; requiring that the Florida Fund for Minority
156 Teachers, Inc., report the annual balance of the
157 corporation's assets and cash reserves to the
158 Department of Education; amending s. 1012.83, F.S.;
159 revising provisions relating to employment contracts
160 with Florida College System institutions; requiring
161 that each contract or employment agreement, or renewal
162 or renegotiation of an existing contract or employment
163 agreement, containing a provision for severance pay
164 include certain provisions; authorizing the University
165 of Florida to use revenues from the activity and
166 service fee to finance the renovation and expansion of
167 the university's J. Wayne Reitz Union; providing an
168 effective date.

169

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

171

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

174 11.45 Definitions; duties; authorities; reports; rules.—

576-01966G-12

20127098

175 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

176 (j) The Auditor General shall notify the Legislative
177 Auditing Committee of any financial or operational audit report
178 prepared pursuant to this section which indicates that a state
179 university or state college has failed to take full corrective
180 action in response to a recommendation that was included in the
181 two preceding financial or operational audit reports.

182 1. The committee may direct the governing body of the state
183 university or state college to provide a written statement to
184 the committee explaining why full corrective action has not been
185 taken or, if the governing body intends to take full corrective
186 action, describing the corrective action to be taken and when it
187 will occur.

188 2. If the committee determines that the written statement
189 is not sufficient, the committee may require the chair of the
190 governing body of the state university or state college, or the
191 chair's designee, to appear before the committee.

192 3. If the committee determines that the state university or
193 state college has failed to take full corrective action for
194 which there is no justifiable reason, or has failed to comply
195 with committee requests made pursuant to this section, the
196 committee may proceed in accordance with s. 11.40(2).

197 Section 2. Paragraph (f) of subsection (3) of section
198 287.057, Florida Statutes, is amended to read:

199 287.057 Procurement of commodities or contractual
200 services.—

201 (3) When the purchase price of commodities or contractual
202 services exceeds the threshold amount provided in s. 287.017 for
203 CATEGORY TWO, no purchase of commodities or contractual services

576-01966G-12

20127098

204 may be made without receiving competitive sealed bids,
205 competitive sealed proposals, or competitive sealed replies
206 unless:

207 (f) The following contractual services and commodities are
208 not subject to the competitive-solicitation requirements of this
209 section:

210 1. Artistic services. For the purposes of this subsection,
211 the term "artistic services" does not include advertising or
212 typesetting. As used in this subparagraph, the term
213 "advertising" means the making of a representation in any form
214 in connection with a trade, business, craft, or profession in
215 order to promote the supply of commodities or services by the
216 person promoting the commodities or contractual services.

217 2. Academic program reviews if the fee for such services
218 does not exceed \$50,000.

219 3. Lectures by individuals.

220 4. Legal services, including attorney, paralegal, expert
221 witness, appraisal, or mediator services.

222 5.a. Health services involving examination, diagnosis,
223 treatment, prevention, medical consultation, or administration.

224 b. Beginning January 1, 2011, health services, including,
225 but not limited to, substance abuse and mental health services,
226 involving examination, diagnosis, treatment, prevention, or
227 medical consultation, when such services are offered to eligible
228 individuals participating in a specific program that qualifies
229 multiple providers and uses a standard payment methodology.
230 Reimbursement of administrative costs for providers of services
231 purchased in this manner shall also be exempt. For purposes of
232 this sub-subparagraph, "providers" means health professionals,

576-01966G-12

20127098

233 health facilities, or organizations that deliver or arrange for
234 the delivery of health services.

235 6. Services provided to persons with mental or physical
236 disabilities by not-for-profit corporations which have obtained
237 exemptions under the provisions of s. 501(c)(3) of the United
238 States Internal Revenue Code or when such services are governed
239 by the provisions of Office of Management and Budget Circular A-
240 122. However, in acquiring such services, the agency shall
241 consider the ability of the vendor, past performance,
242 willingness to meet time requirements, and price.

243 7. Medicaid services delivered to an eligible Medicaid
244 recipient unless the agency is directed otherwise in law.

245 8. Family placement services.

246 9. Prevention services related to mental health, including
247 drug abuse prevention programs, child abuse prevention programs,
248 and shelters for runaways, operated by not-for-profit
249 corporations. However, in acquiring such services, the agency
250 shall consider the ability of the vendor, past performance,
251 willingness to meet time requirements, and price.

252 ~~10. Training and education services provided to injured~~
253 ~~employees pursuant to s. 440.491(6).~~

254 10.11. Contracts entered into pursuant to s. 337.11.

255 11.12. Services or commodities provided by governmental
256 agencies.

257 Section 3. Paragraph (a) of subsection (2) of section
258 402.7305, Florida Statutes, is amended to read:

259 402.7305 Department of Children and Family Services;
260 procurement of contractual services; contract management.-

261 (2) PROCUREMENT OF COMMODITIES AND CONTRACTUAL SERVICES.-

576-01966G-12

20127098

262 (a) Notwithstanding s. 287.057(3)(f)11., ~~287.057(3)(f)12.~~,
263 whenever the department intends to contract with a public
264 postsecondary institution to provide a service, the department
265 must allow all public postsecondary institutions in this state
266 that are accredited by the Southern Association of Colleges and
267 Schools to bid on the contract. Thereafter, notwithstanding any
268 other provision to the contrary, if a public postsecondary
269 institution intends to subcontract for any service awarded in
270 the contract, the subcontracted service must be procured by
271 competitive procedures.

272 Section 4. Paragraph (q) of subsection (3) of section
273 413.011, Florida Statutes, is amended to read:

274 413.011 Division of Blind Services, legislative policy,
275 intent; internal organizational structure and powers;
276 Rehabilitation Council for the Blind.-

277 (3) DIVISION STRUCTURE AND DUTIES.-The internal
278 organizational structure of the Division of Blind Services shall
279 be designed for the purpose of ensuring the greatest possible
280 efficiency and effectiveness of services to the blind and to be
281 consistent with chapter 20. The Division of Blind Services shall
282 plan, supervise, and carry out the following activities:

283 (q) Establish one or more training schools and workshops
284 for the employment of suitable blind persons; make expenditures
285 of funds for such purposes; receive moneys from sales of
286 commodities involved in such activities and from such funds make
287 payments of wages, repairs, insurance premiums, and replacements
288 of equipment. All of the activities provided for in this section
289 may be carried on in cooperation with private workshops for the
290 blind, except that all tools and equipment furnished by the

576-01966G-12

20127098

291 division shall remain the property of the state. If any property
292 leased by the Division of Blind Services and located in Daytona
293 Beach, including an existing sublease upon the expiration of its
294 current term, is no longer needed for the expansion of the
295 division's programs, Daytona State College shall be given
296 priority for the use of such available property. In addition,
297 future construction of any facilities not related to programs
298 under the Division of Blind Services may not be commenced
299 without prior approval by the Division of Blind Services and the
300 Division of State Lands.

301 Section 5. Subsection (3) of section 427.0135, Florida
302 Statutes, is amended to read:

303 427.0135 Purchasing agencies; duties and responsibilities.—
304 Each purchasing agency, in carrying out the policies and
305 procedures of the commission, shall:

306 (3) Not procure transportation disadvantaged services
307 without initially negotiating with the commission, as provided
308 in s. 287.057(3)(f)11., ~~287.057(3)(f)12.~~, or unless otherwise
309 authorized by statute. If the purchasing agency, after
310 consultation with the commission, determines that it cannot
311 reach mutually acceptable contract terms with the commission,
312 the purchasing agency may contract for the same transportation
313 services provided in a more cost-effective manner and of
314 comparable or higher quality and standards. The Medicaid agency
315 shall implement this subsection in a manner consistent with s.
316 409.908(18) and as otherwise limited or directed by the General
317 Appropriations Act.

318 Section 6. Paragraph (c) of subsection (2) of section
319 440.15, Florida Statutes, is amended to read:

576-01966G-12

20127098

320 440.15 Compensation for disability.—Compensation for
321 disability shall be paid to the employee, subject to the limits
322 provided in s. 440.12(2), as follows:

323 (2) TEMPORARY TOTAL DISABILITY.—

324 (c) Temporary total disability benefits paid pursuant to
325 this subsection shall include such period as may be reasonably
326 necessary for training in the use of artificial members and
327 appliances, ~~and shall include such period as the employee may be~~
328 ~~receiving training and education under a program pursuant to s.~~
329 ~~440.491.~~

330 Section 7. Subsection (3) of section 440.33, Florida
331 Statutes, is repealed.

332 Section 8. Section 440.491, Florida Statutes, is repealed.

333 Section 9. Subsection (5) of section 440.50, Florida
334 Statutes, is amended to read:

335 440.50 Workers' Compensation Administration Trust Fund.—

336 (5) Funds appropriated by an operating appropriation or a
337 nonoperating transfer from the Workers' Compensation
338 Administration Trust Fund to ~~the Department of Education,~~ the
339 Agency for Health Care Administration, the Department of
340 Business and Professional Regulation, the Department of
341 Management Services, the First District Court of Appeal, and the
342 Justice Administrative Commission remaining unencumbered as of
343 June 30 or undisbursed as of September 30 each year shall revert
344 to the Workers' Compensation Administration Trust Fund.

345 Section 10. Subsection (7) is added to section 1001.02,
346 Florida Statutes, to read:

347 1001.02 General powers of State Board of Education.—

348 (7) The State Board of Education shall delegate to the

576-01966G-12

20127098

349 Division of Florida Colleges oversight responsibility for
350 Florida College System institutions that have significant
351 potential management or academic issues.

352 Section 11. Subsection (47) of section 1001.64, Florida
353 Statutes, is amended, and subsection (48) is added to that
354 section, to read:

355 1001.64 Florida College System institution boards of
356 trustees; powers and duties.—

357 (47) Each contract or employment agreement, or renewal or
358 renegotiation of an existing contract or employment agreement,
359 containing a provision for severance pay with an officer, agent,
360 employee, or contractor must include the provisions required in
361 s. 215.425. A board of trustees may not enter into an employment
362 contract that requires the Florida College System institution to
363 pay a Florida College System institution president an amount
364 from state funds in excess of 1 year of the president's annual
365 salary for termination, buyout, or any other type of contract
366 settlement. This subsection does not prohibit the payment of
367 leave and benefits accrued by the president in accordance with
368 the Florida College System institution's leave and benefits
369 policies before the contract terminates.

370 (48) Each board of trustees shall enter into consortia and
371 cooperative agreements to maximize the purchasing power for
372 goods and services. A consortium or cooperative agreement may be
373 statewide, regional, or a combination of institutions, as
374 appropriate to achieve the lowest cost, with the goal of
375 achieving a 5 percent savings on existing contract prices
376 through the use of new cooperative arrangements or new
377 consortium contracts.

576-01966G-12

20127098

378 Section 12. Paragraph (i) is added to subsection (3) and
379 paragraph (e) is added to subsection (4) of section 1001.706,
380 Florida Statutes, and paragraph (d) of subsection (6) of that
381 section is amended, to read:

382 1001.706 Powers and duties of the Board of Governors.—

383 (3) POWERS AND DUTIES RELATING TO ORGANIZATION AND
384 OPERATION OF STATE UNIVERSITIES.—

385 (i) The Board of Governors shall adopt regulations
386 requiring universities to enter into consortia and cooperative
387 agreements to maximize the purchasing power for goods and
388 services. A consortium or cooperative agreement may be
389 statewide, regional, or a combination of institutions, as
390 appropriate to achieve the lowest cost, with the goal of
391 achieving a 5 percent savings on existing contract prices
392 through the use of new cooperative arrangements or new
393 consortium contracts.

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

395 (e) The Board of Governors may approve the transfer between
396 institutions of unused budget authority from the
397 Education/General Student and Other Fees Trust Fund.

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

399 (d) Each contract or employment agreement, or renewal or
400 renegotiation of an existing contract or employment agreement,
401 containing a provision for severance pay with an officer, agent,
402 employee, or contractor must include the provisions required in
403 s. 215.425. ~~The Board of Governors, or the board's designee, may~~
404 ~~not enter into an employment contract that requires it to pay an~~
405 ~~employee an amount from state funds in excess of 1 year of the~~
406 ~~employee's annual salary for termination, buyout, or any other~~

576-01966G-12

20127098

407 ~~type of contract settlement. This paragraph does not prohibit~~
408 ~~the payment of leave and benefits accrued by the employee in~~
409 ~~accordance with the board's or designee's leave and benefits~~
410 ~~policies before the contract terminates.~~

411 Section 13. Section 1004.092, Florida Statutes, is created
412 to read:

413 1004.092 Florida Degree Consortium.—

414 (1) The Florida Degree Consortium is established by merging
415 the Florida Distance Learning Consortium as provided in s.
416 1004.091, the computer assisted student advising system as
417 provided in s. 1007.28, and the degree completion pilot program
418 as provided in s. 1004.093.

419 (2) The Florida Degree Consortium is established for the
420 purpose of serving as a central point of contact for:

421 (a) Information about online courses, programs, and degrees
422 offered by colleges and universities in the state and shall
423 provide assistance to individuals wishing to enroll in online
424 instruction offered by the colleges and universities.

425 (b) Information and links to student and library support
426 services and electronic resources that will guide the student
427 toward the successful completion of an online degree.

428 (3) The Chancellor of the State University System and the
429 Chancellor of the Florida College System shall jointly oversee
430 the implementation of the Florida Degree Consortium.

431 Section 14. Section 1004.093, Florida Statutes, is created
432 to read:

433 1004.093 Degree completion pilot program.—

434 (1) The degree completion pilot program is established for
435 the purpose of recruiting, recovering, and retaining the state's

576-01966G-12

20127098

436 adult learners and assisting them in completing an associate
437 degree or baccalaureate degree that is aligned to high-wage,
438 high-skill workforce needs. As used in this section, the term
439 "adult learner" means a student who has left an institution in
440 good standing before completing his or her associate degree or
441 baccalaureate degree. Priority attention shall be given to adult
442 learners who are veterans and active-duty servicemembers.

443 (2) The Chancellor of the State University System and the
444 Chancellor of the Florida College System shall jointly oversee
445 the implementation of the pilot program. The pilot program shall
446 be implemented in collaboration with the University of West
447 Florida, which is the lead institution, and the University of
448 South Florida, Florida State College at Jacksonville, and St.
449 Petersburg College. The pilot program shall include the
450 associate, applied baccalaureate, and baccalaureate degree
451 programs that those institutions have selected, in partnership
452 with public postsecondary education institutions providing areas
453 of specialization or concentration.

454 (3) The pilot program shall be implemented and administered
455 as an activity within the Florida Degree Consortium. The pilot
456 program shall provide adult learners with a single point of
457 access to information and links to innovative online and
458 accelerated distance learning courses, student and library
459 support services, and electronic resources that will guide the
460 adult learner toward the successful completion of a
461 postsecondary education degree.

462 (4) Beginning with the 2012-2013 academic year, the pilot
463 program shall be implemented and must:

464 (a) Use the distance learning course catalog established

576-01966G-12

20127098

465 pursuant to ss. 1004.09 and 1004.091 to communicate course
466 availability to the adult learner.

467 (b) Develop and implement an advising and student support
468 system that includes the use of degree completion specialists,
469 that is based on best practices and processes, and that includes
470 academic and career support services designed specifically for
471 the adult learner.

472 (c) Use the streamlined, automated, online registration
473 process for transient students established pursuant to s.
474 1004.091 and identify any additional admissions and registration
475 policies and practices that could be further streamlined and
476 automated for purposes of assisting the adult learner.

477 (d) Use competency-based evaluation tools to assess prior
478 performance, experience, and education for the award of college
479 credit, which must include the American Council on Education's
480 collaborative link between the United States Department of
481 Defense and higher education through the review of military
482 training and experience for the award of equivalent college
483 credit for members of the Armed Forces.

484 (e) Develop and implement an evaluation process that
485 collects, analyzes, and provides information to participating
486 postsecondary education institutions, the chairs of the
487 legislative appropriations committees, and the Executive Office
488 of the Governor which details the effectiveness of the pilot
489 program and the attainment of its goals. The evaluation process
490 must include a management information system that collects the
491 appropriate student, programmatic, and fiscal data necessary to
492 complete the evaluation of the pilot program.

493 (f) Develop and implement a statewide marketing campaign

576-01966G-12

20127098

494 targeted at recruiting the adult learners, in particular
495 veterans and active-duty servicemembers, for enrollment in the
496 degree programs offered through the pilot program.

497 (5) For purposes of the pilot program, each postsecondary
498 education institution's current tuition and fee structure shall
499 be used. However, participating postsecondary education
500 institutions shall collaboratively identify the applicable cost
501 components associated with developing and delivering distance
502 learning courses and submit the information regarding such cost
503 components to the pilot program director.

504 (6) By August 1, 2012, the Chancellor of the State
505 University System and the Chancellor of the Florida College
506 System shall submit to the chairs of the legislative
507 appropriations committees a detailed project plan that defines
508 the major work activities, timeline, and cost for implementing
509 and administering the pilot program.

510 Section 15. Section 1006.73, Florida Statutes, is created
511 to read:

512 1006.73 Florida Education Library Resource Center.—

513 (1) The Florida Education Library Resource Center is
514 established for the purpose of facilitating the collaboration
515 among academic libraries in acquiring resources and deploying
516 services, leveraging their assets through formal and informal
517 cooperative agreements and collaborative action, and providing
518 coordination and leadership for services in support of teaching,
519 learning, research, and public service.

520 (2) (a) The Chancellor of the State University System and
521 the Chancellor of the Florida College System, or their designees
522 as appropriate and applicable, shall jointly govern and oversee

576-01966G-12

20127098

523 the center, with the assistance of a board of directors and
524 members council, using the administrative and operational
525 policies and procedures of the center.

526 (b)1. A board of directors shall make recommendations to
527 the chancellors and approve and implement bylaws governing the
528 policies and operations of the center. The board of directors
529 shall consist, at a minimum, of:

530 a. A university provost selected by the Chancellor of the
531 State University System;

532 b. A college academic vice president selected by the
533 Chancellor of the Florida College System;

534 c. The chair, past chair, and chair-elect of the members
535 council;

536 d. One university representative selected by the members
537 council; and

538 e. One college representative selected by the members
539 council.

540 2. The members council shall consist of one representative
541 from each state university library and college library who shall
542 advise the board of directors regarding services and products
543 offered by the center. The membership of the council may be
544 expanded to include representatives of other types of libraries
545 contracting for services through the center as provided in the
546 bylaws of the center.

547 (3) The center may enter into a contract with a
548 postsecondary education institution for fiscal services and
549 administrative support services or may, at the discretion of the
550 chancellors, provide such services and support internally. The
551 services and fees charged by the postsecondary education

576-01966G-12

20127098

552 institution shall be negotiated with the center and may not
553 exceed the actual cost for providing the services.

554 (4) The center shall maintain an unencumbered balance of 5
555 percent of the approved operating budget.

556 (5) By June 30, 2013, the Florida Center for Library
557 Automation and the College Center for Library Automation shall
558 cease independent operations and all remaining assets and
559 responsibilities, not otherwise disposed of, shall be
560 transferred to the center.

561 (6) In order to support academic libraries in fulfilling
562 their missions, the center shall:

563 (a) Provide services as determined by its board of
564 directors and authorized by the chancellors. The center shall
565 develop a menu of core and optional services, including areas
566 that must be offered to and used by institutions at no charge.

567 (b) Provide for the cost-efficient and cost-effective use
568 of the technological infrastructure needed to deliver its
569 services through the acquisition of a next generation library
570 management system and its associated services, including a
571 discovery tool. The library management system and discovery tool
572 shall replace the tools provided to postsecondary academic
573 libraries by the Florida Center for Library Automation and the
574 College Center for Library Automation. The center may also
575 assist member institutions in and through the acquisition or
576 implementation of other specialized tools and resources in
577 support of or on behalf of member institutions.

578 (c) Build upon existing opportunities and seek new
579 opportunities for formal and informal cooperative agreements and
580 partnerships to foster continuing collaborative action that

576-01966G-12

20127098

581 leverages institutional and statewide resources.

582 (d) Coordinate the negotiation of statewide licensing and
583 preferred pricing agreements with content and service providers
584 that result in cost savings for member institutions pursuant to
585 s. 1006.72.

586 (e) Have the authority to enter into contracts, issue
587 purchase orders, and own or lease property and equipment. The
588 center may secure assistance and services from other state
589 universities and colleges in order to avail itself of the
590 necessary expertise and support in the most cost-effective
591 manner possible.

592 (f) Have the authority, upon recommendation of the board of
593 directors and approval of the chancellors, to apply for and
594 accept funds, grants, gifts, and services from local, state, or
595 federal governments, or from any of their agencies, or any other
596 public or private source and use such funds to defray
597 administrative costs and implement programs as may be necessary
598 to carry out the center's purpose and assist member institutions
599 and the students, faculty, and staff that the center serves and
600 supports.

601 Section 16. Subsection (3) of section 1009.215, Florida
602 Statutes, is amended to read:

603 1009.215 Student enrollment pilot program for the spring
604 and summer terms.—

605 (3) Students who are enrolled in the pilot program and who
606 are eligible to receive Bright Futures Scholarships under ss.
607 1009.53-1009.536 shall be eligible to receive the scholarship
608 award for attendance during the summer term. A student may not
609 receive the scholarship award for more than 2 semesters in any

576-01966G-12

20127098

610 ~~given fiscal year in the spring and summer terms but are not~~
611 ~~eligible to receive the scholarship for attendance during the~~
612 ~~fall term.~~

613 Section 17. Subsection (1) of section 1009.25, Florida
614 Statutes, is amended to read:

615 1009.25 Fee exemptions.—

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

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

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

624 (c) A student who is or was at the time he or she reached
625 18 years of age in the custody of the Department of Children and
626 Family Services or who, after spending at least 6 months in the
627 custody of the department after reaching 16 years of age, was
628 placed in a guardianship by the court. Such exemption includes
629 fees associated with enrollment in career-preparatory
630 instruction. The exemption remains valid until the student
631 reaches 28 years of age.

632 (d) A student who is or was at the time he or she reached
633 18 years of age in the custody of a relative under s. 39.5085 or
634 who was adopted from the Department of Children and Family
635 Services after May 5, 1997. Such exemption includes fees
636 associated with enrollment in career-preparatory instruction.
637 The exemption remains valid until the student reaches 28 years
638 of age.

576-01966G-12

20127098

639 (e) A student enrolled in an employment and training
640 program under the welfare transition program. The regional
641 workforce board shall pay the state university, Florida College
642 System institution, or school district for costs incurred for
643 welfare transition program participants.

644 (f) A student who lacks a fixed, regular, and adequate
645 nighttime residence or whose primary nighttime residence is a
646 public or private shelter designed to provide temporary
647 residence for individuals intended to be institutionalized, or a
648 public or private place not designed for, or ordinarily used as,
649 a regular sleeping accommodation for human beings.

650 (g) A student who is a proprietor, owner, or worker of a
651 company whose business has been at least 50 percent negatively
652 financially impacted by the buyout of property around Lake
653 Apopka by the State of Florida. Such student may receive a fee
654 exemption only if the student has not received compensation
655 because of the buyout, the student is designated a Florida
656 resident for tuition purposes, pursuant to s. 1009.21, and the
657 student has applied for and been denied financial aid, pursuant
658 to s. 1009.40, which would have provided, at a minimum, payment
659 of all student fees. The student is responsible for providing
660 evidence to the postsecondary education institution verifying
661 that the conditions of this paragraph have been met, including
662 supporting documentation provided by the Department of Revenue.
663 The student must be currently enrolled in, or begin coursework
664 within, a program area by fall semester 2000. The exemption is
665 valid for a period of 4 years after the date that the
666 postsecondary education institution confirms that the conditions
667 of this paragraph have been met.

576-01966G-12

20127098

668 (h) A student for whom the full program cost is paid by
669 another party.

670 Section 18. Subsections (2) and (7) of section 1009.286,
671 Florida Statutes, are amended to read:

672 1009.286 Additional student payment for hours exceeding
673 baccalaureate degree program completion requirements at state
674 universities.—

675 (2) State universities shall require a student to pay an
676 excess hour surcharge ~~equal to 100 percent of the tuition rate~~
677 for each credit hour in excess of ~~115 percent of the number of~~
678 credit hours required to complete the baccalaureate degree
679 program in which the student is enrolled. The excess hour
680 surcharge shall become effective for students who enter a
681 Florida College System institution or a state university for the
682 first time as follows:

683 (a) For the 2009-2010 and 2010-2011 academic years, an
684 excess hour surcharge equal to 50 percent of the tuition rate
685 for each credit hour in excess of 120 percent;

686 (b) For the 2011-2012 academic year, an excess hour
687 surcharge equal to 100 percent of the tuition rate for each
688 credit hour in excess of 115 percent; and

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

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

696 Section 19. Subsections (2) and (7) of section 1009.531,

576-01966G-12

20127098

697 Florida Statutes, are amended to read:

698 1009.531 Florida Bright Futures Scholarship Program;
699 student eligibility requirements for initial awards.-

700 (2) (a) For students graduating from high school prior to
701 the 2010-2011 academic year, a student is eligible to accept an
702 initial award for 3 years following high school graduation and
703 to accept a renewal award for 7 years following high school
704 graduation. A student who applies for an award by high school
705 graduation and who meets all other eligibility requirements, but
706 who does not accept his or her award, may reapply during
707 subsequent application periods up to 3 years after high school
708 graduation. For a student who enlists in the United States Armed
709 Forces immediately after completion of high school, the 3-year
710 eligibility period for his or her initial award shall begin upon
711 the date of separation from active duty. For a student who is
712 receiving a Florida Bright Futures Scholarship and discontinues
713 his or her education to enlist in the United States Armed
714 Forces, the remainder of his or her 7-year renewal period shall
715 commence upon the date of separation from active duty.

716 (b) For students graduating from high school in the 2010-
717 2011 and 2011-2012 academic years ~~year and thereafter~~, a student
718 is eligible to accept an initial award for 3 years following
719 high school graduation and to accept a renewal award for 5 years
720 following high school graduation. A student who applies for an
721 award by high school graduation and who meets all other
722 eligibility requirements, but who does not accept his or her
723 award, may reapply during subsequent application periods up to 3
724 years after high school graduation. For a student who enlists in
725 the United States Armed Forces immediately after completion of

576-01966G-12

20127098

726 high school, the 3-year eligibility period for his or her
727 initial award and the 5-year renewal period shall begin upon the
728 date of separation from active duty. For a student who is
729 receiving a Florida Bright Futures Scholarship award and
730 discontinues his or her education to enlist in the United States
731 Armed Forces, the remainder of his or her 5-year renewal period
732 shall commence upon the date of separation from active duty. If
733 a course of study is not completed after 5 academic years, an
734 exception of 1 year to the renewal timeframe may be granted due
735 to a verifiable illness or other documented emergency pursuant
736 to s. 1009.40(1)(b)4.

737 (c) For students graduating from high school in the 2012-
738 2013 academic year and thereafter, a student is eligible to
739 accept an initial award for 2 years after high school graduation
740 and to accept a renewal award for 5 years after high school
741 graduation. A student who applies for an award by high school
742 graduation and who meets all other eligibility requirements, but
743 who does not accept his or her award, may reapply during
744 subsequent application periods up to 2 years after high school
745 graduation. For a student who enlists in the United States Armed
746 Forces immediately after the completion of high school, the 2-
747 year eligibility period for his or her initial award and the 5-
748 year renewal period shall begin upon the date of separation from
749 active duty. For a student who is receiving a Florida Bright
750 Futures Scholarship award and discontinues his or her education
751 to enlist in the United States Armed Forces, the remainder of
752 his or her 5-year renewal period shall begin upon the date of
753 separation from active duty. If a course of study is not
754 completed after 5 academic years, an exception of 1 year to the

576-01966G-12

20127098

755 renewal timeframe may be granted due to a verifiable illness or
756 other documented emergency pursuant to s. 1009.40(1)(b)4.

757 (7) To be eligible for an initial and for each renewal
758 award under the Florida Bright Futures Scholarship Program, a
759 student must submit a Free Application for Federal Student Aid
760 which is complete and error free prior to disbursement of funds.
761 The department may provide an alternate form for use by students
762 who do not choose to submit a Free Application for Federal
763 Student Aid. The alternate form shall provide the appropriate
764 information, including, but not limited to, information
765 regarding funds and assets.

766 Section 20. Subsection (3) of section 1009.532, Florida
767 Statutes, is amended to read:

768 1009.532 Florida Bright Futures Scholarship Program;
769 student eligibility requirements for renewal awards.-

770 (3) (a) A student who is initially eligible prior to the
771 2010-2011 academic year and is enrolled in a program that
772 terminates in an associate degree or a baccalaureate degree may
773 receive an award for a maximum of 110 percent of the number of
774 credit hours required to complete the program. A student who is
775 enrolled in a program that terminates in a career certificate
776 may receive an award for a maximum of 110 percent of the credit
777 hours or clock hours required to complete the program up to 90
778 credit hours.

779 (b) For a student who is initially eligible in the 2010-
780 2011 and 2011-2012 academic years ~~term and thereafter~~, the
781 student may receive an award for a maximum of 100 percent of the
782 number of credit hours required to complete an associate degree
783 program or a baccalaureate degree program, or the student may

576-01966G-12

20127098

784 receive an award for a maximum of 100 percent of the credit
785 hours or clock hours required to complete up to 90 credit hours
786 of a program that terminates in a career certificate.

787 (c) For a student who is initially eligible in the 2012-
788 2013 academic year and thereafter, the student may receive an
789 award for a maximum of 100 percent of the number of credit hours
790 required to complete an associate degree program or a
791 baccalaureate degree program. A student may earn a Florida Gold
792 Seal Vocational Scholarship for a maximum of 100 percent of the
793 credit hours or equivalent clock hours as provided is s.
794 1009.536(4)(c). A student who transfers from one of these
795 program levels to another becomes eligible for the higher of the
796 two credit hour limits.

797 Section 21. Subsection (5) of section 1009.534, Florida
798 Statutes, is amended to read:

799 1009.534 Florida Academic Scholars award.—

800 (5) Notwithstanding subsections (2) and (4), a Florida
801 Academic Scholar is eligible for an award equal to the amount
802 specified in the General Appropriations Act. The Legislature may
803 provide in the General Appropriations Act an additional
804 supplement for upper-division courses in the fields of science,
805 technology, engineering, and mathematics.

806 Section 22. Subsection (4) of section 1009.535, Florida
807 Statutes, is amended to read:

808 1009.535 Florida Medallion Scholars award.—

809 (4) Notwithstanding subsection (2), a Florida Medallion
810 Scholar is eligible for an award equal to the amount specified
811 in the General Appropriations Act. The Legislature may provide
812 in the General Appropriations Act an additional supplement for

576-01966G-12

20127098

813 upper-division courses in the fields of science, technology,
814 engineering, and mathematics.

815 Section 23. Section 1009.536, Florida Statutes, is amended
816 to read:

817 1009.536 Florida Gold Seal Vocational Scholars award.—The
818 Florida Gold Seal Vocational Scholars award is created within
819 the Florida Bright Futures Scholarship Program to recognize and
820 reward academic achievement and career preparation by high
821 school students who wish to continue their education.

822 (1) A student is eligible for a Florida Gold Seal
823 Vocational Scholars award if the student meets the general
824 eligibility requirements for the Florida Bright Futures
825 Scholarship Program and the student:

826 (a) Completes the secondary school portion of a sequential
827 program of studies that requires at least three secondary school
828 career credits ~~taken over at least 2 academic years, and is~~
829 ~~continued in a planned, related postsecondary education program.~~
830 ~~If the student's school does not offer such a two-plus-two or~~
831 ~~tech-prep program, the student must complete a job preparatory~~
832 ~~career education program selected by Workforce Florida, Inc.,~~
833 ~~for its ability to provide high-wage employment in an occupation~~
834 ~~with high potential for employment opportunities. On the job~~
835 ~~training may not be substituted for any of the three required~~
836 ~~career credits.~~

837 (b) Demonstrates readiness for postsecondary education by
838 earning a passing score on the Florida College Entry Level
839 Placement Test or its equivalent as identified by the Department
840 of Education.

841 (c) Earns a minimum cumulative weighted grade point average

576-01966G-12

20127098

842 of 3.0, as calculated pursuant to s. 1009.531, on all subjects
843 required for a standard high school diploma, excluding elective
844 courses.

845 (d) Earns a minimum unweighted grade point average of 3.5
846 on a 4.0 scale for secondary career courses comprising the
847 career program.

848 (e) Beginning with high school students graduating in the
849 2011-2012 academic year and thereafter, completes a program of
850 community service work approved by the district school board or
851 the administrators of a nonpublic school, which shall include a
852 minimum of 30 hours of service work, and identifies a social
853 problem that interests him or her, develops a plan for his or
854 her personal involvement in addressing the problem, and, through
855 papers or other presentations, evaluates and reflects upon his
856 or her experience.

857 (2) A Florida Gold Seal Vocational Scholar is eligible for
858 an award equal to the amount specified in the General
859 Appropriations Act ~~required to pay 75 percent of tuition and~~
860 ~~fees, if the student is enrolled in a public postsecondary~~
861 ~~education institution. A student who is enrolled in a nonpublic~~
862 ~~postsecondary education institution is eligible for an award~~
863 ~~equal to the amount that would be required to pay 75 percent of~~
864 ~~the tuition and mandatory fees of a public postsecondary~~
865 ~~education institution at the comparable level.~~

866 (3) To be eligible for a renewal award as a Florida Gold
867 Seal Vocational Scholar, a student must maintain the equivalent
868 of a cumulative grade point average of 2.75 on a 4.0 scale with
869 an opportunity for restoration one time as provided in this
870 chapter.

576-01966G-12

20127098

871 (4)(a) A student who is initially eligible before the 2010-
872 2011 academic year may earn a Florida Gold Seal Vocational
873 Scholarship for 110 percent of the number of credit hours
874 required to complete the program, up to 90 credit hours or the
875 equivalent.

876 (b) For a student who is initially eligible in the 2010-
877 2011 and 2011-2012 academic terms ~~term and thereafter~~, the
878 student may earn a Florida Gold Seal Vocational Scholarship for
879 100 percent of the number of credit hours required to complete
880 the program, up to 90 credit hours or the equivalent.

881 (c) For a student who is initially eligible in the 2012-
882 2013 academic term and thereafter, the student may earn a
883 Florida Gold Seal Vocational Scholarship for up to 100 percent
884 of the number of credit hours or equivalent clock hours required
885 to complete one of the following programs:

886 1. Up to 60 credit hours or equivalent clock hours in an
887 applied technology diploma program as defined in s. 1004.02(8);

888 2. Up to 72 credit hours in a technology degree education
889 program as defined in s. 1004.02(14); and

890 3. Up to the prescribed number of credit hours or
891 equivalent clocks hours, not to exceed 72, required for a career
892 certificate program as defined in s.1004.02(21).

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

896 Section 24. Present subsection (7) of section 1009.60,
897 Florida Statutes, is redesignated as subsection (8), and a new
898 subsection (7) is added to that section, to read:

899 1009.60 Minority teacher education scholars program.—There

576-01966G-12

20127098

900 is created the minority teacher education scholars program,
901 which is a collaborative performance-based scholarship program
902 for African-American, Hispanic-American, Asian-American, and
903 Native American students. The participants in the program
904 include Florida's Florida College System institutions and its
905 public and private universities that have teacher education
906 programs.

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

910 Section 25. Paragraph (b) of subsection (2) of section
911 1009.605, Florida Statutes, is amended to read:

912 1009.605 Florida Fund for Minority Teachers, Inc.—

913 (2)

914 (b) The corporation shall report to the Department of
915 Education, by the date established by the department, the
916 eligible students to whom scholarship moneys are disbursed each
917 academic term, the annual balance of the corporation's assets
918 and cash reserves, and any other information requested by the
919 department in accordance with s. 1009.94. By June 30 of each
920 fiscal year, the corporation shall remit to the department any
921 appropriated funds that were not distributed for scholarships,
922 less the 5 percent for administration, including administration
923 of the required training program, authorized pursuant to
924 subsection (3).

925 Section 26. Subsection (2) of section 1012.83, Florida
926 Statutes, is amended to read:

927 1012.83 Contracts with administrative and instructional
928 staff.—

576-01966G-12

20127098

929 (2) Each contract or employment agreement, or renewal or
930 renegotiation of an existing contract or employment agreement,
931 containing a provision for severance pay with an officer, agent,
932 employee, or contractor must include the provisions required in
933 s. 215.425. A Florida College System institution board of
934 trustees may not enter into an employment contract that requires
935 the Florida College System institution to pay an employee an
936 amount from appropriated state funds in excess of 1 year of the
937 employee's annual salary for termination, buyout, or any other
938 type of contract settlement. This subsection does not prohibit
939 the payment of leave and benefits accrued by the employee in
940 accordance with the Florida College System institution's leave
941 and benefits policies before the contract terminates.

942 Section 27. Notwithstanding the 5 percent limitation
943 provided in s. 1010.62(2)(a), Florida Statutes, the University
944 of Florida is authorized to use revenues derived from the
945 activity and service fee to pay and secure debt in an amount not
946 to exceed \$2.55 per credit hour to finance the renovation and
947 expansion of the university's J. Wayne Reitz Union.

948 Section 28. This act shall take effect July 1, 2012.