

CS/SB 1720 by **ED, Galvano**; (Compare to H 0299) Education

190968	A	S	RCS	AED, Legg	Delete L.260 - 492.	03/19 01:28 PM
362632	A	S	RCS	AED, Legg	Delete L.778 - 814.	03/19 01:29 PM
168466	A	S	RCS	AED, Legg	btw L.823 - 824:	03/19 01:30 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
APPROPRIATIONS SUBCOMMITTEE ON EDUCATION
Senator Galvano, Chair
Senator Montford, Vice Chair

MEETING DATE: Tuesday, March 19, 2013
TIME: 1:00 —3:00 p.m.
PLACE: *Pat Thomas Committee Room, 412 Knott Building*

MEMBERS: Senator Galvano, Chair; Senator Montford, Vice Chair; Senators Abruzzo, Bean, Benacquisto, Bullard, Detert, Hukill, Legg, Richter, Sachs, Simmons, and Thrasher

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 1720 Education / Galvano (Compare H 299, H 7057, H 7091, S 192, S 680, CS/S 1076)	Education; Revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; requiring the Department of Economic Opportunity to create economic development zones for science, technology, engineering, arts, and mathematics; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of this state's highest performing state research universities; establishing the Complete Florida Degree Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill workforce needs, etc. ED 03/12/2013 Fav/CS AED 03/19/2013 Fav/CS AP	Fav/CS Yeas 10 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: CS/SB 1720

INTRODUCER: Education Committee and Senator Galvano

SUBJECT: College Instructions

DATE: March 18, 2013 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	Klebacha	ED	Fav/CS
2.	Bryant	Elwell	AED	Pre-meeting
3.			AP	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

CS/SB 1720 enhances the delivery of postsecondary education in Florida by providing students better access to degree programs and by establishing standards for university research preeminence.

The BOG and the DOE may have to reprioritize their use of existing funding to implement various provisions in the bill. Additionally, because the bill repeals the authorization for Florida College System institutions to offer non-credit college preparatory courses, the colleges will no longer incur the direct instructional costs associated with these courses, which was approximately \$67.9 million in 2011-12.

The enhancements for delivery of postsecondary education include:

- Requiring flexibility in the delivery of developmental education by Florida College System institutions to permit students to begin credit courses immediately while they simultaneously develop the particular skills they need to successfully perform college work;

- Allowing Florida colleges to waive all or a portion of tuition and fees in order to provide a bachelor's degree program to Florida residents for \$10,000;
- Establishing the academic and research excellence standards for the Preeminent State Research Universities Program;
- Authorizing the Board of Governors (BOG) to create an on-line arm of a preeminent research university; and
- Establishing the Degree Completion Pilot Program as a permanent degree completion program called Complete Florida Degree Program.

In addition, the bill repeals the requirement that Bright Futures Scholarship recipients must file a Free Application for Student Financial Aid (FASFA) form, codifies the authority of the Board of Governors over state universities in regard to audit findings, and revises general education requirements.

The bill creates science, technology, engineering, arts, and mathematics (STEAM) zones for economic development, workforce training and educational programs in counties where certain research universities are located. District school boards are authorized in the bill to contract with a non-profit organization or state or local governmental unit to provide a STEAM school to integrate technology and the arts in the school's academic program.

Also, the bill repeals authorization Florida College System Institutions to offer non-credit college preparatory (remedial) courses.

The bill takes effect July 1, 2013.

The bill substantially amends the following sections of the Florida Statutes: 11.45, 1001.02, 1001.64, 1004.02, 1004.58, 1004.93, 1006.735, 1007.23, 1007.25, 1007.263, 1007.271, 1008.30, 1008.34, 1008.37, 1009.22, 1009.23, 1009.26, 1009.285, 1009.286, 1009.40, 1009.53, 1009.531, and 1011.84.

The bill creates the following sections of the Florida Statutes: 288.126, 1001.7065, 1002.312, 1008.02, and 1008.322.

The bill repeals section 1009.28, Florida Statutes.

II. Present Situation:

College Remediation

All first-time-in-college (FTIC) degree-seeking students, who have not already demonstrated college readiness, must be evaluated in reading, writing, and math prior to initial registration in a public postsecondary educational institution.¹ Students may demonstrate college readiness by meeting specified cut scores on one of four approved assessment tools.²

¹ Rule 6A-10.0315(1), F.A.C.

² Rule 6A-10.0315(1), (2), F.A.C.

Students who are unable to achieve any of the cut scores established by rule must enroll in developmental (also known as remedial or college-preparatory) instruction courses. A degree-seeking student who is required to complete a developmental education course must successfully complete the required developmental education studies by the time the student has accumulated 12 hours of lower-division college credit degree coursework; however, a student may continue enrollment in degree-earning coursework provided the student maintains enrollment in college-preparatory coursework for each subsequent semester until college-preparatory coursework requirements are completed.³

The vast majority of students needing developmental education attend Florida College System (FCS) institutions. With the exception of Florida Agricultural and Mechanical University, state universities are not permitted to offer developmental education courses but may contract with FCS institutions to provide developmental education services for their students in need of remediation.⁴

The practice of requiring students to enroll in non-credit remedial classes before attempting college classes for credit frequently does not lead to student success. Complete College America reports that, “Graduation rates for students who started in remediation are deplorable: Fewer than 1 in 10 graduate from community colleges within three years and little more than a third complete bachelor’s degrees in six years.”⁵ Complete College America, Inc. recommends that extra academic help be a corequisite, not a prerequisite, to college credit instruction.⁶ A joint statement by the Charles A. Dana Center, Complete College America, Inc., the Education Commission of the States, and Jobs for the Future, calls for new core principals to reform remedial education that include completing gateway courses that align with the student’s program of study, integrating academic support with a gateway college-credit course, requiring students to enter a meta-major when they enroll in college and begin a program of study in their first year, using multiple measures to assess students’ preparedness for college-level work, and providing accelerated routes for students who are significantly underprepared to enter programs of study.⁷

BOG Authority Over State Universities

The Auditor General is required to annually conduct financial audits of state universities, and at least every three years, conduct operational audits.⁸ The audits determine whether financial resources are properly accounted for; whether public officials comply with applicable laws, rules, regulations and other legal requirements; whether proper and effective internal controls are in place over operations; and whether assets are appropriately safeguarded.

³ s. 1008.30(4)(a), F.S.

⁴ s. 1008.30(4)(b), F.S.

⁵ “Remediation: Higher Education’s Bridge to Nowhere”, Complete College America, Inc., 2012, p. 3, readable at : <http://www.completecollege.org/docs/CCA-Remediation-final.pdf>

⁶ *Ibid.*, p. 3.

⁷ “Core Principals for Transforming Remedial Education: A Joint Statement, Charles A. Dana Center, Complete College America, Inc., the Education Commission of the States, and Jobs for the Future, December 2012, p. 6., readable at: <http://www.ecs.org/docs/STATEMENTCorePrinciples.pdf>

⁸ s. 11.45(2), F.S.

BOG Regulation 1.001 requires each board of trustees to establish an audit committee and appropriate policies and procedures for conducting audits of university operations. In addition to internal audits, pursuant to section 11.45(7)(j), F.S., the Auditor General is required to notify the Joint Legislative Audit Committee (JLAC) of any audit review that indicates a state university has failed to take corrective action in response to a recommendation that was included in the two preceding audit reports. If the JLAC determines that the university has failed to take full corrective action for which there is no justifiable reason or has failed to comply with committee requests, the committee may proceed under section 11.40(2), F.S. While section 11.40(2), F.S. provides for JLAC to refer these matters to the appropriate governing authorities for charter schools and special districts, the statute does not address referral to the Board of Governors for university-related matters or to the State Board of Education for college-related matters.

Under s. 1008.32, F.S., the State Board of Education's (SBE) oversight enforcement authority for the Florida College System (FCS) includes the authority to request information, data, and reports from FCS institutions. The Commissioner of Education may investigate allegations of noncompliance with law or SBE rule and determine probable cause and report such findings to the SBE. Once a determination of probable cause for violation of a law or rule is reported to the SBE, the SBE must require the FCS institution's board of trustees to document compliance with the law or rule. If the board of trustees cannot satisfactorily document compliance, the SBE may order compliance within a specified time frame.

Preeminent State Research University/On-line University

The 2012 Legislature provided funds to the Board of Governors to obtain the services of a consulting firm that would study on-line education in Florida. Through a competitive bidding process, the contract was awarded to The Parthenon Group. The Scope of Services provided that the study would include, among other requirements, a description of the nature and extent of existing on-line postsecondary programs in Florida; an assessment of educational opportunities needed to boost Florida's economy; options for expanding the awarding of degrees; and, for each option, a ten-year plan for start-up and operating costs, enrollments, degree production, and revenue generated.⁹ The report by the Parthenon Group provided four options for on-line postsecondary programs: institutions continuing to independently offer on-line courses and programs; coordinating on-line education state-wide through a single coordinating body; having a lead institution drive the development of new on-line offerings in targeted degrees; or creating a new on-line institution.¹⁰

The BOG Strategic Planning committee discussed the findings of the Parthenon report and heard testimony from various experts in on-line programs. The committee recommended that the BOG:

- Use the Strategic Plan preeminence metrics to designate the university which would create a separate arm to provide on-line degree programs of the highest quality, and that funds be requested of the Legislature to support such an effort. The preeminence metrics would be those passed by the 2012 Legislature and approved by the Board for use in the 2012-2013 university work plans. Further, the selected university would create an innovation and

⁹ Florida Board of Governors, http://www.flbog.edu/resources/publications/on-line_university.php

¹⁰ "Summary: Post-Secondary On-line Expansion in Florida", The Parthenon Group, November 7, 2012.

research center to (1) ensure the State is a leader in the development of cutting-edge technology and instructional design for the on-line programs and (2) conduct research that would help strengthen on-line degree programs and the success of on-line students.

- Direct the Chancellor to form a system wide work group that would report back to the Strategic Planning Committee and continue to work with our colleges and universities and the other delivery systems to determine ways in which services and on-line degree programs, including market-based job analyses, can be better coordinated to ensure state and student needs are being met in a cost-efficient and effective manner.¹¹

In a February 21, 2103 conference call the BOG approved the Strategic Planning Committee's recommendations.

Currently, 10 of Florida's 12 state universities offer on-line courses and on-line degree programs. Each institution has its own, independent on-line strategy, with its own marketing, course design, instruction, support services, and IT capabilities. System wide, state universities offer a total of 389 on-line programs for undergraduate and graduate certificates, bachelor's degrees, master's degrees, and doctorate degrees. Of the 389 on-line programs currently offered by state universities, only 46 are baccalaureate programs. The majority of these consist of only upper-division courses.¹²

Performance Metrics

The SUS Annual Accountability Report includes metrics including, but not limited to, student retention, graduation rates, degrees granted by level, research expenditures, patents and licenses, and national rankings which are included in university work plans. In addition, the average high school grade point average (GPA) and average SAT scores for each university are calculated annually and published as part of the State University System on-line Fact Book. Additionally, universities regularly report data on performance to a number of nationally recognized organizations including the National Science Foundation (NSF) and the Center for Measuring University Performance¹³

Currently, students who enroll at state universities frequently bring with them several hours of accelerated college credit earned through Advanced Placement (AP), International Baccalaureate (IB), or dual enrollment courses while in high school. Florida law and the Statewide Articulation Agreement require that these students be given college credit for any such course that counts towards their degree.

\$10,000 College Degree at Florida College System Institutions

On November 26, 2012, Florida Governor Rick Scott issued a challenge to the FCS institutions to develop baccalaureate degree programs that would cost students no more than a total of

¹¹ Florida Board of Governors, http://www.flbog.edu/documents_meetings/0176_0683_5273_204%20BOG_SPC%20On-line%20Ed_AI.pdf

¹² Florida Board of Governors bill analysis for SB 1720, on file with the Senate Education Committee.

¹³ *Ibid.*

\$10,000.¹⁴ All 23 Florida College System institutions currently offering baccalaureate degree programs have announced their support for the challenge¹⁵.

Florida College System institution boards of trustees establish the rate of tuition and out-of-state fees for their respective institutions within parameters established by the Legislature. The rate established by the board of trustees may vary by up to 15 percent above or 10 percent below the combined total of the standard tuition and fees set by law.¹⁶ Tuition and out-of-state fees for upper-division courses must reflect the fact that FCS institutions have a less expensive cost structure than that of state universities.¹⁷ Florida College System boards of trustees are authorized to establish a number of fees including an activity and service fee, financial aid fee, technology fee, and capital improvement fee.¹⁸

Degree Completion Pilot Project

The 2012 Legislature created the Degree Completion Pilot Project to recruit, recover, and retain the state's adult learners and assist them in completing an associate or baccalaureate degree that is aligned to high-wage, high-skill workforce needs¹⁹. The Pilot is led by the University of West Florida, in collaboration with other FCS and SUS institutions statewide. However, funding for the pilot, set by the 2012 General Appropriations Act at approximately \$2.5 million, was vetoed by the Governor.

General Education Requirements

The 2012 Legislature reduced the number of required general education course credit hours from 36 to 30, for the purpose of providing institutions with flexibility in developing a solid foundation for students enrolled in their undergraduate programs, beginning with students initially entering a FCS institution or state university in 2014-2015.²⁰ However, the Southern Association of Colleges and Schools (SACS) Commission on Colleges informed institutions that a reduction in general education credit hours would constitute a substantive change requiring SACS approval. Each FCS institution and state university would be required, for accreditation purposes, to submit to SACS formal notice of the reduction at least six months in advance of implementation in 2013.

FASFA Requirement

The 2011 Legislature required students who receive funds under the Florida Bright Futures Scholarship Program, the William L. Boyd, IV, Florida resident access grant (FRAG), and the Access to Better Learning and Education (ABLE) Grant Program, to submit a complete and error-free Free Application for Federal Student Aid (FAFSA) as a condition of eligibility. The

¹⁴ Executive Office of the Governor, news release, readable at: <http://www.flgov.com/2012/11/26/governor-rick-scott-announces-governors-10000-degree-challenge-to-make-college-more-affordable/>

¹⁵ Executive Office of the Governor, news release, readable at: <http://www.flgov.com/2013/01/28/gov-scott-announces-all-23-florida-state-colleges-with-baccalaureate-degrees-have-accepted-10k-degree-challenge/>

¹⁶ s. 1009.23(4), F.S.

¹⁷ s.1009.23(2)(b), F.S.

¹⁸ s. 1009.23, F.S.

¹⁹ s. 1006.735, F.S.

²⁰ ch. 2012-195, L.O.F.

Bright Futures Scholarship is a merit scholarship, whereas the FRAG and ABLE grants are tuition assistance payments that are not based on merit or need. The Legislature required students to submit the FASFA to gather more comprehensive data on students who are provided state student financial aid in programs that are not based on the student's financial need. Some parents of Bright Futures Scholarships complained that they did not want to be compelled to disclose family financial information in order for their child to be eligible for a merit-based scholarship.

High School Grades²¹

For Florida's high school grading system, the state assessment-based components are weighted at 50 percent of the high school grade,²² while the other 50 percent of the available school grade points are weighted toward component areas that directly measure, or are otherwise essential to, career and college readiness (i.e., graduation rate, participation and performance in advanced curricula, including national industry certifications), and postsecondary readiness in reading and mathematics.²³ These additional components for measuring high school performance were implemented beginning in 2009-2010 to provide a more comprehensive measure of high schools' effectiveness in preparing students for success after graduation.

The high school grading formula includes points for accelerated coursework participation and performance for students in grades 9-12, which is based on Advanced Placement (AP), International Baccalaureate (IB), Advanced international Certificate of Education Program (AICE), dual enrollment, and industry certification²⁴ exams and courses.²⁵

Research Universities

The significance and status of university research is measured in a number of ways: by the accomplishments of its research faculty, the volume of research conducted at the institution, and the amount of funds expended on research, among other measures. In the United States, rankings of universities by the Carnegie Foundation for the Advancement of Teaching,²⁶ the Center for Measuring University Performance,²⁷ and U.S. News and World Report²⁸ contribute to the public perception of a research university's standing in relation to other universities. The University of Florida is the only one of Florida's state universities in the Association of American Universities (AAU),²⁹ an organization of 61 top research universities in the United States and Canada.

²¹ s. 1008.34(3)(b), F.S.

²² s. 1008.34(3)(b)1., F.S.

²³ s. 1008.34(3)(b)3., F.S.

²⁴ Industry courses and exams are those leading to national industry certification identified in the Industry Certification Funding List, pursuant to SBE rules.

²⁵ s. 1008.34(3)(b)3.b., F.S.

²⁶ <http://classifications.carnegiefoundation.org/index.php?key=782>

²⁷ <http://mup.asu.edu/research.html>

²⁸ <http://colleges.usnews.rankingsandreviews.com/best-colleges>

²⁹ <http://www.aau.edu>

Enterprise Zones

The Legislature established the state's enterprise zone program in 1982³⁰ to encourage economic development in economically distressed areas of the state by providing incentives and inducing private investment. There are currently 65 enterprise zones designated throughout the state.³¹ The program is set to expire on December 31, 2015.³²

The Department of Economic Opportunity (DEO) reported that from October 1, 2010, through September 30, 2011, 4,103 new businesses moved into or were created in state enterprise zones. DEO also reported that 11,559 new jobs were created by businesses located within state enterprise zones, and that \$22,950,900 in state tax incentives were approved by the Department of Revenue (DOR) during this time period. The total amount of tax incentives approved decreased from \$67,602,482 during the 2009/2010 period. Local governments provided over \$33 million in incentives for the enterprise zone program during the 2010/2011 time period.³³

Sections 290.001-290.016, F.S., authorize the creation of an enterprise zone and establish criteria and goals for the program. Prior to submitting an application for an enterprise zone, a local government body must determine that an area:

- Has chronic extreme and unacceptable levels of poverty, unemployment, physical deterioration, and economic disinvestment;
- Needs rehabilitation or redevelopment for the public health, safety, and welfare of the residents in the county or municipality; and
- Can be revitalized through the inducement of the private sector.

The Department of Economic Opportunity (DEO) is responsible for approving applications for enterprise zones, and also approves changes in enterprise zone boundaries when authorized by the Legislature. As part of the application process for an enterprise zone, the county or municipality in which the designation will be located also is responsible for creating an Enterprise Zone Development Agency and an enterprise zone development plan.

Florida's enterprise zones qualify for various incentives from local governments. Examples include: utility tax abatement, reduction of local business taxes, reduced building permit fees or land development fees, and local funds for capital projects.

³⁰ Ch. 82-119, L.O.F.

³¹ Ch. 2012-32, L.O.F., authorized Citrus County and Charlotte County to apply to DEO for enterprise zone designation. Both enterprise zones were approved by DEO with an effective date of January 1, 2013.

³² The program is repealed by ch. 2005-287, L.O.F.

³³ Department of Economic Opportunity, *Florida Enterprise Zone Program Annual Report, October 1, 2010 – September 30, 2011*, (March 1, 2012, reissued April 2, 2012), available at:

http://www.floridajobs.org/about%20awi/open_government/2012_EnterpriseZoneAnnual.pdf, (last visited on January 23, 2013).

Available state sales tax incentives for enterprise zones include:

- Building Materials Used in the Rehabilitation of Real Property Located in an Enterprise Zone: Provides a refund for sales taxes paid on the purchase of certain building materials, up to \$5,000 or 97 percent of the tax paid.³⁴
- Business Equipment Used in Enterprise Zones: Provides a refund for sales taxes paid on the purchase of certain equipment, up to \$5,000 or 97 percent of the tax paid.³⁵
- Rural Enterprise Zone Jobs Credit against Sales Tax: Provides a sales and use tax credit for 30 or 45 percent of wages paid to new employees who live within a rural county.³⁶
- Urban Enterprise Zone Jobs Credit against Sales Tax: Provides a sales and use tax credit for 20 or 30 percent of wages paid to new employees who live within the enterprise zone.³⁷
- Business Property Used in an Enterprise Zone: Provides a refund for sales taxes paid on the purchase of certain business property, up to \$5,000 or 97 percent of the tax paid per parcel of property, which is used exclusively in an enterprise zone for at least 3 years.³⁸
- Community Contribution Tax Credit: Provides a 50 percent sales tax refund for donations made to local community development projects.³⁹
- Electrical Energy Used in an Enterprise Zone: Provides a 50 percent sales tax exemption to qualified businesses located within an enterprise zone on the purchase of electrical energy.⁴⁰

Available state corporate income tax incentives for enterprise zones include:

- Rural Enterprise Zone Jobs Credit against Corporate Income Tax: Provides a corporate income tax credit for 30 or 45 percent of wages paid to new employees who live within a rural county.⁴¹
- Urban Enterprise Zone Jobs Credit against Corporate Income Tax: Provides a corporate income tax credit for 20 or 30 percent of wages paid to new employees who live within the enterprise zone.⁴²
- Enterprise Zone Property Tax Credit: Provides a credit against Florida corporate income tax on ad valorem taxes paid on the new or improved property. The credits may not exceed total ad valorem taxes paid. Credits may not exceed \$25,000 in a single year or \$50,000 if at least 20 percent of a business's employees live in the enterprise zone.⁴³
- Community Contribution Tax Credit: Provides a 50 percent credit on Florida corporate income tax or insurance premium tax, or a sales tax refund, for donations made to local community development projects.⁴⁴

³⁴ Section 212.08(5)(g), F.S.

³⁵ Section 212.08(5)(h), F.S.

³⁶ Section 212.096, F.S.

³⁷ *Id.*

³⁸ *Supra*, note 6.

³⁹ Section 212.08(5)(p), F.S.

⁴⁰ Section 212.08(15), F.S.

⁴¹ Section 220.181, F.S.

⁴² *Id.*

⁴³ Section 220.182, F.S.

⁴⁴ *See* ss. 220.183 and 624.5105, F.S.

In addition to the abovementioned incentives, participants in the Qualified Target Industry Tax Refund program who locate their project in an enterprise zone are eligible to receive a double tax refund payment per eligible job created.⁴⁵

III. Effect of Proposed Changes:

Remedial Education in Colleges and Universities

CS/SB 1720 replaces college preparatory instruction with developmental education. The bill repeals the authority for Florida College System institutions to provide college preparatory instruction as stand-alone non-credit courses and requires instead developmental education—skill-building instruction—that is co-requisite with credit courses. The bill repeals the authorization for institutions to use Florida College System program funds for remedial education and authorizes using the funds for developmental education.

The bill changes requirements related to testing, placement, and instructional requirements and options for preparing students with communication and computation skills necessary to succeed in college-level work and directs state and local boards to develop rules and requirements to implement the change from college preparatory education to developmental education.

Developmental education may be implemented through an accelerated course structure which allows students to attain specific skills at their own pace and through co-requisite education, which means that developmental education is required along with a credit course. Developmental education may be provided through modularized instruction or embedded in the credit-bearing course. The credit course may be offered over an extended period of time, such as two semesters instead of one. Entering students will be able to enroll in gateway courses, the entry-level courses for their meta-major. A meta-major is a group of programs of study that share common foundational skills. By October 1, 2013, The State Board of Education in conjunction with the BOG must approve a series of meta-majors and identify the gateway courses required for success in each meta-major.

By January 1, 2014, the State Board of Education must adopt rules to implement developmental education which must include:

- Student achievements that may be considered by institutional boards, such as performance on college placement tests, grade point averages, work history, military experience, career interests, degree major declaration;
- Recommended options for students performing at levels indicating adult education as an appropriate place for students to develop needed college-entry skills;
- Sufficient flexibility for local professional judgment and determinations of appropriate student options for achieving necessary skills; and
- Limits on credit course enrollment for students indicating the need for college preparatory assistance in two or more content areas.

⁴⁵ Section 288.106, F.S. A business approved by DEO for the Qualified Target Industry Tax Refund program normally receives a tax refund of \$3,000 per eligible job. This amount is doubled to \$6,000 per job if the business is located in an enterprise zone.

The bill authorizes colleges to charge fees for developmental education and repeals the authorization to charge fees for non-credit remedial courses. The current requirement for a student to pay 100 percent of the cost of a college-credit course after taking the course twice is changed to require a student to pay 100% of cost of instruction after taking a credit course once except for students enrolled in a gateway course.

\$10,000 College Degree at Florida College System Institutions

The bill authorizes a Florida College System institution to waive any or all of tuition and the fees that are indexed to tuition, plus the distance-learning user fee when applicable, in order to provide a baccalaureate degree for Florida residents that costs no more than \$10,000 for tuition and specified fees.

Repeal of FASFA Requirement for Bright Futures Scholarship Recipients

The bill repeals the requirement for Bright Futures Scholarship recipients to submit a Free Application for Federal Student Aid (FAASFA) form in order to be eligible to receive the scholarship.

Preeminent University/On-line Postsecondary Education

The bill grants the BOG authority to designate a qualifying institution as a preeminent state research university if it has met the benchmarks for 11 of the 12 specified standards. The state university that has attained the highest level on the academic and research standards for preeminence must establish a fully on-line arm of the university, subject to funds appropriated by the Legislature. The bill creates a board of directors to develop, implement, and oversee the business aspects of the university's on-line arm. The academic quality, accreditation, and curricular standards of the on-line arm are the responsibility of the university president and board of trustees, in conjunction with the Board of Governors.

Membership of the on-line arm's board of directors is specified, with appointments being made by the university president, chair of the Board of Trustees, the Governor, the Senate President, the House Speaker, the chair of the Board of Governors, and the chair of the Florida Polytechnic Board of Trustees. The university president and the Board of Trustees chair appoint "permanent" members.

The proposed language requires the university to offer, as part of its on-line arm, a fully on-line Masters in Business Administration degree program. The board of directors may set market rate tuition for nonresident students for all programs to be offered through the on-line arm. Currently, an institution's Board of Trustees submits a proposal to the Board of Governors for approval to set market rate tuition for graduate-level on-line programs or graduate-level programs offered through a university's continuing education program.

The state research university that attains the second highest level on the academic and research standards for preeminence is required to recruit National Academy Members, expedite provision of a master's degree in cloud virtualization, and institute an entrepreneurs-in-residence program throughout its campus, subject to funds appropriated by the Legislature.

Preeminent State Research University Special Courses

The bill authorizes a preeminent state research university to establish special course requirements for incoming first-time-in-college students to take a 9-to-12 credit set of courses specifically determined by the university. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to ss. 1007.27 or 1007.271, F.S., or other transfer credit. Any accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271, F.S., must be applied toward graduation at the student's request.

University Flexibility

The Board of Governors is instructed to identify and grant all reasonable feasible authority and flexibility to keep designated preeminent universities free from unnecessary restrictions. It is the Board's constitutional responsibility to "operate, regulate, control, and be fully responsible for the management of the whole university system. These responsibilities shall include, but not be limited to ensuring the well-planned coordination and operation of the system, and avoiding wasteful duplication of facilities or programs."⁴⁶ The bill also encourages the Board of Governors to identify individual programs within state universities that objectively reflect national excellence and to make recommendations to the Legislature as to how any such programs could be enhanced and promoted.

Revision of General Education Requirements

The bill extends implementation of the revised core course requirements for one year, from 2014-15 to 2015-16. This extension will allow additional time for each institution's faculty review, approval, and implementation processes for academic curricular revisions to occur. The bill also allows for the inclusion of an additional core course option, if recommended by a faculty discipline committee and approved by the Articulation Coordinating Committee. This amendment will provide a deliberative process for specific courses to be reviewed and proposed for inclusion in the general education core under the oversight of faculty in each academic discipline.

The bill reinstates the general education credit hour requirement to 36 semester hours from the proposed 30 hours. The core general education requirements will remain at 15 semester hours while the institutionally-specific portion will be provided the additional six hours of flexibility, thereby raising that component of the general education requirements to 21 semester hours. The reinstatement of the 36 credit hour requirement will also address accreditation concerns identified by SACS.

High School Grades

The bill revises the procedure for calculating high school grades to require that equal weight be assigned to the participation and performance of students who participate in a certified school-wide college readiness system that includes enrollment in an elective class recognized in the Course Code Directory. The course must be designed to provide students who are taking college preparatory or advanced course with academic instruction and other support.

⁴⁶ Art. IX, s. 7(d), Florida Constitution.

BOG Oversight of Universities

The bill provides the Board of Governors with the same oversight enforcement authority over state universities that the SBE has over FCS institutions. The bill amends s. 1008.32, F.S., to conform language concerning the withholding of discretionary lottery funds to new s. 1008.322, F.S. The bill also provides for the JLAC to refer college and university-related matters to the SBE and Board of Governors, respectively, in the event JLAC determines that a college or university has failed to take full corrective action.

Complete Florida Degree Program

The Degree Completion Pilot Project is renamed as the Complete Florida Degree Program, and the implementation date is changed to 2013-2014, with a project work plan being submitted by September 1, 2013. The University of West Florida remains the lead institution and is directed to coordinate with other Florida College System institutions, state universities, and private postsecondary institutions in the implementation of the program. Language is deleted which would have transferred the pilot to the Florida Virtual Campus.

An evaluation report must be submitted to the participating institutions, the chairs of the legislative appropriations committees, and the Executive Office of the Governor. A detailed project plan is to be submitted to the chairs of the legislative appropriations committee, but no mention is made of the chancellors or their respective boards.

STEAM Zones

The bill requires the Department of Economic Opportunity to create science, technology, engineering, arts, and mathematics (STEAM) zones in counties where state universities classified by the Carnegie foundation as research universities with very high research activity⁴⁷ are located. The STEAM zones would be economic development zones similar to the state's enterprise zones which are created under ch. 290, F.S. Each county in which the research university is located is required to appoint a STEAM zone development agency which must be a non-university, not-for-profit corporation.

The bill requires the STEAM zone development agency to appoint a STEAM zone development board of 9-12 commissioners and provides for membership and duties of the board. The board's duties include:

- Identifying ways to remove regulatory barriers;
- Offering incentives to a school district, charter school, or private school to implement and fully use an industry certification program in STEAM;
- Working with state universities and colleges to incorporate industry certification programs and internships for students who are pursuing degrees in STEAM fields; and
- Working with companies within the STEAM zone to develop training and industry certification programs that are needed locally.

⁴⁷ The four research universities classified by the Carnegie foundation as having very high research activity are Florida State University, the University of Central Florida, the University of Florida, and the University of South Florida. Thus the four counties where a STEAM zone would be established are Alachua, Hillsborough, Leon, and Orange Counties.

STEAM zones would be entitled to incentives and benefits provided for enterprise zones. The local governing body of the STEAM zone would be required to provide up to \$300,000 in state credits, refunds, and exemptions per designated STEAM zone. The local governing body would certify to DOR or DEO that the business is eligible to receive state incentives according to their statutory requirements.

The DEO is also charged with developing a high-tech grant competitive program for a STEAM zone to encourage and reward groundbreaking ideas that greatly expand innovation, commercialization, and new enterprise formation across the state.

STEAM Schools

The bill authorizes a district school board to contract with a non-profit agency or a state or local governmental unit to provide a STEAM school which would provide a full educational STEAM program integrating technology and the arts. A STEAM school must:

- Be provider at the site of the non-profit organization or governmental unit;
- Have a curriculum that is supervised by the district school board's curriculum office;
- Receive a portion of the FTE funding provided to the school district;
- Conduct the highest level of background check for employees and volunteers; and
- Have performance outcomes that demonstrate integration of technology and the arts.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The options provided to students in this bill—more flexibility in achieving necessary academic skills while earning college credit, increased options for on-line education, and degree recovery options for student returning to a university - will benefit students and better prepare them for employment.

C. Government Sector Impact:

The BOG may have to reprioritize its use of existing funding to implement the on-line arm of the preeminent research university.

Both the BOG and the DOE will have to reprioritize their use of existing funding to coordinate the identification of the meta-majors. In addition, college and university faculty will have to engage in the identification of meta-majors.

Under the bill, colleges will no longer be authorized to offer college preparatory non-credit remedial courses. According to the Department of Education, the cost of providing these remedial courses accounted for 8.5 percent of Florida College System Operating expenditures in 2011-2012, which included \$67.9 million in direct instructional costs. Upon this bill becoming law, the colleges will no longer incur these direct costs.

Incentive funding for the development of a program for a master's degree in cloud virtualization and enhancements for the preeminent state research university initiative in the bill is subject to funds appropriated by the Legislature.

There will be a revenue impact due to an increase in available tax credits created within the STEAM zones created in the bill. Responsibility as described in the bill relating to local governing units within the zones will be impacted. It is unclear whether a local governing body can approve and administer state incentives, credits, and refunds.

VI. Technical Deficiencies:

The term "certified schoolwide college readiness system", referenced in section 1008.34, F.S., is undefined.

VII. Related Issues:

The state constitution requires the BOG to establish the powers and duties of the state university boards of trustees. BOG Regulation 1.001(6) requires the board of trustees to be responsible for the financial management of the university. Standard 3.2 of the Southern Association of Colleges and Schools (SACS) requires the institution's governing body (i.e., Board of Trustees) to have legal authority and operating control of the institution, including its fiscal stability. Giving the board of directors of the on-line arm of the preeminent research university the authority to contract and to oversee the business aspect of the on-line arm, with no ultimate accountability to the Board of Trustees, could create concerns for SACS, the institution's accrediting body. According to the BOG, there are four instances in which the Board of Trustees recommends an action to the board of directors, with the board of directors making the final decision. This decision-making structure could generate concerns by SACS because of its Standard 3.2:

- Offering of fully on-line Master's degree programs;
- Development and offering of competency-based courses and programs;
- Expansion of on-line baccalaureate programs; and

- Differentiating tuition by degree program⁴⁸

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on March 12, 2013:

The Committee Substitute differs from SB 1720 in the following ways:

- Revises procedures for the on-line university to conform to HB 7057, including:
 - Clarifying that tuition is set in the general Appropriations Act;
 - Removing authorization for the board of directors of the on-line arm to recommend a fee structure for optional services, such as career placement;
 - Requiring the capital improvement trust fund fee to be dedicated to the university's on-line research center;
 - Authorizing charging a student for the cost of a hard-copy textbook or lab supplies;
 - Requiring the university to accept financial aid and advance payment contracts, and does not specify financial aid programs by name; and
 - Not designating that a portion of the revenues from the on-line arm be used for the university's innovation hub.
- Revises the criteria for determining school grades to require that equal weight be given to students who participate and perform in a school-wide college readiness system.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

⁴⁸ Florida Board of Governors bill analysis for SB 1720, on file with the Senate Education Committee.



190968

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2013	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Legg) recommended the following:

Senate Amendment (with title amendment)

Delete lines 260 - 492.

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

And the title is amended as follows:

Delete lines 6 - 49.



362632

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2013	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Legg) recommended the following:

Senate Amendment (with title amendment)

Delete lines 778 - 814.

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

And the title is amended as follows:

Delete lines 110 - 119

and insert:

in other state universities; amending s.



168466

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2013	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Legg) recommended the following:

Senate Amendment (with title amendment)

Between lines 823 and 824
insert:

Section 8. Section 1004.43, Florida Statutes, is amended to read:

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

(1) The Board of Trustees of the University of South



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13 Florida ~~Governors~~ shall enter into a lease ~~an~~ agreement for the
14 use utilization of the lands and facilities on the campus of the
15 University of South Florida ~~to be~~ known as the H. Lee Moffitt
16 Cancer Center and Research Institute, including all furnishings,
17 equipment, and other chattels used in the operation of such
18 facilities, with a Florida not-for-profit corporation organized
19 solely for the purpose of governing and operating the H. Lee
20 Moffitt Cancer Center and Research Institute. The lease
21 agreement with the not-for-profit corporation must be rent free
22 so long as the not-for-profit corporation and its subsidiaries
23 use the lands and facilities primarily for research, education,
24 treatment, prevention, and the early detection of cancer or for
25 teaching and research programs conducted by the state
26 universities or other accredited medical schools or research
27 institutes. The lease agreement must provide for review of
28 construction plans and specifications by the university for
29 consistency with the university's campus master plan, impact on
30 the university's utilities infrastructure, and compliance with
31 applicable building code and general design characteristics and
32 compatibility with university architecture, as appropriate. The
33 not-for-profit corporation may, with the prior approval of the
34 Board of Governors, create ~~either~~ for-profit or not-for-profit
35 corporate subsidiaries, or both, to fulfill its mission. The
36 not-for-profit corporation and any approved not-for-profit
37 subsidiary are ~~shall be~~ conclusively deemed corporations
38 primarily acting as instrumentalities of the state, pursuant to
39 s. 768.28(2), for purposes of sovereign immunity. For-profit
40 subsidiaries of the not-for-profit corporation may not compete
41 with for-profit health care providers in the delivery of



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42 radiation therapy services to patients. The not-for-profit
43 corporation and its subsidiaries may ~~are authorized to~~ receive,
44 hold, invest, and administer property and any moneys received
45 from private, local, state, and federal sources, as well as
46 technical and professional income generated or derived from
47 practice activities of the institute, for the benefit of the
48 institute and the fulfillment of its mission. The affairs of the
49 corporation shall be managed by a board of directors who shall
50 serve without compensation. The President of the University of
51 South Florida and the chair of the Board of Governors, or his or
52 her designee, shall be directors of the not-for-profit
53 corporation, ~~together with 5 representatives of the state~~
54 ~~universities and no more than 14 nor fewer than 10 directors who~~
55 ~~are not medical doctors or state employees.~~ Each director has
56 ~~shall have~~ only one vote, serves ~~shall serve~~ a term of 3 years,
57 and may be reelected to the board. Other than the President of
58 the University of South Florida and the chair of the Board of
59 Governors, directors shall be elected by a majority vote of the
60 board. The chair of the board of directors shall be selected by
61 majority vote of the directors.

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

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

66 ~~(b) Approval of the articles of incorporation of any not-~~
67 ~~for-profit corporate subsidiary created by the not-for-profit~~
68 ~~corporation.~~

69 ~~(c) Utilization of lands, facilities, and personnel by the~~
70 ~~not-for-profit corporation and its subsidiaries for research,~~



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71 ~~education, treatment, prevention, and the early detection of~~
72 ~~cancer and for mutually approved teaching and research programs~~
73 ~~conducted by the state universities or other accredited medical~~
74 ~~schools or research institutes.~~

75 (2)(d) The not-for-profit corporation shall cause the
76 ~~Preparation of an annual financial audits audit~~ of the not-for-
77 profit corporation's accounts and records to be prepared and the
78 accounts and records of any subsidiaries to be conducted by an
79 independent certified public accountant. Each ~~The~~ annual
80 financial audit report must ~~shall~~ include a management letter,
81 as defined in s. 11.45, and must ~~shall~~ be submitted to the
82 Auditor General and the Board of Governors. The Board of
83 Governors, the Auditor General, and the Office of Program Policy
84 Analysis and Government Accountability may ~~shall have the~~
85 ~~authority to~~ require and receive from the not-for-profit
86 corporation and any subsidiaries or from their independent
87 auditor any detail or supplemental data relative to the
88 operation of the not-for-profit corporation or subsidiary.

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

93 (3) The Board of Governors may ~~is authorized to~~ secure
94 comprehensive general liability protection, including
95 professional liability protection, for the not-for-profit
96 corporation and its subsidiaries pursuant to s. 1004.24. The
97 not-for-profit corporation and its subsidiaries are ~~shall be~~
98 exempt from ~~any~~ participation in any property insurance trust
99 fund established by law, including any property insurance trust



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100 fund established pursuant to chapter 284, so long as the not-
101 for-profit corporation and its subsidiaries maintain property
102 insurance protection with comparable or greater coverage limits.

103 (4) ~~If In the event that~~ the agreement between the not-for-
104 profit corporation and the Board of Trustees of the University
105 of South Florida ~~Governors~~ is terminated for any reason, the
106 Board of Governors shall resume governance and operation of such
107 facilities.

108 (5) The institute shall be administered by a chief
109 executive officer who serves ~~shall serve~~ at the pleasure of the
110 board of directors of the not-for-profit corporation and who has
111 ~~shall have~~ the following powers and duties subject to the
112 approval of the board of directors:

113 (a) The chief executive officer shall establish programs
114 that ~~which~~ fulfill the mission of the institute in research,
115 education, treatment, prevention, and the early detection of
116 cancer; however, the chief executive officer may ~~shall~~ not
117 establish academic programs for which academic credit is awarded
118 and which terminate in the conference of a degree without prior
119 approval of the Board of Governors.

120 (b) The chief executive officer has ~~shall have~~ control over
121 the budget and the dollars appropriated or donated to the
122 institute from private, local, state, and federal sources, as
123 well as technical and professional income generated or derived
124 from practice activities of the not-for-profit corporation and
125 its subsidiaries. Technical and professional income generated
126 from practice activities may be shared between the not-for-
127 profit corporation and its subsidiaries as determined by the
128 chief executive officer. However, professional income generated



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129 by state university employees from practice activities at the
130 not-for-profit corporation and its subsidiaries must ~~shall~~ be
131 shared between the university and the not-for-profit corporation
132 and its subsidiaries only as determined by the chief executive
133 officer and the appropriate university dean or vice president.

134 (c) The chief executive officer shall appoint members to
135 carry out the research, patient care, and educational activities
136 of the institute and determine compensation, benefits, and terms
137 of service. Members of the institute are ~~shall be~~ eligible to
138 hold concurrent appointments at affiliated academic
139 institutions. State university faculty are ~~shall be~~ eligible to
140 hold concurrent appointments at the institute.

141 (d) The chief executive officer has ~~shall have~~ control over
142 the use and assignment of space and equipment within the
143 facilities.

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

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

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

155 (6) The board of directors of the not-for-profit
156 corporation shall create an external advisory board ~~a council~~ of
157 scientific advisers to the chief executive officer comprised of



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158 leading researchers, physicians, and scientists. This board
159 ~~council~~ shall review programs and recommend research priorities
160 and initiatives so as to maximize the state's investment in the
161 institute. The board ~~council~~ shall be appointed by the board of
162 directors of the not-for-profit corporation. Each member of the
163 board ~~council~~ shall be appointed to serve a 2-year term and may
164 be reappointed to the council.

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

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

171 (b) Proprietary confidential business information is
172 confidential and exempt from the provisions of s. 119.07(1) and
173 s. 24(a), Art. I of the State Constitution. However, the Auditor
174 General, the Office of Program Policy Analysis and Government
175 Accountability, and the Board of Governors, pursuant to their
176 oversight and auditing functions, must be given access to all
177 proprietary confidential business information upon request and
178 without subpoena and must maintain the confidentiality of
179 information so received. As used in this paragraph, the term
180 "proprietary confidential business information" means
181 information, regardless of its form or characteristics, which is
182 owned or controlled by the not-for-profit corporation or its
183 subsidiaries; is intended to be and is treated by the not-for-
184 profit corporation or its subsidiaries as private and the
185 disclosure of which would harm the business operations of the
186 not-for-profit corporation or its subsidiaries; has not been



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187 intentionally disclosed by the corporation or its subsidiaries
188 unless pursuant to law, an order of a court or administrative
189 body, a legislative proceeding pursuant to s. 5, Art. III of the
190 State Constitution, or a private agreement that provides that
191 the information may be released to the public; and ~~which~~ is
192 information concerning:

193 1. Internal auditing controls and reports of internal
194 auditors;

195 2. Matters reasonably encompassed in privileged attorney-
196 client communications;

197 3. Contracts for managed-care arrangements, including
198 preferred provider organization contracts, health maintenance
199 organization contracts, and exclusive provider organization
200 contracts, and any documents directly relating to the
201 negotiation, performance, and implementation of any such
202 contracts for managed-care arrangements;

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

207 5. Information relating to private contractual data, the
208 disclosure of which would impair the competitive interest of the
209 provider of the information;

210 6. Corporate officer and employee personnel information;

211 7. Information relating to the proceedings and records of
212 credentialing panels and committees and of the governing board
213 of the not-for-profit corporation or its subsidiaries relating
214 to credentialing;

215 8. Minutes of meetings of the governing board of the not-



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216 for-profit corporation and its subsidiaries, except minutes of
217 meetings open to the public pursuant to subsection (9);

218 9. Information that reveals plans for marketing services
219 that the corporation or its subsidiaries reasonably expect to be
220 provided by competitors;

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

222 a. Information relating to methods of manufacture or
223 production, potential trade secrets, potentially patentable
224 materials, or proprietary information received, generated,
225 ascertained, or discovered during the course of research
226 conducted by the not-for-profit corporation or its subsidiaries;
227 and

228 b. Reimbursement methodologies or rates;

229 11. The identity of donors or prospective donors of
230 property who wish to remain anonymous or any information
231 identifying such donors or prospective donors. The anonymity of
232 these donors or prospective donors must be maintained in the
233 auditor's report; or

234 12. Any information received by the not-for-profit
235 corporation or its subsidiaries from an agency in this or
236 another state or nation or the Federal Government which is
237 otherwise exempt or confidential pursuant to the laws of this or
238 another state or nation or pursuant to federal law.

239
240 As used in this paragraph, the term "managed care" means systems
241 or techniques generally used by third-party payors or their
242 agents to affect access to and control payment for health care
243 services. Managed-care techniques most often include one or more
244 of the following: prior, concurrent, and retrospective review of



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245 the medical necessity and appropriateness of services or site of
246 services; contracts with selected health care providers;
247 financial incentives or disincentives related to the use of
248 specific providers, services, or service sites; controlled
249 access to and coordination of services by a case manager; and
250 payor efforts to identify treatment alternatives and modify
251 benefit restrictions for high-cost patient care.

252 (9) Meetings of the governing board of the not-for-profit
253 corporation and meetings of the subsidiaries of the not-for-
254 profit corporation at which the expenditure of dollars
255 appropriated to the not-for-profit corporation by the state are
256 discussed or reported must remain open to the public in
257 accordance with s. 286.011 and s. 24(b), Art. I of the State
258 Constitution, unless made confidential or exempt by law. Other
259 meetings of the governing board of the not-for-profit
260 corporation and of the subsidiaries of the not-for-profit
261 corporation are exempt from s. 286.011 and s. 24(b), Art. I of
262 the State Constitution.

263 (10) In addition to the continuing appropriation to the
264 institute provided in s. 210.20(2), any appropriation to the
265 institute provided in a general appropriations act shall be paid
266 directly to the board of directors of the not-for-profit
267 corporation by warrant drawn by the Chief Financial Officer from
268 the State Treasury.

269
270 ===== T I T L E A M E N D M E N T =====

271 And the title is amended as follows:

272 Delete line 122

273 and insert:



274 education; amending s. 1004.43, F.S.; transferring
275 oversight of the H. Lee Moffitt Cancer Center and
276 Research Institute to the Board of Trustees of the
277 University of South Florida; requiring the Board of
278 Trustees to enter into a lease agreement for use of
279 certain land and facilities; providing for the terms
280 of the lease; requiring the University of South
281 Florida and the Florida not-for-profit corporation
282 that governs and operates the H. Lee Moffitt Cancer
283 Center and Research Institute to enter into an
284 agreement to review construction plans and
285 specifications for consistency of certain criteria;
286 revising the membership of the board of directors for
287 the not-for-profit corporation; deleting the
288 requirement that the Board of Governors provide for
289 certain approvals of the articles of incorporation of
290 the not-for-profit corporation and use of land and
291 facilities for certain purposes; requiring the not-
292 for-profit corporation to cause to be prepared annual
293 financial audits; requiring the not-for-profit
294 corporation to provide equal employment opportunities;
295 providing for the governance and operation of the
296 facilities if the agreement between the not-for-profit
297 corporation and the Board of Trustees of the
298 University of South Florida, rather than the Board of
299 Governors, is terminated; requiring the chief
300 executive officer to report annually to the Board of
301 Governors on the educational activities of the not-
302 for-profit corporation; providing for the creation and



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303 duties of an external advisory board; repealing s.
304 1004.58, F.S., relating to the

By the Committee on Education; and Senator Galvano

581-02271-13

20131720c1

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 creating s. 288.126, F.S.; requiring the Department of
 7 Economic Opportunity to create economic development
 8 zones for science, technology, engineering, arts, and
 9 mathematics; authorizing a science, technology,
 10 engineering, arts, and mathematics (STEAM) zone in a
 11 county with a state university classified as having
 12 very high research activity located in the county's
 13 jurisdiction; authorizing the county to apply to the
 14 department for a STEAM zone designation; requiring the
 15 county to appoint a STEAM zone development agency in
 16 its application; providing criteria for the STEAM zone
 17 development agency; requiring the STEAM zone
 18 development agency to appoint a STEAM zone development
 19 board; providing criteria for the board; providing
 20 duties of the board; requiring a local governing body
 21 that has jurisdiction over a STEAM zone to establish
 22 the boundary of the STEAM zone, specify applicable
 23 standards, and determine certain eligibility criteria;
 24 specifying the incentives and benefits available in
 25 the STEAM zones; requiring the department to develop a
 26 grant program that applies to a STEAM zone; providing
 27 criteria for the awarding of a grant; directing the
 28 STEAM zone development agency to perform certain
 29 functions; requiring the department to work with the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 STEAM zone development agency, the Department of
 31 Education, and Workforce Florida, Inc., to develop
 32 accountability requirements and measurable objectives;
 33 providing criteria; providing a monetary incentive cap
 34 on the total amount of state credits, refunds, and
 35 exemptions that may be provided to eligible businesses
 36 for STEAM zone economic incentives; assigning duties
 37 for the administration of STEAM zones to the counties
 38 that have jurisdiction over STEAM zones; providing for
 39 the issuance of certificates to eligible businesses;
 40 requiring the county that has jurisdiction over a
 41 STEAM zone to certify to the Department of Revenue or
 42 the Department of Economic Opportunity the businesses
 43 or properties that are eligible for the incentives;
 44 requiring the Department of Revenue to send written
 45 instructions to eligible businesses for claiming the
 46 credit on a sales and use tax return initiated through
 47 an electronic data interchange; providing a procedure
 48 to deduct a credit against the sales and use tax from
 49 the sales and use tax remitted by the business;
 50 amending s. 1001.02, F.S.; requiring the State Board
 51 of Education to specify the college credit courses
 52 that may be taken by Florida College System
 53 institution students who are concurrently
 54 participating in developmental education; requiring
 55 the State Board of Education to establish the tuition
 56 and out-of-state fees for certain credit instruction,
 57 rather than college-preparatory instruction; revising
 58 the minimum standards, definitions, and guidelines

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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59 that the State Board of Education must prescribe by
60 rule for Florida College System institutions; amending
61 s. 1001.64, F.S.; authorizing a board of trustees at a
62 Florida College System institution to contract with
63 the board of trustees of a state university for the
64 Florida College System institution to provide
65 developmental education; creating s. 1001.7065, F.S.;
66 establishing a collaborative partnership between the
67 Board of Governors and the Legislature to elevate the
68 academic and research preeminence of this state's
69 highest performing state research universities;
70 specifying the academic and research excellence
71 standards for the preeminent state research
72 universities program; requiring the Board of Governors
73 to designate each state research university that meets
74 certain criteria as a preeminent state research
75 university; requiring the state research university
76 that has attained the highest level on the academic
77 and research excellence standard to establish an
78 online arm of the university; providing requirements
79 for the online arm of the university; providing
80 membership of the board of directors that oversees the
81 business of the university's online arm; providing for
82 a quorum of the board of directors; requiring the
83 board to develop a business plan and authorizing the
84 board to contract with other entities and
85 institutions; requiring the university to offer high-
86 quality online baccalaureate degree programs and a
87 master's degree in business administration;

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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88 authorizing the university to offer online other
89 master's degree programs; authorizing the university
90 to develop and offer degree programs and courses that
91 are competency based; requiring the university to
92 periodically expand its offering of online
93 baccalaureate degree programs and establish a tuition
94 structure for its online arm; providing requirements
95 for the tuition structure; requiring the state
96 research university that has attained the second
97 highest level on the academic and research excellence
98 standards to recruit National Academy members,
99 expedite provision of a master's degree in cloud
100 virtualization, and institute an entrepreneurs-in-
101 residence program throughout its campus; authorizing a
102 preeminent state research university to require
103 incoming college students to take specified courses;
104 requiring the Board of Governors to identify and grant
105 all reasonable, feasible authority and flexibility to
106 keep a designated preeminent state research university
107 free from unnecessary restrictions; providing that the
108 Board of Governors is encouraged to establish
109 standards and measures to recognize excellent programs
110 in other state universities; creating s. 1002.312,
111 F.S.; authorizing a district school board to contract
112 with a nonprofit organization or a state or local
113 governmental unit to establish a STEAM school;
114 specifying the organizations that are authorized to
115 contract with a district school board to establish a
116 STEAM school; requiring certain provisions to be

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117 included in a contract to establish a STEAM school;
 118 providing that performance outcomes must demonstrate
 119 an integration of technology and the arts; amending s.
 120 1004.02, F.S.; defining the term "developmental
 121 education" as it relates to public postsecondary
 122 education; repealing s. 1004.58, F.S., relating to the
 123 Leadership Board for Applied Research and Public
 124 Service; amending s. 1004.93, F.S.; deleting
 125 provisions relating to the levels and courses of
 126 instruction to be funded through the college-
 127 preparatory program; amending s. 1006.735, F.S.;
 128 establishing the Complete Florida Degree Program to
 129 recruit, recover, and retain adult learners and assist
 130 them in completing degrees aligned to high-wage, high-
 131 skill workforce needs; specifying program components
 132 and the tuition and fee structure; requiring
 133 submission of a project plan to the Legislature;
 134 amending s. 1007.23, F.S.; revising the number of
 135 semester hours in which a student who is seeking an
 136 associate in arts degree is required to indicate a
 137 baccalaureate degree program; amending s. 1007.25,
 138 F.S.; revising general education courses, common
 139 prerequisites, and degree requirements; conforming
 140 terminology to changes made by the act; amending s.
 141 1007.263, F.S.; revising the rules that the board of
 142 trustees of a Florida College System institution may
 143 adopt with regard to admissions counseling; requiring
 144 each board of trustees to establish policies that
 145 notify students about options they may use to attain

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146 the communication and computation skills that are
 147 essential to perform college-level work; deleting a
 148 prohibition against a student's enrollment in credit
 149 courses under certain circumstances; amending s.
 150 1007.271, F.S.; conforming provisions to changes made
 151 by the act; creating s. 1008.02, F.S.; providing
 152 definitions for the purpose of ch. 1008, F.S.,
 153 relating to assessment and accountability for the K-20
 154 education system; amending s. 1008.30, F.S.; providing
 155 that alternative assessments that may be accepted in
 156 lieu of the common placement test must be identified
 157 in rule; requiring the State Board of Education, in
 158 conjunction with the Board of Governors, to approve a
 159 series of meta-majors, academic pathways, and degree
 160 maps that identify the gateway courses required for
 161 success in each meta-major; providing requirements for
 162 the common placement testing program; requiring the
 163 State Board of Education to adopt rules that require
 164 high schools to evaluate certain students for college
 165 readiness; requiring the State Board of Education to
 166 establish by rule the test scores a student must
 167 achieve to demonstrate readiness to perform college-
 168 level work; deleting provisions to conform to changes
 169 made by the act; conforming terminology; requiring the
 170 State Board of Education to adopt rules by a specified
 171 date to implement developmental education; requiring
 172 local policies and practices set by each Florida
 173 College System institution board of trustees to
 174 outline the student achievements considered by the

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175 institution for placement determinations, identify
 176 instructional options available to students, and
 177 describe student costs and financial aid opportunities
 178 associated with each instructional option; creating s.
 179 1008.322, F.S.; requiring the Board of Governors of
 180 the State University System to oversee the performance
 181 of state university boards of trustees in the
 182 enforcement of laws, rules, and regulations; providing
 183 that state university presidents are responsible for
 184 the accuracy of the information and data reported to
 185 the Board of Governors; authorizing the Chancellor of
 186 the State University System to investigate allegations
 187 of noncompliance with law or Board of Governors' rule
 188 or regulation and determine probable cause; requiring
 189 the chancellor to report determinations of probable
 190 cause to the Board of Governors; authorizing the Board
 191 of Governors to initiate specified actions if the
 192 board determines that the state university board of
 193 trustees is unwilling or unable to comply with the
 194 law, certain rules or regulations, or audit
 195 recommendations; amending s. 1008.34, F.S.; revising
 196 the grading of middle schools and high schools to
 197 include added weight for students who participate and
 198 are enrolled in certain classes; amending ss. 1008.37,
 199 1009.22, and 1009.23, F.S.; conforming provisions to
 200 changes made by the act; amending s. 1009.26, F.S.;
 201 authorizing certain Florida College System
 202 institutions to waive certain fees; repealing s.
 203 1009.28, F.S., relating to fees for repeated

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204 enrollment in college-preparatory classes; amending s.
 205 1009.285, F.S.; requiring a student enrolled in the
 206 same undergraduate college-credit course more than
 207 once, except for students enrolled in a gateway course
 208 for an extended period of time, to pay tuition at 100
 209 percent of the full cost of instruction; reducing the
 210 number of times certain coursework, which is excluded
 211 for the reduction of fees, is repeated for certain
 212 purposes; amending s. 1009.286, F.S.; excluding
 213 remedial courses from those courses that are counted
 214 when calculating credit hours earned toward a
 215 baccalaureate degree; amending s. 1009.40, F.S.;
 216 providing that undergraduate students participating in
 217 developmental education are eligible to receive
 218 financial aid for a specified number of semesters or
 219 quarters; conforming provisions to changes made by the
 220 act; amending s. 1009.53, F.S.; conforming terminology
 221 to changes made by the act; repealing s. 1009.531(7),
 222 F.S., relating to the eligibility of a student for an
 223 initial reward or renewal reward under the Florida
 224 Bright Futures Scholarship Program; amending s.
 225 1011.84, F.S.; conforming provisions to changes made
 226 by the act; providing an effective date.

227
 228 Be It Enacted by the Legislature of the State of Florida:

229
 230 Section 1. Paragraph (j) of subsection (7) of section
 231 11.45, Florida Statutes, is amended to read:
 232 11.45 Definitions; duties; authorities; reports; rules.-

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233 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.-

234 (j) The Auditor General shall notify the Legislative
235 Auditing Committee of any financial or operational audit report
236 prepared pursuant to this section which indicates that a state
237 university or Florida College System institution has failed to
238 take full corrective action in response to a recommendation that
239 was included in the two preceding financial or operational audit
240 reports.

241 1. The committee may direct the governing body of the state
242 university or Florida College System institution to provide a
243 written statement to the committee explaining why full
244 corrective action has not been taken or, if the governing body
245 intends to take full corrective action, describing the
246 corrective action to be taken and when it will occur.

247 2. If the committee determines that the written statement
248 is not sufficient, the committee may require the chair of the
249 governing body of the state university or Florida College System
250 institution, or the chair's designee, to appear before the
251 committee.

252 3. If the committee determines that the state university or
253 Florida College System institution has failed to take full
254 corrective action for which there is no justifiable reason or
255 has failed to comply with committee requests made pursuant to
256 this section, the committee shall refer the matter to the State
257 Board of Education or the Board of Governors, as appropriate, to
258 proceed in accordance with ss. 1008.32 and 1008.322,
259 respectively ~~may proceed in accordance with s. 11.40(2).~~

260 Section 2. Section 288.126, Florida Statutes, is created to
261 read:

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262 288.126 Science, technology, engineering, arts, and
263 mathematics zone programs.-

264 (1) The Department of Economic Opportunity shall create
265 economic development zones relating to science, technology,
266 engineering, arts, and mathematics (STEAM). All incentives and
267 benefits provided for an enterprise zone pursuant to state law
268 must be available to a STEAM zone designated pursuant to this
269 section. A STEAM zone must be created in a county that has a
270 state university classified by the Carnegie Foundation for the
271 Advancement of Teaching as having very high research activity.
272 The integration of arts and technology is a subset of a STEAM
273 zone.

274 (2) Each county that has a qualifying research university
275 may apply to the department to receive the designation as a
276 STEAM zone. In the application, the county must appoint a STEAM
277 zone development agency. The STEAM zone development agency must:

278 (a) Be a nonuniversity not-for-profit corporation under s.
279 501(c)(3) of the Internal Revenue Code.

280 (b) Have experience with both private not-for-profit
281 partnerships and public not-for-profit partnerships.

282 (c) Have a facility with a minimum of 10,000 square feet of
283 exhibit educational conference space.

284 (d) Employ at least five full-time, in-house educational
285 and training staff employees.

286 (e) Have experience with federal educational and science-
287 related grants.

288 (f) Create and submit quarterly reports to the governing
289 body of the county which evaluates the progress in implementing
290 the strategic plan or measurable goals set by the STEAM zone

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291 development board as described in subsection (3).
 292 (3) (a) The STEAM zone development agency shall appoint a
 293 STEAM zone development board. The board shall consist of at
 294 least nine, but not more than 12, commissioners. At least two
 295 commissioners must be associated with the STEAM zone development
 296 agency, two commissioners must come from the host county, and
 297 two commissioners must be from local for-profit or not-for-
 298 profit corporations whose business is related to science,
 299 technology, engineering, arts, and mathematics programs. At
 300 least one commissioner must be from each of the following areas:
 301 1. A qualifying research institution.
 302 2. A local school district.
 303 3. A municipality.
 304 (b) The STEAM zone development board shall:
 305 1. Assist in the development, implementation, and annual
 306 review and update of the strategic plan or measurable goals.
 307 2. Oversee and monitor the implementation of the strategic
 308 plan or measurable goals.
 309 3. Identify and recommend to the local governing body of
 310 the county or the municipality ways to remove regulatory
 311 barriers.
 312 4. Identify for a county or municipality the financial
 313 needs of and local resources or assistance available to eligible
 314 businesses in the zone.
 315 5. Promote the STEAM zone incentives to residents and
 316 businesses within the STEAM zone.
 317 6. Make recommendations to the county for boundary changes
 318 in a STEAM zone such that a STEAM zone does not exceed 2 square
 319 miles.

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320 7. Work with organizations affiliated with a high-ranking
 321 state research university to promote the purpose and goals of
 322 the STEAM zone.
 323 8. Dispense funds to promote, develop, and expand the STEAM
 324 zone and educational training programs.
 325 9. Work with companies within the STEAM zone to develop
 326 training and certification programs needed to train a workforce
 327 to have skills that are needed by companies and businesses in
 328 this state.
 329 10. Work with Workforce Florida, Inc., to retrain, educate,
 330 and certify unemployed workers in industry certifications.
 331 11. Work with Workforce Florida, Inc., to develop and make
 332 available grant programs within the STEAM zone which foster the
 333 expansion of workforce industry certification education and
 334 training strategies, activities, and resources in conjunction
 335 with one-stop career centers in the region.
 336 12. Provide directives to the STEAM zone development
 337 agency.
 338 (4) (a) In order to provide incentives, each county that has
 339 jurisdiction over a STEAM zone must, by local ordinance,
 340 establish the boundary of the STEAM zone, specify applicable
 341 standards, and determine eligibility criteria for the
 342 application of state and local incentives and benefits in the
 343 STEAM zone. However, in order to receive benefits provided under
 344 s. 288.106, a business must be a qualified target industry
 345 business under s. 288.106 for state purposes. A STEAM zone's
 346 boundary may be revised by local ordinance. Such incentives and
 347 benefits include those in ss. 212.08, 212.096, 220.181, 220.182,
 348 220.183, 220.196, 288.106, and 624.5105 and the public utility

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349 discounts provided in s. 290.007(8). For purposes of this
 350 section, any applicable requirements for employee residency for
 351 higher refund or credit thresholds must be based on employee
 352 residency in the STEAM zone or an enterprise zone.

353 (b) A county that has a designated STEAM zone in its
 354 jurisdiction may waive impact fees for new construction within
 355 the STEAM zone.

356 (c) The Department of Economic Opportunity and each county
 357 that has a STEAM zone in its jurisdiction shall review rules or
 358 regulations that affect the relocation or expansion of a
 359 business to a STEAM zone to determine if a rule or regulation
 360 may be modified or repealed to facilitate relocation or
 361 expansion.

362 (5) The department shall develop a high-technology grant
 363 program that applies to the STEAM zone. The grant program shall
 364 solicit competitive applications from organizations that propose
 365 to encourage and reward groundbreaking ideas that greatly expand
 366 innovation, commercialization, and new enterprise formation
 367 across the state. A grant shall be awarded to applicants who
 368 submit the best strategies to:

369 (a) Create proof-of-concept centers that greatly increase
 370 innovation within their organizations; or

371 (b) Create processes to commercialize or implement
 372 innovation and build networks that can use that innovation and
 373 entrepreneurship for local economic development.

374 (6) The STEAM zone development agency, with the cooperation
 375 of other state agencies, shall:

376 (a) Partner with science, technology, engineering, arts, or
 377 mathematics companies, Workforce Florida, Inc., and local

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378 workforce boards to offer workforce training programs to train
 379 unemployed, underemployed, and new workers in skills that are
 380 needed in the science, technology, engineering, arts, or
 381 mathematics field.

382 (b) Offer industry certifications from approved programs
 383 for persons who traditionally are not typical candidates to
 384 transition into science, technology, engineering, arts, or
 385 mathematics careers; ease the transition for dislocated or
 386 transitioning workers into science, technology, engineering,
 387 arts, or mathematics field; and integrate state, regional, and
 388 local efforts into a more powerful set of partnerships and
 389 coordinated strategies.

390 (c) Enhance the production of more and better industry-
 391 certified workers in the science, technology, engineering, arts,
 392 and mathematics fields through investment of department
 393 resources and through greater integration and alignment of
 394 existing public and private resources, so that more workers have
 395 access to industry certification opportunities.

396 (d) Stimulate and support innovation, entrepreneurship, and
 397 economic growth that can expand employment opportunities in the
 398 science, technology, engineering, arts, and mathematics fields
 399 by:

400 1. Increasing funding for grant opportunities in order to
 401 implement additional educational programming related to science,
 402 technology, engineering, arts, and mathematics.

403 2. Offering incentives to a school district, a charter
 404 school, or a private school to implement and fully use an
 405 industry certification program in science, technology,
 406 engineering, arts, and mathematics.

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407 3. Creating regional centers of education and research for
 408 science, technology, engineering, arts, and mathematics. The
 409 regional centers are a pipeline for students who excel in
 410 science, technology, engineering, arts, and mathematics to their
 411 respective research universities in this state.

412 4. Providing an industry certification program for science,
 413 technology, engineering, arts, and mathematics to meet workforce
 414 demands of industry.

415 5. Promoting the pursuit of careers in science, technology,
 416 engineering, arts, and mathematics among underrepresented
 417 students in grades kindergarten through 12.

418 6. Sponsoring an advertising campaign designed to encourage
 419 local youth, particularly African Americans, Latin Americans,
 420 and women, to consider careers in fields of science, technology,
 421 engineering, arts, and mathematics.

422 7. Working with the state universities and colleges to
 423 incorporate industry certification programs and internships for
 424 students who are pursuing degrees related to science, technology,
 425 engineering, arts, and mathematics which further enhance their
 426 education.

427 (7) The department, in cooperation with the STEAM zone
 428 development agency, the Department of Education, and Workforce
 429 Florida, Inc., shall develop accountability requirements and
 430 measurable objectives that include:

431 (a) Requiring companies to:

432 1. Sign an agreement with the STEAM zone development agency
 433 to agree to be a partner in some form of education,
 434 volunteerism, internship, or event in order to encourage and
 435 excite the community and children in this state's education

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436 system about fields related to science, technology, engineering,
 437 arts, or mathematics.

438 2. Participate in a corporate training program.

439 3. Submit to an annual audit by the state or local board if
 440 a tax credit, grant, loan, or other public assistance is
 441 received.

442 (b) Establishing outcome-based, quantitative performance
 443 metrics to ensure the mission of the STEAM zone is being carried
 444 out.

445 (c) Reporting annually to the Legislature on the progress
 446 of administering this section.

447 (d) Developing measurable objectives for each STEAM zone to
 448 be monitored by the STEAM zone development board with the goal
 449 of creating more jobs in the fields of science, technology,
 450 engineering, arts, and mathematics; producing a workforce that
 451 is highly qualified; and improving the quality of life in the
 452 state.

453 (8) (a) Effective July 1, 2013, the total amount of state
 454 credits, refunds, and exemptions that may be provided in a given
 455 state fiscal year by each county that has jurisdiction over a
 456 STEAM zone to eligible businesses for STEAM zone economic
 457 incentives pursuant to this section is \$300,000 per designated
 458 STEAM zone. The county that has jurisdiction over a STEAM zone
 459 shall disallow a credit or refund for which an application is
 460 submitted after the zone's respective \$300,000 limit is reached.
 461 If the \$300,000 incentive cap is not fully used in any one state
 462 fiscal year by a STEAM zone, the county that has jurisdiction
 463 over a STEAM zone shall allocate the incentives, verify that
 464 businesses receiving such incentives are eligible for the

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465 incentives provided, and ensure that the incentives provided do
 466 not exceed the cap for the state fiscal year.

467 (b) Upon approving an incentive for an eligible business,
 468 the county that has jurisdiction over a STEAM zone shall provide
 469 the taxpayer with a certificate indicating the name and federal
 470 employer identification number of the eligible business, the
 471 date the incentive is provided, the name of the STEAM zone, the
 472 incentive type, and the incentive amount. The county that has
 473 jurisdiction over a STEAM zone shall certify to the Department
 474 of Revenue or the Department of Economic Opportunity, whichever
 475 is applicable, the businesses or properties that are eligible to
 476 receive the state incentives under statutory requirements. The
 477 county that has jurisdiction over a STEAM zone shall provide a
 478 copy of the certificate to the Department of Revenue and the
 479 Department of Economic Opportunity as notification that such
 480 incentives were approved for the specific eligible business or
 481 property. For incentives to be claimed against the sales and use
 482 tax under chapter 212, the Department of Revenue shall send,
 483 within 14 days after receipt, written instructions to an
 484 eligible business on how to claim the credit on a sales and use
 485 tax return initiated through an electronic data interchange. Any
 486 credit against the sales and use tax shall be deducted from any
 487 sales and use tax remitted by the business to the Department of
 488 Revenue by electronic funds transfer and may be deducted only on
 489 a sales and use tax return initiated through an electronic data
 490 interchange. The business shall separately state the credit on
 491 the electronic return. The net amount of tax due and payable
 492 must be remitted by electronic funds transfer.

493 Section 3. Paragraph (g) of subsection (4), subsection (5),

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494 and paragraphs (c) and (d) of subsection (6) of section 1001.02,
 495 Florida Statutes, are amended to read:

496 1001.02 General powers of State Board of Education.—

497 (4) The State Board of Education shall:

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

502 (5) The State Board of Education is responsible for
 503 reviewing and administering the state program of support for the
 504 Florida College System institutions and, subject to existing
 505 law, shall establish the tuition and out-of-state fees for
 506 ~~college preparatory instruction and for~~ credit instruction that
 507 may be counted toward an associate in arts degree, an associate
 508 in applied science degree, or an associate in science degree.

509 (6) The State Board of Education shall prescribe minimum
 510 standards, definitions, and guidelines for Florida College
 511 System institutions that will ensure the quality of education,
 512 coordination among the Florida College System institutions and
 513 state universities, and efficient progress toward accomplishing
 514 the Florida College System institution mission. At a minimum,
 515 these rules must address:

516 (c) Program offerings and classification, including
 517 college-level communication and computation skills associated
 518 with successful performance in college and with tests and other
 519 assessment procedures that measure student achievement of those
 520 skills. ~~The performance measures must provide that students~~
 521 ~~moving from one level of education to the next acquire the~~
 522 ~~necessary competencies for that level.~~

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

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

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

533 3. ~~Beginning with students initially entering a Florida~~
534 ~~College System institution in 2014 2015 and thereafter,~~ Require
535 no more than 36 ~~30~~ semester credit hours in general education
536 courses in the subject areas of communication, mathematics,
537 social sciences, humanities, and natural sciences.

538
539 The rules should encourage Florida College System institutions
540 to enter into agreements with state universities that allow
541 Florida College System institution students to complete upper-
542 division-level courses at a Florida College System institution.
543 An agreement may provide for concurrent enrollment at the
544 Florida College System institution and the state university and
545 may authorize the Florida College System institution to offer an
546 upper-division-level course or distance learning.

547 Section 4. Subsection (9) of section 1001.64, Florida
548 Statutes, is amended to read:

549 1001.64 Florida College System institution boards of
550 trustees; powers and duties.—

551 (9) A board of trustees may contract with the board of

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552 trustees of a state university for the Florida College System
553 institution to provide developmental education ~~college-~~
554 ~~preparatory instruction~~ on the state university campus.

555 Section 5. Section 1001.7065, Florida Statutes, is created
556 to read:

557 1001.7065 Preeminent state research universities program.—

558 (1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE

559 COLLABORATION.—A collaborative partnership is established
560 between the Board of Governors and the Legislature to elevate
561 the academic and research preeminence of Florida's highest-
562 performing state research universities in accordance with this
563 section. The partnership stems from the State University System
564 Governance Agreement executed on March 24, 2010, wherein the
565 Board of Governors and leaders of the Legislature agreed to a
566 framework for the collaborative exercise of their joint
567 authority and shared responsibility for the State University
568 System. The governance agreement confirmed the commitment of the
569 Board of Governors and the Legislature to continue collaboration
570 on accountability measures, the use of data, and recommendations
571 derived from such data.

572 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—Effective
573 July 1, 2013, the following academic and research excellence
574 standards are established for the Preeminent State Research
575 Universities Program:

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

579 (b) A top-50 ranking on at least two well-known and highly
580 respected national public university rankings, reflecting

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581 national preeminence, using most recent rankings.

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

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

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

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

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

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

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

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

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

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

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610 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—The
 611 Board of Governors shall designate each state research
 612 university that meets at least 11 of the 12 academic and
 613 research excellence standards identified in subsection (2) a
 614 preeminent state research university.

615 (4) PREEMINENT STATE RESEARCH UNIVERSITY ONLINE ARM.—The
 616 state research university that has attained the highest level on
 617 the academic and research excellence standards identified in
 618 subsection (2), as verified by the Board of Governors, shall
 619 establish a fully online arm of the university in accordance
 620 with this subsection, subject to the appropriation of funds by
 621 the Legislature.

622 (a)1. A board of directors shall develop, implement, and
 623 oversee the business aspects of the university's online arm,
 624 while the university president and board of trustees, in
 625 conjunction with the Board of Governors, shall be responsible
 626 for academic quality, accreditation, and curricular standards.
 627 The university president and board of trustees, the board of
 628 directors, and the Board of Governors shall collaborate and
 629 cooperate in their respective roles to achieve the purpose of
 630 successfully providing fully online high-quality baccalaureate
 631 and master's degree programs to the university's enrolled online
 632 students in this state and around the world.

633 2. The university president shall designate a center to
 634 help lead the university to global preeminence in the
 635 development of cutting-edge technology and instructional design
 636 for online programs. The center shall conduct research to enrich
 637 the university's online degree program offerings and enhance the
 638 success of the university's online students. The center shall

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639 provide academic and administrative support structures to
 640 undergird the delivery of content and degree programs by the
 641 various colleges and departments throughout the university. The
 642 center shall work jointly with the university president and the
 643 board of directors in their respective roles.

644 (b) The board of directors is comprised of the following
 645 seven members:

646 1. The university president, or the president's permanent
 647 designee.

648 2. The chair of the university board of trustees, or the
 649 chair's permanent designee.

650 3. A member with expertise in global marketing, appointed
 651 by the Governor.

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

654 5. A member with expertise in disruptive innovation in
 655 online learning, appointed by the Speaker of the House of
 656 Representatives.

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

659 7. A member with expertise in creative technologies,
 660 appointed by the chair of the Florida Polytechnic University
 661 Board of Trustees.

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

664 (d) The board of directors shall develop a business plan
 665 and may contract with other entities and institutions, public or
 666 private, to maximize the marketing, advertising, support
 667 services that include financial aid assistance and academic and

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668 career guidance, and degree programs and courses of the
 669 university's online arm.

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

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

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

676 3. Offer a curriculum of equivalent rigor to the on-campus
 677 degree program.

678 4. Offer rolling enrollment or multiple windows of
 679 enrollment throughout the year.

680 5. Do not require any on-campus courses. However, for
 681 courses or programs that require clinical training or
 682 laboratories which cannot be delivered online, the university
 683 shall offer convenient locational options to the student, which
 684 may include, but not be limited to, the option to complete such
 685 requirements at a summer-in-residence on the university campus.
 686 Additionally, for purposes of proctored assessments or testing,
 687 the university may provide a network of sites at convenient
 688 locations and contract with commercial testing centers or
 689 identify other secure testing services.

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

692 (f) The university must offer a fully online master of
 693 business administration degree program and may offer other
 694 master's degree programs as recommended by the university
 695 president and board of trustees and authorized by the board of
 696 directors.

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697 (g) The university may develop and offer degree programs
 698 and courses that are competency based, as appropriate for the
 699 quality and success of the program and as recommended by the
 700 university president and board of trustees and authorized by the
 701 board of directors.

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

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

710 1. For students classified as residents for tuition
 711 purposes, tuition for an online baccalaureate degree program
 712 shall be set at no more than 75 percent of the tuition rate as
 713 specified in the General Appropriations Act pursuant to s.
 714 1009.24(4) and 75 percent of the tuition differential pursuant
 715 to s. 1009.24(16). No distance learning fee or fee for campus
 716 facilities or on-campus services may be assessed, except that
 717 online students shall pay the university's technology and
 718 financial aid fees and the Capital Improvement Trust Fund fee.
 719 The Capital Improvement Trust Fund fee shall be dedicated to the
 720 university's online research center.

721 2. For students classified as nonresidents for tuition
 722 purposes, tuition may be set at market rates as directed and
 723 authorized by the board of directors in accordance with the
 724 business plan.

725 3. Tuition for the online degree programs shall include all

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726 costs associated with the program, including, but not limited
 727 to, instruction, materials, and enrollment. However, an online
 728 student may be charged the cost of any hard-copy textbook and
 729 any physical laboratory supplies necessary for the program.

730 4. Subject to the limitations in subparagraph 1., tuition
 731 may be differentiated by degree program as appropriate to the
 732 instructional and other costs of the program and as recommended
 733 by the university president and board of trustees and authorized
 734 by the board of directors in accordance with the business plan.
 735 Pricing must incorporate innovative approaches that incentivize
 736 persistence and completion, including, but not limited to, fee
 737 for assessment, bundled or all-inclusive rate, and sliding scale
 738 features.

739 5. The university must accept advance payment contracts and
 740 student financial aid.

741 6. The board of directors shall ensure that 50 percent of
 742 the net revenues generated from the online arm of the university
 743 is used to enhance and enrich the online arm of the university
 744 and 50 percent of the net revenues generated from the online arm
 745 of the university is used to enhance and enrich the university
 746 campus's state-of-the-art research programs and facilities.

747 (5) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT
 748 INITIATIVE.—The state research university that has attained the
 749 second highest level on the academic and research excellence
 750 standards identified in subsection (2), as verified by the Board
 751 of Governors, shall recruit National Academy members, expedite
 752 provision of a masters degree in cloud virtualization, and
 753 institute an entrepreneurs-in-residence program throughout its
 754 campus, subject to funds appropriated by the Legislature.

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755 (6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE
 756 REQUIREMENTS AUTHORITY.—In order to provide a jointly shared
 757 educational experience, a state university that is designated a
 758 preeminent state research university may require its incoming
 759 first-time-in-college students to take a 9-credit to 12-credit
 760 set of courses specifically determined by the university. The
 761 state university may stipulate that credit for such courses may
 762 not be earned through any acceleration mechanism pursuant to s.
 763 1007.27 or s. 1007.271 or other transfer credit. All accelerated
 764 credits earned up to the limits specified in ss. 1007.27 and
 765 1007.271 shall be applied toward graduation at the student's
 766 request.

767 (7) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
 768 AUTHORITY.—The Board of Governors shall identify and grant all
 769 reasonable, feasible authority and flexibility to keep a
 770 designated preeminent state research university free from
 771 unnecessary restrictions.

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

778 Section 6. Section 1002.312, Florida Statutes, is created
 779 to read:

780 1002.312 Science, Technology, Engineering, Arts, and
 781 Mathematics (STEAM) schools.—

782 (1) A district school board may establish a Science,
 783 Technology, Engineering, Arts, and Mathematics (STEAM) school by

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784 contracting with a nonprofit organization or a state or local
 785 governmental unit to provide a full educational STEAM program
 786 that integrates science, technology, engineering, or mathematics
 787 with the visual or performing arts, creative writing, or design.
 788 An organization that contracts with a district school board to
 789 establish a STEAM school may include, but is not limited to, an
 790 art museum, a performing arts organization, a state university,
 791 a Florida College System institution, a charter school, a civic
 792 organization, or a state or local governmental unit.

793 (2) The contract between the district school board and the
 794 organization that provides the STEAM school must specify:

795 (a) That the STEAM school will be located at the site of
 796 the nonprofit organization.

797 (b) That the STEAM educational program will be supervised
 798 by the district school board's curriculum office.

799 (c) The percentage of FTE funding that the district school
 800 board will pay to the STEAM school.

801 (d) Sources of funding in addition to FEFP funding, such as
 802 state or local funds, if the district school board contracts
 803 with a state or local governmental unit to establish the STEAM
 804 school.

805 (e) A description of the STEAM school's property insurance
 806 and liability insurance.

807 (f) That each employee, contract worker, or volunteer that
 808 has direct student contact will undergo a state and national
 809 background screening pursuant to s. 943.0542, and that the STEAM
 810 school will deny employment to, or terminate, an employee or
 811 volunteer if he or she fails to meet the screening standards
 812 under s. 435.04.

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813 (3) Performance outcomes must demonstrate an integration of
814 technology and the arts.

815 Section 7. Subsection (11) of section 1004.02, Florida
816 Statutes, is amended to read:

817 1004.02 Definitions.—As used in this chapter:

818 (11) "Developmental education" ~~"College preparatory~~
819 ~~instruction"~~ means instruction courses through which a high
820 school graduate who applies for and enrolls in any college
821 credit program may attain the communication and computation
822 skills necessary to perform college-level work while also
823 enrolled enroll in college credit instruction.

824 Section 8. Section 1004.58, Florida Statutes, is repealed.

825 Section 9. Subsection (4) of section 1004.93, Florida
826 Statutes, is amended to read:

827 1004.93 Adult general education.—

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

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

832 ~~(c) The State Board of Education shall define, by rule, the~~
833 ~~levels and courses of instruction to be funded through the~~
834 ~~college preparatory program. The state board shall coordinate~~
835 ~~the establishment of costs for college preparatory courses, the~~
836 ~~establishment of statewide standards that define required levels~~
837 ~~of competence, acceptable rates of student progress, and the~~
838 ~~maximum amount of time to be allowed for completion of college-~~
839 ~~preparatory instruction. College preparatory instruction is part~~
840 ~~of an associate in arts degree program and may not be funded as~~
841 ~~an adult career education program.~~

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842 ~~(d) Expenditures for college preparatory and lifelong~~
843 ~~learning students shall be reported separately. Allocations for~~
844 ~~college preparatory courses shall be based on proportional full-~~
845 ~~time equivalent enrollment. Program review results shall be~~
846 ~~included in the determination of subsequent allocations. A~~
847 ~~student shall be funded to enroll in the same college-~~
848 ~~preparatory class within a skill area only twice, after which~~
849 ~~time the student shall pay 100 percent of the full cost of~~
850 ~~instruction to support the continuous enrollment of that student~~
851 ~~in the same class; however, students who withdraw or fail a~~
852 ~~class due to extenuating circumstances may be granted an~~
853 ~~exception only once for each class, provided approval is granted~~
854 ~~according to policy established by the board of trustees. Each~~
855 ~~Florida College System institution shall have the authority to~~
856 ~~review and reduce payment for increased fees due to continued~~
857 ~~enrollment in a college preparatory class on an individual basis~~
858 ~~contingent upon the student's financial hardship, pursuant to~~
859 ~~definitions and fee levels established by the State Board of~~
860 ~~Education. College preparatory and lifelong learning courses do~~
861 ~~not generate credit toward an associate or baccalaureate degree.~~

862 (c)(e) A district school board or a Florida College System
863 institution board of trustees may negotiate a contract with the
864 regional workforce board for specialized services for
865 participants in the welfare transition program, beyond what is
866 routinely provided for the general public, to be funded by the
867 regional workforce board.

868 Section 10. Section 1006.735, Florida Statutes, is amended
869 to read:

870 1006.735 Complete Florida Degree Program Completion Pilot

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871 ~~Project.-~~

872 (1) The Complete Florida Degree Program Completion Pilot
 873 ~~Project~~ is established for the purpose of recruiting,
 874 recovering, and retaining the state's adult learners and
 875 assisting them in completing an associate degree or a
 876 baccalaureate degree that is aligned to high-wage, high-skill
 877 workforce needs. As used in this section, the term "adult
 878 learner" means a student who has successfully completed college-
 879 level coursework in multiple semesters but has left an
 880 institution in good standing before completing his or her
 881 degree. The program ~~pilot project~~ shall give priority to adult
 882 learners who are veterans or active duty members of the United
 883 States Armed Forces.

884 (2) The Complete Florida Degree Program ~~pilot project~~ shall
 885 be implemented by the University of West Florida, acting as the
 886 lead institution, in coordination with, the University of South
 887 ~~Florida,~~ Florida State College System institutions, state
 888 universities, and private postsecondary institutions, as
 889 appropriate. The program must at Jacksonville, and St.
 890 ~~Petersburg College and shall~~ include the associate, applied
 891 baccalaureate, and baccalaureate degree programs that these
 892 institutions have selected. Other partnering public
 893 postsecondary education institutions shall provide areas of
 894 specialization or concentration.

895 (3) For purposes of selecting the degree programs that will
 896 be given priority in the Complete Florida Degree Program ~~pilot~~
 897 ~~project~~, the institutions identified in subsection (2) shall
 898 partner with public and private job recruitment and placement
 899 agencies and use labor market data and projections to identify

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900 the specific workforce needs and targeted occupations of the
 901 state.

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

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

911 (a) Use the distance learning course catalog established
 912 pursuant to s. 1006.73 to communicate course availability to the
 913 adult learner.

914 (b) Develop and implement an advising and student support
 915 system that includes the use of degree completion specialists,
 916 is based upon best practices and processes, and includes
 917 academic and career support services designed specifically for
 918 the adult learner. The program must identify proposed changes to
 919 the statewide computer-assisted student advising system
 920 established pursuant to s. 1006.73 to assist the adult learner
 921 in using the system.

922 (c) Use the streamlined, automated, online admissions
 923 application process for transient students established pursuant
 924 to s. 1006.73. The Complete Florida Degree Program ~~pilot project~~
 925 shall identify any additional admissions and registration
 926 policies and practices that could be further streamlined and
 927 automated for purposes of assisting the adult learner.

928 (d) Use existing and, if necessary, develop new competency-

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 929 based instructional and evaluation tools to assess prior
 930 performance, experience, and education for the award of college
 931 credit in order to reduce the time required for adult learners
 932 to complete their degrees. The tools may include the use of the
 933 American Council on Education's collaborative link between the
 934 United States Department of Defense and higher education through
 935 the review of military training and experiences for the award of
 936 equivalent college credit for members of the United States Armed
 937 Forces.

938 (e) Develop and implement an evaluation process that
 939 collects, analyzes, and provides to the participating
 940 postsecondary education institutions, the chairs of the
 941 legislative appropriations committees, and the Executive Office
 942 of the Governor information on the effectiveness of the program
 943 ~~pilot project~~ and the attainment of its goals. Such a process
 944 must ~~shall~~ include a management information system that collects
 945 the appropriate student, programmatic, and fiscal data necessary
 946 to complete the evaluation of the program ~~pilot project~~.
 947 Institutions involved in the program ~~pilot project~~ shall also
 948 collect job placement and employment data on the adult learners
 949 who have completed their degrees as a result of the program
 950 ~~pilot project~~.

951 (f) Develop and implement a statewide marketing campaign
 952 targeted toward recruiting adult learners, particularly veterans
 953 and active duty members of the United States Armed Forces, for
 954 enrollment in the degree programs offered through the program
 955 ~~pilot project~~.

956 (6) For purposes of the Complete Florida Degree Program
 957 ~~pilot project~~, each institution's current tuition and fee

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 958 structure shall be used. However, all participating institutions
 959 shall collaboratively identify the applicable cost components
 960 involved in the development and delivery of distance learning
 961 courses, collect information on these cost components, and
 962 submit the information to the ~~Florida Virtual Campus. The~~
 963 ~~chancellors of the Florida College System. The chancellors and~~
 964 ~~the State University System~~ shall submit a report to the chairs
 965 of the legislative appropriations committees no later than
 966 December 31, 2014 ~~2013~~, on the need for a differentiated tuition
 967 and fee structure for the development and delivery of distance
 968 learning courses.

969 (7) The University of West Florida, in collaboration with
 970 its partners ~~the University of South Florida, Florida State~~
 971 ~~College at Jacksonville, and St. Petersburg College~~, shall
 972 submit to the chairs of the legislative appropriations
 973 committees no later than September 1, 2013 ~~June 1, 2012~~, a
 974 detailed project plan that defines the major work activities,
 975 student eligibility criteria, timeline, and cost for
 976 implementing the Complete Florida Degree Program ~~pilot project~~.

977 ~~(8) The University of West Florida, in collaboration with~~
 978 ~~the University of South Florida, Florida State College at~~
 979 ~~Jacksonville, and St. Petersburg College, shall develop and~~
 980 ~~implement a transition plan that transfers the administration of~~
 981 ~~the pilot project to the Florida Virtual Campus no later than~~
 982 ~~June 30, 2013.~~

983 Section 11. Subsection (3) of section 1007.23, Florida
 984 Statutes, is amended to read:

985 1007.23 Statewide articulation agreement.—

986 (3) To improve articulation and reduce excess credit hours,

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 987 beginning with students initially entering a Florida College
 988 System institution in 2013-2014 and thereafter, the articulation
 989 agreement must require each student who is seeking an associate
 990 in arts degree to indicate a baccalaureate degree program
 991 offered by an institution of interest by the time the student
 992 earns 36 ~~30~~ semester hours. The institution in which the student
 993 is enrolled shall inform the student of the prerequisites for
 994 the baccalaureate degree program offered by an institution of
 995 interest.

996 Section 12. Subsections (3), (6), (7), (8), and (10) of
 997 section 1007.25, Florida Statutes, are amended to read:

998 1007.25 General education courses; common prerequisites;
 999 other degree requirements.—

1000 (3) The chair of the State Board of Education and the chair
 1001 of the Board of Governors, or their designees, shall jointly
 1002 appoint faculty committees to identify statewide general
 1003 education core course options. General education core course
 1004 options must ~~shall~~ consist of a maximum of five courses within
 1005 each of the subject areas of communication, mathematics, social
 1006 sciences, humanities, and natural sciences. Each general
 1007 education core course option must contain high-level academic
 1008 and critical thinking skills and common competencies that
 1009 students must demonstrate to successfully complete the course.
 1010 Beginning with students initially entering a Florida College
 1011 System institution or state university in 2015-2016 ~~2014-2015~~
 1012 and thereafter, each student must complete at least one
 1013 identified core course in each subject area as part of the
 1014 general education course requirements. All public postsecondary
 1015 educational institutions shall ~~offer and~~ accept these courses as

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 1016 meeting general education core course requirements. The
 1017 remaining general education course requirements shall be
 1018 identified by each institution and reported to the department by
 1019 their statewide course number. The general education core course
 1020 options shall be adopted in rule by the State Board of Education
 1021 and in regulation by the Board of Governors. Additional core
 1022 course options may be approved by the State Board of Education
 1023 and the Board of Governors if recommended by the subject area
 1024 faculty committee and approved by the Articulation Coordinating
 1025 Committee, as necessary for a subject area.

1026 (6) The universities and Florida College System
 1027 institutions shall work with their respective school districts
 1028 to ensure that high school curricula coordinate with the general
 1029 education curricula and to prepare students for college-level
 1030 work. General education curricula for associate in arts programs
 1031 shall be identified by each institution and, ~~beginning with~~
 1032 ~~students initially entering a Florida College System institution~~
 1033 ~~or state university in 2014-2015 and thereafter,~~ shall include
 1034 36 ~~30~~ semester hours in the subject areas of communication,
 1035 mathematics, social sciences, humanities, and natural sciences.

1036 (7) An associate in arts degree may not ~~shall~~ require ~~no~~
 1037 more than 60 semester hours of college credit and must,
 1038 ~~beginning with students initially entering a Florida College~~
 1039 ~~System institution or state university in 2014-2015 and~~
 1040 ~~thereafter,~~ include 36 ~~30~~ semester hours of general education
 1041 coursework. Beginning with students initially entering a Florida
 1042 College System institution or state university in 2014-2015 and
 1043 thereafter, coursework for an associate in arts degree must
 1044 include ~~and~~ demonstration of competency in a foreign language

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1045 pursuant to s. 1007.262. Except for developmental education
 1046 provided college preparatory coursework required pursuant to s.
 1047 1008.30, all required coursework counts shall count toward the
 1048 associate in arts degree or the baccalaureate degree.

1049 (8) A baccalaureate degree program shall require no more
 1050 than 120 semester hours of college credit and, ~~beginning with~~
 1051 ~~students initially entering a Florida College System institution~~
 1052 ~~or state university in 2014 2015 and thereafter,~~ include 36 30
 1053 semester hours of general education coursework, unless prior
 1054 approval has been granted by the Board of Governors for
 1055 baccalaureate degree programs offered by state universities and
 1056 by the State Board of Education for baccalaureate degree
 1057 programs offered by Florida College System institutions.

1058 (10) Students at state universities may request associate
 1059 in arts certificates if they have successfully completed the
 1060 minimum requirements for the degree of associate in arts (A.A.).
 1061 The university must grant the student an associate in arts
 1062 degree if the student has successfully completed minimum
 1063 requirements for college-level communication and computation
 1064 skills adopted by the State Board of Education and 60 academic
 1065 semester hours or the equivalent within a degree program area
 1066 and including 36, ~~beginning with students initially entering a~~
 1067 ~~Florida College System institution or state university in 2014~~
 1068 ~~2015 and thereafter,~~ include 30 semester hours in general
 1069 education courses in the subject areas of communication,
 1070 mathematics, social sciences, humanities, and natural sciences,
 1071 consistent with the general education requirements specified in
 1072 the articulation agreement pursuant to s. 1007.23.

1073 Section 13. Section 1007.263, Florida Statutes, is amended

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1074 to read:

1075 1007.263 Florida College System institutions; admissions of
 1076 students.—Each Florida College System institution board of
 1077 trustees ~~may is authorized to~~ adopt rules governing admissions
 1078 of students subject to this section and rules of the State Board
 1079 of Education. These rules must shall include the following:

1080 (1) Admissions counseling must shall be provided to all
 1081 students entering college or career credit programs. Counseling
 1082 must use shall utilize tests to measure achievement of college-
 1083 level communication and computation competencies by all students
 1084 entering college credit programs or tests to measure achievement
 1085 of basic skills for career education programs as prescribed in
 1086 s. 1004.91. Counseling includes providing developmental
 1087 education options for students whose assessment results,
 1088 determined under s. 1008.30, indicate that they need to improve
 1089 communication or computation skills that are essential to
 1090 perform college-level work.

1091 (2) Admission to associate degree programs is subject to
 1092 minimum standards adopted by the State Board of Education and
 1093 requires shall require:

1094 (a) A standard high school diploma, a high school
 1095 equivalency diploma as prescribed in s. 1003.435, previously
 1096 demonstrated competency in college credit postsecondary
 1097 coursework, or, in the case of a student who is home educated, a
 1098 signed affidavit submitted by the student's parent or legal
 1099 guardian attesting that the student has completed a home
 1100 education program pursuant to the requirements of s. 1002.41.
 1101 Students who are enrolled in a dual enrollment or early
 1102 admission program pursuant to s. 1007.271 are exempt from this

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1103 requirement.

1104 (b) A demonstrated level of achievement of college-level
1105 communication and computation skills.1106 (c) Any other requirements established by the board of
1107 trustees.1108 (3) Admission to other programs within the Florida College
1109 System institution ~~must shall~~ include education requirements as
1110 established by the board of trustees.1111 (4) A student who has been awarded a special diploma as
1112 defined in s. 1003.438 or a certificate of completion as defined
1113 in s. 1003.43(10) is eligible to enroll in certificate career
1114 education programs.1115 (5) A student who has ~~with~~ a documented disability may be
1116 eligible for reasonable substitutions, as prescribed in ss.
1117 1007.264 and 1007.265.1118
1119 Each board of trustees shall establish policies that notify
1120 students about developmental education options for improving
1121 their communication or computation skills that are essential to
1122 performing college-level work, including tutoring, extended time
1123 in gateway courses, free online courses ~~and place students into,~~
1124 ~~adult basic education, adult secondary education, or other~~
1125 ~~instructional programs that provide students with alternatives~~
1126 ~~to traditional college preparatory instruction, including~~
1127 ~~private provider instruction. A student is prohibited from~~
1128 ~~enrolling in additional college level courses until the student~~
1129 ~~scores above the cut score on all sections of the common~~
1130 ~~placement test.~~

1131 Section 14. Subsections (2) and (14) of section 1007.271,

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1132 Florida Statutes, are amended to read:

1133 1007.271 Dual enrollment programs.-

1134 (2) For the purpose of this section, an eligible secondary
1135 student is a student who is enrolled in a Florida public
1136 secondary school or in a Florida private secondary school which
1137 is in compliance with s. 1002.42(2) and provides a secondary
1138 curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43.
1139 Students who are eligible for dual enrollment pursuant to this
1140 section may enroll in dual enrollment courses conducted during
1141 school hours, after school hours, and during the summer term.
1142 However, if the student is projected to graduate from high
1143 school before the scheduled completion date of a postsecondary
1144 course, the student may not register for that course through
1145 dual enrollment. The student may apply to the postsecondary
1146 institution and pay the required registration, tuition, and fees
1147 if the student meets the postsecondary institution's admissions
1148 requirements under s. 1007.263. Instructional time for dual
1149 enrollment may vary from 900 hours; however, the school district
1150 may only report the student for a maximum of 1.0 FTE, as
1151 provided in s. 1011.61(4). Any student enrolled as a dual
1152 enrollment student is exempt from the payment of registration,
1153 tuition, and laboratory fees. Vocational-preparatory
1154 instruction, developmental education ~~college-preparatory~~
1155 ~~instruction~~, and other forms of precollegiate instruction, as
1156 well as physical education courses that focus on the physical
1157 execution of a skill rather than the intellectual attributes of
1158 the activity, are ineligible for inclusion in the dual
1159 enrollment program. Recreation and leisure studies courses shall
1160 be evaluated individually in the same manner as physical

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1161 education courses for potential inclusion in the program.

1162 (14) The Department of Education shall approve any course
1163 for inclusion in the dual enrollment program that is contained
1164 within the statewide course numbering system. However,
1165 developmental education ~~college preparatory and other forms of~~
1166 ~~precollegiate instruction,~~ and physical education and other
1167 courses that focus on the physical execution of a skill rather
1168 than the intellectual attributes of the activity, may not be so
1169 approved but must be evaluated individually for potential
1170 inclusion in the dual enrollment program. This subsection may
1171 not be construed to mean that an independent postsecondary
1172 institution eligible for inclusion in a dual enrollment or early
1173 admission program pursuant to s. 1011.62 must participate in the
1174 statewide course numbering system developed pursuant to s.
1175 1007.24 to participate in a dual enrollment program.

1176 Section 15. Section 1008.02, Florida Statutes, is created
1177 to read:

1178 1008.02 Definitions.—As used in this chapter, the term:

1179 (1) "Accelerated course structure" means a course or strand
1180 of study that accelerates the progress of students in
1181 developmental education through self-paced attainment of
1182 specific skills.

1183 (2) "Corequisite education" means developmental education
1184 that is deployed through a variety of classroom, online, or
1185 blended instructional strategies and offered concurrently with
1186 college credit instruction. The term includes, but is not
1187 limited to:

1188 (a) Compressed or modularized instruction or coaching that
1189 supplements credit instruction.

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1190 (b) Embedded content in a modified or extended credit-
1191 bearing course intended to contextualize or accelerate credit
1192 attainment.

1193 (3) "Developmental education" means instruction through
1194 which a high school graduate who applies for any college credit
1195 program may attain the communication and computation skills
1196 necessary to successfully complete college credit instruction.
1197 Developmental education may not be offered as a noncredit course
1198 for which a student pays tuition but must be offered corequisite
1199 to a gateway course.

1200 (4) "Gateway course" means the first course that provides
1201 transferable, college-level credit allowing students to progress
1202 in their program of study.

1203 (5) "Mastery-based education" means customized, targeted
1204 instruction that addresses specific skills gaps.

1205 (6) "Meta-major" means a collection of programs of study or
1206 academic discipline groupings that share common foundational
1207 skills.

1208 Section 16. Section 1008.30, Florida Statutes, is amended
1209 to read:

1210 1008.30 Common placement testing for public postsecondary
1211 education.—

1212 (1) The State Board of Education, in conjunction with the
1213 Board of Governors, shall develop and implement a common
1214 placement test for the purpose of assessing the basic
1215 computation and communication skills of students who intend to
1216 enter a degree program at any public postsecondary educational
1217 institution. Alternative assessments that may be accepted in
1218 lieu of the common placement test shall also be identified in

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1219 rule. Public postsecondary educational institutions shall
 1220 provide appropriate modifications of the test instruments or
 1221 test procedures for students with disabilities.

1222 (2) By October 1, 2013, the State Board of Education in
 1223 conjunction with the Board of Governors shall approve a series
 1224 of meta-majors, academic pathways, and degree maps that identify
 1225 the gateway courses required for success in each meta-major.
 1226 Results from the common placement test, the alternative
 1227 assessments that may be used in lieu of the common placement
 1228 test, and achievements that may be considered by institutional
 1229 boards of trustees, as adopted by state board rule, shall be
 1230 used to diagnose a student's readiness for his or her chosen
 1231 meta-major and to provide academic counseling to the student
 1232 concerning options for attaining the necessary skills through
 1233 developmental education while enrolled in credit courses.

1234 (3)(2) The common placement testing program must shall
 1235 include at a minimum the following: the capacity to diagnose
 1236 basic competencies in the areas of English, reading, and
 1237 mathematics which are essential for success in meta-majors and
 1238 to provide to perform college level work; prerequisite skills
 1239 that relate to progressively advanced instruction in
 1240 mathematics, such as algebra and geometry; prerequisite skills
 1241 that relate to progressively advanced instruction in language
 1242 arts, such as English composition and literature; and provision
 1243 of test information to students on the specific skills the
 1244 student needs to attain deficiencies.

1245 (4)(3) The State Board of Education shall adopt rules that
 1246 require high schools to evaluate before the beginning of grade
 1247 12 the college readiness of each student who scores at Level 2

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1248 or Level 3 on ~~the reading portion of~~ the grade 10 FCAT Reading
 1249 or Level 2, Level 3, or Level 4 on the Algebra I mathematics
 1250 assessments under s. 1008.22 ~~s. 1008.22(3)(c)~~. High schools
 1251 shall perform this evaluation using results from the
 1252 corresponding component of the common placement test prescribed
 1253 in this section, or an alternative equivalent test identified by
 1254 the State Board of Education. ~~The State Board of Education shall~~
 1255 ~~identify in rule the assessments necessary to perform the~~
 1256 ~~evaluations required by this subsection and shall work with the~~
 1257 ~~school districts to administer the assessments. The State Board~~
 1258 ~~of Education shall establish by rule the minimum test scores a~~
 1259 ~~student must achieve to demonstrate readiness. Students who~~
 1260 ~~demonstrate readiness by achieving the minimum test scores~~
 1261 ~~established by the state board and enroll in a Florida College~~
 1262 ~~System institution within 2 years of achieving such scores shall~~
 1263 ~~not be required to retest or enroll in remediation when admitted~~
 1264 ~~to any Florida College System institution. The high school shall~~
 1265 use the results of the test to advise the students of any
 1266 identified deficiencies and to provide 12th grade students, and
 1267 require them to complete, appropriate postsecondary preparatory
 1268 instruction prior to high school graduation. The curriculum
 1269 provided under this subsection shall be identified in rule by
 1270 the State Board of Education and encompass Florida's
 1271 Postsecondary Readiness Competencies. Other elective courses may
 1272 not be substituted for the selected postsecondary reading,
 1273 mathematics, or writing preparatory course unless the elective
 1274 course covers the same competencies included in the
 1275 postsecondary reading, mathematics, ~~or~~ writing, or English
 1276 language arts preparatory course.

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1277 (5)(4)(a) The State Board of Education shall establish by
 1278 rule the test scores a student must achieve to demonstrate
 1279 readiness to perform college-level work. Students who
 1280 demonstrate readiness by achieving or exceeding the test scores
 1281 established by the state board and enroll in a Florida College
 1282 System institution within 2 years after achieving such scores
 1283 may not be required to retest or complete developmental
 1284 education when admitted to any Florida College System
 1285 institution. Students who have been identified as requiring
 1286 additional preparation pursuant to subsection (1) shall enroll
 1287 in college preparatory or other adult education pursuant to s.
 1288 1004.93 in Florida College System institutions to develop needed
 1289 college entry skills. The State Board of Education shall specify
 1290 by rule provisions for alternative remediation opportunities and
 1291 retesting policies. These students shall be permitted to take
 1292 courses within their degree program concurrently in other
 1293 curriculum areas for which they are qualified while enrolled in a
 1294 college preparatory instruction courses. A student enrolled in a
 1295 college preparatory course may concurrently enroll only in
 1296 college credit courses that do not require the skills addressed
 1297 in the college preparatory course. A degree seeking student who
 1298 is required to complete a college preparatory course must
 1299 successfully complete the required college preparatory studies
 1300 by the time the student has accumulated 12 hours of lower-
 1301 division college credit degree coursework; however, a student
 1302 may continue enrollment in degree earning coursework provided
 1303 the student maintains enrollment in college preparatory
 1304 coursework for each subsequent semester until college-
 1305 preparatory coursework requirements are completed, and provided

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1306 ~~the student demonstrates satisfactory performance in degree-~~
 1307 ~~earning coursework. A student who has accumulated 12 college~~
 1308 ~~credit hours and has not yet demonstrated proficiency in the~~
 1309 ~~basic competency areas of reading, writing, and mathematics must~~
 1310 ~~be advised in writing of the requirements for associate degree~~
 1311 ~~completion and state university admission, including information~~
 1312 ~~about future financial aid eligibility and the potential costs~~
 1313 ~~of accumulating excessive college credit as described in s.~~
 1314 ~~1009.286. Before a student is considered to have met basic~~
 1315 ~~computation and communication skills requirements, the student~~
 1316 ~~must demonstrate successful mastery of the required~~
 1317 ~~developmental education competencies as defined in State Board~~
 1318 ~~of Education rule. Credit awarded for college preparatory~~
 1319 ~~instruction may not be counted toward fulfilling the number of~~
 1320 ~~credits required for a degree.~~

1321 (6)(b) A university board of trustees may contract with a
 1322 Florida College System institution board of trustees for the
 1323 Florida College System institution to provide developmental
 1324 education ~~such instruction~~ on the state university campus. Any
 1325 state university in which the percentage of incoming students
 1326 requiring developmental education ~~college preparatory~~
 1327 ~~instruction~~ equals or exceeds the average percentage of such
 1328 students for the Florida College System may offer such
 1329 developmental education ~~college preparatory instruction~~ without
 1330 contracting with a Florida College System institution; however,
 1331 any state university offering college-preparatory instruction as
 1332 of January 1, 1996, may continue to provide such services.

1333 (7)(a)(5) The State Board of Education shall adopt rules by
 1334 January 1, 2014, to implement developmental education. The rules

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1335 must include:

1336 1. Student achievements that may be considered by
 1337 institutional boards, such as performance on college placement
 1338 tests, grade point averages, work history, military experience,
 1339 career interests, degree major declaration, or any combination
 1340 thereof.

1341 2. Recommended options for students performing at levels
 1342 indicating adult education as an appropriate place for students
 1343 to develop needed college-entry academic skills.

1344 3. Sufficient flexibility for local professional judgment
 1345 and determinations of appropriate student options for achieving
 1346 necessary skills.

1347 4. Limits on credit course enrollment for students
 1348 indicating the need for preparatory assistance in two or more
 1349 content areas.

1350 (b) Local policies and practices set by each Florida
 1351 College System institution board of trustees must outline the
 1352 student achievements considered by the institution for placement
 1353 determinations, identify instructional options available to
 1354 students, and describe student costs and financial aid
 1355 opportunities associated with each instructional option.
 1356 Instructional options must, at a minimum, provide for enrollment
 1357 of a student in a credit course either with or without
 1358 institutionally required corequisite education, mastery-based
 1359 instruction or accelerated pathways for developing skills, or
 1360 enrolling in adult education to attain needed skills, as chosen
 1361 by the student. Policies and practices must specify limits on
 1362 credit course enrollment for students indicating the need for
 1363 preparatory assistance, outline retesting requirements, and

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1364 identify options for students who choose to attain skills in
 1365 adult education when such instruction is not provided by the
 1366 Florida College System institution ~~A student may not be enrolled~~
 1367 ~~in a college credit mathematics or English course on a dual~~
 1368 ~~enrollment basis unless the student has demonstrated adequate~~
 1369 ~~precollegiate preparation on the section of the basic~~
 1370 ~~computation and communication skills assessment required~~
 1371 ~~pursuant to subsection (1) that is appropriate for successful~~
 1372 ~~student participation in the course.~~

1373 Section 17. Section 1008.322, Florida Statutes, is created
 1374 to read:

1375 1008.322 Board of Governors oversight enforcement
 1376 authority.-

1377 (1) The Board of Governors of the State University System
 1378 shall oversee the performance of state university boards of
 1379 trustees in the enforcement of laws, rules, and regulations.
 1380 State university boards of trustees shall be primarily
 1381 responsible for compliance with laws and Board of Governors'
 1382 rules and regulations.

1383 (2) The Board of Governors' constitutional authority to
 1384 operate, regulate, control, and be fully responsible for the
 1385 management of the State University System mandates that the
 1386 state universities comply with all requests by the Board of
 1387 Governors for information, data, and reports. State university
 1388 presidents are responsible for the accuracy of the information
 1389 and data reported to the Board of Governors.

1390 (3) The Chancellor of the State University System may
 1391 investigate allegations of noncompliance with law or Board of
 1392 Governors' rule or regulation and determine probable cause. The

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1393 chancellor shall report determinations of probable cause to the
 1394 Board of Governors, which may require the university board of
 1395 trustees to document compliance with law or Board of Governors'
 1396 rule or regulation.

1397 (4) If the university board of trustees cannot
 1398 satisfactorily document compliance, the Board of Governors may
 1399 order compliance within a specified timeframe.

1400 (5) If the Board of Governors determines that a state
 1401 university board of trustees is unwilling or unable to comply
 1402 with law or Board of Governors' rule or regulation or an audit
 1403 recommendation within the specified time, the Board of
 1404 Governors, in addition to actions constitutionally authorized,
 1405 may initiate any of the following actions:

1406 (a) Withhold the transfer of state funds, discretionary
 1407 grant funds, discretionary lottery funds, or any other funds
 1408 appropriated to the Board of Governors by the Legislature for
 1409 disbursement to the state university until the university
 1410 complies with the law or Board of Governors' rule or regulation.

1411 (b) Declare the state university ineligible for competitive
 1412 grants disbursed by the Board of Governors.

1413 (c) Require monthly or periodic reporting on the situation
 1414 related to noncompliance until it is remedied.

1415 (d) Report to the Legislature that the state university is
 1416 unwilling or unable to comply with law or Board of Governors'
 1417 rule or regulation and recommend action to be taken by the
 1418 Legislature.

1419 (6) This section does not create a private cause of action
 1420 or create any rights for individuals or entities in addition to
 1421 those provided elsewhere in law, rule, or regulation.

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1422 Section 18. Subsection (3) of section 1008.34, Florida
 1423 Statutes, is amended to read:

1424 1008.34 School grading system; school report cards;
 1425 district grade.—

1426 (3) DESIGNATION OF SCHOOL GRADES.—

1427 (a) Each school that has students who are tested and
 1428 included in the school grading system shall receive a school
 1429 grade, except as follows:

1430 1. A school shall not receive a school grade if the number
 1431 of its students tested and included in the school grading system
 1432 is less than the minimum sample size necessary, based on
 1433 accepted professional practice, for statistical reliability and
 1434 prevention of the unlawful release of personally identifiable
 1435 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

1436 2. An alternative school may choose to receive a school
 1437 grade under this section or a school improvement rating under s.
 1438 1008.341. For charter schools that meet the definition of an
 1439 alternative school pursuant to State Board of Education rule,
 1440 the decision to receive a school grade is the decision of the
 1441 charter school governing board.

1442 3. A school that serves any combination of students in
 1443 kindergarten through grade 3 which does not receive a school
 1444 grade because its students are not tested and included in the
 1445 school grading system shall receive the school grade designation
 1446 of a K-3 feeder pattern school identified by the Department of
 1447 Education and verified by the school district. A school feeder
 1448 pattern exists if at least 60 percent of the students in the
 1449 school serving a combination of students in kindergarten through
 1450 grade 3 are scheduled to be assigned to the graded school.

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1451 (b)1. A school's grade shall be based on a combination of:

1452 a. Student achievement scores, including achievement as
1453 measured by FCAT assessments under s. 1008.22(3)(c)1.,
1454 statewide, standardized end-of-course assessments under s.
1455 1008.22(3)(c)2.a. and b., and achievement scores for students
1456 seeking a special diploma.

1457 b. Student learning gains in reading and mathematics as
1458 measured by FCAT and statewide, standardized end-of-course
1459 assessments, as described in s. 1008.22(3)(c)1. and 2.a.,
1460 including learning gains for students seeking a special diploma,
1461 as measured by an alternate assessment.

1462 c. Improvement of the lowest 25th percentile of students in
1463 the school in reading and mathematics on the FCAT or end-of-
1464 course assessments described in s. 1008.22(3)(c)2.a., unless
1465 these students are exhibiting satisfactory performance.

1466 2. Beginning with the 2011-2012 school year, for schools
1467 comprised of middle school grades 6 through 8 or grades 7 and 8,
1468 the school's grade shall include the performance and
1469 participation of its students enrolled in high school level
1470 courses with end-of-course assessments administered under s.
1471 1008.22(3)(c)2.a. Performance and participation must be weighted
1472 equally, except that added weight must be given to students who
1473 participate as a component of a certified schoolwide college
1474 readiness system that includes enrollment in an elective class
1475 recognized in the Course Code Directory and designed to provide
1476 students who are taking college preparatory or advanced courses
1477 with academic instruction and other support. As valid data
1478 becomes available, the school grades shall include the students'
1479 attainment of national industry certification identified in the

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1480 Industry Certification Funding List pursuant to rules adopted by
1481 the state board.

1482 3. Beginning with the 2009-2010 school year for schools
1483 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1484 11, and 12, at least 50 percent of the school grade shall be
1485 based on a combination of the factors listed in sub-
1486 subparagraphs 1.a.-c. and the remaining percentage on the
1487 following factors:

1488 a. The high school graduation rate of the school;

1489 b. As valid data becomes available, the performance and
1490 participation of the school's students in College Board Advanced
1491 Placement courses, International Baccalaureate courses, dual
1492 enrollment courses, and Advanced International Certificate of
1493 Education courses; and the students' achievement of national
1494 industry certification identified in the Industry Certification
1495 Funding List, pursuant to rules adopted by the state board;

1496 c. Postsecondary readiness of all of the school's on-time
1497 graduates as measured by the SAT, the ACT, the Postsecondary
1498 Education Readiness Test, or the common placement test;

1499 d. The high school graduation rate of at-risk students, who
1500 are students scoring at Level 1 or Level 2 on grade 8 FCAT
1501 Reading and FCAT Mathematics;

1502 e. As valid data becomes available, the performance of the
1503 school's students on statewide, standardized end-of-course
1504 assessments administered under s. 1008.22(3)(c)2.c. and d.; and

1505 f. The growth or decline in the components listed in sub-
1506 subparagraphs a.-e. from year to year.

1507 (c) Student assessment data used in determining school
1508 grades shall include:

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1509 1. The aggregate scores of all eligible students enrolled
 1510 in the school who have been assessed on the FCAT and statewide,
 1511 standardized end-of-course assessments in courses required for
 1512 high school graduation, including, beginning with the 2011-2012
 1513 school year, the end-of-course assessment in Algebra I; and
 1514 beginning with the 2012-2013 school year, the end-of-course
 1515 assessments in geometry and Biology I; and beginning with the
 1516 2014-2015 school year, on the statewide, standardized end-of-
 1517 course assessment in civics education at the middle school
 1518 level.

1519 2. The aggregate scores of all eligible students enrolled
 1520 in the school who have been assessed on the FCAT and statewide,
 1521 standardized end-of-course assessments as described in s.
 1522 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th
 1523 percentile of students in the school in reading and mathematics,
 1524 unless these students are exhibiting satisfactory performance.

1525 3. The achievement scores and learning gains of eligible
 1526 students attending alternative schools that provide dropout
 1527 prevention and academic intervention services pursuant to s.
 1528 1003.53. The term "eligible students" in this subparagraph does
 1529 not include students attending an alternative school who are
 1530 subject to district school board policies for expulsion for
 1531 repeated or serious offenses, who are in dropout retrieval
 1532 programs serving students who have officially been designated as
 1533 dropouts, or who are in programs operated or contracted by the
 1534 Department of Juvenile Justice. The student performance data for
 1535 eligible students identified in this subparagraph shall be
 1536 included in the calculation of the home school's grade. As used
 1537 in this subparagraph and s. 1008.341, the term "home school"

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1538 means the school to which the student would be assigned if the
 1539 student were not assigned to an alternative school. If an
 1540 alternative school chooses to be graded under this section,
 1541 student performance data for eligible students identified in
 1542 this subparagraph shall not be included in the home school's
 1543 grade but shall be included only in the calculation of the
 1544 alternative school's grade. A school district that fails to
 1545 assign the FCAT and statewide, standardized end-of-course
 1546 assessment as described in s. 1008.22(3)(c)2.a. scores of each
 1547 of its students to his or her home school or to the alternative
 1548 school that receives a grade shall forfeit Florida School
 1549 Recognition Program funds for 1 fiscal year. School districts
 1550 must require collaboration between the home school and the
 1551 alternative school in order to promote student success. This
 1552 collaboration must include an annual discussion between the
 1553 principal of the alternative school and the principal of each
 1554 student's home school concerning the most appropriate school
 1555 assignment of the student.

1556 4. The achievement scores and learning gains of students
 1557 designated as hospital- or homebound. Student assessment data
 1558 for students designated as hospital- or homebound shall be
 1559 assigned to their home school for the purposes of school grades.
 1560 As used in this subparagraph, the term "home school" means the
 1561 school to which a student would be assigned if the student were
 1562 not assigned to a hospital- or homebound program.

1563 5. For schools comprised of high school grades 9, 10, 11,
 1564 and 12, or grades 10, 11, and 12, the data listed in
 1565 subparagraphs 1.-3. and the following data as the Department of
 1566 Education determines such data are valid and available:

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- 1567 a. The high school graduation rate of the school as
 1568 calculated by the department;
- 1569 b. The participation rate of all eligible students enrolled
 1570 in the school and enrolled in College Board Advanced Placement
 1571 courses; International Baccalaureate courses; dual enrollment
 1572 courses; Advanced International Certificate of Education
 1573 courses; and courses or sequences of courses leading to national
 1574 industry certification identified in the Industry Certification
 1575 Funding List, pursuant to rules adopted by the State Board of
 1576 Education;
- 1577 c. The aggregate scores of all eligible students enrolled
 1578 in the school in College Board Advanced Placement courses,
 1579 International Baccalaureate courses, and Advanced International
 1580 Certificate of Education courses;
- 1581 d. Earning of college credit by all eligible students
 1582 enrolled in the school in dual enrollment programs under s.
 1583 1007.271;
- 1584 e. Earning of a national industry certification identified
 1585 in the Industry Certification Funding List, pursuant to rules
 1586 adopted by the State Board of Education;
- 1587 f. The aggregate scores of all eligible students enrolled
 1588 in the school in reading, mathematics, and other subjects as
 1589 measured by the SAT, the ACT, the Postsecondary Education
 1590 Readiness Test, and the common placement test for postsecondary
 1591 readiness;
- 1592 g. The high school graduation rate of all eligible at-risk
 1593 students enrolled in the school who scored at Level 2 or lower
 1594 on grade 8 FCAT Reading and FCAT Mathematics;
- 1595 h. The performance of the school's students on statewide,

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- 1596 standardized end-of-course assessments administered under s.
 1597 1008.22(3)(c)2.c. and d.; and
- 1598 i. The growth or decline in the data components listed in
 1599 sub-subparagraphs a.-h. from year to year.
- 1600
- 1601 The State Board of Education shall adopt appropriate criteria
 1602 for each school grade. The criteria must also give added weight
 1603 to student achievement in reading and for students who
 1604 participate in rigorous courses as described in sub-subparagraph
 1605 5.b. as a part of a schoolwide college readiness system that
 1606 includes enrollment in an elective class recognized in the
 1607 Course Code Directory and designed to provide students who are
 1608 taking college preparatory or advanced courses with academic
 1609 instruction and other support. Schools earning a grade of "C,"
 1610 making satisfactory progress, shall be required to demonstrate
 1611 that adequate progress has been made by students in the school
 1612 who are in the lowest 25th percentile in reading and mathematics
 1613 on the FCAT and end-of-course assessments as described in s.
 1614 1008.22(3)(c)2.a., unless these students are exhibiting
 1615 satisfactory performance. For schools comprised of high school
 1616 grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria
 1617 for school grades must also give added weight to the graduation
 1618 rate of all eligible at-risk students. In order for a high
 1619 school to earn a grade of "A," the school must demonstrate that
 1620 its at-risk students, as defined in this paragraph, are making
 1621 adequate progress.
- 1622 Section 19. Subsection (2) of section 1008.37, Florida
 1623 Statutes, is amended to read:
 1624 1008.37 Postsecondary feedback of information to high

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1625 schools.-

1626 (2) No later than November 30 of each year, the
 1627 Commissioner of Education shall report, by high school, to the
 1628 State Board of Education, the Board of Governors, and the
 1629 Legislature, ~~no later than November 30 of each year~~, on the
 1630 number of prior-year ~~prior year~~ Florida high school graduates
 1631 who enrolled for the first time in public postsecondary
 1632 education in this state during the previous summer, fall, or
 1633 spring term. The report must include, ~~indicating~~ the number of
 1634 students whose scores on the common placement test that is
 1635 required under s. 1008.30, indicate ~~indicated~~ the need to attain
 1636 communication and computation skills through developmental
 1637 education options offered by a public postsecondary institution
 1638 or through ~~for remediation through college preparatory or~~
 1639 vocational-preparatory instruction pursuant to s. 1004.91 or s.
 1640 1008.30.

1641 Section 20. Paragraph (a) of subsection (3) of section
 1642 1009.22, Florida Statutes, is amended to read:

1643 1009.22 Workforce education postsecondary student fees.-

1644 (3) (a) Except as otherwise provided by law, fees for
 1645 students who are nonresidents for tuition purposes must offset
 1646 the full cost of instruction. Residency of students shall be
 1647 determined as required in s. 1009.21. Fee-nonexempt students
 1648 enrolled in vocational-preparatory instruction shall be charged
 1649 fees equal to the fees charged for adult general education
 1650 programs. ~~Each Florida College System institution that conducts~~
 1651 ~~college preparatory and vocational preparatory instruction in~~
 1652 ~~the same class section may charge a single fee for both types of~~
 1653 ~~instruction.~~

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1654 Section 21. Subsection (1), paragraph (a) of subsection
 1655 (3), and subsection (10) of section 1009.23, Florida Statutes,
 1656 are amended to read:

1657 1009.23 Florida College System institution student fees.-

1658 (1) Unless otherwise provided, this section applies only to
 1659 fees charged for college credit instruction leading to an
 1660 associate in arts degree, an associate in applied science
 1661 degree, an associate in science degree, or a baccalaureate
 1662 degree authorized pursuant to s. 1007.33, for developmental
 1663 education ~~noncollege credit college preparatory courses~~ defined
 1664 in s. 1004.02, and for educator preparation institute programs
 1665 defined in s. 1004.85.

1666 (3) (a) Effective July 1, 2011, for advanced and
 1667 professional, postsecondary vocational, ~~college preparatory~~, and
 1668 educator preparation institute programs, the standard tuition is
 1669 ~~shall be~~ \$68.56 per credit hour for residents and nonresidents,
 1670 and the out-of-state fee is ~~shall be~~ \$205.82 per credit hour.

1671 (10) Each Florida College System institution board of
 1672 trustees is authorized to establish a separate fee for
 1673 technology, which may not exceed 5 percent of tuition per credit
 1674 hour or credit-hour equivalent for resident students and may not
 1675 exceed 5 percent of tuition and the out-of-state fee per credit
 1676 hour or credit-hour equivalent for nonresident students.
 1677 Revenues generated from the technology fee shall be used to
 1678 enhance instructional technology resources for students and
 1679 faculty. The technology fee may ~~apply to both college credit and~~
 1680 ~~college preparatory instruction and shall not be included in any~~
 1681 award under the Florida Bright Futures Scholarship Program.
 1682 Fifty percent of technology fee revenues may be pledged by a

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1683 Florida College System institution board of trustees as a
 1684 dedicated revenue source for the repayment of debt, including
 1685 lease-purchase agreements, not to exceed the useful life of the
 1686 asset being financed. Revenues generated from the technology fee
 1687 may not be bonded.

1688 Section 22. Subsection (11) is added to section 1009.26,
 1689 Florida Statutes, to read:

1690 1009.26 Fee waivers.—

1691 (11) A Florida College System institution that offers a
 1692 baccalaureate degree for state residents for which the cost of
 1693 tuition and specified fees does not exceed \$10,000 for the
 1694 entire degree program may waive any portion or all of the
 1695 following fees for that degree: tuition, the activity and
 1696 service fee, the financial aid fee, the technology fee, the
 1697 capital improvement fee, and the distance-learning fee. The
 1698 Legislature encourages colleges to include at least one industry
 1699 certification from the Postsecondary Industry Certification
 1700 Funding List in a degree program for which such waivers are
 1701 granted.

1702 Section 23. Section 1009.28, Florida Statutes, is repealed.

1703 Section 24. Section 1009.285, Florida Statutes, is amended
 1704 to read:

1705 1009.285 Fees for repeated enrollment in college-credit
 1706 courses.—A student enrolled in the same undergraduate college-
 1707 credit course more than once, except for students enrolled in a
 1708 gateway course for an extended period of time under s. 1008.30,
 1709 must ~~twice shall~~ pay tuition at 100 percent of the full cost of
 1710 instruction, and may not be ~~and shall not be~~ included in
 1711 calculations of full-time equivalent enrollments for state

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1712 funding purposes. However, students who withdraw or fail a class
 1713 due to extenuating circumstances may be granted an exception
 1714 only once for each class ~~if, provided~~ that approval is granted
 1715 according to policy established by the Florida College System
 1716 institution board of trustees or the university board of
 1717 trustees. Each Florida College System institution and state
 1718 university may review and reduce fees paid by students due to
 1719 continued enrollment in a college-credit class on an individual
 1720 basis contingent upon the student's financial hardship. For
 1721 purposes of this section, first-time enrollment in a class means
 1722 ~~shall mean~~ enrollment in a class beginning fall semester 1997,
 1723 and calculations of the full cost of instruction ~~is shall be~~
 1724 based on the systemwide average of the prior year's cost of
 1725 undergraduate programs for the Florida College System
 1726 institutions and the state universities. Boards of trustees may
 1727 make exceptions to this section for individualized study,
 1728 elective coursework, courses that are repeated as a requirement
 1729 of a major, and courses that are intended as continuing over
 1730 multiple semesters, excluding the repeat of coursework more than
 1731 once ~~two times~~ to increase grade point average or meet minimum
 1732 course grade requirements.

1733 Section 25. Paragraph (g) of subsection (4) of section
 1734 1009.286, Florida Statutes, is amended to read:

1735 1009.286 Additional student payment for hours exceeding
 1736 baccalaureate degree program completion requirements at state
 1737 universities.—

1738 (4) For purposes of this section, credit hours earned under
 1739 the following circumstances are not calculated as hours required
 1740 to earn a baccalaureate degree:

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1741 (g) ~~Remedial and~~ English as a Second Language credit hours.
 1742 Section 26. Subsection (3) of section 1009.40, Florida
 1743 Statutes, is amended to read:
 1744 1009.40 General requirements for student eligibility for
 1745 state financial aid awards and tuition assistance grants.—
 1746 (3) Undergraduate students are eligible to receive
 1747 financial aid for a maximum of 8 semesters or 12 quarters.
 1748 However, undergraduate students participating in developmental
 1749 education and college preparatory instruction, ~~students~~
 1750 ~~requiring additional time to complete the college level~~
 1751 ~~communication and computation skills testing programs, or~~
 1752 students enrolled in a 5-year undergraduate degree program are
 1753 eligible to receive financial aid for a maximum of 10 semesters
 1754 or 15 quarters.
 1755 Section 27. Subsection (10) of section 1009.53, Florida
 1756 Statutes, is amended to read:
 1757 1009.53 Florida Bright Futures Scholarship Program.—
 1758 (10) Funds from any scholarship within the Florida Bright
 1759 Futures Scholarship Program may not be used to pay for
 1760 developmental education ~~remedial or college preparatory~~
 1761 ~~coursework~~.
 1762 Section 28. Subsection (7) of section 1009.531, Florida
 1763 Statutes, is repealed.
 1764 Section 29. Paragraph (b) of subsection (1) and subsection
 1765 (5) of section 1011.84, Florida Statutes, are amended to read:
 1766 1011.84 Procedure for determining state financial support
 1767 and annual apportionment of state funds to each Florida College
 1768 System institution district.—The procedure for determining state
 1769 financial support and the annual apportionment to each Florida

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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1770 College System institution district authorized to operate a
 1771 Florida College System institution under the provisions of s.
 1772 1001.61 shall be as follows:
 1773 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
 1774 COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—
 1775 (b) The allocation of funds for Florida College System
 1776 institutions ~~is shall be~~ based on advanced and professional
 1777 disciplines, developmental education ~~college preparatory~~
 1778 ~~programs~~, and other programs for adults funded pursuant to s.
 1779 1011.80.
 1780 (5) REPORT OF DEVELOPMENTAL ~~REMEDIAL~~ EDUCATION.—Each
 1781 Florida College System institution board of trustees shall
 1782 report, as a separate item in its annual cost accounting system,
 1783 the volume and cost of developmental education options provided
 1784 to help students attain the communication and computation skills
 1785 that are essential for college-level work pursuant to s. 1008.30
 1786 ~~remedial education activities as a separate item in its annual~~
 1787 ~~cost accounting system~~.
 1788 Section 30. This act shall take effect July 1, 2013.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

CourtSmart Tag Report

Room: KN 412

Case:

Type:

Caption: Senate Appropriations Subcommittee on Education

Judge:

Started: 3/19/2013 1:05:00 PM

Ends: 3/19/2013 1:12:28 PM

Length: 00:07:29

1:05:03 PM Meeting called to order
1:05:10 PM Roll call
1:05:15 PM Opening remarks by Chair Galvano
1:05:50 PM Sen. Montford speaking
1:06:00 PM CS/SB 1720 - Education; Chair Galvano
1:06:32 PM Amendment #1- 190968 - Favorable
1:07:24 PM Amendment #2- 362632 - Favorable
1:07:42 PM Amendment #3- 168466 - Favorable
1:08:09 PM Sen. Sachs speaking
1:08:23 PM Chair Galvano speaking
1:09:06 PM Sen. Legg speaking
1:09:16 PM Sen. Detert speaking
1:10:20 PM Sen. Montford - Motion to CS Adopted
1:11:23 PM Roll call on CS/SB 1720
1:11:32 PM Sen. Montford speaking
1:12:00 PM Chair Galvano speaking
1:12:06 PM Meeting Adjourned



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Agriculture, *Vice Chair*
Appropriations Subcommittee on Education
Appropriations Subcommittee on General
Government
Education
Environmental Preservation and Conservation
Military Affairs, Space, and Domestic Security

JOINT COMMITTEE:

Joint Administrative Procedures Committee

SENATOR DWIGHT BULLARD
39th District

March 18, 2013

Chairman Galvano,

I am requesting to be excused from the following Education Appropriations Subcommittee meetings:

- Tuesday, March 19, 2013 at 1:00 pm
- Wednesday, March 20, 2013 at 8:00 am

Due to the passing of my mother, Senator Larcenia Bullard, I will be out this week tending to family matters.

Sincerely,

Dwight M. Bullard

State Senator, District 39

REPLY TO:

- 10720 Caribbean Boulevard, #435, Cutler Bay, Florida 33189
- 218 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5039

Senate's Website: www.flsenate.gov

DON GAETZ
President of the Senate

GARRETT RICHTER
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

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Appropriations
Appropriations Subcommittee on Education
Commerce and Tourism
Communications, Energy, and Public Utilities
Community Affairs
Governmental Oversight and Accountability

JOINT COMMITTEE:
Joint Committee on Public Counsel Oversight

SENATOR DOROTHY L. HUKILL
8th District

March 19, 2013

The Honorable Bill Galvano
326 Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399

Dear Chairman Galvano:

Please excuse my absence from today's Appropriations Subcommittee on Education meeting. I had to present my bill in Appropriations Subcommittee on Transportation, Tourism, and Economic Development at the same time.

Thank you for your consideration.

Sincerely,
[Handwritten signature of Dorothy L. Hukill]

Dorothy L. Hukill, District 8

cc: Skip Martin, Staff Director of the Appropriations Subcommittee on Education
Elizabeth Wells, Administrative Assistant of the Appropriations Subcommittee on Education

SENATE APPROPRIATIONS RECEIVED
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DON GAETZ
President of the Senate

GARRETT RICHTER
President Pro Tempore