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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; amending s. 1004.02, F.S.;  
22    defining the term "developmental education" as it  
23    relates to public postsecondary education; amending s.  
24    1004.43, F.S.; transferring oversight of the H. Lee  
25    Moffitt Cancer Center and Research Institute to the  
26    Board of Trustees of the University of South Florida;  
27    requiring the Board of Trustees to enter into a lease  
28    agreement for use of certain land and facilities;  
29    providing for the terms of the lease; requiring the

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30 University of South Florida and the Florida not-for-  
31 profit corporation that governs and operates the H.  
32 Lee Moffitt Cancer Center and Research Institute to  
33 enter into an agreement to review construction plans  
34 and specifications for consistency of certain  
35 criteria; revising the membership of the board of  
36 directors for the not-for-profit corporation; deleting  
37 the requirement that the Board of Governors provide  
38 for certain approvals of the articles of incorporation  
39 of the not-for-profit corporation and use of land and  
40 facilities for certain purposes; requiring the not-  
41 for-profit corporation to cause to be prepared annual  
42 financial audits; requiring the not-for-profit  
43 corporation to provide equal employment opportunities;  
44 providing for the governance and operation of the  
45 facilities if the agreement between the not-for-profit  
46 corporation and the Board of Trustees of the  
47 University of South Florida, rather than the Board of  
48 Governors, is terminated; requiring the chief  
49 executive officer to report annually to the Board of  
50 Governors on the educational activities of the not-  
51 for-profit corporation; providing for the creation and  
52 duties of an external advisory board; repealing s.  
53 1004.58, F.S., relating to the Leadership Board for  
54 Applied Research and Public Service; amending s.  
55 1004.93, F.S.; deleting provisions relating to the  
56 levels and courses of instruction to be funded through  
57 the college-preparatory program; amending s. 1007.23,  
58 F.S.; revising the number of semester hours in which a

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59 student who is seeking an associate in arts degree is  
60 required to indicate a baccalaureate degree program;  
61 amending s. 1007.25, F.S.; revising general education  
62 courses, common prerequisites, and degree  
63 requirements; conforming terminology to changes made  
64 by the act; amending s. 1007.263, F.S.; revising the  
65 rules that the board of trustees of a Florida College  
66 System institution may adopt with regard to admissions  
67 counseling; requiring each board of trustees to  
68 establish policies that notify students about options  
69 they may use to attain the communication and  
70 computation skills that are essential to perform  
71 college-level work; deleting a prohibition against a  
72 student's enrollment in credit courses under certain  
73 circumstances; amending s. 1007.271, F.S.; conforming  
74 provisions to changes made by the act; creating s.  
75 1008.02, F.S.; providing definitions for the purpose  
76 of ch. 1008, F.S., relating to assessment and  
77 accountability for the K-20 education system; amending  
78 s. 1008.30, F.S.; providing that alternative  
79 assessments that may be accepted in lieu of the common  
80 placement test must be identified in rule; requiring  
81 the State Board of Education, in conjunction with the  
82 Board of Governors, to approve a series of meta-  
83 majors, academic pathways, and degree maps that  
84 identify the gateway courses required for success in  
85 each meta-major; providing requirements for the common  
86 placement testing program; requiring the State Board  
87 of Education to adopt rules that require high schools

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88 to evaluate certain students for college readiness;  
89 requiring the State Board of Education to establish by  
90 rule the test scores a student must achieve to  
91 demonstrate readiness to perform college-level work;  
92 deleting provisions to conform to changes made by the  
93 act; conforming terminology; requiring the State Board  
94 of Education to adopt rules by a specified date to  
95 implement developmental education; requiring local  
96 policies and practices set by each Florida College  
97 System institution board of trustees to outline the  
98 student achievements considered by the institution for  
99 placement determinations, identify instructional  
100 options available to students, and describe student  
101 costs and financial aid opportunities associated with  
102 each instructional option; creating s. 1008.322, F.S.;  
103 requiring the Board of Governors of the State  
104 University System to oversee the performance of state  
105 university boards of trustees in the enforcement of  
106 laws, rules, and regulations; providing that state  
107 university presidents are responsible for the accuracy  
108 of the information and data reported to the Board of  
109 Governors; authorizing the Chancellor of the State  
110 University System to investigate allegations of  
111 noncompliance with law or Board of Governors' rule or  
112 regulation and determine probable cause; requiring the  
113 chancellor to report determinations of probable cause  
114 to the Board of Governors; authorizing the Board of  
115 Governors to initiate specified actions if the board  
116 determines that the state university board of trustees

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117 is unwilling or unable to comply with the law, certain  
118 rules or regulations, or audit recommendations;  
119 amending ss. 1008.37, 1009.22, and 1009.23, F.S.;  
120 conforming provisions to changes made by the act;  
121 repealing s. 1009.28, F.S., relating to fees for  
122 repeated enrollment in college-preparatory classes;  
123 amending s. 1009.285, F.S.; requiring a student  
124 enrolled in the same undergraduate college-credit  
125 course more than once, except for students enrolled in  
126 a gateway course for an extended period of time, to  
127 pay tuition at 100 percent of the full cost of  
128 instruction; reducing the number of times certain  
129 coursework, which is excluded for the reduction of  
130 fees, is repeated for certain purposes; amending s.  
131 1009.286, F.S.; excluding remedial courses from those  
132 courses that are counted when calculating credit hours  
133 earned toward a baccalaureate degree; amending s.  
134 1009.40, F.S.; providing that undergraduate students  
135 participating in developmental education are eligible  
136 to receive financial aid for a specified number of  
137 semesters or quarters; conforming provisions to  
138 changes made by the act; amending s. 1009.53, F.S.;  
139 conforming terminology to changes made by the act;  
140 repealing s. 1009.531(7), F.S., relating to the  
141 eligibility of a student for an initial reward or  
142 renewal reward under the Florida Bright Futures  
143 Scholarship Program; amending s. 1011.84, F.S.;  
144 conforming provisions to changes made by the act;  
145 providing a directive to the Division of Law Revision

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146 and Information; providing an effective date.

147  
148 Be It Enacted by the Legislature of the State of Florida:

149  
150 Section 1. Paragraph (j) of subsection (7) of section  
151 11.45, Florida Statutes, is amended to read:

152 11.45 Definitions; duties; authorities; reports; rules.—

153 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

154 (j) The Auditor General shall notify the Legislative  
155 Auditing Committee of any financial or operational audit report  
156 prepared pursuant to this section which indicates that a state  
157 university or Florida College System institution has failed to  
158 take full corrective action in response to a recommendation that  
159 was included in the two preceding financial or operational audit  
160 reports.

161 1. The committee may direct the governing body of the state  
162 university or Florida College System institution to provide a  
163 written statement to the committee explaining why full  
164 corrective action has not been taken or, if the governing body  
165 intends to take full corrective action, describing the  
166 corrective action to be taken and when it will occur.

167 2. If the committee determines that the written statement  
168 is not sufficient, the committee may require the chair of the  
169 governing body of the state university or Florida College System  
170 institution, or the chair's designee, to appear before the  
171 committee.

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

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

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

183 1001.02 General powers of State Board of Education.—

184 (4) The State Board of Education shall:

185 (g) Specify, by rule, the college credit courses that may  
186 be taken by Florida College System institution students who are  
187 concurrently participating in developmental education enrolled  
188 ~~in college preparatory instruction.~~

189 (5) The State Board of Education is responsible for  
190 reviewing and administering the state program of support for the  
191 Florida College System institutions and, subject to existing  
192 law, shall establish the tuition and out-of-state fees for  
193 ~~college preparatory instruction and for~~ credit instruction that  
194 may be counted toward an associate in arts degree, an associate  
195 in applied science degree, or an associate in science degree.

196 (6) The State Board of Education shall prescribe minimum  
197 standards, definitions, and guidelines for Florida College  
198 System institutions that will ensure the quality of education,  
199 coordination among the Florida College System institutions and  
200 state universities, and efficient progress toward accomplishing  
201 the Florida College System institution mission. At a minimum,  
202 these rules must address:

203 (c) Program offerings and classification, including

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204 college-level communication and computation skills associated  
205 with successful performance in college and with tests and other  
206 assessment procedures that measure student achievement of those  
207 skills. ~~The performance measures must provide that students~~  
208 ~~moving from one level of education to the next acquire the~~  
209 ~~necessary competencies for that level.~~

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

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

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

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

225  
226 The rules should encourage Florida College System institutions  
227 to enter into agreements with state universities that allow  
228 Florida College System institution students to complete upper-  
229 division-level courses at a Florida College System institution.  
230 An agreement may provide for concurrent enrollment at the  
231 Florida College System institution and the state university and  
232 may authorize the Florida College System institution to offer an

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233 upper-division-level course or distance learning.

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

236 1001.64 Florida College System institution boards of  
237 trustees; powers and duties.—

238 (9) A board of trustees may contract with the board of  
239 trustees of a state university for the Florida College System  
240 institution to provide developmental education ~~college-~~  
241 ~~preparatory instruction~~ on the state university campus.

242 Section 4. Subsection (11) of section 1004.02, Florida  
243 Statutes, is amended to read:

244 1004.02 Definitions.—As used in this chapter:

245 (11) “Developmental education” ~~“College-preparatory~~  
246 ~~instruction”~~ means instruction ~~courses~~ through which a high  
247 school graduate who applies for and enrolls in any college  
248 credit program may attain the communication and computation  
249 skills necessary to perform college-level work while also  
250 enrolled ~~enroll~~ in college credit instruction.

251 Section 5. Section 1004.43, Florida Statutes, is amended to  
252 read:

253 1004.43 H. Lee Moffitt Cancer Center and Research  
254 Institute.—There is established the H. Lee Moffitt Cancer Center  
255 and Research Institute, a statewide resource for basic and  
256 clinical research and multidisciplinary approaches to patient  
257 care.

258 (1) The Board of Trustees of the University of South  
259 Florida ~~Governors~~ shall enter into a lease ~~an~~ agreement for the  
260 use ~~utilization~~ of the lands and facilities on the campus of the  
261 University of South Florida ~~to be~~ known as the H. Lee Moffitt

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262 Cancer Center and Research Institute, including all furnishings,  
263 equipment, and other chattels used in the operation of such  
264 facilities, with a Florida not-for-profit corporation organized  
265 solely for the purpose of governing and operating the H. Lee  
266 Moffitt Cancer Center and Research Institute. The lease  
267 agreement with the not-for-profit corporation must be rent free  
268 so long as the not-for-profit corporation and its subsidiaries  
269 use the lands and facilities primarily for research, education,  
270 treatment, prevention, and the early detection of cancer or for  
271 teaching and research programs conducted by the state  
272 universities or other accredited medical schools or research  
273 institutes. The lease agreement must provide for review of  
274 construction plans and specifications by the university for  
275 consistency with the university's campus master plan, impact on  
276 the university's utilities infrastructure, and compliance with  
277 applicable building code and general design characteristics and  
278 compatibility with university architecture, as appropriate. The  
279 not-for-profit corporation may, with the prior approval of the  
280 Board of Governors, create ~~either~~ for-profit or not-for-profit  
281 corporate subsidiaries, or both, to fulfill its mission. The  
282 not-for-profit corporation and any approved not-for-profit  
283 subsidiary are ~~shall be~~ conclusively deemed corporations  
284 primarily acting as instrumentalities of the state, pursuant to  
285 s. 768.28(2), for purposes of sovereign immunity. For-profit  
286 subsidiaries of the not-for-profit corporation may not compete  
287 with for-profit health care providers in the delivery of  
288 radiation therapy services to patients. The not-for-profit  
289 corporation and its subsidiaries may ~~are authorized to~~ receive,  
290 hold, invest, and administer property and any moneys received

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291 from private, local, state, and federal sources, as well as  
292 technical and professional income generated or derived from  
293 practice activities of the institute, for the benefit of the  
294 institute and the fulfillment of its mission. The affairs of the  
295 corporation shall be managed by a board of directors who shall  
296 serve without compensation. The President of the University of  
297 South Florida and the chair of the Board of Governors, or his or  
298 her designee, shall be directors of the not-for-profit  
299 corporation, ~~together with 5 representatives of the state~~  
300 ~~universities and no more than 14 nor fewer than 10 directors who~~  
301 ~~are not medical doctors or state employees.~~ Each director has  
302 ~~shall have~~ only one vote, serves ~~shall serve~~ a term of 3 years,  
303 and may be reelected to the board. Other than the President of  
304 the University of South Florida and the chair of the Board of  
305 Governors, directors shall be elected by a majority vote of the  
306 board. The chair of the board of directors shall be selected by  
307 majority vote of the directors.

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

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

312 ~~(b) Approval of the articles of incorporation of any not-~~  
313 ~~for-profit corporate subsidiary created by the not-for-profit~~  
314 ~~corporation.~~

315 ~~(c) Utilization of lands, facilities, and personnel by the~~  
316 ~~not-for-profit corporation and its subsidiaries for research,~~  
317 ~~education, treatment, prevention, and the early detection of~~  
318 ~~cancer and for mutually approved teaching and research programs~~  
319 ~~conducted by the state universities or other accredited medical~~

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320 ~~schools or research institutes.~~

321 (2)(d) The not-for-profit corporation shall cause the  
322 ~~Preparation of an~~ annual financial audits ~~audit~~ of the not-for-  
323 profit corporation's accounts and records to be prepared and the  
324 accounts and records of any subsidiaries to be conducted by an  
325 independent certified public accountant. Each ~~The~~ annual  
326 financial audit report must ~~shall~~ include a management letter,  
327 as defined in s. 11.45, and must ~~shall~~ be submitted to the  
328 Auditor General and the Board of Governors. The Board of  
329 Governors, the Auditor General, and the Office of Program Policy  
330 Analysis and Government Accountability may ~~shall have the~~  
331 ~~authority to~~ require and receive from the not-for-profit  
332 corporation and any subsidiaries or from their independent  
333 auditor any detail or supplemental data relative to the  
334 operation of the not-for-profit corporation or subsidiary.

335 ~~(c) Provision by~~ The not-for-profit corporation and its  
336 subsidiaries shall provide ~~of~~ equal employment opportunities to  
337 all persons regardless of race, color, religion, sex, age, or  
338 national origin.

339 (3) The Board of Governors may ~~is authorized to~~ secure  
340 comprehensive general liability protection, including  
341 professional liability protection, for the not-for-profit  
342 corporation and its subsidiaries pursuant to s. 1004.24. The  
343 not-for-profit corporation and its subsidiaries are ~~shall be~~  
344 exempt from ~~any~~ participation in any property insurance trust  
345 fund established by law, including any property insurance trust  
346 fund established pursuant to chapter 284, so long as the not-  
347 for-profit corporation and its subsidiaries maintain property  
348 insurance protection with comparable or greater coverage limits.

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349 (4) ~~If In the event that~~ the agreement between the not-for-  
350 profit corporation and the Board of Trustees of the University  
351 of South Florida ~~Governors~~ is terminated for any reason, the  
352 Board of Governors shall resume governance and operation of such  
353 facilities.

354 (5) The institute shall be administered by a chief  
355 executive officer who serves ~~shall serve~~ at the pleasure of the  
356 board of directors of the not-for-profit corporation and who has  
357 ~~shall have~~ the following powers and duties subject to the  
358 approval of the board of directors:

359 (a) The chief executive officer shall establish programs  
360 that ~~which~~ fulfill the mission of the institute in research,  
361 education, treatment, prevention, and the early detection of  
362 cancer; however, the chief executive officer may ~~shall~~ not  
363 establish academic programs for which academic credit is awarded  
364 and which terminate in the conference of a degree without prior  
365 approval of the Board of Governors.

366 (b) The chief executive officer has ~~shall have~~ control over  
367 the budget and the dollars appropriated or donated to the  
368 institute from private, local, state, and federal sources, as  
369 well as technical and professional income generated or derived  
370 from practice activities of the not-for-profit corporation and  
371 its subsidiaries. Technical and professional income generated  
372 from practice activities may be shared between the not-for-  
373 profit corporation and its subsidiaries as determined by the  
374 chief executive officer. However, professional income generated  
375 by state university employees from practice activities at the  
376 not-for-profit corporation and its subsidiaries must ~~shall~~ be  
377 shared between the university and the not-for-profit corporation

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378 and its subsidiaries only as determined by the chief executive  
379 officer and the appropriate university dean or vice president.

380 (c) The chief executive officer shall appoint members to  
381 carry out the research, patient care, and educational activities  
382 of the institute and determine compensation, benefits, and terms  
383 of service. Members of the institute are ~~shall be~~ eligible to  
384 hold concurrent appointments at affiliated academic  
385 institutions. State university faculty are ~~shall be~~ eligible to  
386 hold concurrent appointments at the institute.

387 (d) The chief executive officer has ~~shall have~~ control over  
388 the use and assignment of space and equipment within the  
389 facilities.

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

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

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

401 (6) The board of directors of the not-for-profit  
402 corporation shall create an external advisory board ~~a council~~ of  
403 scientific advisers to the chief executive officer comprised of  
404 leading researchers, physicians, and scientists. This board  
405 ~~council~~ shall review programs and recommend research priorities  
406 and initiatives so as to maximize the state's investment in the

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407 institute. The board ~~council~~ shall be appointed by the board of  
408 directors of the not-for-profit corporation. Each member of the  
409 board ~~council~~ shall be appointed to serve a 2-year term and may  
410 be reappointed to the council.

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

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

417 (b) Proprietary confidential business information is  
418 confidential and exempt from the provisions of s. 119.07(1) and  
419 s. 24(a), Art. I of the State Constitution. However, the Auditor  
420 General, the Office of Program Policy Analysis and Government  
421 Accountability, and the Board of Governors, pursuant to their  
422 oversight and auditing functions, must be given access to all  
423 proprietary confidential business information upon request and  
424 without subpoena and must maintain the confidentiality of  
425 information so received. As used in this paragraph, the term  
426 "proprietary confidential business information" means  
427 information, regardless of its form or characteristics, which is  
428 owned or controlled by the not-for-profit corporation or its  
429 subsidiaries; is intended to be and is treated by the not-for-  
430 profit corporation or its subsidiaries as private and the  
431 disclosure of which would harm the business operations of the  
432 not-for-profit corporation or its subsidiaries; has not been  
433 intentionally disclosed by the corporation or its subsidiaries  
434 unless pursuant to law, an order of a court or administrative  
435 body, a legislative proceeding pursuant to s. 5, Art. III of the

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436 State Constitution, or a private agreement that provides that  
437 the information may be released to the public; and ~~which~~ is  
438 information concerning:

439 1. Internal auditing controls and reports of internal  
440 auditors;

441 2. Matters reasonably encompassed in privileged attorney-  
442 client communications;

443 3. Contracts for managed-care arrangements, including  
444 preferred provider organization contracts, health maintenance  
445 organization contracts, and exclusive provider organization  
446 contracts, and any documents directly relating to the  
447 negotiation, performance, and implementation of any such  
448 contracts for managed-care arrangements;

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

453 5. Information relating to private contractual data, the  
454 disclosure of which would impair the competitive interest of the  
455 provider of the information;

456 6. Corporate officer and employee personnel information;

457 7. Information relating to the proceedings and records of  
458 credentialing panels and committees and of the governing board  
459 of the not-for-profit corporation or its subsidiaries relating  
460 to credentialing;

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

464 9. Information that reveals plans for marketing services

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465 that the corporation or its subsidiaries reasonably expect to be  
466 provided by competitors;

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

468 a. Information relating to methods of manufacture or  
469 production, potential trade secrets, potentially patentable  
470 materials, or proprietary information received, generated,  
471 ascertained, or discovered during the course of research  
472 conducted by the not-for-profit corporation or its subsidiaries;  
473 and

474 b. Reimbursement methodologies or rates;

475 11. The identity of donors or prospective donors of  
476 property who wish to remain anonymous or any information  
477 identifying such donors or prospective donors. The anonymity of  
478 these donors or prospective donors must be maintained in the  
479 auditor's report; or

480 12. Any information received by the not-for-profit  
481 corporation or its subsidiaries from an agency in this or  
482 another state or nation or the Federal Government which is  
483 otherwise exempt or confidential pursuant to the laws of this or  
484 another state or nation or pursuant to federal law.

485

486 As used in this paragraph, the term "managed care" means systems  
487 or techniques generally used by third-party payors or their  
488 agents to affect access to and control payment for health care  
489 services. Managed-care techniques most often include one or more  
490 of the following: prior, concurrent, and retrospective review of  
491 the medical necessity and appropriateness of services or site of  
492 services; contracts with selected health care providers;  
493 financial incentives or disincentives related to the use of

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494 specific providers, services, or service sites; controlled  
495 access to and coordination of services by a case manager; and  
496 payor efforts to identify treatment alternatives and modify  
497 benefit restrictions for high-cost patient care.

498 (9) Meetings of the governing board of the not-for-profit  
499 corporation and meetings of the subsidiaries of the not-for-  
500 profit corporation at which the expenditure of dollars  
501 appropriated to the not-for-profit corporation by the state are  
502 discussed or reported must remain open to the public in  
503 accordance with s. 286.011 and s. 24(b), Art. I of the State  
504 Constitution, unless made confidential or exempt by law. Other  
505 meetings of the governing board of the not-for-profit  
506 corporation and of the subsidiaries of the not-for-profit  
507 corporation are exempt from s. 286.011 and s. 24(b), Art. I of  
508 the State Constitution.

509 (10) In addition to the continuing appropriation to the  
510 institute provided in s. 210.20(2), any appropriation to the  
511 institute provided in a general appropriations act shall be paid  
512 directly to the board of directors of the not-for-profit  
513 corporation by warrant drawn by the Chief Financial Officer from  
514 the State Treasury.

515 Section 6. Section 1004.58, Florida Statutes, is repealed.

516 Section 7. Subsection (4) of section 1004.93, Florida  
517 Statutes, is amended to read:

518 1004.93 Adult general education.—

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

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

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523 ~~(c) The State Board of Education shall define, by rule, the~~  
524 ~~levels and courses of instruction to be funded through the~~  
525 ~~college-preparatory program. The state board shall coordinate~~  
526 ~~the establishment of costs for college preparatory courses, the~~  
527 ~~establishment of statewide standards that define required levels~~  
528 ~~of competence, acceptable rates of student progress, and the~~  
529 ~~maximum amount of time to be allowed for completion of college-~~  
530 ~~preparatory instruction. College preparatory instruction is part~~  
531 ~~of an associate in arts degree program and may not be funded as~~  
532 ~~an adult career education program.~~

533 ~~(d) Expenditures for college preparatory and lifelong~~  
534 ~~learning students shall be reported separately. Allocations for~~  
535 ~~college-preparatory courses shall be based on proportional full-~~  
536 ~~time equivalent enrollment. Program review results shall be~~  
537 ~~included in the determination of subsequent allocations. A~~  
538 ~~student shall be funded to enroll in the same college-~~  
539 ~~preparatory class within a skill area only twice, after which~~  
540 ~~time the student shall pay 100 percent of the full cost of~~  
541 ~~instruction to support the continuous enrollment of that student~~  
542 ~~in the same class; however, students who withdraw or fail a~~  
543 ~~class due to extenuating circumstances may be granted an~~  
544 ~~exception only once for each class, provided approval is granted~~  
545 ~~according to policy established by the board of trustees. Each~~  
546 ~~Florida College System institution shall have the authority to~~  
547 ~~review and reduce payment for increased fees due to continued~~  
548 ~~enrollment in a college preparatory class on an individual basis~~  
549 ~~contingent upon the student's financial hardship, pursuant to~~  
550 ~~definitions and fee levels established by the State Board of~~  
551 ~~Education. College preparatory and lifelong learning courses do~~

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552 ~~not generate credit toward an associate or baccalaureate degree.~~

553 (c)~~(e)~~ A district school board or a Florida College System  
554 institution board of trustees may negotiate a contract with the  
555 regional workforce board for specialized services for  
556 participants in the welfare transition program, beyond what is  
557 routinely provided for the general public, to be funded by the  
558 regional workforce board.

559 Section 8. Subsection (3) of section 1007.23, Florida  
560 Statutes, is amended to read:

561 1007.23 Statewide articulation agreement.—

562 (3) To improve articulation and reduce excess credit hours,  
563 beginning with students initially entering a Florida College  
564 System institution in 2013-2014 and thereafter, the articulation  
565 agreement must require each student who is seeking an associate  
566 in arts degree to indicate a baccalaureate degree program  
567 offered by an institution of interest by the time the student  
568 earns 36 ~~30~~ semester hours. The institution in which the student  
569 is enrolled shall inform the student of the prerequisites for  
570 the baccalaureate degree program offered by an institution of  
571 interest.

572 Section 9. Subsections (3), (6), (7), (8), and (10) of  
573 section 1007.25, Florida Statutes, are amended to read:

574 1007.25 General education courses; common prerequisites;  
575 other degree requirements.—

576 (3) The chair of the State Board of Education and the chair  
577 of the Board of Governors, or their designees, shall jointly  
578 appoint faculty committees to identify statewide general  
579 education core course options. General education core course  
580 options must ~~shall~~ consist of a maximum of five courses within

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581 each of the subject areas of communication, mathematics, social  
582 sciences, humanities, and natural sciences. The core courses may  
583 be revised or the five-course cap within each subject area may  
584 be exceeded if approved by the State Board of Education and the  
585 Board of Governors, as recommended by the subject area faculty  
586 committee and approved by the Articulation Coordinating  
587 Committee, as necessary for a subject area. Each general  
588 education core course option must contain high-level academic  
589 and critical thinking skills and common competencies that  
590 students must demonstrate to successfully complete the course.  
591 Beginning with students initially entering a Florida College  
592 System institution or state university in 2015-2016 ~~2014-2015~~  
593 and thereafter, each student must complete at least one  
594 identified core course in each subject area as part of the  
595 general education course requirements. All public postsecondary  
596 educational institutions shall ~~offer and~~ accept these courses as  
597 meeting general education core course requirements. The  
598 remaining general education course requirements shall be  
599 identified by each institution and reported to the department by  
600 their statewide course number. The general education core course  
601 options shall be adopted in rule by the State Board of Education  
602 and in regulation by the Board of Governors.

603 (6) The universities and Florida College System  
604 institutions shall work with their respective school districts  
605 to ensure that high school curricula coordinate with the general  
606 education curricula and to prepare students for college-level  
607 work. General education curricula for associate in arts programs  
608 shall be identified by each institution and, ~~beginning with~~  
609 ~~students initially entering a Florida College System institution~~

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610 ~~or state university in 2014-2015 and thereafter,~~ shall include  
611 36 ~~30~~ semester hours in the subject areas of communication,  
612 mathematics, social sciences, humanities, and natural sciences.

613 (7) An associate in arts degree may not ~~shall~~ require ~~no~~  
614 more than 60 semester hours of college credit and must,  
615 ~~beginning with students initially entering a Florida College~~  
616 ~~System institution or state university in 2014-2015 and~~  
617 ~~thereafter,~~ include 36 ~~30~~ semester hours of general education  
618 coursework. Beginning with students initially entering a Florida  
619 College System institution or state university in 2014-2015 and  
620 thereafter, coursework for an associate in arts degree must  
621 include ~~and~~ demonstration of competency in a foreign language  
622 pursuant to s. 1007.262. Except for developmental education  
623 provided ~~college preparatory coursework required~~ pursuant to s.  
624 1008.30, all required coursework counts ~~shall count~~ toward the  
625 associate in arts degree or the baccalaureate degree.

626 (8) A baccalaureate degree program shall require no more  
627 than 120 semester hours of college credit and, ~~beginning with~~  
628 ~~students initially entering a Florida College System institution~~  
629 ~~or state university in 2014-2015 and thereafter,~~ include 36 ~~30~~  
630 semester hours of general education coursework, unless prior  
631 approval has been granted by the Board of Governors for  
632 baccalaureate degree programs offered by state universities and  
633 by the State Board of Education for baccalaureate degree  
634 programs offered by Florida College System institutions.

635 (10) Students at state universities may request associate  
636 in arts certificates if they have successfully completed the  
637 minimum requirements for the degree of associate in arts (A.A.).  
638 The university must grant the student an associate in arts

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639 degree if the student has successfully completed minimum  
640 requirements for college-level communication and computation  
641 skills adopted by the State Board of Education and 60 academic  
642 semester hours or the equivalent within a degree program area  
643 and including 36, ~~beginning with students initially entering a~~  
644 ~~Florida College System institution or state university in 2014-~~  
645 ~~2015 and thereafter, include 30~~ semester hours in general  
646 education courses in the subject areas of communication,  
647 mathematics, social sciences, humanities, and natural sciences,  
648 consistent with the general education requirements specified in  
649 the articulation agreement pursuant to s. 1007.23.

650 Section 10. Section 1007.263, Florida Statutes, is amended  
651 to read:

652 1007.263 Florida College System institutions; admissions of  
653 students.—Each Florida College System institution board of  
654 trustees may ~~is authorized to~~ adopt rules governing admissions  
655 of students subject to this section and rules of the State Board  
656 of Education. These rules must ~~shall~~ include the following:

657 (1) Admissions counseling must ~~shall~~ be provided to all  
658 students entering college or career credit programs. Counseling  
659 must use ~~shall utilize~~ tests to measure achievement of college-  
660 level communication and computation competencies by all students  
661 entering college credit programs or tests to measure achievement  
662 of basic skills for career education programs as prescribed in  
663 s. 1004.91. Counseling includes providing developmental  
664 education options for students whose assessment results,  
665 determined under s. 1008.30, indicate that they need to improve  
666 communication or computation skills that are essential to  
667 perform college-level work.

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

671 (a) A standard high school diploma, a high school  
672 equivalency diploma as prescribed in s. 1003.435, previously  
673 demonstrated competency in college credit postsecondary  
674 coursework, or, in the case of a student who is home educated, a  
675 signed affidavit submitted by the student's parent or legal  
676 guardian attesting that the student has completed a home  
677 education program pursuant to the requirements of s. 1002.41.  
678 Students who are enrolled in a dual enrollment or early  
679 admission program pursuant to s. 1007.271 are exempt from this  
680 requirement.

681 (b) A demonstrated level of achievement of college-level  
682 communication and computation skills.

683 (c) Any other requirements established by the board of  
684 trustees.

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

688 (4) A student who has been awarded a special diploma as  
689 defined in s. 1003.438 or a certificate of completion as defined  
690 in s. 1003.43(10) is eligible to enroll in certificate career  
691 education programs.

692 (5) A student who has ~~with~~ a documented disability may be  
693 eligible for reasonable substitutions, as prescribed in ss.  
694 1007.264 and 1007.265.

695  
696 Each board of trustees shall establish policies that notify

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697 students about developmental education options for improving  
698 their communication or computation skills that are essential to  
699 performing college-level work, including tutoring, extended time  
700 in gateway courses, free online courses and ~~place students into,~~  
701 adult basic education, adult secondary education, or ~~other~~  
702 ~~instructional programs that provide students with alternatives~~  
703 ~~to traditional college-preparatory instruction, including~~  
704 private provider instruction. ~~A student is prohibited from~~  
705 ~~enrolling in additional college-level courses until the student~~  
706 ~~scores above the cut score on all sections of the common~~  
707 ~~placement test.~~

708 Section 11. Subsections (2) and (14) of section 1007.271,  
709 Florida Statutes, are amended to read:

710 1007.271 Dual enrollment programs.—

711 (2) For the purpose of this section, an eligible secondary  
712 student is a student who is enrolled in a Florida public  
713 secondary school or in a Florida private secondary school which  
714 is in compliance with s. 1002.42(2) and provides a secondary  
715 curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43.  
716 Students who are eligible for dual enrollment pursuant to this  
717 section may enroll in dual enrollment courses conducted during  
718 school hours, after school hours, and during the summer term.  
719 However, if the student is projected to graduate from high  
720 school before the scheduled completion date of a postsecondary  
721 course, the student may not register for that course through  
722 dual enrollment. The student may apply to the postsecondary  
723 institution and pay the required registration, tuition, and fees  
724 if the student meets the postsecondary institution's admissions  
725 requirements under s. 1007.263. Instructional time for dual

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726 enrollment may vary from 900 hours; however, the school district  
727 may only report the student for a maximum of 1.0 FTE, as  
728 provided in s. 1011.61(4). Any student enrolled as a dual  
729 enrollment student is exempt from the payment of registration,  
730 tuition, and laboratory fees. Vocational-preparatory  
731 instruction, developmental education ~~college-preparatory~~  
732 ~~instruction~~, and other forms of precollegiate instruction, as  
733 well as physical education courses that focus on the physical  
734 execution of a skill rather than the intellectual attributes of  
735 the activity, are ineligible for inclusion in the dual  
736 enrollment program. Recreation and leisure studies courses shall  
737 be evaluated individually in the same manner as physical  
738 education courses for potential inclusion in the program.

739 (14) The Department of Education shall approve any course  
740 for inclusion in the dual enrollment program that is contained  
741 within the statewide course numbering system. However,  
742 developmental education ~~college-preparatory and other forms of~~  
743 ~~precollegiate instruction~~, and physical education and other  
744 courses that focus on the physical execution of a skill rather  
745 than the intellectual attributes of the activity, may not be so  
746 approved but must be evaluated individually for potential  
747 inclusion in the dual enrollment program. This subsection may  
748 not be construed to mean that an independent postsecondary  
749 institution eligible for inclusion in a dual enrollment or early  
750 admission program pursuant to s. 1011.62 must participate in the  
751 statewide course numbering system developed pursuant to s.  
752 1007.24 to participate in a dual enrollment program.

753 Section 12. Section 1008.02, Florida Statutes, is created  
754 to read:

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755 1008.02 Definitions.—As used in this chapter, the term:

756 (1) "Accelerated course structure" means a course or strand  
757 of study that accelerates the progress of students in  
758 developmental education through self-paced attainment of  
759 specific skills.

760 (2) "Corequisite education" means developmental education  
761 that is deployed through a variety of classroom, online, or  
762 blended instructional strategies and offered concurrently with  
763 college credit instruction. The term includes, but is not  
764 limited to:

765 (a) Compressed or modularized instruction or coaching that  
766 supplements credit instruction.

767 (b) Embedded content in a modified or extended credit-  
768 bearing course intended to contextualize or accelerate credit  
769 attainment.

770 (3) "Developmental education" means instruction through  
771 which a high school graduate who applies for any college credit  
772 program may attain the communication and computation skills  
773 necessary to successfully complete college credit instruction.  
774 Developmental education may not be offered as a noncredit course  
775 for which a student pays tuition but must be offered corequisite  
776 to a gateway course.

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

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

782 (6) "Meta-major" means a collection of programs of study or  
783 academic discipline groupings that share common foundational

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784 skills.

785 Section 13. Section 1008.30, Florida Statutes, is amended  
786 to read:

787 1008.30 Common placement testing for public postsecondary  
788 education.—

789 (1) The State Board of Education, in conjunction with the  
790 Board of Governors, shall develop and implement a common  
791 placement test for the purpose of assessing the basic  
792 computation and communication skills of students who intend to  
793 enter a degree program at any public postsecondary educational  
794 institution. Alternative assessments that may be accepted in  
795 lieu of the common placement test shall also be identified in  
796 rule. Public postsecondary educational institutions shall  
797 provide appropriate modifications of the test instruments or  
798 test procedures for students with disabilities.

799 (2) By October 1, 2013, the State Board of Education in  
800 conjunction with the Board of Governors shall approve a series  
801 of meta-majors, academic pathways, and degree maps that identify  
802 the gateway courses required for success in each meta-major.  
803 Results from the common placement test, the alternative  
804 assessments that may be used in lieu of the common placement  
805 test, and achievements that may be considered by institutional  
806 boards of trustees, as adopted by state board rule, shall be  
807 used to diagnose a student's readiness for his or her chosen  
808 meta-major and to provide academic counseling to the student  
809 concerning options for attaining the necessary skills through  
810 developmental education while enrolled in credit courses.

811 (3)~~(2)~~ The common placement testing program must ~~shall~~  
812 include ~~at a minimum the following:~~ the capacity to diagnose

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813 basic competencies in the areas of English, reading, and  
814 mathematics which are essential for success in meta-majors and  
815 to provide to perform college-level work; prerequisite skills  
816 ~~that relate to progressively advanced instruction in~~  
817 ~~mathematics, such as algebra and geometry; prerequisite skills~~  
818 ~~that relate to progressively advanced instruction in language~~  
819 ~~arts, such as English composition and literature; and provision~~  
820 ~~of test information to students on the specific skills the~~  
821 ~~student needs to attain deficiencies.~~

822 (4)~~(3)~~ The State Board of Education shall adopt rules that  
823 require high schools to evaluate before the beginning of grade  
824 12 the college readiness of each student who scores at Level 2  
825 or Level 3 on ~~the reading portion of the grade 10 FCAT Reading~~  
826 or Level 2, Level 3, or Level 4 on the Algebra I mathematics  
827 assessments under s. 1008.22 ~~s. 1008.22(3)(e)~~. High schools  
828 shall perform this evaluation using results from the  
829 corresponding component of the common placement test prescribed  
830 in this section, or an alternative equivalent test identified by  
831 the State Board of Education. ~~The State Board of Education shall~~  
832 ~~identify in rule the assessments necessary to perform the~~  
833 ~~evaluations required by this subsection and shall work with the~~  
834 ~~school districts to administer the assessments. The State Board~~  
835 ~~of Education shall establish by rule the minimum test scores a~~  
836 ~~student must achieve to demonstrate readiness. Students who~~  
837 ~~demonstrate readiness by achieving the minimum test scores~~  
838 ~~established by the state board and enroll in a Florida College~~  
839 ~~System institution within 2 years of achieving such scores shall~~  
840 ~~not be required to retest or enroll in remediation when admitted~~  
841 ~~to any Florida College System institution. The high school shall~~

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842 use the results of the test to advise the students of any  
843 identified deficiencies and to provide 12th grade students, and  
844 require them to complete, appropriate postsecondary preparatory  
845 instruction prior to high school graduation. The curriculum  
846 provided under this subsection shall be identified in rule by  
847 the State Board of Education and encompass Florida's  
848 Postsecondary Readiness Competencies. Other elective courses may  
849 not be substituted for the selected postsecondary reading,  
850 mathematics, or writing preparatory course unless the elective  
851 course covers the same competencies included in the  
852 postsecondary reading, mathematics, ~~or writing,~~ or English  
853 language arts preparatory course.

854 (5)(4)(a) The State Board of Education shall establish by  
855 rule the test scores a student must achieve to demonstrate  
856 readiness to perform college-level work. Students who  
857 demonstrate readiness by achieving or exceeding the test scores  
858 established by the state board and enroll in a Florida College  
859 System institution within 2 years after achieving such scores  
860 may not be required to retest or complete developmental  
861 education when admitted to any Florida College System  
862 institution. Students who have been identified as requiring  
863 additional preparation pursuant to subsection (1) shall enroll  
864 in college preparatory or other adult education pursuant to s.  
865 1004.93 in Florida College System institutions to develop needed  
866 college-entry skills. The State Board of Education shall specify  
867 by rule provisions for alternative remediation opportunities and  
868 retesting policies. These students shall be permitted to take  
869 courses within their degree program concurrently in other  
870 curriculum areas for which they are qualified while enrolled in

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871 ~~college preparatory instruction courses. A student enrolled in a~~  
872 ~~college preparatory course may concurrently enroll only in~~  
873 ~~college credit courses that do not require the skills addressed~~  
874 ~~in the college preparatory course. A degree seeking student who~~  
875 ~~is required to complete a college preparatory course must~~  
876 ~~successfully complete the required college preparatory studies~~  
877 ~~by the time the student has accumulated 12 hours of lower-~~  
878 ~~division college credit degree coursework; however, a student~~  
879 ~~may continue enrollment in degree earning coursework provided~~  
880 ~~the student maintains enrollment in college preparatory~~  
881 ~~coursework for each subsequent semester until college-~~  
882 ~~preparatory coursework requirements are completed, and provided~~  
883 ~~the student demonstrates satisfactory performance in degree-~~  
884 ~~earning coursework. A student who has accumulated 12 college~~  
885 ~~credit hours and has not yet demonstrated proficiency in the~~  
886 ~~basic competency areas of reading, writing, and mathematics must~~  
887 ~~be advised in writing of the requirements for associate degree~~  
888 ~~completion and state university admission, including information~~  
889 ~~about future financial aid eligibility and the potential costs~~  
890 ~~of accumulating excessive college credit as described in s.~~  
891 ~~1009.286. Before a student is considered to have met basic~~  
892 ~~computation and communication skills requirements, the student~~  
893 ~~must demonstrate successful mastery of the required~~  
894 ~~developmental education competencies as defined in State Board~~  
895 ~~of Education rule. Credit awarded for college preparatory~~  
896 ~~instruction may not be counted toward fulfilling the number of~~  
897 ~~credits required for a degree.~~

898 (6)(b) A university board of trustees may contract with a  
899 Florida College System institution board of trustees for the

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900 Florida College System institution to provide developmental  
901 education ~~such instruction~~ on the state university campus. Any  
902 state university in which the percentage of incoming students  
903 requiring developmental education ~~college-preparatory~~  
904 ~~instruction~~ equals or exceeds the average percentage of such  
905 students for the Florida College System may offer such  
906 developmental education ~~college-preparatory instruction~~ without  
907 contracting with a Florida College System institution; however,  
908 any state university offering college-preparatory instruction as  
909 of January 1, 1996, may continue to provide such services.

910 (7) (a) ~~(5)~~ The State Board of Education shall adopt rules by  
911 January 1, 2014, to implement developmental education. The rules  
912 must include:

913 1. Student achievements that may be considered by  
914 institutional boards, such as performance on college placement  
915 tests, grade point averages, work history, military experience,  
916 career interests, degree major declaration, or any combination  
917 thereof.

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

921 3. Sufficient flexibility for local professional judgment  
922 and determinations of appropriate student options for achieving  
923 necessary skills.

924 4. Limits on credit course enrollment for students  
925 indicating the need for preparatory assistance based on assessed  
926 skill levels.

927 (b) Local policies and practices set by each Florida  
928 College System institution board of trustees must outline the

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929 student achievements considered by the institution for placement  
930 determinations, identify instructional options available to  
931 students, and describe student costs and financial aid  
932 opportunities associated with each instructional option.  
933 Instructional options must, at a minimum, provide for enrollment  
934 of a student in a credit course either with or without  
935 institutionally required corequisite education, mastery-based  
936 instruction or accelerated pathways for developing skills, or  
937 enrolling in adult education to attain needed skills, as chosen  
938 by the student. Policies and practices must specify limits on  
939 credit course enrollment for students indicating the need for  
940 preparatory assistance, outline retesting requirements, and  
941 identify options for students who choose to attain skills in  
942 adult education when such instruction is not provided by the  
943 Florida College System institution ~~A student may not be enrolled~~  
944 ~~in a college credit mathematics or English course on a dual~~  
945 ~~enrollment basis unless the student has demonstrated adequate~~  
946 ~~precollegiate preparation on the section of the basic~~  
947 ~~computation and communication skills assessment required~~  
948 ~~pursuant to subsection (1) that is appropriate for successful~~  
949 ~~student participation in the course.~~

950 Section 14. Section 1008.322, Florida Statutes, is created  
951 to read:

952 1008.322 Board of Governors oversight enforcement  
953 authority.—

954 (1) The Board of Governors of the State University System  
955 shall oversee the performance of state university boards of  
956 trustees in the enforcement of laws, rules, and regulations.  
957 State university boards of trustees shall be primarily

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958 responsible for compliance with laws and Board of Governors'  
959 rules and regulations.

960 (2) The Board of Governors' constitutional authority to  
961 operate, regulate, control, and be fully responsible for the  
962 management of the State University System mandates that the  
963 state universities comply with all requests by the Board of  
964 Governors for information, data, and reports. State university  
965 presidents are responsible for the accuracy of the information  
966 and data reported to the Board of Governors.

967 (3) The Chancellor of the State University System may  
968 investigate allegations of noncompliance with law or Board of  
969 Governors' rule or regulation and determine probable cause. The  
970 chancellor shall report determinations of probable cause to the  
971 Board of Governors, which may require the university board of  
972 trustees to document compliance with law or Board of Governors'  
973 rule or regulation.

974 (4) If the university board of trustees cannot  
975 satisfactorily document compliance, the Board of Governors may  
976 order compliance within a specified timeframe.

977 (5) If the Board of Governors determines that a state  
978 university board of trustees is unwilling or unable to comply  
979 with law or Board of Governors' rule or regulation or an audit  
980 recommendation within the specified time, the Board of  
981 Governors, in addition to actions constitutionally authorized,  
982 may initiate any of the following actions:

983 (a) Withhold the transfer of state funds, discretionary  
984 grant funds, discretionary lottery funds, or any other funds  
985 appropriated to the Board of Governors by the Legislature for  
986 disbursement to the state university until the university

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987 complies with the law or Board of Governors' rule or regulation.

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

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

992 (d) Report to the Legislature that the state university is  
993 unwilling or unable to comply with law or Board of Governors'  
994 rule or regulation and recommend action to be taken by the  
995 Legislature.

996 (6) This section does not create a private cause of action  
997 or create any rights for individuals or entities in addition to  
998 those provided elsewhere in law, rule, or regulation.

999 Section 15. Subsection (2) of section 1008.37, Florida  
1000 Statutes, is amended to read:

1001 1008.37 Postsecondary feedback of information to high  
1002 schools.—

1003 (2) No later than November 30 of each year, the  
1004 Commissioner of Education shall report, by high school, to the  
1005 State Board of Education, the Board of Governors, and the  
1006 Legislature, ~~no later than November 30 of each year,~~ on the  
1007 number of ~~prior-year~~ prior-year Florida high school graduates  
1008 who enrolled for the first time in public postsecondary  
1009 education in this state during the previous summer, fall, or  
1010 spring term. The report must include, ~~indicating~~ the number of  
1011 students whose scores on the common placement test that is  
1012 required under s. 1008.30, indicate ~~indicated~~ the need to attain  
1013 communication and computation skills through developmental  
1014 education options offered by a public postsecondary institution  
1015 or through ~~for remediation through college preparatory or~~

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1016 vocational-preparatory instruction pursuant to s. 1004.91 or s.  
1017 1008.30.

1018 Section 16. Paragraph (a) of subsection (3) of section  
1019 1009.22, Florida Statutes, is amended to read:

1020 1009.22 Workforce education postsecondary student fees.—

1021 (3) (a) Except as otherwise provided by law, fees for  
1022 students who are nonresidents for tuition purposes must offset  
1023 the full cost of instruction. Residency of students shall be  
1024 determined as required in s. 1009.21. Fee-nonexempt students  
1025 enrolled in vocational-preparatory instruction shall be charged  
1026 fees equal to the fees charged for adult general education  
1027 programs. ~~Each Florida College System institution that conducts~~  
1028 ~~college-preparatory and vocational-preparatory instruction in~~  
1029 ~~the same class section may charge a single fee for both types of~~  
1030 ~~instruction.~~

1031 Section 17. Subsection (1), paragraph (a) of subsection  
1032 (3), and subsection (10) of section 1009.23, Florida Statutes,  
1033 are amended to read:

1034 1009.23 Florida College System institution student fees.—

1035 (1) Unless otherwise provided, this section applies only to  
1036 fees charged for college credit instruction leading to an  
1037 associate in arts degree, an associate in applied science  
1038 degree, an associate in science degree, or a baccalaureate  
1039 degree authorized pursuant to s. 1007.33, for developmental  
1040 education ~~noncollege credit college-preparatory courses~~ defined  
1041 in s. 1004.02, and for educator preparation institute programs  
1042 defined in s. 1004.85.

1043 (3) (a) Effective July 1, 2011, for advanced and  
1044 professional, postsecondary vocational, ~~college-preparatory,~~ and

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1045 educator preparation institute programs, the standard tuition is  
1046 ~~shall be~~ \$68.56 per credit hour for residents and nonresidents,  
1047 and the out-of-state fee is ~~shall be~~ \$205.82 per credit hour.

1048 (10) Each Florida College System institution board of  
1049 trustees is authorized to establish a separate fee for  
1050 technology, which may not exceed 5 percent of tuition per credit  
1051 hour or credit-hour equivalent for resident students and may not  
1052 exceed 5 percent of tuition and the out-of-state fee per credit  
1053 hour or credit-hour equivalent for nonresident students.

1054 Revenues generated from the technology fee shall be used to  
1055 enhance instructional technology resources for students and  
1056 faculty. The technology fee may ~~apply to both college credit and~~  
1057 ~~college-preparatory instruction and shall~~ not be included in any  
1058 award under the Florida Bright Futures Scholarship Program.  
1059 Fifty percent of technology fee revenues may be pledged by a  
1060 Florida College System institution board of trustees as a  
1061 dedicated revenue source for the repayment of debt, including  
1062 lease-purchase agreements, not to exceed the useful life of the  
1063 asset being financed. Revenues generated from the technology fee  
1064 may not be bonded.

1065 Section 18. Section 1009.28, Florida Statutes, is repealed.

1066 Section 19. Section 1009.285, Florida Statutes, is amended  
1067 to read:

1068 1009.285 Fees for repeated enrollment in college-credit  
1069 courses.—A student enrolled in the same undergraduate college-  
1070 credit course more than once, except for students enrolled in a  
1071 gateway course for an extended period of time under s. 1008.30,  
1072 must ~~twice shall~~ pay tuition at 100 percent of the full cost of  
1073 instruction, and may not be ~~and shall not be~~ included in

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1074 calculations of full-time equivalent enrollments for state  
1075 funding purposes. However, students who withdraw or fail a class  
1076 due to extenuating circumstances may be granted an exception  
1077 only once for each class ~~if, provided~~ that approval is granted  
1078 according to policy established by the Florida College System  
1079 institution board of trustees or the university board of  
1080 trustees. Each Florida College System institution and state  
1081 university may review and reduce fees paid by students due to  
1082 continued enrollment in a college-credit class on an individual  
1083 basis contingent upon the student's financial hardship. For  
1084 purposes of this section, first-time enrollment in a class means  
1085 ~~shall mean~~ enrollment in a class beginning fall semester 1997,  
1086 and calculations of the full cost of instruction is ~~shall be~~  
1087 based on the systemwide average of the prior year's cost of  
1088 undergraduate programs for the Florida College System  
1089 institutions and the state universities. Boards of trustees may  
1090 make exceptions to this section for individualized study,  
1091 elective coursework, courses that are repeated as a requirement  
1092 of a major, and courses that are intended as continuing over  
1093 multiple semesters, excluding the repeat of coursework more than  
1094 once ~~two times~~ to increase grade point average or meet minimum  
1095 course grade requirements.

1096 Section 20. Paragraph (g) of subsection (4) of section  
1097 1009.286, Florida Statutes, is amended to read:

1098 1009.286 Additional student payment for hours exceeding  
1099 baccalaureate degree program completion requirements at state  
1100 universities.-

1101 (4) For purposes of this section, credit hours earned under  
1102 the following circumstances are not calculated as hours required

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1103 to earn a baccalaureate degree:

1104 (g) ~~Remedial and~~ English as a Second Language credit hours.

1105 Section 21. Subsection (3) of section 1009.40, Florida  
1106 Statutes, is amended to read:

1107 1009.40 General requirements for student eligibility for  
1108 state financial aid awards and tuition assistance grants.—

1109 (3) Undergraduate students are eligible to receive  
1110 financial aid for a maximum of 8 semesters or 12 quarters.  
1111 However, undergraduate students participating in developmental  
1112 education and college-preparatory instruction, students  
1113 ~~requiring additional time to complete the college-level~~  
1114 ~~communication and computation skills testing programs, or~~  
1115 students enrolled in a 5-year undergraduate degree program are  
1116 eligible to receive financial aid for a maximum of 10 semesters  
1117 or 15 quarters.

1118 Section 22. Subsection (10) of section 1009.53, Florida  
1119 Statutes, is amended to read:

1120 1009.53 Florida Bright Futures Scholarship Program.—

1121 (10) Funds from any scholarship within the Florida Bright  
1122 Futures Scholarship Program may not be used to pay for  
1123 developmental education ~~remedial or college-preparatory~~  
1124 ~~coursework~~.

1125 Section 23. Subsection (7) of section 1009.531, Florida  
1126 Statutes, is repealed.

1127 Section 24. Paragraph (b) of subsection (1) and subsection  
1128 (5) of section 1011.84, Florida Statutes, are amended to read:

1129 1011.84 Procedure for determining state financial support  
1130 and annual apportionment of state funds to each Florida College  
1131 System institution district.—The procedure for determining state

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1132 financial support and the annual apportionment to each Florida  
1133 College System institution district authorized to operate a  
1134 Florida College System institution under the provisions of s.  
1135 1001.61 shall be as follows:

1136 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA  
1137 COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—

1138 (b) The allocation of funds for Florida College System  
1139 institutions is ~~shall be~~ based on advanced and professional  
1140 disciplines, developmental education college preparatory  
1141 ~~programs,~~ and other programs for adults funded pursuant to s.  
1142 1011.80.

1143 (5) REPORT OF DEVELOPMENTAL ~~REMEDIAL~~ EDUCATION.—Each  
1144 Florida College System institution board of trustees shall  
1145 report, as a separate item in its annual cost accounting system,  
1146 the volume and cost of developmental education options provided  
1147 to help students attain the communication and computation skills  
1148 that are essential for college-level work pursuant to s. 1008.30  
1149 ~~remedial education activities as a separate item in its annual~~  
1150 ~~cost accounting system.~~

1151 Section 25. The Division of Law Revision and Information is  
1152 directed to prepare a reviser's bill for the 2014 Regular  
1153 Session of the Legislature to change the terms "General  
1154 Educational Development test" or "GED test" to "high school  
1155 equivalency examination" and the terms "general education  
1156 diploma," "graduate equivalency diploma," or "GED" to "high  
1157 school equivalency diploma" wherever those terms appear in the  
1158 Florida Statutes.

1159 Section 26. This act shall take effect July 1, 2013.