

By the Committees on Appropriations; and Education; and Senator Galvano

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1                   A bill to be entitled  
2           An act relating to education; amending s. 11.45, F.S.;  
3           revising actions to be taken by the Legislative  
4           Auditing Committee relating to audits of state  
5           universities and Florida College System institutions;  
6           amending s. 1001.02, F.S.; requiring the State Board  
7           of Education to specify the college credit courses  
8           that may be taken by Florida College System  
9           institution students who are concurrently  
10          participating in developmental education; requiring  
11          the State Board of Education to establish the tuition  
12          and out-of-state fees for certain credit instruction,  
13          rather than college-preparatory instruction; revising  
14          the minimum standards, definitions, and guidelines  
15          that the State Board of Education must prescribe by  
16          rule for Florida College System institutions; amending  
17          s. 1001.64, F.S.; authorizing a board of trustees at a  
18          Florida College System institution to contract with  
19          the board of trustees of a state university for the  
20          Florida College System institution to provide  
21          developmental education; creating s. 1001.7065, F.S.;  
22          establishing a collaborative partnership between the  
23          Board of Governors and the Legislature to elevate the  
24          academic and research preeminence of this state's  
25          highest performing state research universities;  
26          establishing academic and research excellence  
27          standards for a university to be designated a  
28          preeminent state research university; providing for a  
29          preeminent state research university to establish an

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30 institute for online learning; providing duties and  
31 responsibilities of an advisory board, the university,  
32 and the Board of Governors to provide high-quality,  
33 fully online baccalaureate degree programs, including  
34 establishment of a tuition structure for the  
35 institute; providing for the award of funding to  
36 preeminent state research universities based upon  
37 performance and subject to appropriation; authorizing  
38 a preeminent state research university to establish  
39 special course requirements; providing for preeminent  
40 state research university flexibility; encouraging the  
41 Board of Governors to promote additional programs of  
42 excellence; amending s. 1004.02, F.S.; defining the  
43 term "developmental education" as it relates to public  
44 postsecondary education; amending s. 1004.43, F.S.;

45 transferring oversight of the H. Lee Moffitt Cancer  
46 Center and Research Institute to the Board of Trustees  
47 of the University of South Florida; requiring the  
48 Board of Trustees to enter into a lease agreement for  
49 use of certain land and facilities; providing for the  
50 terms of the lease; requiring the University of South  
51 Florida and the Florida not-for-profit corporation  
52 that governs and operates the H. Lee Moffitt Cancer  
53 Center and Research Institute to enter into an  
54 agreement to review construction plans and  
55 specifications for consistency of certain criteria;  
56 revising the membership of the board of directors for  
57 the not-for-profit corporation; deleting the  
58 requirement that the Board of Governors provide for

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59 certain approvals of the articles of incorporation of  
60 the not-for-profit corporation and use of land and  
61 facilities for certain purposes; requiring the not-  
62 for-profit corporation to cause to be prepared annual  
63 financial audits; requiring the not-for-profit  
64 corporation to provide equal employment opportunities;  
65 providing for the governance and operation of the  
66 facilities if the agreement between the not-for-profit  
67 corporation and the Board of Trustees of the  
68 University of South Florida, rather than the Board of  
69 Governors, is terminated; requiring the chief  
70 executive officer to report annually to the Board of  
71 Governors on the educational activities of the not-  
72 for-profit corporation; providing for the creation and  
73 duties of an external advisory board; repealing s.  
74 1004.58, F.S., relating to the Leadership Board for  
75 Applied Research and Public Service; amending s.  
76 1004.93, F.S.; deleting provisions relating to the  
77 levels and courses of instruction to be funded through  
78 the college-preparatory program; amending s. 1006.735,  
79 F.S.; establishing the Complete Florida Degree Program  
80 to recruit, recover, and retain adult learners and  
81 assist them in completing degrees aligned to high-  
82 wage, high-skill workforce needs; specifying program  
83 components and the tuition and fee structure;  
84 requiring submission of a project plan to the  
85 Legislature; amending s. 1007.23, F.S.; revising the  
86 number of semester hours in which a student who is  
87 seeking an associate in arts degree is required to

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88 indicate a baccalaureate degree program; amending s.  
89 1007.25, F.S.; revising general education courses,  
90 common prerequisites, and degree requirements;  
91 conforming terminology to changes made by the act;  
92 amending s. 1007.263, F.S.; revising the rules that  
93 the board of trustees of a Florida College System  
94 institution may adopt with regard to admissions  
95 counseling; requiring each board of trustees to  
96 establish policies that notify students about options  
97 they may use to attain the communication and  
98 computation skills that are essential to perform  
99 college-level work; deleting a prohibition against a  
100 student's enrollment in credit courses under certain  
101 circumstances; amending s. 1007.271, F.S.; conforming  
102 provisions to changes made by the act; creating s.  
103 1008.02, F.S.; providing definitions for the purpose  
104 of ch. 1008, F.S., relating to assessment and  
105 accountability for the K-20 education system; amending  
106 s. 1008.30, F.S.; providing that alternative  
107 assessments that may be accepted in lieu of the common  
108 placement test must be identified in rule; requiring  
109 the State Board of Education, in conjunction with the  
110 Board of Governors, to approve a series of meta-  
111 majors, academic pathways, and degree maps that  
112 identify the gateway courses required for success in  
113 each meta-major; providing requirements for the common  
114 placement testing program; requiring the State Board  
115 of Education to adopt rules that require high schools  
116 to evaluate certain students for college readiness;

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117 requiring the State Board of Education to establish by  
118 rule the test scores a student must achieve to  
119 demonstrate readiness to perform college-level work;  
120 deleting provisions to conform to changes made by the  
121 act; conforming terminology; requiring the State Board  
122 of Education to adopt rules by a specified date to  
123 implement developmental education; requiring local  
124 policies and practices set by each Florida College  
125 System institution board of trustees to outline the  
126 student achievements considered by the institution for  
127 placement determinations, identify instructional  
128 options available to students, and describe student  
129 costs and financial aid opportunities associated with  
130 each instructional option; creating s. 1008.322, F.S.;  
131 requiring the Board of Governors of the State  
132 University System to oversee the performance of state  
133 university boards of trustees in the enforcement of  
134 laws, rules, and regulations; providing that state  
135 university presidents are responsible for the accuracy  
136 of the information and data reported to the Board of  
137 Governors; authorizing the Chancellor of the State  
138 University System to investigate allegations of  
139 noncompliance with law or Board of Governors' rule or  
140 regulation and determine probable cause; requiring the  
141 chancellor to report determinations of probable cause  
142 to the Board of Governors; authorizing the Board of  
143 Governors to initiate specified actions if the board  
144 determines that the state university board of trustees  
145 is unwilling or unable to comply with the law, certain

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146 rules or regulations, or audit recommendations;  
147 amending s. 1008.34, F.S.; revising the grading of  
148 middle schools and high schools to include added  
149 weight for students who participate and are enrolled  
150 in certain classes; amending ss. 1008.37, 1009.22, and  
151 1009.23, F.S.; conforming provisions to changes made  
152 by the act; amending s. 1009.26, F.S.; authorizing  
153 certain Florida College System institutions to waive  
154 certain fees; repealing s. 1009.28, F.S., relating to  
155 fees for repeated enrollment in college-preparatory  
156 classes; amending s. 1009.285, F.S.; requiring a  
157 student enrolled in the same undergraduate college-  
158 credit course more than once, except for students  
159 enrolled in a gateway course for an extended period of  
160 time, to pay tuition at 100 percent of the full cost  
161 of instruction; reducing the number of times certain  
162 coursework, which is excluded for the reduction of  
163 fees, is repeated for certain purposes; amending s.  
164 1009.286, F.S.; excluding remedial courses from those  
165 courses that are counted when calculating credit hours  
166 earned toward a baccalaureate degree; amending s.  
167 1009.40, F.S.; providing that undergraduate students  
168 participating in developmental education are eligible  
169 to receive financial aid for a specified number of  
170 semesters or quarters; conforming provisions to  
171 changes made by the act; amending s. 1009.53, F.S.;  
172 conforming terminology to changes made by the act;  
173 repealing s. 1009.531(7), F.S., relating to the  
174 eligibility of a student for an initial reward or

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175 renewal reward under the Florida Bright Futures  
176 Scholarship Program; amending s. 1011.84, F.S.;  
177 conforming provisions to changes made by the act;  
178 providing an effective date.

179

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

181

182 Section 1. Paragraph (j) of subsection (7) of section  
183 11.45, Florida Statutes, is amended to read:

184 11.45 Definitions; duties; authorities; reports; rules.—

185 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

186 (j) The Auditor General shall notify the Legislative  
187 Auditing Committee of any financial or operational audit report  
188 prepared pursuant to this section which indicates that a state  
189 university or Florida College System institution has failed to  
190 take full corrective action in response to a recommendation that  
191 was included in the two preceding financial or operational audit  
192 reports.

193 1. The committee may direct the governing body of the state  
194 university or Florida College System institution to provide a  
195 written statement to the committee explaining why full  
196 corrective action has not been taken or, if the governing body  
197 intends to take full corrective action, describing the  
198 corrective action to be taken and when it will occur.

199 2. If the committee determines that the written statement  
200 is not sufficient, the committee may require the chair of the  
201 governing body of the state university or Florida College System  
202 institution, or the chair's designee, to appear before the  
203 committee.

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204           3. If the committee determines that the state university or  
205 Florida College System institution has failed to take full  
206 corrective action for which there is no justifiable reason or  
207 has failed to comply with committee requests made pursuant to  
208 this section, the committee shall refer the matter to the State  
209 Board of Education or the Board of Governors, as appropriate, to  
210 proceed in accordance with ss. 1008.32 and 1008.322,  
211 respectively ~~may proceed in accordance with s. 11.40(2).~~

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

215           1001.02 General powers of State Board of Education.—

216           (4) The State Board of Education shall:

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

221           (5) The State Board of Education is responsible for  
222 reviewing and administering the state program of support for the  
223 Florida College System institutions and, subject to existing  
224 law, shall establish the tuition and out-of-state fees for  
225 ~~college-preparatory instruction and for~~ credit instruction that  
226 may be counted toward an associate in arts degree, an associate  
227 in applied science degree, or an associate in science degree.

228           (6) The State Board of Education shall prescribe minimum  
229 standards, definitions, and guidelines for Florida College  
230 System institutions that will ensure the quality of education,  
231 coordination among the Florida College System institutions and  
232 state universities, and efficient progress toward accomplishing



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233 the Florida College System institution mission. At a minimum,  
234 these rules must address:

235 (c) Program offerings and classification, including  
236 college-level communication and computation skills associated  
237 with successful performance in college and with tests and other  
238 assessment procedures that measure student achievement of those  
239 skills. ~~The performance measures must provide that students~~  
240 ~~moving from one level of education to the next acquire the~~  
241 ~~necessary competencies for that level.~~

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

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

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

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

257

258 The rules should encourage Florida College System institutions  
259 to enter into agreements with state universities that allow  
260 Florida College System institution students to complete upper-  
261 division-level courses at a Florida College System institution.

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262 An agreement may provide for concurrent enrollment at the  
263 Florida College System institution and the state university and  
264 may authorize the Florida College System institution to offer an  
265 upper-division-level course or distance learning.

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

268 1001.64 Florida College System institution boards of  
269 trustees; powers and duties.—

270 (9) A board of trustees may contract with the board of  
271 trustees of a state university for the Florida College System  
272 institution to provide developmental education ~~college-~~  
273 ~~preparatory instruction~~ on the state university campus.

274 Section 4. Section 1001.7065, Florida Statutes, is created  
275 to read:

276 1001.7065 Preeminent state research universities program.—

277 (1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE  
278 COLLABORATION.—A collaborative partnership is established  
279 between the Board of Governors and the Legislature to elevate  
280 the academic and research preeminence of Florida's highest-  
281 performing state research universities in accordance with this  
282 section. The partnership stems from the State University System  
283 Governance Agreement executed on March 24, 2010, wherein the  
284 Board of Governors and leaders of the Legislature agreed to a  
285 framework for the collaborative exercise of their joint  
286 authority and shared responsibility for the State University  
287 System. The governance agreement confirmed the commitment of the  
288 Board of Governors and the Legislature to continue collaboration  
289 on accountability measures, the use of data, and recommendations  
290 derived from such data.

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291 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—Effective  
292 July 1, 2013, the following academic and research excellence  
293 standards are established for the Preeminent State Research  
294 Universities Program:

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

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

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

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

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

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

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

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

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

323 (j) Four hundred or more doctoral degrees awarded annually,  
324 as reported in the Board of Governors Annual Accountability  
325 Report.

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

328 (l) An endowment of \$500 million or more, as reported in  
329 the Board of Governors Annual Accountability Report.

330 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—The  
331 Board of Governors shall designate each state research  
332 university that meets at least 11 of the 12 academic and  
333 research excellence standards identified in subsection (2) a  
334 preeminent state research university.

335 (4) PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR  
336 ONLINE LEARNING.—The state research university that has attained  
337 the highest level on the academic and research excellence  
338 standards identified in subsection (2), as verified by the Board  
339 of Governors, shall establish an institute for online learning.  
340 The institute shall establish a robust offering of high-quality,  
341 fully online baccalaureate degree programs at an affordable cost  
342 in accordance with this subsection.

343 (a) By August 1, 2013, the Board of Governors shall convene  
344 an advisory board to support the development of high-quality,  
345 fully online baccalaureate degree programs at the preeminent  
346 university.

347 (b) The advisory board shall:

348 1. Offer expert advice, as requested by the preeminent

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349 university, in the development and implementation of a business  
350 plan to expand the offering of high-quality, fully online  
351 baccalaureate degree programs.

352 2. Authorize the release of funding to the preeminent  
353 university subject to appropriation in the General  
354 Appropriations Act and upon approval by the Board of Governors  
355 of the plan developed by the preeminent university.

356 3. Monitor, evaluate, and report on the implementation of  
357 the plan to the Board of Governors, the Governor, the President  
358 of the Senate, and the Speaker of the House of Representatives.

359 (c) The advisory board shall be composed of the following  
360 five members:

361 1. The chair of the Board of Governors or the chair's  
362 permanent designee.

363 2. A member with expertise in online learning, appointed by  
364 the Board of Governors.

365 3. A member with expertise in global marketing, appointed  
366 by the Governor.

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

369 5. A member with expertise in disruptive innovation,  
370 appointed by the Speaker of the House of Representatives.

371 (d) The president of the preeminent university shall be  
372 consulted on the advisory board member appointments.

373 (e) A majority of the advisory board constitutes a quorum,  
374 elect the chair, and appoint an executive director.

375 (f) By September 1, 2013, the university shall submit to  
376 the advisory board a comprehensive plan to expand high-quality,  
377 fully online baccalaureate degree program offerings. The plan

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378 must include:

379 1. Existing on-campus general education courses and  
380 baccalaureate degree programs that will be offered online.

381 2. New courses that will be developed and offered online.

382 3. Support services that will be offered to students  
383 enrolled in online baccalaureate degree programs.

384 4. A tuition and fee structure that meets the requirements  
385 in paragraph (k) for online courses, baccalaureate degree  
386 programs, and student support services.

387 5. A timeline for offering, marketing, and enrolling  
388 students in the online baccalaureate degree programs.

389 6. A budget for developing and marketing the online  
390 baccalaureate degree programs.

391 7. Detailed strategies for ensuring the success of students  
392 and the sustainability of the online baccalaureate degree  
393 programs.

394  
395 Upon recommendation of the plan by the advisory board and  
396 approval by the Board of Governors, the Board of Governors shall  
397 award the university funds for implementation of the online  
398 baccalaureate degree program, as provided in the General  
399 Appropriations Act.

400 (g) Beginning in January 2014, the university shall offer  
401 high-quality, fully online baccalaureate degree programs that:

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

403 2. Have the same rigorous admissions criteria as equivalent  
404 on-campus degree programs.

405 3. Offer curriculum of equivalent rigor to on-campus degree  
406 programs.

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407 4. Offer rolling enrollment or multiple opportunities for  
408 enrollment throughout the year.

409 5. Do not require any on-campus courses. However, for  
410 courses or programs that require clinical training or  
411 laboratories that cannot be delivered online, the university  
412 shall offer convenient locational options to the student, which  
413 may include, but are not limited to, the option to complete such  
414 requirements at a summer-in-residence on the university campus.  
415 The university may provide a network of sites at convenient  
416 locations and contract with commercial testing centers or  
417 identify other secure testing services for the purpose of  
418 proctoring assessments or testing.

419 6. Apply the university's existing policy for accepting  
420 credits for both freshman applicants and transfer applicants.

421 (h) The university may offer a fully online Masters in  
422 Business Administration degree program and other masters degree  
423 programs.

424 (i) The university may develop and offer degree programs  
425 and courses that are competency based as appropriate for the  
426 quality and success of the program.

427 (j) The university shall periodically expand its offering  
428 of online baccalaureate degree programs to meet student and  
429 market demands.

430 (k) The university shall establish a tuition structure for  
431 its online institute in accordance with this paragraph,  
432 notwithstanding any other provision of law.

433 1. For students classified as residents for tuition  
434 purposes, tuition for an online baccalaureate degree program  
435 shall be set at no more than 75 percent of the tuition rate as

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436 specified in the General Appropriations Act pursuant to s.  
437 1009.24(4) and 75 percent of the tuition differential pursuant  
438 to s. 1009.24(16). No distance learning fee, fee for campus  
439 facilities, or fee for on-campus services may be assessed,  
440 except that online students shall pay the university's  
441 technology fee, financial aid fee, and Capital Improvement Trust  
442 Fund fee. The revenues generated from the Capital Improvement  
443 Trust Fund fee shall be dedicated to the university's institute  
444 for online learning.

445 2. For students classified as nonresidents for tuition  
446 purposes, tuition may be set at market rates in accordance with  
447 the business plan.

448 3. Tuition for an online degree program must include all  
449 costs associated with instruction, materials, and enrollment,  
450 excluding costs associated with the provision of textbooks  
451 pursuant to s. 1004.085 and physical laboratory supplies.

452 4. Subject to the limitations in subparagraph 1., tuition  
453 may be differentiated by degree program as appropriate to the  
454 instructional and other costs of the program in accordance with  
455 the business plan. Pricing must incorporate innovative  
456 approaches that incentivize persistence and completion,  
457 including, but not limited to, a fee for assessment, a bundled  
458 or all-inclusive rate, and sliding scale features.

459 5. The university shall accept advance payment contracts  
460 and student financial aid.

461 6. Fifty percent of the net revenues generated from the  
462 online institute of the university shall be used to enhance and  
463 enrich the online institute offerings, and 50 percent of the net  
464 revenues generated from the online institute shall be used to



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465 enhance and enrich the university's campus state-of-the-art  
466 research programs and facilities.

467 7. The institute may charge additional local user fees  
468 pursuant to s. 1009.24(14) upon the approval of the Board of  
469 Governors.

470 8. The institute shall submit a proposal to the president  
471 of the university authorizing additional user fees for the  
472 provision of voluntary student participation in activities and  
473 additional student services.

474 (5) PREEMINENT STATE RESEARCH UNIVERSITY SUPPORT.—The state  
475 research university that has attained the highest level on the  
476 academic and research excellence standards identified in  
477 subsection (2), as verified by the Board of Governors, shall  
478 submit to the Board of Governors a 5-year benchmark plan with  
479 target rankings on key performance metrics for national  
480 excellence. Upon approval by the Board of Governors, and upon  
481 the university's meeting the benchmark plan goals annually, the  
482 Board of Governors shall award the university funding for this  
483 purpose, as provided in the General Appropriations Act.

484 (6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT  
485 INITIATIVE.—The state research university that has attained the  
486 second highest level on the academic and research excellence  
487 standards identified in subsection (2), as verified by the Board  
488 of Governors, shall submit to the Board of Governors a 5-year  
489 benchmark plan with target rankings on key performance metrics  
490 for national excellence. Upon the university's meeting the  
491 benchmark plan goals annually, the Board of Governors shall  
492 award the university funding as provided in the General  
493 Appropriations Act for the purpose of recruiting National

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494 Academy Members, expediting the provision of a masters degree in  
495 cloud virtualization, and instituting an entrepreneurs-in-  
496 residence program throughout its campus.

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

509 (8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY  
510 AUTHORITY.—The Board of Governors is encouraged to identify and  
511 grant all reasonable, feasible authority and flexibility to  
512 ensure that a designated preeminent state research university is  
513 free from unnecessary restrictions.

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

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

522 1004.02 Definitions.—As used in this chapter:

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

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

531           1004.43 H. Lee Moffitt Cancer Center and Research  
532 Institute.—There is established the H. Lee Moffitt Cancer Center  
533 and Research Institute, a statewide resource for basic and  
534 clinical research and multidisciplinary approaches to patient  
535 care.

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

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552 construction plans and specifications by the university for  
553 consistency with the university's campus master plan, impact on  
554 the university's utilities infrastructure, and compliance with  
555 applicable building code and general design characteristics and  
556 compatibility with university architecture, as appropriate. The  
557 not-for-profit corporation may, with the prior approval of the  
558 Board of Governors, create ~~either~~ for-profit or not-for-profit  
559 corporate subsidiaries, or both, to fulfill its mission. The  
560 not-for-profit corporation and any approved not-for-profit  
561 subsidiary are ~~shall be~~ conclusively deemed corporations  
562 primarily acting as instrumentalities of the state, pursuant to  
563 s. 768.28(2), for purposes of sovereign immunity. For-profit  
564 subsidiaries of the not-for-profit corporation may not compete  
565 with for-profit health care providers in the delivery of  
566 radiation therapy services to patients. The not-for-profit  
567 corporation and its subsidiaries may ~~are authorized to~~ receive,  
568 hold, invest, and administer property and any moneys received  
569 from private, local, state, and federal sources, as well as  
570 technical and professional income generated or derived from  
571 practice activities of the institute, for the benefit of the  
572 institute and the fulfillment of its mission. The affairs of the  
573 corporation shall be managed by a board of directors who shall  
574 serve without compensation. The President of the University of  
575 South Florida and the chair of the Board of Governors, or his or  
576 her designee, shall be directors of the not-for-profit  
577 corporation, ~~together with 5 representatives of the state~~  
578 ~~universities and no more than 14 nor fewer than 10 directors who~~  
579 ~~are not medical doctors or state employees.~~ Each director has  
580 ~~shall have~~ only one vote, serves ~~shall serve~~ a term of 3 years,

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581 and may be reelected to the board. Other than the President of  
582 the University of South Florida and the chair of the Board of  
583 Governors, directors shall be elected by a majority vote of the  
584 board. The chair of the board of directors shall be selected by  
585 majority vote of the directors.

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

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

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

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

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

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610 corporation and any subsidiaries or from their independent  
611 auditor any detail or supplemental data relative to the  
612 operation of the not-for-profit corporation or subsidiary.

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

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

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

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

637 (a) The chief executive officer shall establish programs  
638 that ~~which~~ fulfill the mission of the institute in research,

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

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

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

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

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

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

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

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

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

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

695 (b) Proprietary confidential business information is  
696 confidential and exempt from the provisions of s. 119.07(1) and



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

- 717 1. Internal auditing controls and reports of internal  
718 auditors;
- 719 2. Matters reasonably encompassed in privileged attorney-  
720 client communications;
- 721 3. Contracts for managed-care arrangements, including  
722 preferred provider organization contracts, health maintenance  
723 organization contracts, and exclusive provider organization  
724 contracts, and any documents directly relating to the  
725 negotiation, performance, and implementation of any such

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726 contracts for managed-care arrangements;

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

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

734 6. Corporate officer and employee personnel information;

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

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

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

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

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

752 b. Reimbursement methodologies or rates;

753 11. The identity of donors or prospective donors of  
754 property who wish to remain anonymous or any information

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755 identifying such donors or prospective donors. The anonymity of  
756 these donors or prospective donors must be maintained in the  
757 auditor's report; or

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

763  
764 As used in this paragraph, the term "managed care" means systems  
765 or techniques generally used by third-party payors or their  
766 agents to affect access to and control payment for health care  
767 services. Managed-care techniques most often include one or more  
768 of the following: prior, concurrent, and retrospective review of  
769 the medical necessity and appropriateness of services or site of  
770 services; contracts with selected health care providers;  
771 financial incentives or disincentives related to the use of  
772 specific providers, services, or service sites; controlled  
773 access to and coordination of services by a case manager; and  
774 payor efforts to identify treatment alternatives and modify  
775 benefit restrictions for high-cost patient care.

776 (9) Meetings of the governing board of the not-for-profit  
777 corporation and meetings of the subsidiaries of the not-for-  
778 profit corporation at which the expenditure of dollars  
779 appropriated to the not-for-profit corporation by the state are  
780 discussed or reported must remain open to the public in  
781 accordance with s. 286.011 and s. 24(b), Art. I of the State  
782 Constitution, unless made confidential or exempt by law. Other  
783 meetings of the governing board of the not-for-profit

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784 corporation and of the subsidiaries of the not-for-profit  
785 corporation are exempt from s. 286.011 and s. 24(b), Art. I of  
786 the State Constitution.

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

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

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

796 1004.93 Adult general education.—

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

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

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

811 ~~(d) Expenditures for college-preparatory and lifelong~~  
812 ~~learning students shall be reported separately. Allocations for~~

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

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

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

839 1006.735 Complete Florida Degree Program Completion Pilot  
840 Project.—

841 (1) The Complete Florida Degree Program Completion Pilot

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

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

864 (3) For purposes of selecting the degree programs that will  
865 be given priority in the Complete Florida Degree Program ~~pilot~~  
866 ~~project~~, the institutions identified in subsection (2) shall  
867 partner with public and private job recruitment and placement  
868 agencies and use labor market data and projections to identify  
869 the specific workforce needs and targeted occupations of the  
870 state.

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

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

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

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

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

897 (d) Use existing and, if necessary, develop new competency-  
898 based instructional and evaluation tools to assess prior  
899 performance, experience, and education for the award of college

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900 credit in order to reduce the time required for adult learners  
901 to complete their degrees. The tools may include the use of the  
902 American Council on Education's collaborative link between the  
903 United States Department of Defense and higher education through  
904 the review of military training and experiences for the award of  
905 equivalent college credit for members of the United States Armed  
906 Forces.

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

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

925 (6) For purposes of the Complete Florida Degree Program  
926 ~~pilot project~~, each institution's current tuition and fee  
927 structure shall be used. However, all participating institutions  
928 shall collaboratively identify the applicable cost components



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929 involved in the development and delivery of distance learning  
930 courses, collect information on these cost components, and  
931 submit the information to the ~~Florida Virtual Campus. The~~  
932 chancellors of the Florida College System. ~~The chancellors and~~  
933 ~~the State University System~~ shall submit a report to the chairs  
934 of the legislative appropriations committees no later than  
935 December 31, 2014 ~~2013~~, on the need for a differentiated tuition  
936 and fee structure for the development and delivery of distance  
937 learning courses.

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

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

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

954 1007.23 Statewide articulation agreement.—

955 (3) To improve articulation and reduce excess credit hours,  
956 beginning with students initially entering a Florida College  
957 System institution in 2013-2014 and thereafter, the articulation

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958 agreement must require each student who is seeking an associate  
959 in arts degree to indicate a baccalaureate degree program  
960 offered by an institution of interest by the time the student  
961 earns 36 ~~30~~ semester hours. The institution in which the student  
962 is enrolled shall inform the student of the prerequisites for  
963 the baccalaureate degree program offered by an institution of  
964 interest.

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

967 1007.25 General education courses; common prerequisites;  
968 other degree requirements.—

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

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987 identified core course in each subject area as part of the  
988 general education course requirements. All public postsecondary  
989 educational institutions shall ~~offer and~~ accept these courses as  
990 meeting general education core course requirements. The  
991 remaining general education course requirements shall be  
992 identified by each institution and reported to the department by  
993 their statewide course number. The general education core course  
994 options shall be adopted in rule by the State Board of Education  
995 and in regulation by the Board of Governors.

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  
1014 include ~~and~~ demonstration of competency in a foreign language  
1015 pursuant to s. 1007.262. Except for developmental education

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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.

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

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

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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.~~

1101 Section 13. Subsections (2) and (14) of section 1007.271,  
1102 Florida Statutes, are amended to read:

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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

1130 be evaluated individually in the same manner as physical

1131 education courses for potential inclusion in the program.

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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  
1159 supplements credit instruction.

1160 (b) Embedded content in a modified or extended credit-



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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  
1188 lieu of the common placement test shall also be identified in  
1189 rule. Public postsecondary educational institutions shall

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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  
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

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1219 or Level 2, Level 3, or Level 4 on the Algebra I mathematics  
1220 assessments under s. 1008.22 ~~s. 1008.22(3)(e)~~. 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  
1246 language arts preparatory course.

1247 (5)(4)(a) The State Board of Education shall establish by

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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-~~  
1275 ~~preparatory coursework requirements are completed, and provided~~  
1276 ~~the student demonstrates satisfactory performance in degree-~~

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

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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  
1333 preparatory assistance, outline retesting requirements, and  
1334 identify options for students who choose to attain skills in

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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  
1362 Governors' rule or regulation and determine probable cause. The  
1363 chancellor shall report determinations of probable cause to the

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

1392 Section 17. Subsection (3) of section 1008.34, Florida



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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  
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:

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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'  
1449 attainment of national industry certification identified in the  
1450 Industry Certification Funding List pursuant to rules adopted by

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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  
1478 grades shall include:

1479 1. The aggregate scores of all eligible students enrolled

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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  
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

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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  
1536 Education determines such data are valid and available:

1537 a. The high school graduation rate of the school as

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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;

1565       h. The performance of the school's students on statewide,  
1566 standardized end-of-course assessments administered under s.

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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:

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

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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~~  
1623 ~~instruction.~~

1624           Section 20. Subsection (1), paragraph (a) of subsection



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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.  
1652 Fifty percent of technology fee revenues may be pledged by a  
1653 Florida College System institution board of trustees as a

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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  
1681 calculations of full-time equivalent enrollments for state  
1682 funding purposes. However, students who withdraw or fail a class

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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  
1710 to earn a baccalaureate degree:

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

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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  
1739 financial support and the annual apportionment to each Florida  
1740 College System institution district authorized to operate a

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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.