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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Education)

A bill to be entitled

An act relating to education; amending s. 11.45, F.S.;
revising actions to be taken by the Legislative
Auditing Committee relating to audits of state
universities and Florida College System institutions;
amending s. 1001.02, F.S.; requiring the State Board
of Education to specify the college credit courses
that may be taken by Florida College System
institution students who are concurrently
participating in developmental education; requiring
the State Board of Education to establish the tuition
and out-of-state fees for certain credit instruction,
rather than college-preparatory instruction; revising
the minimum standards, definitions, and guidelines
that the State Board of Education must prescribe by
rule for Florida College System institutions; amending
s. 1001.64, F.S.; authorizing a board of trustees at a
Florida College System institution to contract with
the board of trustees of a state university for the
Florida College System institution to provide
developmental education; creating s. 1001.7065, F.S.;
establishing a collaborative partnership between the
Board of Governors and the Legislature to elevate the
academic and research preeminence of this state's
highest performing state research universities;
specifying the academic and research excellence
standards for the preeminent state research



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28 universities program; requiring the Board of Governors
29 to designate each state research university that meets
30 certain criteria as a preeminent state research
31 university; requiring the state research university
32 that has attained the highest level on the academic
33 and research excellence standard to establish an
34 online arm of the university; providing requirements
35 for the online arm of the university; providing
36 membership of the board of directors that oversees the
37 business of the university's online arm; providing for
38 a quorum of the board of directors; requiring the
39 board to develop a business plan and authorizing the
40 board to contract with other entities and
41 institutions; requiring the university to offer high-
42 quality online baccalaureate degree programs and a
43 master's degree in business administration;
44 authorizing the university to offer online other
45 master's degree programs; authorizing the university
46 to develop and offer degree programs and courses that
47 are competency based; requiring the university to
48 periodically expand its offering of online
49 baccalaureate degree programs and establish a tuition
50 structure for its online arm; providing requirements
51 for the tuition structure; requiring the state
52 research university that has attained the second
53 highest level on the academic and research excellence
54 standards to recruit National Academy members,
55 expedite provision of a master's degree in cloud
56 virtualization, and institute an entrepreneurs-in-



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57 residence program throughout its campus; authorizing a
58 preeminent state research university to require
59 incoming college students to take specified courses;
60 requiring the Board of Governors to identify and grant
61 all reasonable, feasible authority and flexibility to
62 keep a designated preeminent state research university
63 free from unnecessary restrictions; providing that the
64 Board of Governors is encouraged to establish
65 standards and measures to recognize excellent programs
66 in other state universities; amending s. 1004.02,
67 F.S.; defining the term "developmental education" as
68 it relates to public postsecondary education; amending
69 s. 1004.43, F.S.; transferring oversight of the H. Lee
70 Moffitt Cancer Center and Research Institute to the
71 Board of Trustees of the University of South Florida;
72 requiring the Board of Trustees to enter into a lease
73 agreement for use of certain land and facilities;
74 providing for the terms of the lease; requiring the
75 University of South Florida and the Florida not-for-
76 profit corporation that governs and operates the H.
77 Lee Moffitt Cancer Center and Research Institute to
78 enter into an agreement to review construction plans
79 and specifications for consistency of certain
80 criteria; revising the membership of the board of
81 directors for the not-for-profit corporation; deleting
82 the requirement that the Board of Governors provide
83 for certain approvals of the articles of incorporation
84 of the not-for-profit corporation and use of land and
85 facilities for certain purposes; requiring the not-



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86 for-profit corporation to cause to be prepared annual
87 financial audits; requiring the not-for-profit
88 corporation to provide equal employment opportunities;
89 providing for the governance and operation of the
90 facilities if the agreement between the not-for-profit
91 corporation and the Board of Trustees of the
92 University of South Florida, rather than the Board of
93 Governors, is terminated; requiring the chief
94 executive officer to report annually to the Board of
95 Governors on the educational activities of the not-
96 for-profit corporation; providing for the creation and
97 duties of an external advisory board; repealing s.
98 1004.58, F.S., relating to the Leadership Board for
99 Applied Research and Public Service; amending s.
100 1004.93, F.S.; deleting provisions relating to the
101 levels and courses of instruction to be funded through
102 the college-preparatory program; amending s. 1006.735,
103 F.S.; establishing the Complete Florida Degree Program
104 to recruit, recover, and retain adult learners and
105 assist them in completing degrees aligned to high-
106 wage, high-skill workforce needs; specifying program
107 components and the tuition and fee structure;
108 requiring submission of a project plan to the
109 Legislature; amending s. 1007.23, F.S.; revising the
110 number of semester hours in which a student who is
111 seeking an associate in arts degree is required to
112 indicate a baccalaureate degree program; amending s.
113 1007.25, F.S.; revising general education courses,
114 common prerequisites, and degree requirements;



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115 conforming terminology to changes made by the act;
116 amending s. 1007.263, F.S.; revising the rules that
117 the board of trustees of a Florida College System
118 institution may adopt with regard to admissions
119 counseling; requiring each board of trustees to
120 establish policies that notify students about options
121 they may use to attain the communication and
122 computation skills that are essential to perform
123 college-level work; deleting a prohibition against a
124 student's enrollment in credit courses under certain
125 circumstances; amending s. 1007.271, F.S.; conforming
126 provisions to changes made by the act; creating s.
127 1008.02, F.S.; providing definitions for the purpose
128 of ch. 1008, F.S., relating to assessment and
129 accountability for the K-20 education system; amending
130 s. 1008.30, F.S.; providing that alternative
131 assessments that may be accepted in lieu of the common
132 placement test must be identified in rule; requiring
133 the State Board of Education, in conjunction with the
134 Board of Governors, to approve a series of meta-
135 majors, academic pathways, and degree maps that
136 identify the gateway courses required for success in
137 each meta-major; providing requirements for the common
138 placement testing program; requiring the State Board
139 of Education to adopt rules that require high schools
140 to evaluate certain students for college readiness;
141 requiring the State Board of Education to establish by
142 rule the test scores a student must achieve to
143 demonstrate readiness to perform college-level work;



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144 deleting provisions to conform to changes made by the
145 act; conforming terminology; requiring the State Board
146 of Education to adopt rules by a specified date to
147 implement developmental education; requiring local
148 policies and practices set by each Florida College
149 System institution board of trustees to outline the
150 student achievements considered by the institution for
151 placement determinations, identify instructional
152 options available to students, and describe student
153 costs and financial aid opportunities associated with
154 each instructional option; creating s. 1008.322, F.S.;
155 requiring the Board of Governors of the State
156 University System to oversee the performance of state
157 university boards of trustees in the enforcement of
158 laws, rules, and regulations; providing that state
159 university presidents are responsible for the accuracy
160 of the information and data reported to the Board of
161 Governors; authorizing the Chancellor of the State
162 University System to investigate allegations of
163 noncompliance with law or Board of Governors' rule or
164 regulation and determine probable cause; requiring the
165 chancellor to report determinations of probable cause
166 to the Board of Governors; authorizing the Board of
167 Governors to initiate specified actions if the board
168 determines that the state university board of trustees
169 is unwilling or unable to comply with the law, certain
170 rules or regulations, or audit recommendations;
171 amending s. 1008.34, F.S.; revising the grading of
172 middle schools and high schools to include added



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173 weight for students who participate and are enrolled
174 in certain classes; amending ss. 1008.37, 1009.22, and
175 1009.23, F.S.; conforming provisions to changes made
176 by the act; amending s. 1009.26, F.S.; authorizing
177 certain Florida College System institutions to waive
178 certain fees; repealing s. 1009.28, F.S., relating to
179 fees for repeated enrollment in college-preparatory
180 classes; amending s. 1009.285, F.S.; requiring a
181 student enrolled in the same undergraduate college-
182 credit course more than once, except for students
183 enrolled in a gateway course for an extended period of
184 time, to pay tuition at 100 percent of the full cost
185 of instruction; reducing the number of times certain
186 coursework, which is excluded for the reduction of
187 fees, is repeated for certain purposes; amending s.
188 1009.286, F.S.; excluding remedial courses from those
189 courses that are counted when calculating credit hours
190 earned toward a baccalaureate degree; amending s.
191 1009.40, F.S.; providing that undergraduate students
192 participating in developmental education are eligible
193 to receive financial aid for a specified number of
194 semesters or quarters; conforming provisions to
195 changes made by the act; amending s. 1009.53, F.S.;
196 conforming terminology to changes made by the act;
197 repealing s. 1009.531(7), F.S., relating to the
198 eligibility of a student for an initial reward or
199 renewal reward under the Florida Bright Futures
200 Scholarship Program; amending s. 1011.84, F.S.;
201 conforming provisions to changes made by the act;



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202 providing an effective date.

203

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

205

206 Section 1. Paragraph (j) of subsection (7) of section
207 11.45, Florida Statutes, is amended to read:

208 11.45 Definitions; duties; authorities; reports; rules.—

209 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

210 (j) The Auditor General shall notify the Legislative
211 Auditing Committee of any financial or operational audit report
212 prepared pursuant to this section which indicates that a state
213 university or Florida College System institution has failed to
214 take full corrective action in response to a recommendation that
215 was included in the two preceding financial or operational audit
216 reports.

217 1. The committee may direct the governing body of the state
218 university or Florida College System institution to provide a
219 written statement to the committee explaining why full
220 corrective action has not been taken or, if the governing body
221 intends to take full corrective action, describing the
222 corrective action to be taken and when it will occur.

223 2. If the committee determines that the written statement
224 is not sufficient, the committee may require the chair of the
225 governing body of the state university or Florida College System
226 institution, or the chair's designee, to appear before the
227 committee.

228 3. If the committee determines that the state university or
229 Florida College System institution has failed to take full
230 corrective action for which there is no justifiable reason or



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231 has failed to comply with committee requests made pursuant to
232 this section, the committee shall refer the matter to the State
233 Board of Education or the Board of Governors, as appropriate, to
234 proceed in accordance with ss. 1008.32 and 1008.322,
235 respectively ~~may proceed in accordance with s. 11.40(2).~~

236 Section 2. Paragraph (g) of subsection (4), subsection (5),
237 and paragraphs (c) and (d) of subsection (6) of section 1001.02,
238 Florida Statutes, are amended to read:

239 1001.02 General powers of State Board of Education.—

240 (4) The State Board of Education shall:

241 (g) Specify, by rule, the college credit courses that may
242 be taken by Florida College System institution students who are
243 concurrently participating in developmental education ~~enrolled~~
244 ~~in college-preparatory instruction.~~

245 (5) The State Board of Education is responsible for
246 reviewing and administering the state program of support for the
247 Florida College System institutions and, subject to existing
248 law, shall establish the tuition and out-of-state fees for
249 ~~college-preparatory instruction and for~~ credit instruction that
250 may be counted toward an associate in arts degree, an associate
251 in applied science degree, or an associate in science degree.

252 (6) The State Board of Education shall prescribe minimum
253 standards, definitions, and guidelines for Florida College
254 System institutions that will ensure the quality of education,
255 coordination among the Florida College System institutions and
256 state universities, and efficient progress toward accomplishing
257 the Florida College System institution mission. At a minimum,
258 these rules must address:

259 (c) Program offerings and classification, including



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260 college-level communication and computation skills associated
261 with successful performance in college and with tests and other
262 assessment procedures that measure student achievement of those
263 skills. ~~The performance measures must provide that students~~
264 ~~moving from one level of education to the next acquire the~~
265 ~~necessary competencies for that level.~~

266 (d) Provisions for curriculum development, graduation
267 requirements, college calendars, and program service areas.
268 These provisions must include rules that:

269 1. Provide for the award of an associate in arts degree to
270 a student who successfully completes 60 semester credit hours at
271 the Florida College System institution.

272 2. Require all of the credits accepted for the associate in
273 arts degree to be in the statewide course numbering system as
274 credits toward a baccalaureate degree offered by a state
275 university or a Florida College System institution.

276 3. ~~Beginning with students initially entering a Florida~~
277 ~~College System institution in 2014-2015 and thereafter,~~ Require
278 no more than 36 ~~30~~ semester credit hours in general education
279 courses in the subject areas of communication, mathematics,
280 social sciences, humanities, and natural sciences.

281
282 The rules should encourage Florida College System institutions
283 to enter into agreements with state universities that allow
284 Florida College System institution students to complete upper-
285 division-level courses at a Florida College System institution.
286 An agreement may provide for concurrent enrollment at the
287 Florida College System institution and the state university and
288 may authorize the Florida College System institution to offer an



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289 upper-division-level course or distance learning.

290 Section 3. Subsection (9) of section 1001.64, Florida
291 Statutes, is amended to read:

292 1001.64 Florida College System institution boards of
293 trustees; powers and duties.—

294 (9) A board of trustees may contract with the board of
295 trustees of a state university for the Florida College System
296 institution to provide developmental education ~~college-~~
297 ~~preparatory instruction~~ on the state university campus.

298 Section 4. Section 1001.7065, Florida Statutes, is created
299 to read:

300 1001.7065 Preeminent state research universities program.—

301 (1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE

302 COLLABORATION.—A collaborative partnership is established
303 between the Board of Governors and the Legislature to elevate
304 the academic and research preeminence of Florida's highest-
305 performing state research universities in accordance with this
306 section. The partnership stems from the State University System
307 Governance Agreement executed on March 24, 2010, wherein the
308 Board of Governors and leaders of the Legislature agreed to a
309 framework for the collaborative exercise of their joint
310 authority and shared responsibility for the State University
311 System. The governance agreement confirmed the commitment of the
312 Board of Governors and the Legislature to continue collaboration
313 on accountability measures, the use of data, and recommendations
314 derived from such data.

315 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—Effective
316 July 1, 2013, the following academic and research excellence
317 standards are established for the Preeminent State Research



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318 Universities Program:

319 (a) An average weighted grade point average of 4.0 or
320 higher on a 4.0 scale and an average SAT score of 1800 or higher
321 for fall-semester incoming freshmen, as reported annually.

322 (b) A top-50 ranking on at least two well-known and highly
323 respected national public university rankings, reflecting
324 national preeminence, using most recent rankings.

325 (c) A freshman retention rate of 90 percent or higher for
326 full-time, first-time-in-college students, as reported annually
327 to the Integrated Postsecondary Education Data System (IPEDS).

328 (d) A 6-year graduation rate of 70 percent or higher for
329 full-time, first-time-in-college students, as reported annually
330 to the IPEDS.

331 (e) Six or more faculty members at the state university who
332 are members of a national academy, as reported by the Center for
333 Measuring University Performance in the Top American Research
334 Universities (TARU) annual report.

335 (f) Total annual research expenditures, including federal
336 research expenditures, of \$200 million or more, as reported
337 annually by the National Science Foundation (NSF).

338 (g) Total annual research expenditures in diversified
339 nonmedical sciences of \$150 million or more, based on data
340 reported annually by the NSF.

341 (h) A top-100 university national ranking for research
342 expenditures in five or more science, technology, engineering,
343 or mathematics fields of study, as reported annually by the NSF.

344 (i) One hundred or more total patents awarded by the United
345 States Patent and Trademark Office for the most recent 3-year
346 period.



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347 (j) Four hundred or more doctoral degrees awarded annually,
348 as reported in the TARU annual report.

349 (k) Two hundred or more postdoctoral appointees annually,
350 as reported in the TARU annual report.

351 (l) An endowment of \$500 million or more, as reported in
352 the Board of Governors annual accountability report.

353 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—The
354 Board of Governors shall designate each state research
355 university that meets at least 11 of the 12 academic and
356 research excellence standards identified in subsection (2) a
357 preeminent state research university.

358 (4) PREEMINENT STATE RESEARCH UNIVERSITY ONLINE ARM.—The
359 state research university that has attained the highest level on
360 the academic and research excellence standards identified in
361 subsection (2), as verified by the Board of Governors, shall
362 establish a fully online arm of the university in accordance
363 with this subsection, subject to the appropriation of funds by
364 the Legislature.

365 (a)1. A board of directors shall develop, implement, and
366 oversee the business aspects of the university's online arm,
367 while the university president and board of trustees, in
368 conjunction with the Board of Governors, shall be responsible
369 for academic quality, accreditation, and curricular standards.
370 The university president and board of trustees, the board of
371 directors, and the Board of Governors shall collaborate and
372 cooperate in their respective roles to achieve the purpose of
373 successfully providing fully online high-quality baccalaureate
374 and master's degree programs to the university's enrolled online
375 students in this state and around the world.



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376 2. The university president shall designate a center to
377 help lead the university to global preeminence in the
378 development of cutting-edge technology and instructional design
379 for online programs. The center shall conduct research to enrich
380 the university's online degree program offerings and enhance the
381 success of the university's online students. The center shall
382 provide academic and administrative support structures to
383 undergird the delivery of content and degree programs by the
384 various colleges and departments throughout the university. The
385 center shall work jointly with the university president and the
386 board of directors in their respective roles.

387 (b) The board of directors is comprised of the following
388 seven members:

389 1. The university president, or the president's permanent
390 designee.

391 2. The chair of the university board of trustees, or the
392 chair's permanent designee.

393 3. A member with expertise in global marketing, appointed
394 by the Governor.

395 4. A member with expertise in cloud virtualization,
396 appointed by the President of the Senate.

397 5. A member with expertise in disruptive innovation in
398 online learning, appointed by the Speaker of the House of
399 Representatives.

400 6. A member with expertise in online program accreditation,
401 appointed by the chair of the Board of Governors.

402 7. A member with expertise in creative technologies,
403 appointed by the chair of the Florida Polytechnic University
404 Board of Trustees.



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405 (c) A majority of the board of directors constitutes a
406 quorum, elects the chair, and appoints an executive director.

407 (d) The board of directors shall develop a business plan
408 and may contract with other entities and institutions, public or
409 private, to maximize the marketing, advertising, support
410 services that include financial aid assistance and academic and
411 career guidance, and degree programs and courses of the
412 university's online arm.

413 (e) Beginning in January 2014, the university shall offer
414 high-quality, fully online baccalaureate degree programs as
415 directed by the board of directors which:

416 1. Accept full-time, first-time-in-college students.

417 2. Have the same rigorous admissions criteria as an
418 equivalent on-campus degree program.

419 3. Offer a curriculum of equivalent rigor to the on-campus
420 degree program.

421 4. Offer rolling enrollment or multiple windows of
422 enrollment throughout the year.

423 5. Do not require any on-campus courses. However, for
424 courses or programs that require clinical training or
425 laboratories which cannot be delivered online, the university
426 shall offer convenient locational options to the student, which
427 may include, but not be limited to, the option to complete such
428 requirements at a summer-in-residence on the university campus.
429 Additionally, for purposes of proctored assessments or testing,
430 the university may provide a network of sites at convenient
431 locations and contract with commercial testing centers or
432 identify other secure testing services.

433 6. Apply the university's existing policy for accepting



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434 credits for both freshman applicants and transfer applicants.

435 (f) The university must offer a fully online master of
436 business administration degree program and may offer other
437 master's degree programs as recommended by the university
438 president and board of trustees and authorized by the board of
439 directors.

440 (g) The university may develop and offer degree programs
441 and courses that are competency based, as appropriate for the
442 quality and success of the program and as recommended by the
443 university president and board of trustees and authorized by the
444 board of directors.

445 (h) The university shall periodically expand its offering
446 of online baccalaureate degree programs, as recommended by the
447 university president and board of trustees and authorized by the
448 board of directors, to meet student and market demands.

449 (i) The university shall establish a tuition structure for
450 its online arm in conjunction with the board of directors and in
451 accordance with this paragraph, notwithstanding any other
452 provision of law.

453 1. For students classified as residents for tuition
454 purposes, tuition for an online baccalaureate degree program
455 shall be set at no more than 75 percent of the tuition rate as
456 specified in the General Appropriations Act pursuant to s.
457 1009.24(4) and 75 percent of the tuition differential pursuant
458 to s. 1009.24(16). No distance learning fee or fee for campus
459 facilities or on-campus services may be assessed, except that
460 online students shall pay the university's technology and
461 financial aid fees and the Capital Improvement Trust Fund fee.
462 The Capital Improvement Trust Fund fee shall be dedicated to the



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463 university's online research center.

464 2. For students classified as nonresidents for tuition
465 purposes, tuition may be set at market rates as directed and
466 authorized by the board of directors in accordance with the
467 business plan.

468 3. Tuition for the online degree programs shall include all
469 costs associated with the program, including, but not limited
470 to, instruction, materials, and enrollment. However, an online
471 student may be charged the cost of any hard-copy textbook and
472 any physical laboratory supplies necessary for the program.

473 4. Subject to the limitations in subparagraph 1., tuition
474 may be differentiated by degree program as appropriate to the
475 instructional and other costs of the program and as recommended
476 by the university president and board of trustees and authorized
477 by the board of directors in accordance with the business plan.
478 Pricing must incorporate innovative approaches that incentivize
479 persistence and completion, including, but not limited to, fee
480 for assessment, bundled or all-inclusive rate, and sliding scale
481 features.

482 5. The university must accept advance payment contracts and
483 student financial aid.

484 6. The board of directors shall ensure that 50 percent of
485 the net revenues generated from the online arm of the university
486 is used to enhance and enrich the online arm of the university
487 and 50 percent of the net revenues generated from the online arm
488 of the university is used to enhance and enrich the university
489 campus's state-of-the-art research programs and facilities.

490 (5) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT
491 INITIATIVE.-The state research university that has attained the



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492 second highest level on the academic and research excellence
493 standards identified in subsection (2), as verified by the Board
494 of Governors, shall recruit National Academy members, expedite
495 provision of a masters degree in cloud virtualization, and
496 institute an entrepreneurs-in-residence program throughout its
497 campus, subject to funds appropriated by the Legislature.

498 (6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE
499 REQUIREMENTS AUTHORITY.—In order to provide a jointly shared
500 educational experience, a state university that is designated a
501 preeminent state research university may require its incoming
502 first-time-in-college students to take a 9-credit to 12-credit
503 set of courses specifically determined by the university. The
504 state university may stipulate that credit for such courses may
505 not be earned through any acceleration mechanism pursuant to s.
506 1007.27 or s. 1007.271 or other transfer credit. All accelerated
507 credits earned up to the limits specified in ss. 1007.27 and
508 1007.271 shall be applied toward graduation at the student's
509 request.

510 (7) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
511 AUTHORITY.—The Board of Governors shall identify and grant all
512 reasonable, feasible authority and flexibility to keep a
513 designated preeminent state research university free from
514 unnecessary restrictions.

515 (8) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY
516 SYSTEM.—The Board of Governors is encouraged to establish
517 standards and measures whereby individual programs in other
518 state universities that objectively reflect national excellence
519 can be identified and make recommendations to the Legislature as
520 to how any such programs could be enhanced and promoted.



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521 Section 5. Subsection (11) of section 1004.02, Florida
522 Statutes, is amended to read:

523 1004.02 Definitions.—As used in this chapter:

524 (11) “Developmental education” ~~“College preparatory~~
525 ~~instruction”~~ means instruction courses through which a high
526 school graduate who applies for and enrolls in any college
527 credit program may attain the communication and computation
528 skills necessary to perform college-level work while also
529 enrolled enroll in college credit instruction.

530 Section 6. Section 1004.43, Florida Statutes, is amended to
531 read:

532 1004.43 H. Lee Moffitt Cancer Center and Research
533 Institute.—There is established the H. Lee Moffitt Cancer Center
534 and Research Institute, a statewide resource for basic and
535 clinical research and multidisciplinary approaches to patient
536 care.

537 (1) The Board of Trustees of the University of South
538 Florida ~~Governors~~ shall enter into a lease ~~an~~ agreement for the
539 use utilization of the lands and facilities on the campus of the
540 University of South Florida ~~to be~~ known as the H. Lee Moffitt
541 Cancer Center and Research Institute, including all furnishings,
542 equipment, and other chattels used in the operation of such
543 facilities, with a Florida not-for-profit corporation organized
544 solely for the purpose of governing and operating the H. Lee
545 Moffitt Cancer Center and Research Institute. The lease
546 agreement with the not-for-profit corporation must be rent free
547 so long as the not-for-profit corporation and its subsidiaries
548 use the lands and facilities primarily for research, education,
549 treatment, prevention, and the early detection of cancer or for



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550 teaching and research programs conducted by the state
551 universities or other accredited medical schools or research
552 institutes. The lease agreement must provide for review of
553 construction plans and specifications by the university for
554 consistency with the university's campus master plan, impact on
555 the university's utilities infrastructure, and compliance with
556 applicable building code and general design characteristics and
557 compatibility with university architecture, as appropriate. The
558 not-for-profit corporation may, with the prior approval of the
559 Board of Governors, create ~~either~~ for-profit or not-for-profit
560 corporate subsidiaries, or both, to fulfill its mission. The
561 not-for-profit corporation and any approved not-for-profit
562 subsidiary are ~~shall be~~ conclusively deemed corporations
563 primarily acting as instrumentalities of the state, pursuant to
564 s. 768.28(2), for purposes of sovereign immunity. For-profit
565 subsidiaries of the not-for-profit corporation may not compete
566 with for-profit health care providers in the delivery of
567 radiation therapy services to patients. The not-for-profit
568 corporation and its subsidiaries may ~~are authorized to~~ receive,
569 hold, invest, and administer property and any moneys received
570 from private, local, state, and federal sources, as well as
571 technical and professional income generated or derived from
572 practice activities of the institute, for the benefit of the
573 institute and the fulfillment of its mission. The affairs of the
574 corporation shall be managed by a board of directors who shall
575 serve without compensation. The President of the University of
576 South Florida and the chair of the Board of Governors, or his or
577 her designee, shall be directors of the not-for-profit
578 corporation, ~~together with 5 representatives of the state~~



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579 ~~universities and no more than 14 nor fewer than 10 directors who~~
580 ~~are not medical doctors or state employees.~~ Each director has
581 ~~shall have only one vote, serves shall serve~~ a term of 3 years,
582 and may be reelected to the board. Other than the President of
583 the University of South Florida and the chair of the Board of
584 Governors, directors shall be elected by a majority vote of the
585 board. The chair of the board of directors shall be selected by
586 majority vote of the directors.

587 ~~(2) The Board of Governors shall provide in the agreement~~
588 ~~with the not-for-profit corporation for the following:~~

589 ~~(a) Approval of the articles of incorporation of the not-~~
590 ~~for-profit corporation by the Board of Governors.~~

591 ~~(b) Approval of the articles of incorporation of any not-~~
592 ~~for-profit corporate subsidiary created by the not-for-profit~~
593 ~~corporation.~~

594 ~~(c) Utilization of lands, facilities, and personnel by the~~
595 ~~not-for-profit corporation and its subsidiaries for research,~~
596 ~~education, treatment, prevention, and the early detection of~~
597 ~~cancer and for mutually approved teaching and research programs~~
598 ~~conducted by the state universities or other accredited medical~~
599 ~~schools or research institutes.~~

600 (2)(d) The not-for-profit corporation shall cause the
601 ~~Preparation of an annual financial audits audit~~ of the not-for-
602 profit corporation's accounts and records to be prepared and the
603 accounts and records of any subsidiaries to be conducted by an
604 independent certified public accountant. Each ~~The~~ annual
605 financial audit report must ~~shall~~ include a management letter,
606 as defined in s. 11.45, and must ~~shall~~ be submitted to the
607 Auditor General and the Board of Governors. The Board of



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608 Governors, the Auditor General, and the Office of Program Policy
609 Analysis and Government Accountability may ~~shall have the~~
610 ~~authority to~~ require and receive from the not-for-profit
611 corporation and any subsidiaries or from their independent
612 auditor any detail or supplemental data relative to the
613 operation of the not-for-profit corporation or subsidiary.

614 ~~(e) Provision by~~ The not-for-profit corporation and its
615 subsidiaries shall provide ~~of~~ equal employment opportunities to
616 all persons regardless of race, color, religion, sex, age, or
617 national origin.

618 (3) The Board of Governors may ~~is authorized to~~ secure
619 comprehensive general liability protection, including
620 professional liability protection, for the not-for-profit
621 corporation and its subsidiaries pursuant to s. 1004.24. The
622 not-for-profit corporation and its subsidiaries are ~~shall be~~
623 exempt from ~~any~~ participation in any property insurance trust
624 fund established by law, including any property insurance trust
625 fund established pursuant to chapter 284, so long as the not-
626 for-profit corporation and its subsidiaries maintain property
627 insurance protection with comparable or greater coverage limits.

628 (4) ~~If In the event that~~ the agreement between the not-for-
629 profit corporation and the Board of Trustees of the University
630 of South Florida ~~Governors~~ is terminated for any reason, the
631 Board of Governors shall resume governance and operation of such
632 facilities.

633 (5) The institute shall be administered by a chief
634 executive officer who serves ~~shall serve~~ at the pleasure of the
635 board of directors of the not-for-profit corporation and who has
636 ~~shall have~~ the following powers and duties subject to the



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637 approval of the board of directors:

638 (a) The chief executive officer shall establish programs
639 that ~~which~~ fulfill the mission of the institute in research,
640 education, treatment, prevention, and the early detection of
641 cancer; however, the chief executive officer may ~~shall~~ not
642 establish academic programs for which academic credit is awarded
643 and which terminate in the conference of a degree without prior
644 approval of the Board of Governors.

645 (b) The chief executive officer has ~~shall have~~ control over
646 the budget and the dollars appropriated or donated to the
647 institute from private, local, state, and federal sources, as
648 well as technical and professional income generated or derived
649 from practice activities of the not-for-profit corporation and
650 its subsidiaries. Technical and professional income generated
651 from practice activities may be shared between the not-for-
652 profit corporation and its subsidiaries as determined by the
653 chief executive officer. However, professional income generated
654 by state university employees from practice activities at the
655 not-for-profit corporation and its subsidiaries must ~~shall~~ be
656 shared between the university and the not-for-profit corporation
657 and its subsidiaries only as determined by the chief executive
658 officer and the appropriate university dean or vice president.

659 (c) The chief executive officer shall appoint members to
660 carry out the research, patient care, and educational activities
661 of the institute and determine compensation, benefits, and terms
662 of service. Members of the institute are ~~shall be~~ eligible to
663 hold concurrent appointments at affiliated academic
664 institutions. State university faculty are ~~shall be~~ eligible to
665 hold concurrent appointments at the institute.



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666 (d) The chief executive officer has ~~shall have~~ control over
667 the use and assignment of space and equipment within the
668 facilities.

669 (e) The chief executive officer has ~~shall have~~ the power to
670 create the administrative structure necessary to carry out the
671 mission of the institute.

672 (f) The chief executive officer shall report annually ~~have~~
673 ~~a reporting relationship~~ to the Board of Governors or its
674 designee on the educational activities of the not-for-profit
675 corporation.

676 (g) The chief executive officer shall provide a copy of the
677 institute's annual report to the Governor and Cabinet, the
678 President of the Senate, the Speaker of the House of
679 Representatives, and the chair of the Board of Governors.

680 (6) The board of directors of the not-for-profit
681 corporation shall create an external advisory board ~~a council~~ of
682 scientific advisers to the chief executive officer comprised of
683 leading researchers, physicians, and scientists. This board
684 ~~council~~ shall review programs and recommend research priorities
685 and initiatives so as to maximize the state's investment in the
686 institute. The board ~~council~~ shall be appointed by the board of
687 directors of the not-for-profit corporation. Each member of the
688 board ~~council~~ shall be appointed to serve a 2-year term and may
689 be reappointed to the council.

690 (7) In carrying out the provisions of this section, the
691 not-for-profit corporation and its subsidiaries are not
692 "agencies" within the meaning of s. 20.03(11).

693 (8) (a) Records of the not-for-profit corporation and of its
694 subsidiaries are public records unless made confidential or



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695 exempt by law.

696 (b) Proprietary confidential business information is
697 confidential and exempt from the provisions of s. 119.07(1) and
698 s. 24(a), Art. I of the State Constitution. However, the Auditor
699 General, the Office of Program Policy Analysis and Government
700 Accountability, and the Board of Governors, pursuant to their
701 oversight and auditing functions, must be given access to all
702 proprietary confidential business information upon request and
703 without subpoena and must maintain the confidentiality of
704 information so received. As used in this paragraph, the term
705 "proprietary confidential business information" means
706 information, regardless of its form or characteristics, which is
707 owned or controlled by the not-for-profit corporation or its
708 subsidiaries; is intended to be and is treated by the not-for-
709 profit corporation or its subsidiaries as private and the
710 disclosure of which would harm the business operations of the
711 not-for-profit corporation or its subsidiaries; has not been
712 intentionally disclosed by the corporation or its subsidiaries
713 unless pursuant to law, an order of a court or administrative
714 body, a legislative proceeding pursuant to s. 5, Art. III of the
715 State Constitution, or a private agreement that provides that
716 the information may be released to the public; and ~~which~~ is
717 information concerning:

718 1. Internal auditing controls and reports of internal
719 auditors;

720 2. Matters reasonably encompassed in privileged attorney-
721 client communications;

722 3. Contracts for managed-care arrangements, including
723 preferred provider organization contracts, health maintenance



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724 organization contracts, and exclusive provider organization
725 contracts, and any documents directly relating to the
726 negotiation, performance, and implementation of any such
727 contracts for managed-care arrangements;

728 4. Bids or other contractual data, banking records, and
729 credit agreements the disclosure of which would impair the
730 efforts of the not-for-profit corporation or its subsidiaries to
731 contract for goods or services on favorable terms;

732 5. Information relating to private contractual data, the
733 disclosure of which would impair the competitive interest of the
734 provider of the information;

735 6. Corporate officer and employee personnel information;

736 7. Information relating to the proceedings and records of
737 credentialing panels and committees and of the governing board
738 of the not-for-profit corporation or its subsidiaries relating
739 to credentialing;

740 8. Minutes of meetings of the governing board of the not-
741 for-profit corporation and its subsidiaries, except minutes of
742 meetings open to the public pursuant to subsection (9);

743 9. Information that reveals plans for marketing services
744 that the corporation or its subsidiaries reasonably expect to be
745 provided by competitors;

746 10. Trade secrets as defined in s. 688.002, including:

747 a. Information relating to methods of manufacture or
748 production, potential trade secrets, potentially patentable
749 materials, or proprietary information received, generated,
750 ascertained, or discovered during the course of research
751 conducted by the not-for-profit corporation or its subsidiaries;
752 and



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753 b. Reimbursement methodologies or rates;

754 11. The identity of donors or prospective donors of
755 property who wish to remain anonymous or any information
756 identifying such donors or prospective donors. The anonymity of
757 these donors or prospective donors must be maintained in the
758 auditor's report; or

759 12. Any information received by the not-for-profit
760 corporation or its subsidiaries from an agency in this or
761 another state or nation or the Federal Government which is
762 otherwise exempt or confidential pursuant to the laws of this or
763 another state or nation or pursuant to federal law.

764
765 As used in this paragraph, the term "managed care" means systems
766 or techniques generally used by third-party payors or their
767 agents to affect access to and control payment for health care
768 services. Managed-care techniques most often include one or more
769 of the following: prior, concurrent, and retrospective review of
770 the medical necessity and appropriateness of services or site of
771 services; contracts with selected health care providers;
772 financial incentives or disincentives related to the use of
773 specific providers, services, or service sites; controlled
774 access to and coordination of services by a case manager; and
775 payor efforts to identify treatment alternatives and modify
776 benefit restrictions for high-cost patient care.

777 (9) Meetings of the governing board of the not-for-profit
778 corporation and meetings of the subsidiaries of the not-for-
779 profit corporation at which the expenditure of dollars
780 appropriated to the not-for-profit corporation by the state are
781 discussed or reported must remain open to the public in



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782 accordance with s. 286.011 and s. 24(b), Art. I of the State
783 Constitution, unless made confidential or exempt by law. Other
784 meetings of the governing board of the not-for-profit
785 corporation and of the subsidiaries of the not-for-profit
786 corporation are exempt from s. 286.011 and s. 24(b), Art. I of
787 the State Constitution.

788 (10) In addition to the continuing appropriation to the
789 institute provided in s. 210.20(2), any appropriation to the
790 institute provided in a general appropriations act shall be paid
791 directly to the board of directors of the not-for-profit
792 corporation by warrant drawn by the Chief Financial Officer from
793 the State Treasury.

794 Section 7. Section 1004.58, Florida Statutes, is repealed.

795 Section 8. Subsection (4) of section 1004.93, Florida
796 Statutes, is amended to read:

797 1004.93 Adult general education.—

798 (4) (a) Adult general education shall be evaluated and
799 funded as provided in s. 1011.80.

800 (b) Fees for adult basic instruction are to be charged in
801 accordance with chapter 1009.

802 ~~(c) The State Board of Education shall define, by rule, the~~
803 ~~levels and courses of instruction to be funded through the~~
804 ~~college-preparatory program. The state board shall coordinate~~
805 ~~the establishment of costs for college-preparatory courses, the~~
806 ~~establishment of statewide standards that define required levels~~
807 ~~of competence, acceptable rates of student progress, and the~~
808 ~~maximum amount of time to be allowed for completion of college-~~
809 ~~preparatory instruction. College-preparatory instruction is part~~
810 ~~of an associate in arts degree program and may not be funded as~~



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811 ~~an adult career education program.~~

812 ~~(d) Expenditures for college-preparatory and lifelong~~
813 ~~learning students shall be reported separately. Allocations for~~
814 ~~college-preparatory courses shall be based on proportional full-~~
815 ~~time equivalent enrollment. Program review results shall be~~
816 ~~included in the determination of subsequent allocations. A~~
817 ~~student shall be funded to enroll in the same college-~~
818 ~~preparatory class within a skill area only twice, after which~~
819 ~~time the student shall pay 100 percent of the full cost of~~
820 ~~instruction to support the continuous enrollment of that student~~
821 ~~in the same class; however, students who withdraw or fail a~~
822 ~~class due to extenuating circumstances may be granted an~~
823 ~~exception only once for each class, provided approval is granted~~
824 ~~according to policy established by the board of trustees. Each~~
825 ~~Florida College System institution shall have the authority to~~
826 ~~review and reduce payment for increased fees due to continued~~
827 ~~enrollment in a college-preparatory class on an individual basis~~
828 ~~contingent upon the student's financial hardship, pursuant to~~
829 ~~definitions and fee levels established by the State Board of~~
830 ~~Education. College-preparatory and lifelong learning courses do~~
831 ~~not generate credit toward an associate or baccalaureate degree.~~

832 ~~(c)(e)~~ A district school board or a Florida College System
833 institution board of trustees may negotiate a contract with the
834 regional workforce board for specialized services for
835 participants in the welfare transition program, beyond what is
836 routinely provided for the general public, to be funded by the
837 regional workforce board.

838 Section 9. Section 1006.735, Florida Statutes, is amended
839 to read:



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840 1006.735 Complete Florida Degree Program Completion Pilot
841 Project.—

842 (1) The Complete Florida Degree Program Completion Pilot
843 Project is established for the purpose of recruiting,
844 recovering, and retaining the state's adult learners and
845 assisting them in completing an associate degree or a
846 baccalaureate degree that is aligned to high-wage, high-skill
847 workforce needs. As used in this section, the term "adult
848 learner" means a student who has successfully completed college-
849 level coursework in multiple semesters but has left an
850 institution in good standing before completing his or her
851 degree. The program pilot project shall give priority to adult
852 learners who are veterans or active duty members of the United
853 States Armed Forces.

854 (2) The Complete Florida Degree Program pilot project shall
855 be implemented by the University of West Florida, acting as the
856 lead institution, in coordination with; the University of South
857 Florida; Florida State College System institutions, state
858 universities, and private postsecondary institutions, as
859 appropriate. The program must at Jacksonville; and St.
860 Petersburg College and shall include the associate, applied
861 baccalaureate, and baccalaureate degree programs that these
862 institutions have selected. Other partnering public
863 postsecondary education institutions shall provide areas of
864 specialization or concentration.

865 (3) For purposes of selecting the degree programs that will
866 be given priority in the Complete Florida Degree Program pilot
867 project, the institutions identified in subsection (2) shall
868 partner with public and private job recruitment and placement



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869 agencies and use labor market data and projections to identify
870 the specific workforce needs and targeted occupations of the
871 state.

872 (4) The Complete Florida Degree Program ~~pilot project~~ shall
873 provide adult learners with a single point of access to
874 information and links to innovative online and accelerated
875 distance learning courses, student and library support services,
876 and electronic resources that will guide the adult learner
877 toward the successful completion of a postsecondary degree.

878 (5) Beginning with the 2013-2014 ~~2012-2013~~ academic year,
879 the Complete Florida Degree Program ~~pilot project~~ shall be
880 implemented and must:

881 (a) Use the distance learning course catalog established
882 pursuant to s. 1006.73 to communicate course availability to the
883 adult learner.

884 (b) Develop and implement an advising and student support
885 system that includes the use of degree completion specialists,
886 is based upon best practices and processes, and includes
887 academic and career support services designed specifically for
888 the adult learner. The program must identify proposed changes to
889 the statewide computer-assisted student advising system
890 established pursuant to s. 1006.73 to assist the adult learner
891 in using the system.

892 (c) Use the streamlined, automated, online admissions
893 application process for transient students established pursuant
894 to s. 1006.73. The Complete Florida Degree Program ~~pilot project~~
895 shall identify any additional admissions and registration
896 policies and practices that could be further streamlined and
897 automated for purposes of assisting the adult learner.



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898 (d) Use existing and, if necessary, develop new competency-
899 based instructional and evaluation tools to assess prior
900 performance, experience, and education for the award of college
901 credit in order to reduce the time required for adult learners
902 to complete their degrees. The tools may include the use of the
903 American Council on Education's collaborative link between the
904 United States Department of Defense and higher education through
905 the review of military training and experiences for the award of
906 equivalent college credit for members of the United States Armed
907 Forces.

908 (e) Develop and implement an evaluation process that
909 collects, analyzes, and provides to the participating
910 postsecondary education institutions, the chairs of the
911 legislative appropriations committees, and the Executive Office
912 of the Governor information on the effectiveness of the program
913 ~~pilot project~~ and the attainment of its goals. Such a process
914 must ~~shall~~ include a management information system that collects
915 the appropriate student, programmatic, and fiscal data necessary
916 to complete the evaluation of the program ~~pilot project~~.
917 Institutions involved in the program ~~pilot project~~ shall also
918 collect job placement and employment data on the adult learners
919 who have completed their degrees as a result of the program
920 ~~pilot project~~.

921 (f) Develop and implement a statewide marketing campaign
922 targeted toward recruiting adult learners, particularly veterans
923 and active duty members of the United States Armed Forces, for
924 enrollment in the degree programs offered through the program
925 ~~pilot project~~.

926 (6) For purposes of the Complete Florida Degree Program



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927 ~~pilot project~~, each institution's current tuition and fee
928 structure shall be used. However, all participating institutions
929 shall collaboratively identify the applicable cost components
930 involved in the development and delivery of distance learning
931 courses, collect information on these cost components, and
932 submit the information to the ~~Florida Virtual Campus~~. The
933 chancellors of the Florida College System. ~~The chancellors and~~
934 ~~the State University System~~ shall submit a report to the chairs
935 of the legislative appropriations committees no later than
936 December 31, 2014 ~~2013~~, on the need for a differentiated tuition
937 and fee structure for the development and delivery of distance
938 learning courses.

939 (7) The University of West Florida, in collaboration with
940 its partners ~~the University of South Florida, Florida State~~
941 ~~College at Jacksonville, and St. Petersburg College~~, shall
942 submit to the chairs of the legislative appropriations
943 committees no later than September 1, 2013 ~~June 1, 2012~~, a
944 detailed project plan that defines the major work activities,
945 student eligibility criteria, timeline, and cost for
946 implementing the Complete Florida Degree Program ~~pilot project~~.

947 ~~(8) The University of West Florida, in collaboration with~~
948 ~~the University of South Florida, Florida State College at~~
949 ~~Jacksonville, and St. Petersburg College, shall develop and~~
950 ~~implement a transition plan that transfers the administration of~~
951 ~~the pilot project to the Florida Virtual Campus no later than~~
952 ~~June 30, 2013.~~

953 Section 10. Subsection (3) of section 1007.23, Florida
954 Statutes, is amended to read:

955 1007.23 Statewide articulation agreement.—



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956 (3) To improve articulation and reduce excess credit hours,
957 beginning with students initially entering a Florida College
958 System institution in 2013-2014 and thereafter, the articulation
959 agreement must require each student who is seeking an associate
960 in arts degree to indicate a baccalaureate degree program
961 offered by an institution of interest by the time the student
962 earns 36 ~~30~~ semester hours. The institution in which the student
963 is enrolled shall inform the student of the prerequisites for
964 the baccalaureate degree program offered by an institution of
965 interest.

966 Section 11. Subsections (3), (6), (7), (8), and (10) of
967 section 1007.25, Florida Statutes, are amended to read:

968 1007.25 General education courses; common prerequisites;
969 other degree requirements.—

970 (3) The chair of the State Board of Education and the chair
971 of the Board of Governors, or their designees, shall jointly
972 appoint faculty committees to identify statewide general
973 education core course options. General education core course
974 options must ~~shall~~ consist of a maximum of five courses within
975 each of the subject areas of communication, mathematics, social
976 sciences, humanities, and natural sciences. Each general
977 education core course option must contain high-level academic
978 and critical thinking skills and common competencies that
979 students must demonstrate to successfully complete the course.
980 Beginning with students initially entering a Florida College
981 System institution or state university in 2015-2016 ~~2014-2015~~
982 and thereafter, each student must complete at least one
983 identified core course in each subject area as part of the
984 general education course requirements. All public postsecondary



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985 educational institutions shall ~~offer and~~ accept these courses as
986 meeting general education core course requirements. The
987 remaining general education course requirements shall be
988 identified by each institution and reported to the department by
989 their statewide course number. The general education core course
990 options shall be adopted in rule by the State Board of Education
991 and in regulation by the Board of Governors. Additional core
992 course options may be approved by the State Board of Education
993 and the Board of Governors if recommended by the subject area
994 faculty committee and approved by the Articulation Coordinating
995 Committee, as necessary for a subject area.

996 (6) The universities and Florida College System
997 institutions shall work with their respective school districts
998 to ensure that high school curricula coordinate with the general
999 education curricula and to prepare students for college-level
1000 work. General education curricula for associate in arts programs
1001 shall be identified by each institution and, ~~beginning with~~
1002 ~~students initially entering a Florida College System institution~~
1003 ~~or state university in 2014-2015 and thereafter,~~ shall include
1004 36 ~~30~~ semester hours in the subject areas of communication,
1005 mathematics, social sciences, humanities, and natural sciences.

1006 (7) An associate in arts degree may not ~~shall~~ require ~~no~~
1007 more than 60 semester hours of college credit and must,
1008 ~~beginning with students initially entering a Florida College~~
1009 ~~System institution or state university in 2014-2015 and~~
1010 ~~thereafter,~~ include 36 ~~30~~ semester hours of general education
1011 coursework. Beginning with students initially entering a Florida
1012 College System institution or state university in 2014-2015 and
1013 thereafter, coursework for an associate in arts degree must



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1014 include ~~and~~ demonstration of competency in a foreign language
1015 pursuant to s. 1007.262. Except for developmental education
1016 provided ~~college-preparatory coursework required~~ pursuant to s.
1017 1008.30, all required coursework counts ~~shall count~~ toward the
1018 associate in arts degree or the baccalaureate degree.

1019 (8) A baccalaureate degree program shall require no more
1020 than 120 semester hours of college credit and, ~~beginning with~~
1021 ~~students initially entering a Florida College System institution~~
1022 ~~or state university in 2014-2015 and thereafter,~~ include 36 ~~30~~
1023 semester hours of general education coursework, unless prior
1024 approval has been granted by the Board of Governors for
1025 baccalaureate degree programs offered by state universities and
1026 by the State Board of Education for baccalaureate degree
1027 programs offered by Florida College System institutions.

1028 (10) Students at state universities may request associate
1029 in arts certificates if they have successfully completed the
1030 minimum requirements for the degree of associate in arts (A.A.).
1031 The university must grant the student an associate in arts
1032 degree if the student has successfully completed minimum
1033 requirements for college-level communication and computation
1034 skills adopted by the State Board of Education and 60 academic
1035 semester hours or the equivalent within a degree program area
1036 and including 36, ~~beginning with students initially entering a~~
1037 ~~Florida College System institution or state university in 2014-~~
1038 ~~2015 and thereafter,~~ include ~~30~~ semester hours in general
1039 education courses in the subject areas of communication,
1040 mathematics, social sciences, humanities, and natural sciences,
1041 consistent with the general education requirements specified in
1042 the articulation agreement pursuant to s. 1007.23.



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1043 Section 12. Section 1007.263, Florida Statutes, is amended
1044 to read:

1045 1007.263 Florida College System institutions; admissions of
1046 students.—Each Florida College System institution board of
1047 trustees may ~~is authorized to~~ adopt rules governing admissions
1048 of students subject to this section and rules of the State Board
1049 of Education. These rules must ~~shall~~ include the following:

1050 (1) Admissions counseling must ~~shall~~ be provided to all
1051 students entering college or career credit programs. Counseling
1052 must use ~~shall utilize~~ tests to measure achievement of college-
1053 level communication and computation competencies by all students
1054 entering college credit programs or tests to measure achievement
1055 of basic skills for career education programs as prescribed in
1056 s. 1004.91. Counseling includes providing developmental
1057 education options for students whose assessment results,
1058 determined under s. 1008.30, indicate that they need to improve
1059 communication or computation skills that are essential to
1060 perform college-level work.

1061 (2) Admission to associate degree programs is subject to
1062 minimum standards adopted by the State Board of Education and
1063 requires ~~shall require~~:

1064 (a) A standard high school diploma, a high school
1065 equivalency diploma as prescribed in s. 1003.435, previously
1066 demonstrated competency in college credit postsecondary
1067 coursework, or, in the case of a student who is home educated, a
1068 signed affidavit submitted by the student's parent or legal
1069 guardian attesting that the student has completed a home
1070 education program pursuant to the requirements of s. 1002.41.
1071 Students who are enrolled in a dual enrollment or early



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1072 admission program pursuant to s. 1007.271 are exempt from this
1073 requirement.

1074 (b) A demonstrated level of achievement of college-level
1075 communication and computation skills.

1076 (c) Any other requirements established by the board of
1077 trustees.

1078 (3) Admission to other programs within the Florida College
1079 System institution must ~~shall~~ include education requirements as
1080 established by the board of trustees.

1081 (4) A student who has been awarded a special diploma as
1082 defined in s. 1003.438 or a certificate of completion as defined
1083 in s. 1003.43(10) is eligible to enroll in certificate career
1084 education programs.

1085 (5) A student who has ~~with~~ a documented disability may be
1086 eligible for reasonable substitutions, as prescribed in ss.
1087 1007.264 and 1007.265.

1088
1089 Each board of trustees shall establish policies that notify
1090 students about developmental education options for improving
1091 their communication or computation skills that are essential to
1092 performing college-level work, including tutoring, extended time
1093 in gateway courses, free online courses ~~and place students into,~~
1094 adult basic education, adult secondary education, or ~~other~~
1095 ~~instructional programs that provide students with alternatives~~
1096 ~~to traditional college-preparatory instruction, including~~
1097 private provider instruction. ~~A student is prohibited from~~
1098 ~~enrolling in additional college-level courses until the student~~
1099 ~~scores above the cut score on all sections of the common~~
1100 ~~placement test.~~



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1101 Section 13. Subsections (2) and (14) of section 1007.271,
1102 Florida Statutes, are amended to read:
1103 1007.271 Dual enrollment programs.—
1104 (2) For the purpose of this section, an eligible secondary
1105 student is a student who is enrolled in a Florida public
1106 secondary school or in a Florida private secondary school which
1107 is in compliance with s. 1002.42(2) and provides a secondary
1108 curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43.
1109 Students who are eligible for dual enrollment pursuant to this
1110 section may enroll in dual enrollment courses conducted during
1111 school hours, after school hours, and during the summer term.
1112 However, if the student is projected to graduate from high
1113 school before the scheduled completion date of a postsecondary
1114 course, the student may not register for that course through
1115 dual enrollment. The student may apply to the postsecondary
1116 institution and pay the required registration, tuition, and fees
1117 if the student meets the postsecondary institution's admissions
1118 requirements under s. 1007.263. Instructional time for dual
1119 enrollment may vary from 900 hours; however, the school district
1120 may only report the student for a maximum of 1.0 FTE, as
1121 provided in s. 1011.61(4). Any student enrolled as a dual
1122 enrollment student is exempt from the payment of registration,
1123 tuition, and laboratory fees. Vocational-preparatory
1124 instruction, developmental education ~~college-preparatory~~
1125 ~~instruction~~, and other forms of precollegiate instruction, as
1126 well as physical education courses that focus on the physical
1127 execution of a skill rather than the intellectual attributes of
1128 the activity, are ineligible for inclusion in the dual
1129 enrollment program. Recreation and leisure studies courses shall



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1130 be evaluated individually in the same manner as physical
1131 education courses for potential inclusion in the program.

1132 (14) The Department of Education shall approve any course
1133 for inclusion in the dual enrollment program that is contained
1134 within the statewide course numbering system. However,
1135 developmental education ~~college-preparatory and other forms of~~
1136 ~~precollegiate instruction,~~ and physical education and other
1137 courses that focus on the physical execution of a skill rather
1138 than the intellectual attributes of the activity, may not be so
1139 approved but must be evaluated individually for potential
1140 inclusion in the dual enrollment program. This subsection may
1141 not be construed to mean that an independent postsecondary
1142 institution eligible for inclusion in a dual enrollment or early
1143 admission program pursuant to s. 1011.62 must participate in the
1144 statewide course numbering system developed pursuant to s.
1145 1007.24 to participate in a dual enrollment program.

1146 Section 14. Section 1008.02, Florida Statutes, is created
1147 to read:

1148 1008.02 Definitions.—As used in this chapter, the term:

1149 (1) "Accelerated course structure" means a course or strand
1150 of study that accelerates the progress of students in
1151 developmental education through self-paced attainment of
1152 specific skills.

1153 (2) "Corequisite education" means developmental education
1154 that is deployed through a variety of classroom, online, or
1155 blended instructional strategies and offered concurrently with
1156 college credit instruction. The term includes, but is not
1157 limited to:

1158 (a) Compressed or modularized instruction or coaching that



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1159 supplements credit instruction.

1160 (b) Embedded content in a modified or extended credit-
1161 bearing course intended to contextualize or accelerate credit
1162 attainment.

1163 (3) "Developmental education" means instruction through
1164 which a high school graduate who applies for any college credit
1165 program may attain the communication and computation skills
1166 necessary to successfully complete college credit instruction.
1167 Developmental education may not be offered as a noncredit course
1168 for which a student pays tuition but must be offered corequisite
1169 to a gateway course.

1170 (4) "Gateway course" means the first course that provides
1171 transferable, college-level credit allowing students to progress
1172 in their program of study.

1173 (5) "Mastery-based education" means customized, targeted
1174 instruction that addresses specific skills gaps.

1175 (6) "Meta-major" means a collection of programs of study or
1176 academic discipline groupings that share common foundational
1177 skills.

1178 Section 15. Section 1008.30, Florida Statutes, is amended
1179 to read:

1180 1008.30 Common placement testing for public postsecondary
1181 education.—

1182 (1) The State Board of Education, in conjunction with the
1183 Board of Governors, shall develop and implement a common
1184 placement test for the purpose of assessing the basic
1185 computation and communication skills of students who intend to
1186 enter a degree program at any public postsecondary educational
1187 institution. Alternative assessments that may be accepted in



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1188 lieu of the common placement test shall also be identified in
1189 rule. Public postsecondary educational institutions shall
1190 provide appropriate modifications of the test instruments or
1191 test procedures for students with disabilities.

1192 (2) By October 1, 2013, the State Board of Education in
1193 conjunction with the Board of Governors shall approve a series
1194 of meta-majors, academic pathways, and degree maps that identify
1195 the gateway courses required for success in each meta-major.
1196 Results from the common placement test, the alternative
1197 assessments that may be used in lieu of the common placement
1198 test, and achievements that may be considered by institutional
1199 boards of trustees, as adopted by state board rule, shall be
1200 used to diagnose a student's readiness for his or her chosen
1201 meta-major and to provide academic counseling to the student
1202 concerning options for attaining the necessary skills through
1203 developmental education while enrolled in credit courses.

1204 (3)(2) The common placement testing program ~~must~~ shall
1205 include ~~at a minimum the following:~~ the capacity to diagnose
1206 basic competencies in the areas of English, reading, and
1207 mathematics which are essential for success in meta-majors and
1208 to provide ~~to perform college-level work; prerequisite skills~~
1209 that relate to progressively advanced instruction in
1210 mathematics, such as algebra and geometry; prerequisite skills
1211 that relate to progressively advanced instruction in language
1212 arts, such as English composition and literature; and provision
1213 of test information to students on the specific skills the
1214 student needs to attain ~~deficiencies.~~

1215 (4)(3) The State Board of Education shall adopt rules that
1216 require high schools to evaluate before the beginning of grade



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1217 12 the college readiness of each student who scores at Level 2
1218 or Level 3 on ~~the reading portion of~~ the grade 10 FCAT Reading
1219 or Level 2, Level 3, or Level 4 on the Algebra I mathematics
1220 assessments under s. 1008.22 ~~s. 1008.22(3)(c)~~. High schools
1221 shall perform this evaluation using results from the
1222 corresponding component of the common placement test prescribed
1223 in this section, or an alternative equivalent test identified by
1224 the State Board of Education. ~~The State Board of Education shall~~
1225 ~~identify in rule the assessments necessary to perform the~~
1226 ~~evaluations required by this subsection and shall work with the~~
1227 ~~school districts to administer the assessments. The State Board~~
1228 ~~of Education shall establish by rule the minimum test scores a~~
1229 ~~student must achieve to demonstrate readiness. Students who~~
1230 ~~demonstrate readiness by achieving the minimum test scores~~
1231 ~~established by the state board and enroll in a Florida College~~
1232 ~~System institution within 2 years of achieving such scores shall~~
1233 ~~not be required to retest or enroll in remediation when admitted~~
1234 ~~to any Florida College System institution.~~ The high school shall
1235 use the results of the test to advise the students of any
1236 identified deficiencies and to provide 12th grade students, and
1237 require them to complete, appropriate postsecondary preparatory
1238 instruction prior to high school graduation. The curriculum
1239 provided under this subsection shall be identified in rule by
1240 the State Board of Education and encompass Florida's
1241 Postsecondary Readiness Competencies. Other elective courses may
1242 not be substituted for the selected postsecondary reading,
1243 mathematics, or writing preparatory course unless the elective
1244 course covers the same competencies included in the
1245 postsecondary reading, mathematics, ~~or~~ writing, or English



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1246 language arts preparatory course.
1247 (5)(4)(a) The State Board of Education shall establish by
1248 rule the test scores a student must achieve to demonstrate
1249 readiness to perform college-level work. Students who
1250 demonstrate readiness by achieving or exceeding the test scores
1251 established by the state board and enroll in a Florida College
1252 System institution within 2 years after achieving such scores
1253 may not be required to retest or complete developmental
1254 education when admitted to any Florida College System
1255 institution. Students who have been identified as requiring
1256 additional preparation pursuant to subsection (1) shall enroll
1257 in college-preparatory or other adult education pursuant to s.
1258 1004.93 in Florida College System institutions to develop needed
1259 college-entry skills. The State Board of Education shall specify
1260 by rule provisions for alternative remediation opportunities and
1261 retesting policies. These students shall be permitted to take
1262 courses within their degree program concurrently in other
1263 curriculum areas for which they are qualified while enrolled in
1264 college-preparatory instruction courses. A student enrolled in a
1265 college-preparatory course may concurrently enroll only in
1266 college credit courses that do not require the skills addressed
1267 in the college-preparatory course. A degree-seeking student who
1268 is required to complete a college-preparatory course must
1269 successfully complete the required college-preparatory studies
1270 by the time the student has accumulated 12 hours of lower-
1271 division college credit degree coursework; however, a student
1272 may continue enrollment in degree-earning coursework provided
1273 the student maintains enrollment in college-preparatory
1274 coursework for each subsequent semester until college-



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1275 ~~preparatory coursework requirements are completed, and provided~~
1276 ~~the student demonstrates satisfactory performance in degree-~~
1277 ~~earning coursework. A student who has accumulated 12 college~~
1278 ~~credit hours and has not yet demonstrated proficiency in the~~
1279 ~~basic competency areas of reading, writing, and mathematics must~~
1280 ~~be advised in writing of the requirements for associate degree~~
1281 ~~completion and state university admission, including information~~
1282 ~~about future financial aid eligibility and the potential costs~~
1283 ~~of accumulating excessive college credit as described in s.~~
1284 ~~1009.286. Before a student is considered to have met basic~~
1285 ~~computation and communication skills requirements, the student~~
1286 ~~must demonstrate successful mastery of the required~~
1287 ~~developmental education competencies as defined in State Board~~
1288 ~~of Education rule. Credit awarded for college-preparatory~~
1289 ~~instruction may not be counted toward fulfilling the number of~~
1290 ~~credits required for a degree.~~

1291 (6) (b) A university board of trustees may contract with a
1292 Florida College System institution board of trustees for the
1293 Florida College System institution to provide developmental
1294 education ~~such instruction~~ on the state university campus. Any
1295 state university in which the percentage of incoming students
1296 requiring developmental education ~~college-preparatory~~
1297 ~~instruction~~ equals or exceeds the average percentage of such
1298 students for the Florida College System may offer such
1299 developmental education ~~college-preparatory instruction~~ without
1300 contracting with a Florida College System institution; however,
1301 any state university offering college-preparatory instruction as
1302 of January 1, 1996, may continue to provide such services.

1303 (7) (a) (5) The State Board of Education shall adopt rules by



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1304 January 1, 2014, to implement developmental education. The rules
1305 must include:

1306 1. Student achievements that may be considered by
1307 institutional boards, such as performance on college placement
1308 tests, grade point averages, work history, military experience,
1309 career interests, degree major declaration, or any combination
1310 thereof.

1311 2. Recommended options for students performing at levels
1312 indicating adult education as an appropriate place for students
1313 to develop needed college-entry academic skills.

1314 3. Sufficient flexibility for local professional judgment
1315 and determinations of appropriate student options for achieving
1316 necessary skills.

1317 4. Limits on credit course enrollment for students
1318 indicating the need for preparatory assistance in two or more
1319 content areas.

1320 (b) Local policies and practices set by each Florida
1321 College System institution board of trustees must outline the
1322 student achievements considered by the institution for placement
1323 determinations, identify instructional options available to
1324 students, and describe student costs and financial aid
1325 opportunities associated with each instructional option.

1326 Instructional options must, at a minimum, provide for enrollment
1327 of a student in a credit course either with or without
1328 institutionally required corequisite education, mastery-based
1329 instruction or accelerated pathways for developing skills, or
1330 enrolling in adult education to attain needed skills, as chosen
1331 by the student. Policies and practices must specify limits on
1332 credit course enrollment for students indicating the need for



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1333 preparatory assistance, outline retesting requirements, and
1334 identify options for students who choose to attain skills in
1335 adult education when such instruction is not provided by the
1336 Florida College System institution ~~A student may not be enrolled~~
1337 ~~in a college credit mathematics or English course on a dual~~
1338 ~~enrollment basis unless the student has demonstrated adequate~~
1339 ~~precollegiate preparation on the section of the basic~~
1340 ~~computation and communication skills assessment required~~
1341 ~~pursuant to subsection (1) that is appropriate for successful~~
1342 ~~student participation in the course.~~

1343 Section 16. Section 1008.322, Florida Statutes, is created
1344 to read:

1345 1008.322 Board of Governors oversight enforcement
1346 authority.-

1347 (1) The Board of Governors of the State University System
1348 shall oversee the performance of state university boards of
1349 trustees in the enforcement of laws, rules, and regulations.
1350 State university boards of trustees shall be primarily
1351 responsible for compliance with laws and Board of Governors'
1352 rules and regulations.

1353 (2) The Board of Governors' constitutional authority to
1354 operate, regulate, control, and be fully responsible for the
1355 management of the State University System mandates that the
1356 state universities comply with all requests by the Board of
1357 Governors for information, data, and reports. State university
1358 presidents are responsible for the accuracy of the information
1359 and data reported to the Board of Governors.

1360 (3) The Chancellor of the State University System may
1361 investigate allegations of noncompliance with law or Board of



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1362 Governors' rule or regulation and determine probable cause. The
1363 chancellor shall report determinations of probable cause to the
1364 Board of Governors, which may require the university board of
1365 trustees to document compliance with law or Board of Governors'
1366 rule or regulation.

1367 (4) If the university board of trustees cannot
1368 satisfactorily document compliance, the Board of Governors may
1369 order compliance within a specified timeframe.

1370 (5) If the Board of Governors determines that a state
1371 university board of trustees is unwilling or unable to comply
1372 with law or Board of Governors' rule or regulation or an audit
1373 recommendation within the specified time, the Board of
1374 Governors, in addition to actions constitutionally authorized,
1375 may initiate any of the following actions:

1376 (a) Withhold the transfer of state funds, discretionary
1377 grant funds, discretionary lottery funds, or any other funds
1378 appropriated to the Board of Governors by the Legislature for
1379 disbursement to the state university until the university
1380 complies with the law or Board of Governors' rule or regulation.

1381 (b) Declare the state university ineligible for competitive
1382 grants disbursed by the Board of Governors.

1383 (c) Require monthly or periodic reporting on the situation
1384 related to noncompliance until it is remedied.

1385 (d) Report to the Legislature that the state university is
1386 unwilling or unable to comply with law or Board of Governors'
1387 rule or regulation and recommend action to be taken by the
1388 Legislature.

1389 (6) This section does not create a private cause of action
1390 or create any rights for individuals or entities in addition to



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1391 those provided elsewhere in law, rule, or regulation.

1392 Section 17. Subsection (3) of section 1008.34, Florida
1393 Statutes, is amended to read:

1394 1008.34 School grading system; school report cards;
1395 district grade.—

1396 (3) DESIGNATION OF SCHOOL GRADES.—

1397 (a) Each school that has students who are tested and
1398 included in the school grading system shall receive a school
1399 grade, except as follows:

1400 1. A school shall not receive a school grade if the number
1401 of its students tested and included in the school grading system
1402 is less than the minimum sample size necessary, based on
1403 accepted professional practice, for statistical reliability and
1404 prevention of the unlawful release of personally identifiable
1405 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

1406 2. An alternative school may choose to receive a school
1407 grade under this section or a school improvement rating under s.
1408 1008.341. For charter schools that meet the definition of an
1409 alternative school pursuant to State Board of Education rule,
1410 the decision to receive a school grade is the decision of the
1411 charter school governing board.

1412 3. A school that serves any combination of students in
1413 kindergarten through grade 3 which does not receive a school
1414 grade because its students are not tested and included in the
1415 school grading system shall receive the school grade designation
1416 of a K-3 feeder pattern school identified by the Department of
1417 Education and verified by the school district. A school feeder
1418 pattern exists if at least 60 percent of the students in the
1419 school serving a combination of students in kindergarten through



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1420 grade 3 are scheduled to be assigned to the graded school.
1421 (b)1. A school's grade shall be based on a combination of:
1422 a. Student achievement scores, including achievement as
1423 measured by FCAT assessments under s. 1008.22(3)(c)1.,
1424 statewide, standardized end-of-course assessments under s.
1425 1008.22(3)(c)2.a. and b., and achievement scores for students
1426 seeking a special diploma.
1427 b. Student learning gains in reading and mathematics as
1428 measured by FCAT and statewide, standardized end-of-course
1429 assessments, as described in s. 1008.22(3)(c)1. and 2.a.,
1430 including learning gains for students seeking a special diploma,
1431 as measured by an alternate assessment.
1432 c. Improvement of the lowest 25th percentile of students in
1433 the school in reading and mathematics on the FCAT or end-of-
1434 course assessments described in s. 1008.22(3)(c)2.a., unless
1435 these students are exhibiting satisfactory performance.
1436 2. Beginning with the 2011-2012 school year, for schools
1437 comprised of middle school grades 6 through 8 or grades 7 and 8,
1438 the school's grade shall include the performance and
1439 participation of its students enrolled in high school level
1440 courses with end-of-course assessments administered under s.
1441 1008.22(3)(c)2.a. Performance and participation must be weighted
1442 equally, except that added weight must be given to students who
1443 participate as a component of a certified schoolwide college
1444 readiness system that includes enrollment in an elective class
1445 recognized in the Course Code Directory and designed to provide
1446 students who are taking college preparatory or advanced courses
1447 with academic instruction and other support. As valid data
1448 becomes available, the school grades shall include the students'



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1449 attainment of national industry certification identified in the
1450 Industry Certification Funding List pursuant to rules adopted by
1451 the state board.

1452 3. Beginning with the 2009-2010 school year for schools
1453 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1454 11, and 12, at least 50 percent of the school grade shall be
1455 based on a combination of the factors listed in sub-
1456 subparagraphs 1.a.-c. and the remaining percentage on the
1457 following factors:

1458 a. The high school graduation rate of the school;

1459 b. As valid data becomes available, the performance and
1460 participation of the school's students in College Board Advanced
1461 Placement courses, International Baccalaureate courses, dual
1462 enrollment courses, and Advanced International Certificate of
1463 Education courses; and the students' achievement of national
1464 industry certification identified in the Industry Certification
1465 Funding List, pursuant to rules adopted by the state board;

1466 c. Postsecondary readiness of all of the school's on-time
1467 graduates as measured by the SAT, the ACT, the Postsecondary
1468 Education Readiness Test, or the common placement test;

1469 d. The high school graduation rate of at-risk students, who
1470 are students scoring at Level 1 or Level 2 on grade 8 FCAT
1471 Reading and FCAT Mathematics;

1472 e. As valid data becomes available, the performance of the
1473 school's students on statewide, standardized end-of-course
1474 assessments administered under s. 1008.22(3)(c)2.c. and d.; and

1475 f. The growth or decline in the components listed in sub-
1476 subparagraphs a.-e. from year to year.

1477 (c) Student assessment data used in determining school



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1478 grades shall include:

1479 1. The aggregate scores of all eligible students enrolled
1480 in the school who have been assessed on the FCAT and statewide,
1481 standardized end-of-course assessments in courses required for
1482 high school graduation, including, beginning with the 2011-2012
1483 school year, the end-of-course assessment in Algebra I; and
1484 beginning with the 2012-2013 school year, the end-of-course
1485 assessments in geometry and Biology I; and beginning with the
1486 2014-2015 school year, on the statewide, standardized end-of-
1487 course assessment in civics education at the middle school
1488 level.

1489 2. The aggregate scores of all eligible students enrolled
1490 in the school who have been assessed on the FCAT and statewide,
1491 standardized end-of-course assessments as described in s.
1492 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th
1493 percentile of students in the school in reading and mathematics,
1494 unless these students are exhibiting satisfactory performance.

1495 3. The achievement scores and learning gains of eligible
1496 students attending alternative schools that provide dropout
1497 prevention and academic intervention services pursuant to s.
1498 1003.53. The term "eligible students" in this subparagraph does
1499 not include students attending an alternative school who are
1500 subject to district school board policies for expulsion for
1501 repeated or serious offenses, who are in dropout retrieval
1502 programs serving students who have officially been designated as
1503 dropouts, or who are in programs operated or contracted by the
1504 Department of Juvenile Justice. The student performance data for
1505 eligible students identified in this subparagraph shall be
1506 included in the calculation of the home school's grade. As used



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1507 in this subparagraph and s. 1008.341, the term "home school"
1508 means the school to which the student would be assigned if the
1509 student were not assigned to an alternative school. If an
1510 alternative school chooses to be graded under this section,
1511 student performance data for eligible students identified in
1512 this subparagraph shall not be included in the home school's
1513 grade but shall be included only in the calculation of the
1514 alternative school's grade. A school district that fails to
1515 assign the FCAT and statewide, standardized end-of-course
1516 assessment as described in s. 1008.22(3)(c)2.a. scores of each
1517 of its students to his or her home school or to the alternative
1518 school that receives a grade shall forfeit Florida School
1519 Recognition Program funds for 1 fiscal year. School districts
1520 must require collaboration between the home school and the
1521 alternative school in order to promote student success. This
1522 collaboration must include an annual discussion between the
1523 principal of the alternative school and the principal of each
1524 student's home school concerning the most appropriate school
1525 assignment of the student.

1526 4. The achievement scores and learning gains of students
1527 designated as hospital- or homebound. Student assessment data
1528 for students designated as hospital- or homebound shall be
1529 assigned to their home school for the purposes of school grades.
1530 As used in this subparagraph, the term "home school" means the
1531 school to which a student would be assigned if the student were
1532 not assigned to a hospital- or homebound program.

1533 5. For schools comprised of high school grades 9, 10, 11,
1534 and 12, or grades 10, 11, and 12, the data listed in
1535 subparagraphs 1.-3. and the following data as the Department of



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- 1536 Education determines such data are valid and available:
- 1537 a. The high school graduation rate of the school as
- 1538 calculated by the department;
- 1539 b. The participation rate of all eligible students enrolled
- 1540 in the school and enrolled in College Board Advanced Placement
- 1541 courses; International Baccalaureate courses; dual enrollment
- 1542 courses; Advanced International Certificate of Education
- 1543 courses; and courses or sequences of courses leading to national
- 1544 industry certification identified in the Industry Certification
- 1545 Funding List, pursuant to rules adopted by the State Board of
- 1546 Education;
- 1547 c. The aggregate scores of all eligible students enrolled
- 1548 in the school in College Board Advanced Placement courses,
- 1549 International Baccalaureate courses, and Advanced International
- 1550 Certificate of Education courses;
- 1551 d. Earning of college credit by all eligible students
- 1552 enrolled in the school in dual enrollment programs under s.
- 1553 1007.271;
- 1554 e. Earning of a national industry certification identified
- 1555 in the Industry Certification Funding List, pursuant to rules
- 1556 adopted by the State Board of Education;
- 1557 f. The aggregate scores of all eligible students enrolled
- 1558 in the school in reading, mathematics, and other subjects as
- 1559 measured by the SAT, the ACT, the Postsecondary Education
- 1560 Readiness Test, and the common placement test for postsecondary
- 1561 readiness;
- 1562 g. The high school graduation rate of all eligible at-risk
- 1563 students enrolled in the school who scored at Level 2 or lower
- 1564 on grade 8 FCAT Reading and FCAT Mathematics;



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1565 h. The performance of the school's students on statewide,
1566 standardized end-of-course assessments administered under s.
1567 1008.22(3)(c)2.c. and d.; and

1568 i. The growth or decline in the data components listed in
1569 sub-subparagraphs a.-h. from year to year.

1570

1571 The State Board of Education shall adopt appropriate criteria
1572 for each school grade. The criteria must also give added weight
1573 to student achievement in reading and for students who
1574 participate in rigorous courses as described in sub-subparagraph
1575 5.b. as a part of a schoolwide college readiness system that
1576 includes enrollment in an elective class recognized in the
1577 Course Code Directory and designed to provide students who are
1578 taking college preparatory or advanced courses with academic
1579 instruction and other support. Schools earning a grade of "C,"
1580 making satisfactory progress, shall be required to demonstrate
1581 that adequate progress has been made by students in the school
1582 who are in the lowest 25th percentile in reading and mathematics
1583 on the FCAT and end-of-course assessments as described in s.
1584 1008.22(3)(c)2.a., unless these students are exhibiting
1585 satisfactory performance. For schools comprised of high school
1586 grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria
1587 for school grades must also give added weight to the graduation
1588 rate of all eligible at-risk students. In order for a high
1589 school to earn a grade of "A," the school must demonstrate that
1590 its at-risk students, as defined in this paragraph, are making
1591 adequate progress.

1592 Section 18. Subsection (2) of section 1008.37, Florida
1593 Statutes, is amended to read:



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1594 1008.37 Postsecondary feedback of information to high
1595 schools.-

1596 (2) No later than November 30 of each year, the
1597 Commissioner of Education shall report, by high school, to the
1598 State Board of Education, the Board of Governors, and the
1599 Legislature, ~~no later than November 30 of each year,~~ on the
1600 number of prior-year ~~prior year~~ Florida high school graduates
1601 who enrolled for the first time in public postsecondary
1602 education in this state during the previous summer, fall, or
1603 spring term. The report must include, ~~indicating~~ the number of
1604 students whose scores on the common placement test that is
1605 required under s. 1008.30, indicate ~~indicated~~ the need to attain
1606 communication and computation skills through developmental
1607 education options offered by a public postsecondary institution
1608 or through ~~for remediation through college-preparatory or~~
1609 vocational-preparatory instruction pursuant to s. 1004.91 or s.
1610 1008.30.

1611 Section 19. Paragraph (a) of subsection (3) of section
1612 1009.22, Florida Statutes, is amended to read:

1613 1009.22 Workforce education postsecondary student fees.-

1614 (3) (a) Except as otherwise provided by law, fees for
1615 students who are nonresidents for tuition purposes must offset
1616 the full cost of instruction. Residency of students shall be
1617 determined as required in s. 1009.21. Fee-nonexempt students
1618 enrolled in vocational-preparatory instruction shall be charged
1619 fees equal to the fees charged for adult general education
1620 programs. ~~Each Florida College System institution that conducts~~
1621 ~~college-preparatory and vocational-preparatory instruction in~~
1622 ~~the same class section may charge a single fee for both types of~~



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1623 ~~instruction.~~

1624 Section 20. Subsection (1), paragraph (a) of subsection
1625 (3), and subsection (10) of section 1009.23, Florida Statutes,
1626 are amended to read:

1627 1009.23 Florida College System institution student fees.—

1628 (1) Unless otherwise provided, this section applies only to
1629 fees charged for college credit instruction leading to an
1630 associate in arts degree, an associate in applied science
1631 degree, an associate in science degree, or a baccalaureate
1632 degree authorized pursuant to s. 1007.33, for developmental
1633 education ~~noncollege credit college preparatory courses~~ defined
1634 in s. 1004.02, and for educator preparation institute programs
1635 defined in s. 1004.85.

1636 (3) (a) Effective July 1, 2011, for advanced and
1637 professional, postsecondary vocational, ~~college preparatory~~, and
1638 educator preparation institute programs, the standard tuition is
1639 ~~shall be~~ \$68.56 per credit hour for residents and nonresidents,
1640 and the out-of-state fee is ~~shall be~~ \$205.82 per credit hour.

1641 (10) Each Florida College System institution board of
1642 trustees is authorized to establish a separate fee for
1643 technology, which may not exceed 5 percent of tuition per credit
1644 hour or credit-hour equivalent for resident students and may not
1645 exceed 5 percent of tuition and the out-of-state fee per credit
1646 hour or credit-hour equivalent for nonresident students.
1647 Revenues generated from the technology fee shall be used to
1648 enhance instructional technology resources for students and
1649 faculty. The technology fee may ~~apply to both college credit and~~
1650 ~~college preparatory instruction and shall not be included in any~~
1651 award under the Florida Bright Futures Scholarship Program.



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1652 Fifty percent of technology fee revenues may be pledged by a
1653 Florida College System institution board of trustees as a
1654 dedicated revenue source for the repayment of debt, including
1655 lease-purchase agreements, not to exceed the useful life of the
1656 asset being financed. Revenues generated from the technology fee
1657 may not be bonded.

1658 Section 21. Subsection (11) is added to section 1009.26,
1659 Florida Statutes, to read:

1660 1009.26 Fee waivers.—

1661 (11) A Florida College System institution that offers a
1662 baccalaureate degree for state residents for which the cost of
1663 tuition and specified fees does not exceed \$10,000 for the
1664 entire degree program may waive any portion or all of the
1665 following fees for that degree: tuition, the activity and
1666 service fee, the financial aid fee, the technology fee, the
1667 capital improvement fee, and the distance-learning fee. The
1668 Legislature encourages colleges to include at least one industry
1669 certification from the Postsecondary Industry Certification
1670 Funding List in a degree program for which such waivers are
1671 granted.

1672 Section 22. Section 1009.28, Florida Statutes, is repealed.

1673 Section 23. Section 1009.285, Florida Statutes, is amended
1674 to read:

1675 1009.285 Fees for repeated enrollment in college-credit
1676 courses.—A student enrolled in the same undergraduate college-
1677 credit course more than once, except for students enrolled in a
1678 gateway course for an extended period of time under s. 1008.30,
1679 must ~~twice~~ shall pay tuition at 100 percent of the full cost of
1680 instruction, and may not be ~~and shall not be~~ included in



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1681 calculations of full-time equivalent enrollments for state
1682 funding purposes. However, students who withdraw or fail a class
1683 due to extenuating circumstances may be granted an exception
1684 only once for each class ~~if, provided~~ that approval is granted
1685 according to policy established by the Florida College System
1686 institution board of trustees or the university board of
1687 trustees. Each Florida College System institution and state
1688 university may review and reduce fees paid by students due to
1689 continued enrollment in a college-credit class on an individual
1690 basis contingent upon the student's financial hardship. For
1691 purposes of this section, first-time enrollment in a class means
1692 ~~shall mean~~ enrollment in a class beginning fall semester 1997,
1693 and calculations of the full cost of instruction is ~~shall be~~
1694 based on the systemwide average of the prior year's cost of
1695 undergraduate programs for the Florida College System
1696 institutions and the state universities. Boards of trustees may
1697 make exceptions to this section for individualized study,
1698 elective coursework, courses that are repeated as a requirement
1699 of a major, and courses that are intended as continuing over
1700 multiple semesters, excluding the repeat of coursework more than
1701 once ~~two times~~ to increase grade point average or meet minimum
1702 course grade requirements.

1703 Section 24. Paragraph (g) of subsection (4) of section
1704 1009.286, Florida Statutes, is amended to read:

1705 1009.286 Additional student payment for hours exceeding
1706 baccalaureate degree program completion requirements at state
1707 universities.—

1708 (4) For purposes of this section, credit hours earned under
1709 the following circumstances are not calculated as hours required



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1710 to earn a baccalaureate degree:

1711 (g) ~~Remedial and~~ English as a Second Language credit hours.

1712 Section 25. Subsection (3) of section 1009.40, Florida

1713 Statutes, is amended to read:

1714 1009.40 General requirements for student eligibility for
1715 state financial aid awards and tuition assistance grants.-

1716 (3) Undergraduate students are eligible to receive
1717 financial aid for a maximum of 8 semesters or 12 quarters.

1718 However, undergraduate students participating in developmental

1719 education and college preparatory instruction, students

1720 ~~requiring additional time to complete the college-level~~

1721 ~~communication and computation skills testing programs, or~~

1722 students enrolled in a 5-year undergraduate degree program are

1723 eligible to receive financial aid for a maximum of 10 semesters

1724 or 15 quarters.

1725 Section 26. Subsection (10) of section 1009.53, Florida

1726 Statutes, is amended to read:

1727 1009.53 Florida Bright Futures Scholarship Program.-

1728 (10) Funds from any scholarship within the Florida Bright

1729 Futures Scholarship Program may not be used to pay for

1730 developmental education ~~remedial or college preparatory~~

1731 ~~coursework~~.

1732 Section 27. Subsection (7) of section 1009.531, Florida

1733 Statutes, is repealed.

1734 Section 28. Paragraph (b) of subsection (1) and subsection

1735 (5) of section 1011.84, Florida Statutes, are amended to read:

1736 1011.84 Procedure for determining state financial support

1737 and annual apportionment of state funds to each Florida College

1738 System institution district.-The procedure for determining state



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1739 financial support and the annual apportionment to each Florida
1740 College System institution district authorized to operate a
1741 Florida College System institution under the provisions of s.
1742 1001.61 shall be as follows:

1743 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
1744 COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—

1745 (b) The allocation of funds for Florida College System
1746 institutions is shall be based on advanced and professional
1747 disciplines, developmental education college-preparatory
1748 programs, and other programs for adults funded pursuant to s.
1749 1011.80.

1750 (5) REPORT OF DEVELOPMENTAL ~~REMEDIAL~~ EDUCATION.—Each
1751 Florida College System institution board of trustees shall
1752 report, as a separate item in its annual cost accounting system,
1753 the volume and cost of developmental education options provided
1754 to help students attain the communication and computation skills
1755 that are essential for college-level work pursuant to s. 1008.30
1756 ~~remedial education activities as a separate item in its annual~~
1757 ~~cost accounting system.~~

1758 Section 29. This act shall take effect July 1, 2013.