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1 A bill to be entitled
2 An act relating to postsecondary education funding;
3 amending s. 213.053, F.S.; authorizing the Department
4 of Revenue to provide certain information regarding
5 the gross receipts tax to the State Board of
6 Education, the Division of Bond Finance, and the
7 Office of Economic and Demographic Research; amending
8 s. 215.61, F.S.; requiring that, for purposes of
9 servicing public education capital outlay bonds, the
10 State Board of Education disregard the effects on the
11 gross receipts tax revenues collected during a tax
12 period of a refund resulting from a specified
13 settlement agreement; amending s. 440.491, F.S.;
14 revising definitions; revising legislative intent;
15 eliminating regulatory and monitoring responsibilities
16 of the Department of Education with respect to
17 rehabilitation providers and services; authorizing
18 referral of an injured employee to the Department of
19 Education for vocational evaluation; authorizing
20 referral to the Agency for Workforce Innovation or any
21 successor agency for reemployment services;
22 authorizing interagency agreements between the
23 Department of Education and an agency providing
24 reemployment services; authorizing the expenditure of
25 funds from the Workers Compensation Trust Fund for
26 reemployment services; deleting provisions specifying
27 qualifications for rehabilitation providers and
28 requiring rehabilitation provider fees; amending s.
29 413.011, F.S.; authorizing the Division of Blind

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30 Services to lease property and the Department of
31 Education to enter into leases and subleases on behalf
32 of the division; amending s. 1004.091, F.S.; revising
33 provisions relating to the duties of the Florida
34 Distance Learning Consortium; requiring that the
35 consortium implement a streamlined, automated, online
36 registration process for transient students who are
37 undergraduate students currently enrolled and pursuing
38 a degree at a public postsecondary educational
39 institution; requiring that the consortium work with
40 the Florida College System and the State University
41 System to implement the admissions application
42 process; providing certain requirements for state
43 universities and state colleges; revising requirements
44 for the central instructional content repository;
45 creating s. 1004.649, F.S.; designating the Northwest
46 Regional Data Center at Florida State University as a
47 primary data center; providing requirements for the
48 data center; requiring the data center to provide its
49 annual budget costs to the Board of Governors of the
50 State University System; specifying circumstances
51 under which the data center's designation may be
52 terminated; amending s. 1006.72, F.S.; revising
53 provisions relating to the licensing of electronic
54 library resources; requiring that the chancellors and
55 vice chancellors of the Florida College System and the
56 State University System report cost savings resulting
57 from the collaborative licensing process to the
58 Executive Office of the Governor and the chairs of the

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59 legislative appropriations committees; amending s.
60 1007.28, F.S.; revising provisions relating to the
61 computer-assisted student advising system; requiring
62 that the system provide for a transient student
63 admissions application process for certain students;
64 amending s. 1009.605, F.S.; providing for additional
65 funds to be expended for administration of the Florida
66 Fund for Minority Teachers, Inc.; creating s.
67 1009.215, F.S.; authorizing the University of Florida,
68 with the approval of the Board of Governors of the
69 State University System, to plan and implement a pilot
70 program for students to enroll for the spring and
71 summer terms rather than the fall terms in order to
72 align student enrollment with available instructional
73 staff and facilities; providing for eligibility for
74 the Bright Futures Scholarship to conform to periods
75 of a student's enrollment; requiring that the
76 university report the status of the pilot program to
77 the Board of Governors and the Legislature by a
78 specified date; amending s. 1009.22, F.S.; revising
79 provisions relating to workforce education
80 postsecondary student fees; revising the standard
81 tuition for programs leading to a career certificate
82 or an applied technology diploma; requiring that a
83 block tuition be assessed for residents and
84 nonresidents enrolled in adult general education
85 programs; providing that a separate fee may be used
86 for the acquisition of improved real property by the
87 district school board or the community college board

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88 of trustees; authorizing the assessment of a
89 convenience fee for processing online credit card
90 payments; providing certain limitations; authorizing
91 the Board of Trustees of Santa Fe College to establish
92 a transportation access fee for students enrolled at
93 Santa Fe College; requiring that revenue from the fee
94 be used only to provide or improve access to
95 transportation services; limiting the amount of the
96 fee; providing a timeframe for a fee increase and
97 implementation of an increase; requiring that a
98 referendum be held by the student government to
99 approve the application of the fee; prohibiting the
100 inclusion of the fee in calculating the amount a
101 student receives under Florida Bright Futures
102 Scholarship Program awards; amending s. 1009.23, F.S.;
103 revising provisions relating to community college
104 student fees, including the standard tuition for
105 residents and nonresidents and the out-of-state fee;
106 revising the amount of standard tuition fees for
107 residents and nonresidents and out-of-state fees;
108 clarifying provisions governing the fee exemptions
109 provided for athletes; providing for a separate fee to
110 be used for the acquisition of improved real property;
111 authorizing each college to assess a transient student
112 fee that does not exceed a specified amount per
113 distance learning course; authorizing the Board of
114 Trustees of Santa Fe College to establish a
115 transportation access fee for students enrolled at
116 Santa Fe College; requiring that revenue from the fee

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117 be used only to provide or improve access to
118 transportation services; limiting the amount of the
119 fee; providing a timeframe for a fee increase and
120 implementation of an increase; requiring that a
121 referendum be held by the student government to
122 approve the application of the fee; prohibiting the
123 inclusion of the fee in calculating the amount a
124 student receives under Florida Bright Futures
125 Scholarship Program awards; amending s. 1009.24, F.S.;
126 revising provisions relating to state university
127 student fees; revising the amount of resident
128 undergraduate tuition; authorizing each university
129 board of trustees to establish a transient student fee
130 that does not exceed a specified amount per distance
131 learning course for processing the transient student
132 admissions application; authorizing a university to
133 expend certain funds remaining from the tuition
134 differential required for student financial
135 assistance; amending s. 1009.25, F.S.; deleting
136 provisions that exempt students from paying tuition
137 and fees for adult basic, adult secondary, or career
138 preparatory instruction; amending s. 1009.26, F.S.;
139 authorizing the use of certain additional
140 documentation recognized by the Federal Government for
141 purpose of certain fee waivers; amending s. 1009.286,
142 F.S.; requiring that a student pay 100 percent of the
143 tuition rate for each credit hour in excess of a
144 specified percent of the number of credit hours
145 required to complete a baccalaureate degree program;

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146 amending s. 1009.531, F.S.; revising the eligibility
147 requirements for the Florida Bright Futures
148 Scholarship Program; requiring that a student complete
149 a specified federal application form before
150 disbursement of an award; amending ss. 1009.534,
151 1009.535, and 1009.536, F.S.; requiring that students
152 receiving a Florida Academic Scholars award, a Florida
153 Medallion Scholars award, or a Florida Gold Seal
154 Vocational Scholars award perform a specified number
155 of hours of community service work; requiring that the
156 student identify a social problem of interest and
157 develop a plan; amending ss. 1009.55, 1009.56,
158 1009.57, 1009.60, 1009.68, and 1009.69, F.S.;

159 requiring that the funding for the Rosewood Family
160 Scholarship Program, the Seminole and Miccosukee
161 Indian Scholarships, the Florida Teacher Scholarship
162 and Forgivable Loan Program, the Minority Teacher
163 Education Scholars Program, the Florida Minority
164 Medical Education Program, and the Virgil Hawkins
165 Fellows Assistance Program be as provided in the
166 General Appropriations Act; amending s. 1009.701,
167 F.S.; revising provisions relating to the First
168 Generation Matching Grant Program; requiring that a
169 student complete a specified federal application form
170 before disbursement of an award; requiring that the
171 first priority of funding be given to certain students
172 who qualify and receive federal Pell Grant funds;
173 amending ss. 1009.73 and 1009.74, F.S.; providing that
174 funding for the Mary McLeod Bethune Scholarship

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175 Program and the Theodore R. and Vivian M. Johnson
176 Scholarship Program be as provided in the General
177 Appropriations Act; amending s. 1009.77, F.S.;
178 revising provisions relating to the Florida Work
179 Experience Program; requiring that a student complete
180 a specified federal application form before
181 disbursement of funds; requiring that first priority
182 of funding be given to certain students who qualify
183 and receive federal Pell Grant funds; requiring that
184 the funding of the program be as provided in the
185 General Appropriations Act; amending ss. 1009.89 and
186 1009.891, F.S.; requiring that funding of the William
187 L. Boyd, IV, Florida Resident Access Grant Program and
188 the Access to Better Learning and Education Grant
189 Program be provided as in the General Appropriations
190 Act; requiring that a student complete a specified
191 federal application form before disbursement of a
192 grant; amending s. 1011.32, F.S.; providing that state
193 matching funds for the Community College Facility
194 Enhancement Challenge Grant Program be temporarily
195 suspended for donations made on or after a specified
196 date; providing that existing donations remain
197 eligible for future matching funds; amending s.
198 1011.61, F.S.; redefining the term "full-time
199 equivalent student" as applied to a student in a
200 combination of programs; amending s. 1011.80, F.S.;
201 requiring that the Department of Education use a
202 specified funding model to determine each district's
203 workforce education funding needs; prohibiting the

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204 expenditure of funds for the education of state or
205 federal inmates; prohibiting the reporting of a
206 student who is coenrolled in a K-12 education program
207 and an adult education program for funding purposes;
208 providing an exception; amending s. 1011.81, F.S.;
209 prohibiting the expenditure of funds under the
210 Community College Program Fund for the education of
211 state or federal inmates; amending s. 1011.85, F.S.,
212 relating to the Dr. Philip Benjamin Matching Grant
213 Program for Community Colleges; providing that funds
214 received from community events and festivals are not
215 eligible for state matching funds; providing that
216 state matching funds under the program be temporarily
217 suspended for donations received on or after a
218 specified date; providing that existing donations
219 remain eligible for future matching funds; amending
220 ss. 1011.94 and 1013.79, F.S.; providing that state
221 matching funds for donations to the University Major
222 Gifts Program and the University Facility Enhancement
223 Challenge Grant Program are temporarily suspended;
224 providing that existing donations remain eligible for
225 future matching funds; amending ss. 1012.885 and
226 1012.975, F.S.; limiting the amount of remuneration
227 provided to a Florida College System institution
228 president or a state university president for the
229 2011-2012 fiscal year; creating ss. 1012.886 and
230 1012.976, F.S.; defining terms; providing certain
231 limitations on the amount of remuneration provided to
232 Florida College System institution administrative

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233 employees and state university administrative
234 employees; providing certain exceptions; providing for
235 future expiration; amending s. 1013.33, F.S., relating
236 to campus master plans and development agreements;
237 conforming a cross-reference; repealing s. 1013.63,
238 F.S., relating to the University Concurrency Trust
239 Fund; amending s. 1013.737, F.S.; changing the name of
240 the Class Size Reduction Lottery Revenue Bond Program
241 to the Class Size Reduction and Educational Facilities
242 Lottery Revenue Bond Program; authorizing the issuance
243 of educational facilities bonds; requiring that the
244 Department of Education work with the College Center
245 for Library Automation to transfer the K-12 public
246 school bibliographic database for inclusion in CCLA's
247 online discovery tool product for the public to
248 search; requiring that the department also develop an
249 ongoing process to provide for the updating of such
250 data; requiring that the Chancellors of the State
251 University System and the Florida College System
252 submit a plan to the Governor and Legislature
253 regarding the establishment of a joint library
254 organization to address the needs of academic
255 libraries; specifying requirements for the plan;
256 authorizing a university board of trustees to expend
257 reserve or carry-forward balances from prior year
258 appropriations for the establishment of a new campus;
259 requiring that the Florida College System Council of
260 Presidents recommend an equitable funding formula for
261 funds to the Florida College System institutions;

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262 requiring a report and recommendations to the State
263 Board of Education, the Governor and the Legislature
264 by a specified date; providing an effective date.
265

266 Be It Enacted by the Legislature of the State of Florida:
267

268 Section 1. Paragraph (dd) is added to subsection (8) of
269 section 213.053, Florida Statutes, as amended by chapter 2010-
270 280, Laws of Florida, to read:

271 213.053 Confidentiality and information sharing.—

272 (8) Notwithstanding any other provision of this section,
273 the department may provide:

274 (dd) Information relative to s. 215.61(6) to the State
275 Board of Education, the Division of Bond Finance, and the Office
276 of Economic and Demographic Research.
277

278 Disclosure of information under this subsection shall be
279 pursuant to a written agreement between the executive director
280 and the agency. Such agencies, governmental or nongovernmental,
281 shall be bound by the same requirements of confidentiality as
282 the Department of Revenue. Breach of confidentiality is a
283 misdemeanor of the first degree, punishable as provided by s.
284 775.082 or s. 775.083.

285 Section 2. Subsection (6) is added to section 215.61,
286 Florida Statutes, to read:

287 215.61 State system of public education capital outlay
288 bonds.—

289 (6) In making the determination as required by subsection
290 (3) of the amount that can be serviced by the gross receipts

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291 tax, the State Board of Education shall disregard the effects on
292 the reported gross receipts tax revenues collected during a tax
293 period of any refund paid by the Department of Revenue as a
294 direct result of a refund request made pursuant to the
295 settlement reached in *In re: AT&T Mobility Wireless Data*
296 *Services Sales Litigation*, 270 F.R.D. 330, (Aug. 11, 2010). The
297 Department of Revenue shall provide to the State Board of
298 Education, the Division of Bond Finance, and the Office of
299 Economic and Demographic Research the amount of any such refund
300 and the tax period in which the refund is included.

301 Section 3. Section 440.491, Florida Statutes, is amended to
302 read:

303 440.491 Reemployment of injured workers; rehabilitation.—

304 (1) DEFINITIONS.—As used in this section, the term:

305 (a) "Carrier" means group self-insurance funds or
306 individual self-insureds authorized under this chapter and
307 commercial funds or insurance entities authorized to write
308 workers' compensation insurance under chapter 624.

309 (b) "Department" means the Department of Education.

310 (c) "Medical care coordination" includes, but is not
311 limited to, coordinating physical rehabilitation services such
312 as medical, psychiatric, or therapeutic treatment for the
313 injured employee, providing health training to the employee and
314 family, and monitoring the employee's recovery. The purposes of
315 medical care coordination are to minimize the disability and
316 recovery period without jeopardizing medical stability, to
317 assure that proper medical treatment and other restorative
318 services are timely provided in a logical sequence, and to
319 contain medical costs.

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320 (d) "~~Qualified~~ Rehabilitation provider" means a
321 rehabilitation nurse, rehabilitation counselor, or vocational
322 evaluator providing, ~~rehabilitation facility, or agency approved~~
323 ~~by the Department of Education as qualified to provide~~
324 reemployment assessments, medical care coordination,
325 reemployment services, or vocational evaluations under this
326 section, possessing one or more of the following nationally
327 recognized rehabilitation provider credentials:

328 1. Certified Rehabilitation Registered Nurse, C.R.R.N.,
329 certified by the Association of Rehab Professionals.

330 2. Certified Rehabilitation Counselor, C.R.C., certified by
331 the Commission of Rehabilitation Counselor Certifications.

332 3. Certified Case Manager, C.C.M., certified by the
333 Commission for Case Management Certification.

334 4. Certified Disability Management Specialist, C.D.M.S.,
335 certified by the Certified Disability Management Specialist
336 Commission.

337 5. Certified Vocational Evaluator, C.V.E., certified by the
338 Commission of Rehabilitation Counselor Certification.

339 6. Certified Occupational Health Nurse, C.O.H.N., certified
340 by the American Board of Occupational Health Nurses ~~chapter.~~

341 (e) "Reemployment assessment" means a written assessment
342 performed by a ~~qualified~~ rehabilitation provider which provides
343 a comprehensive review of the medical diagnosis, treatment, and
344 prognosis; includes conferences with the employer, physician,
345 and claimant; and recommends a cost-effective physical and
346 vocational rehabilitation plan to assist the employee in
347 returning to suitable gainful employment.

348 (f) "Reemployment services" means services that include,

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349 but are not limited to, vocational counseling, job-seeking
350 skills training, ergonomic job analysis, transferable skills
351 analysis, selective job placement, labor market surveys, and
352 arranging other services such as education or training,
353 vocational and on-the-job, which may be needed by the employee
354 to secure suitable gainful employment.

355 (g) "Reemployment status review" means a review to
356 determine whether an injured employee is at risk of not
357 returning to work.

358 (h) "Suitable gainful employment" means employment or self-
359 employment that is reasonably attainable in light of the
360 employee's age, education, work history, transferable skills,
361 previous occupation, and injury, and which offers an opportunity
362 to restore the individual as soon as practicable and as nearly
363 as possible to his or her average weekly earnings at the time of
364 injury.

365 (i) "Vocational evaluation" means a review of the
366 employee's physical and intellectual capabilities, his or her
367 aptitudes and achievements, and his or her work-related
368 behaviors to identify the most cost-effective means toward the
369 employee's return to suitable gainful employment.

370 (2) INTENT.—It is the intent of this section ~~to implement a~~
371 ~~systematic review by carriers of the factors that are predictive~~
372 ~~of longer term disability and~~ to encourage the provision of
373 medical care coordination and reemployment services that are
374 necessary to assist the employee in returning to work as soon as
375 is medically feasible.

376 (3) REEMPLOYMENT STATUS REVIEWS AND REPORTS.—

377 (a) When an employee who has suffered an injury compensable

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378 under this chapter is unemployed 60 days after the date of
379 injury and is receiving benefits for temporary total disability,
380 temporary partial disability, or wage loss, and has not yet been
381 provided medical care coordination and reemployment services
382 voluntarily by the carrier, the carrier must determine whether
383 the employee is likely to return to work and must report its
384 determination to the department and the employee. The report
385 shall include the identification of both the carrier and the
386 employee, and the carrier claim number and any case number
387 assigned by the Office of Judges of Compensation Claims. The
388 carrier must thereafter determine the reemployment status of the
389 employee at 90-day intervals as long as the employee remains
390 unemployed, is not receiving medical care coordination or
391 reemployment services, and is receiving the benefits specified
392 in this subsection.

393 (b) If medical care coordination or reemployment services
394 are voluntarily undertaken within 60 days of the date of injury,
395 such services may continue to be provided as agreed by the
396 employee and the carrier.

397 (4) REEMPLOYMENT ASSESSMENTS.—

398 (a) The carrier may require the employee to receive a
399 reemployment assessment as it considers appropriate. However,
400 the carrier is encouraged to obtain a reemployment assessment
401 if:

402 1. The carrier determines that the employee is at risk of
403 remaining unemployed.

404 2. The case involves catastrophic or serious injury.

405 (b) The carrier shall authorize ~~only a qualified~~
406 rehabilitation provider to provide the reemployment assessment.

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407 The rehabilitation provider shall conduct its assessment and
408 issue a report to the carrier and, the employee, ~~and the~~
409 ~~department~~ within 30 days after the time such assessment is
410 complete.

411 (c) If the rehabilitation provider recommends that the
412 employee receive medical care coordination or reemployment
413 services, the carrier shall advise the employee of the
414 recommendation and determine whether the employee wishes to
415 receive such services. The employee shall have 15 days after the
416 date of receipt of the recommendation in which to agree to
417 accept such services. If the employee elects to receive
418 services, the carrier may refer the employee to a rehabilitation
419 provider for such coordination or services within 15 days of
420 receipt of the assessment report or notice of the employee's
421 election, whichever is later.

422 (5) MEDICAL CARE COORDINATION AND REEMPLOYMENT SERVICES.—

423 (a) Once the carrier has assigned a case to a ~~qualified~~
424 rehabilitation provider for medical care coordination or
425 reemployment services, the provider shall develop a reemployment
426 plan and submit the plan to the carrier and the employee for
427 approval.

428 (b) If the rehabilitation provider concludes that training
429 and education are necessary to return the employee to suitable
430 gainful employment, or if the employee has not returned to
431 suitable gainful employment within 180 days after referral for
432 reemployment services or receives \$2,500 in reemployment
433 services, whichever comes first, the carrier must discontinue
434 reemployment services and refer the employee to the department
435 for a vocational evaluation. Notwithstanding any provision of

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436 chapter 289 or chapter 627, the cost of a reemployment
437 assessment and the first \$2,500 in reemployment services to an
438 injured employee must not be treated as loss adjustment expense
439 for workers' compensation ratemaking purposes.

440 (c) A carrier may voluntarily provide medical care
441 coordination or reemployment services to the employee at
442 intervals more frequent than those required in this section. ~~For~~
443 ~~the purpose of monitoring reemployment, the carrier or the~~
444 ~~rehabilitation provider shall report to the department, in the~~
445 ~~manner prescribed by the department, the date of reemployment~~
446 ~~and wages of the employee. The carrier shall report its~~
447 ~~voluntary service activity to the department as required by~~
448 ~~rule.~~ Voluntary services offered by the carrier for any of the
449 following injuries must be considered benefits for purposes of
450 ratemaking: traumatic brain injury; spinal cord injury;
451 amputation, including loss of an eye or eyes; burns of 5 percent
452 or greater of the total body surface.

453 (d) If medical care coordination or reemployment services
454 have not been undertaken as prescribed in paragraph (3) (b), a
455 ~~qualified~~ rehabilitation service provider, facility, or agency
456 that performs a reemployment assessment shall not provide
457 medical care coordination or reemployment services for the
458 employees it assesses.

459 (6) TRAINING AND EDUCATION.—

460 (a) Upon referral of an injured employee by the carrier, or
461 upon the request of an injured employee, the department shall
462 conduct a training and education screening to determine whether
463 it should refer the employee for a vocational evaluation and, if
464 appropriate, approve training and education or other vocational

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465 services for the employee. At the time of such referral, the
466 carrier shall provide the department a copy of any reemployment
467 assessment or reemployment plan provided to the carrier by a
468 rehabilitation provider. The department may not approve formal
469 training and education programs unless it determines, after
470 consideration of the reemployment assessment, ~~pertinent~~
471 ~~reemployment status reviews or reports, and such other relevant~~
472 ~~factors as it prescribes by rule,~~ that the reemployment plan is
473 likely to result in return to suitable gainful employment. The
474 department is authorized to expend moneys from the Workers'
475 Compensation Administration Trust Fund, established by s.
476 440.50, to secure appropriate training and education at a
477 Florida public college or at a career center established under
478 s. 1001.44, or to secure other vocational services when
479 necessary to satisfy the recommendation of a vocational
480 evaluator. As used in this paragraph, "appropriate training and
481 education" includes securing a general education diploma (GED),
482 if necessary. The department shall by rule establish training
483 and education standards pertaining to employee eligibility,
484 course curricula and duration, and associated costs. For
485 purposes of this subsection, training and education services may
486 be secured from additional providers if:

487 1. The injured employee currently holds an associate degree
488 and requests to earn a bachelor's degree not offered by a
489 Florida public college located within 50 miles from his or her
490 customary residence;

491 2. The injured employee's enrollment in an education or
492 training program in a Florida public college or career center
493 would be significantly delayed; or

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494 3. The most appropriate training and education program is
495 available only through a provider other than a Florida public
496 college or career center or at a Florida public college or
497 career center located more than 50 miles from the injured
498 employee's customary residence.

499 (b) When an employee who has attained maximum medical
500 improvement is unable to earn at least 80 percent of the
501 compensation rate and requires training and education to obtain
502 suitable gainful employment, the employer or carrier shall pay
503 the employee additional training and education temporary total
504 compensation benefits while the employee receives such training
505 and education for a period not to exceed 26 weeks, which period
506 may be extended for an additional 26 weeks or less, if such
507 extended period is determined to be necessary and proper by a
508 judge of compensation claims. The benefits provided under this
509 paragraph shall not be in addition to the 104 weeks as specified
510 in s. 440.15(2). However, a carrier or employer is not precluded
511 from voluntarily paying additional temporary total disability
512 compensation beyond that period. If an employee requires
513 temporary residence at or near a facility or an institution
514 providing training and education which is located more than 50
515 miles away from the employee's customary residence, the
516 reasonable cost of board, lodging, or travel must be borne by
517 the department from the Workers' Compensation Administration
518 Trust Fund established by s. 440.50. An employee who refuses to
519 accept training and education that is recommended by the
520 vocational evaluator and considered necessary by the department
521 will forfeit any additional training and education benefits and
522 any additional payment for lost wages under this chapter. The

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523 ~~department shall adopt rules to implement this section, which~~
524 ~~shall include requirements placed upon the carrier shall to~~
525 ~~notify the injured employee of the availability of training and~~
526 ~~education benefits as specified in this chapter. The Department~~
527 ~~of Financial Services shall ~~also~~ include information regarding~~
528 ~~the eligibility for training and education benefits in~~
529 ~~informational materials specified in ss. 440.207 and 440.40.~~

530 ~~(7) PROVIDER QUALIFICATIONS.—~~

531 ~~(a) The department shall investigate and maintain a~~
532 ~~directory of each qualified public and private rehabilitation~~
533 ~~provider, facility, and agency, and shall establish by rule the~~
534 ~~minimum qualifications, credentials, and requirements that each~~
535 ~~rehabilitation service provider, facility, and agency must~~
536 ~~satisfy to be eligible for listing in the directory. These~~
537 ~~minimum qualifications and credentials must be based on those~~
538 ~~generally accepted within the service specialty for which the~~
539 ~~provider, facility, or agency is approved.~~

540 ~~(b) The department shall impose a biennial application fee~~
541 ~~of \$25 for each listing in the directory, and all such fees must~~
542 ~~be deposited in the Workers' Compensation Administration Trust~~
543 ~~Fund.~~

544 ~~(c) The department shall monitor and evaluate each~~
545 ~~rehabilitation service provider, facility, and agency qualified~~
546 ~~under this subsection to ensure its compliance with the minimum~~
547 ~~qualifications and credentials established by the department.~~
548 ~~The failure of a qualified rehabilitation service provider,~~
549 ~~facility, or agency to provide the department with information~~
550 ~~requested or access necessary for the department to satisfy its~~
551 ~~responsibilities under this subsection is grounds for~~

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552 ~~disqualifying the provider, facility, or agency from further~~
553 ~~referrals.~~

554 ~~(d) A qualified rehabilitation service provider, facility,~~
555 ~~or agency may not be authorized by an employer, a carrier, or~~
556 ~~the department to provide any services, including expert~~
557 ~~testimony, under this section in this state unless the provider,~~
558 ~~facility, or agency is listed or has been approved for listing~~
559 ~~in the directory. This restriction does not apply to services~~
560 ~~provided outside this state under this section.~~

561 ~~(e) The department, after consultation with representatives~~
562 ~~of employees, employers, carriers, rehabilitation providers, and~~
563 ~~qualified training and education providers, shall adopt rules~~
564 ~~governing professional practices and standards.~~

565 ~~(8) CARRIER PRACTICES. The department shall monitor the~~
566 ~~selection of providers and the provision of services by carriers~~
567 ~~under this section for consistency with legislative intent set~~
568 ~~forth in subsection (2).~~

569 ~~(7)~~(9) PERMANENT DISABILITY.—The judge of compensation
570 claims may not adjudicate an injured employee as permanently and
571 totally disabled until or unless the carrier is given the
572 opportunity to provide a reemployment assessment.

573 Section 4. Paragraph (v) of subsection (3) of section
574 413.011, Florida Statutes, is amended to read:

575 413.011 Division of Blind Services, legislative policy,
576 intent; internal organizational structure and powers;
577 Rehabilitation Council for the Blind.—

578 (3) DIVISION STRUCTURE AND DUTIES.—The internal
579 organizational structure of the Division of Blind Services shall
580 be designed for the purpose of ensuring the greatest possible

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581 efficiency and effectiveness of services to the blind and to be
582 consistent with chapter 20. The Division of Blind Services shall
583 plan, supervise, and carry out the following activities:

584 (v) Receive moneys or properties by gift or bequest from
585 any person, firm, corporation, or organization for any of the
586 purposes herein set out, but without authority to bind the state
587 to any expenditure or policy except such as may be specifically
588 authorized by law. All such moneys or properties so received by
589 gift or bequest as herein authorized may be disbursed and
590 expended by the division upon its own warrant for any of the
591 purposes herein set forth, and such moneys or properties shall
592 not constitute or be considered a part of any legislative
593 appropriation made by the state for the purpose of carrying out
594 the provisions of this law. When determined to be in the best
595 interest of the division, the division may lease property
596 received pursuant to this paragraph, and the Department of
597 Education may enter into leases of property and sublease
598 property on behalf of the division. Division and department
599 leases and subleases may be to governmental, public, or
600 nonprofit entities for the provision of blind, education,
601 health, and other social service programs.

602 Section 5. Subsection (2) of section 1004.091, Florida
603 Statutes, is amended to read:

604 1004.091 Florida Distance Learning Consortium.—

605 (2) The Florida Distance Learning Consortium shall:

606 (a) Manage and promote the Florida Higher Education
607 Distance Learning Catalog, established pursuant to s. 1004.09,
608 to help increase student access to undergraduate distance
609 learning courses and degree programs and to assist students

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610 seeking accelerated access in order to complete their degrees.

611 (b) Beginning with the 2011-2012 academic year, implement
612 ~~Develop, in consultation with the Florida College System and the~~
613 ~~State University System, a plan to be submitted to the Board of~~
614 ~~Governors, the State Board of Education, the Governor, the~~
615 ~~President of the Senate, and the Speaker of the House of~~
616 ~~Representatives no later than December 1, 2010, for implementing~~
617 ~~a streamlined, automated, online registration process for~~
618 transient students who are undergraduate students currently
619 enrolled and pursuing a degree at ~~who have been admitted to a~~
620 ~~public postsecondary educational institution and who~~ choose ~~wish~~
621 ~~to enroll in a course listed in the Florida Higher Education~~
622 ~~Distance Learning Catalog~~ which, including courses offered by an
623 ~~institution that is~~ offered by a public postsecondary
624 educational institution that is not the student's degree-
625 ~~granting or home~~ institution. The consortium shall work with the
626 Florida College System and the State University System to
627 implement this admissions application process requiring all
628 state universities and state colleges to: ~~The plan must describe~~
629 ~~how such a registration process can be implemented by the 2011-~~
630 ~~2012 academic year as an alternative to the standard~~
631 ~~registration process of each institution. The plan must also~~
632 ~~address:~~

633 1. Use the transient student admissions application
634 available through the Florida Academic Counseling and Tracking
635 for Students system established pursuant to s. 1007.28. This
636 admissions application shall be the only one required for the
637 enrollment of the transient student defined in this paragraph.

638 2. Implement the financial aid procedures required by the

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639 transient student admissions application process, which must
640 include the involvement of the financial aid officers.

641 3. Transfer credit awarded by the institutions offering the
642 distance learning course to the transient student's degree-
643 granting institution.

644 4. By July 1, 2012, provide for an interface between the
645 institutional system and the Florida Academic Counseling and
646 Tracking for Students system in order to electronically send,
647 receive, and process the transient admissions application.

648 ~~1. Fiscal and substantive policy changes needed to address~~
649 ~~administrative, academic, and programmatic policies and~~
650 ~~procedures. Policy areas that the plan must address include, but~~
651 ~~need not be limited to, student financial aid issues, variations~~
652 ~~in fees, admission and readmission, registration prioritization~~
653 ~~issues, transfer of credit, and graduation requirements, with~~
654 ~~specific attention given to creating recommended guidelines that~~
655 ~~address students who attend more than one institution in pursuit~~
656 ~~of a degree.~~

657 ~~2. A method for the expedited transfer of distance learning~~
658 ~~course credit awarded by an institution offering a distance~~
659 ~~learning course to a student's degree-granting or home~~
660 ~~institution upon the student's successful completion of the~~
661 ~~distance learning course.~~

662 ~~3. Compliance with applicable technology security standards~~
663 ~~and guidelines to ensure the secure transmission of student~~
664 ~~information.~~

665 (c) Coordinate the negotiation of statewide licensing and
666 preferred pricing agreements for distance learning resources and
667 enter into agreements that result in cost savings with distance

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668 learning resource providers so that postsecondary educational
669 institutions have the opportunity to benefit from the cost
670 savings.

671 (d)1. Develop and operate a central instructional content
672 repository that allows public school and postsecondary
673 educational institution users ~~faculty~~ to search, locate, ~~and~~
674 use, and contribute digital and electronic instructional
675 resources and content, including open access textbooks. In the
676 development of the ~~a~~ repository, the consortium shall identify
677 and seek partnerships ~~with similar national, state, and regional~~
678 ~~repositories~~ for the purpose of sharing instructional content.
679 The consortium shall collaborate with the public ~~postsecondary~~
680 educational institutions to ensure that the repository:

681 a. Is accessible by the ~~Integrates with multiple~~ learning
682 management systems used by the public postsecondary educational
683 institutions and the local instructional improvement systems
684 established pursuant to s. 1006.281.

685 b. Allows institutions to set appropriate copyright and
686 access restrictions and track content usage.

687 c. Allows for appropriate customization.

688 d. Supports established protocols to access instructional
689 content within other repositories.

690 2. Provide to ~~Develop, in consultation with the~~ chancellors
691 of the Florida College System and the State University System,
692 recommendations ~~a plan~~ for promoting and increasing the use of
693 open access textbooks as a method for reducing textbook costs.
694 The recommendations ~~plan shall be submitted to the Board of~~
695 ~~Governors, the State Board of Education, the Office of Policy~~
696 ~~and Budget in the Executive Office of the Governor, the chair of~~

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697 ~~the Senate Policy and Steering Committee on Ways and Means, and~~
698 ~~the chair of the House Full Appropriations Council on Education~~
699 ~~& Economic Development no later than March 1, 2010, and shall~~
700 include:

701 ~~a. An inventory of existing open access textbooks.~~

702 ~~a.b.~~ The A listing of undergraduate courses, in particular
703 the general education courses, that would be recommended for the
704 use of open access textbooks.

705 ~~b.e.~~ A standardized process for the review and approval of
706 open access textbooks.

707 ~~d. Recommendations for encouraging and promoting faculty~~
708 ~~development and use of open access textbooks.~~

709 ~~e. Identification of barriers to the implementation of open~~
710 ~~access textbooks.~~

711 ~~c.f.~~ Strategies for the production and distribution of open
712 access textbooks to ensure such textbooks may be easily
713 accessed, downloaded, printed, or obtained as a bound version by
714 students at either reduced or no cost.

715 ~~g. Identification of the necessary technology security~~
716 ~~standards and guidelines to safeguard the use of open access~~
717 ~~textbooks.~~

718 (e) Identify and evaluate new technologies and
719 instructional methods that can be used for improving distance
720 learning instruction, student learning, and the overall quality
721 of undergraduate distance learning courses and degree programs.

722 (f) Identify methods that will improve student access to
723 and completion of undergraduate distance learning courses and
724 degree programs.

725 Section 6. Section 1004.649, Florida Statutes, is created

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726 to read:

727 1004.649 Northwest Regional Data Center.—

728 (1) For the purpose of serving its state agency customers,
729 the Northwest Regional Data Center at Florida State University
730 is designated as a primary data center and shall comply with the
731 following:

732 (a) Operates under a governance structure that represents
733 its customers proportionally.

734 (b) Maintains an appropriate cost-allocation methodology
735 that accurately bills state agency customers based solely on the
736 actual direct and indirect costs of the services provided to
737 state agency customers, and prohibits the subsidization of
738 nonstate agency customers' costs by state agency customers.

739 (c) Enters into a service-level agreement with each state
740 agency customer to provide services as defined and approved by
741 the governing board of the center. At a minimum, such service-
742 level agreements must:

743 1. Identify the parties and their roles, duties, and
744 responsibilities under the agreement;

745 2. State the duration of the agreement term and specify the
746 conditions for renewal;

747 3. Identify the scope of work;

748 4. Establish the services to be provided, the business
749 standards that must be met for each service, the cost of each
750 service, and the process by which the business standards for
751 each service are to be objectively measured and reported;

752 5. Provide a timely billing methodology for recovering the
753 cost of services provided; and

754 6. Provide a procedure for modifying the service-level

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755 agreement to address any changes in projected costs of service.

756 (d) Provides to the Board of Governors the total annual
757 budget by major expenditure category, including, but not limited
758 to, salaries, expenses, operating capital outlay, contracted
759 services, or other personnel services by July 30 each fiscal
760 year.

761 (e) Provides to each state agency customer its projected
762 annual cost for providing the agreed-upon data center services
763 by August 1 each fiscal year.

764 (2) The Northwest Regional Data Center's designation as a
765 primary data center for purposes of serving its state agency
766 customers may be terminated if:

767 (a) The center requests such termination to the Board of
768 Governors, the Senate President, and the Speaker of the House of
769 Representatives; or

770 (b) The center fails to comply with the provisions of this
771 section.

772 (3) If such designation is terminated, the center shall
773 have 1 year to provide for the transition of its state agency
774 customers to the Southwood Shared Resource Center or the
775 Northwood Shared Resource Center.

776 Section 7. Subsection (7) is added to section 1006.72,
777 Florida Statutes, to read:

778 1006.72 Licensing electronic library resources.—

779 (7) REPORT.—The chancellors and vice chancellors of the
780 Florida College System and the State University System shall
781 annually report to the Executive Office of the Governor and the
782 chairs of the legislative appropriations committees the cost
783 savings realized as a result of the collaborative licensing

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784 process identified in this section.

785 Section 8. Subsection (5) is added to section 1007.28,
786 Florida Statutes, to read:

787 1007.28 Computer-assisted student advising system.—The
788 Department of Education, in conjunction with the Board of
789 Governors, shall establish and maintain a single, statewide
790 computer-assisted student advising system, which must be an
791 integral part of the process of advising, registering, and
792 certifying students for graduation and must be accessible to all
793 Florida students. The state universities and community colleges
794 shall interface institutional systems with the computer-assisted
795 advising system required by this section. The State Board of
796 Education and the Board of Governors shall specify in the
797 statewide articulation agreement required by s. 1007.23(1) the
798 roles and responsibilities of the department, the state
799 universities, and the community colleges in the design,
800 implementation, promotion, development, and analysis of the
801 system. The system shall consist of a degree audit and an
802 articulation component that includes the following
803 characteristics:

804 (5) The system must provide the admissions application for
805 transient students who are undergraduate students currently
806 enrolled and pursuing a degree at a public postsecondary
807 educational institution and who want to enroll in a course
808 listed in the Florida Higher Education Distance Learning Catalog
809 which is offered by a public postsecondary educational
810 institution that is not the student's degree-granting
811 institution. This system must include the electronic transfer
812 and receipt of information and records for the following

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813 functions:

814 (a) Admissions and readmissions;

815 (b) Financial aid; and

816 (c) Transfer of credit awarded by the institution offering
817 the distance learning course to the transient student's degree-
818 granting institution.

819 Section 9. Paragraph (g) of subsection (3) of section
820 1009.605, Florida Statutes, is amended to read:

821 1009.605 Florida Fund for Minority Teachers, Inc.—

822 (3) A board of directors shall administer the corporation.
823 The Governor shall appoint to the board at least 15 but not more
824 than 25 members, who shall serve terms of 3 years, except that 4
825 of the initial members shall serve 1-year terms and 4 shall
826 serve 2-year terms. At least 4 members must be employed by
827 public community colleges and at least 11 members must be
828 employed by public or private postsecondary institutions that
829 operate colleges of education. At least one member must be a
830 financial aid officer employed by a postsecondary education
831 institution operating in Florida. Administrative costs for
832 support of the Board of Directors and the Florida Fund for
833 Minority Teachers may not exceed 5 percent of funds allocated
834 for the program. The board shall:

835 (g) Carry out the training program as required for the
836 minority teacher education scholars program. No more than 5
837 percent of the funds appropriated and up to \$100,000 from other
838 available funds for the minority teacher education scholars
839 program may be expended annually for administration, including
840 administration of the required training program.

841 Section 10. Section 1009.215, Florida Statutes, is created

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842 to read:

843 1009.215 Student enrollment pilot program for the spring
844 and summer terms.-

845 (1) Subject to approval by the Board of Governors, the
846 University of Florida may plan and implement a student
847 enrollment pilot program for the spring and summer terms for the
848 purpose of aligning on-campus student enrollment and the
849 availability of instructional facilities.

850 (2) The pilot program shall provide for a student cohort
851 that is limited to on-campus enrollment during the spring and
852 summer terms. Students in this cohort are not eligible for on-
853 campus enrollment during the fall term.

854 (3) Students who are enrolled in the pilot program and who
855 are eligible to receive Bright Futures Scholarships under ss.
856 1009.53-1009.536 shall be eligible to receive the scholarship
857 award for attendance in the spring and summer terms, but are not
858 eligible to receive the scholarship for attendance during the
859 fall term.

860 (4) By January 31, 2013, the University of Florida shall
861 report to the Board of Governors, the President of the Senate,
862 and the Speaker of the House of Representatives regarding the
863 result of the pilot program.

864 Section 11. Paragraphs (a) and (c) of subsection (3) and
865 subsections (6) and (10) of section 1009.22, Florida Statutes,
866 are amended, present subsection (12) of that section is
867 redesignated as subsection (13), and a new subsection (12) is
868 added to that section, to read:

869 1009.22 Workforce education postsecondary student fees.-

870 (3) (a) Except as otherwise provided by law, fees for

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871 students who are nonresidents for tuition purposes must offset
872 the full cost of instruction. Residency of students shall be
873 determined as required in s. 1009.21. Fee-nonexempt students
874 enrolled in vocational-preparatory instruction shall be charged
875 fees equal to the fees charged for adult general education
876 programs ~~certificate career education instruction~~. Each
877 community college that conducts college-preparatory and
878 vocational-preparatory instruction in the same class section may
879 charge a single fee for both types of instruction.

880 (c) Effective July 1, 2011, for programs leading to a
881 career certificate or an applied technology diploma, the
882 standard tuition shall be \$2.22 per contact hour for residents
883 and nonresidents and the out-of-state fee shall be \$6.66 per
884 contact hour. For adult general education programs, a block
885 tuition of \$45 per half year or \$30 per term shall be assessed
886 for residents and nonresidents, and the out-of-state fee shall
887 be \$135 per half year or \$90 per term. Each district school
888 board and Florida College System institution board of trustees
889 shall adopt policies and procedures for the collection of and
890 accounting for the expenditure of the block tuition. All funds
891 received from the block tuition shall be used only for adult
892 general education programs. Students enrolled in adult general
893 education programs may not be assessed the fees authorized in
894 subsection (5), subsection (6), or subsection (7). ~~Effective~~
895 ~~January 1, 2008, standard tuition shall be \$1.67 per contact~~
896 ~~hour for programs leading to a career certificate or an applied~~
897 ~~technology diploma and 83 cents for adult general education~~
898 ~~programs. The out-of-state fee per contact hour shall be three~~
899 ~~times the standard tuition per contact hour.~~

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900 (6) (a) Each district school board and community college
901 board of trustees may establish a separate fee for capital
902 improvements, technology enhancements, ~~or~~ equipping buildings,
903 or the acquisition of improved real property which may not
904 exceed 5 percent of tuition for resident students or 5 percent
905 of tuition and out-of-state fees for nonresident students. Funds
906 collected by community colleges through the fee may be bonded
907 only for the purpose of financing or refinancing new
908 construction and equipment, renovation, ~~or~~ remodeling of
909 educational facilities, or the acquisition of improved real
910 property for use as educational facilities. The fee shall be
911 collected as a component part of the tuition and fees, paid into
912 a separate account, and expended only to acquire improved real
913 property or construct and equip, maintain, improve, or enhance
914 the certificate career education or adult education facilities
915 of the school district or the educational facilities of the
916 community college. Projects and acquisitions of improved real
917 property funded through the use of the capital improvement fee
918 must meet the survey and construction requirements of chapter
919 1013. Pursuant to s. 216.0158, each district school board and
920 community college board of trustees shall identify each project,
921 including maintenance projects, proposed to be funded in whole
922 or in part by such fee. Capital improvement fee revenues may be
923 pledged by a board of trustees as a dedicated revenue source to
924 the repayment of debt, including lease-purchase agreements, with
925 an overall term of not more than 7 years, including renewals,
926 extensions, and refundings, and revenue bonds with a term not
927 exceeding 20 years and not exceeding the useful life of the
928 asset being financed, only for the new construction and

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929 equipment, renovation, or remodeling of educational facilities.
930 Bonds authorized pursuant to this paragraph shall be requested
931 by the community college board of trustees and shall be issued
932 by the Division of Bond Finance in compliance with s. 11(d),
933 Art. VII of the State Constitution and the State Bond Act. The
934 Division of Bond Finance may pledge fees collected by one or
935 more community colleges to secure such bonds. Any project
936 included in the approved educational plant survey pursuant to
937 chapter 1013 is approved pursuant to s. 11(f), Art. VII of the
938 State Constitution. Bonds issued pursuant to the State Bond Act
939 may be validated in the manner provided by chapter 75. The
940 complaint for such validation shall be filed in the circuit
941 court of the county where the seat of state government is
942 situated, the notice required to be published by s. 75.06 shall
943 be published only in the county where the complaint is filed,
944 and the complaint and order of the circuit court shall be served
945 only on the state attorney of the circuit in which the action is
946 pending. A maximum of 15 cents per credit hour may be allocated
947 from the capital improvement fee for child care centers
948 conducted by the district school board or community college
949 board of trustees. The use of capital improvement fees for such
950 purpose shall be subordinate to the payment of any bonds secured
951 by the fees.

952 (b) The state does hereby covenant with the holders of the
953 bonds issued under paragraph (a) that it will not take any
954 action that will materially and adversely affect the rights of
955 such holders so long as the bonds authorized by paragraph (a)
956 are outstanding.

957 (10) Each school district and community college may assess

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958 a service charge for the payment of tuition and fees in
959 installments and a convenience fee for the processing of
960 automated or online credit card payments. However, the amount of
961 the convenience fee for automated or online credit card payments
962 may not exceed the total cost charged by the credit card company
963 to the school district or Florida College System institution.
964 Such service charge or convenience fee must be approved by the
965 district school board or community college board of trustees.

966 (12) (a) The Board of Trustees of Santa Fe College may
967 establish a transportation access fee. Revenue from the fee may
968 be used only to provide or improve access to transportation
969 services for students enrolled at Santa Fe College. The fee may
970 not exceed \$6 per credit hour. An increase in the transportation
971 access fee may occur only once each fiscal year and must be
972 implemented beginning with the fall term. A referendum must be
973 held by the student government to approve the application of the
974 fee.

975 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
976 the transportation access fee authorized under paragraph (a) may
977 not be included in calculating the amount a student receives for
978 a Florida Academic Scholars award, a Florida Medallion Scholars
979 award, or a Florida Gold Seal Vocational Scholars award.

980 Section 12. Paragraphs (a) and (b) of subsection (3),
981 paragraph (c) of subsection (8), and paragraph (a) of subsection
982 (11) of section 1009.23, Florida Statutes, are amended, present
983 subsection (17) of that section is redesignated as subsection
984 (19), and new subsections (17) and (18) are added to that
985 section, to read:

986 1009.23 Community college student fees.—

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987 (3) (a) Effective July 1, 2011 ~~January 1, 2008~~, for advanced
988 and professional, postsecondary vocational, college preparatory,
989 and educator preparation institute programs, ~~the following~~
990 ~~tuition and fee rates shall apply:~~

991 1. ~~the standard tuition shall be \$68.56 per credit hour for~~
992 ~~residents and nonresidents, and the out-of-state fee shall be~~
993 ~~\$205.82 per credit hour \$51.35 per credit hour for students who~~
994 ~~are residents for tuition purposes.~~

995 2. ~~The standard tuition shall be \$51.35 per credit hour and~~
996 ~~the out-of-state fee shall be \$154.14 per credit hour for~~
997 ~~students who are nonresidents for tuition purposes.~~

998 (b) Effective July 1, 2011 ~~January 1, 2008~~, for
999 baccalaureate degree programs, the following tuition and fee
1000 rates shall apply:

1001 1. The tuition shall be \$87.42 ~~\$65.47~~ per credit hour for
1002 students who are residents for tuition purposes.

1003 2. The sum of the tuition and the out-of-state fee per
1004 credit hour for students who are nonresidents for tuition
1005 purposes shall be no more than 85 percent of the sum of the
1006 tuition and the out-of-state fee at the state university nearest
1007 the community college.

1008 (8)

1009 (c) Up to 25 percent or \$600,000, whichever is greater, of
1010 the financial aid fees collected may be used to assist students
1011 who demonstrate academic merit; who participate in athletics,
1012 public service, cultural arts, and other extracurricular
1013 programs as determined by the institution; or who are identified
1014 as members of a targeted gender or ethnic minority population.
1015 The financial aid fee revenues allocated for athletic

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1016 scholarships and any fee exemptions provided to athletes
1017 pursuant to s. 1009.25 (2) ~~(3)~~ must ~~for athletes~~ shall be
1018 distributed equitably as required by s. 1000.05(3)(d). A minimum
1019 of 75 percent of the balance of these funds for new awards shall
1020 be used to provide financial aid based on absolute need, and the
1021 remainder of the funds shall be used for academic merit purposes
1022 and other purposes approved by the boards of trustees. Such
1023 other purposes shall include the payment of child care fees for
1024 students with financial need. The State Board of Education shall
1025 develop criteria for making financial aid awards. Each college
1026 shall report annually to the Department of Education on the
1027 revenue collected pursuant to this paragraph, the amount carried
1028 forward, the criteria used to make awards, the amount and number
1029 of awards for each criterion, and a delineation of the
1030 distribution of such awards. The report shall include an
1031 assessment by category of the financial need of every student
1032 who receives an award, regardless of the purpose for which the
1033 award is received. Awards that ~~which~~ are based on financial need
1034 shall be distributed in accordance with a nationally recognized
1035 system of need analysis approved by the State Board of
1036 Education. An award for academic merit requires ~~shall require~~ a
1037 minimum overall grade point average of 3.0 on a 4.0 scale or the
1038 equivalent for both initial receipt of the award and renewal of
1039 the award.

1040 (11)(a) Each community college board of trustees may
1041 establish a separate fee for capital improvements, technology
1042 enhancements, ~~or~~ equipping student buildings, or the acquisition
1043 of improved real property which may not exceed 10 percent of
1044 tuition for resident students or 10 percent of the sum of

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1045 tuition and out-of-state fees for nonresident students. The fee
1046 for resident students shall be limited to an increase of \$2 per
1047 credit hour over the prior year. Funds collected by community
1048 colleges through the fee may be bonded only as provided in this
1049 subsection for the purpose of financing or refinancing new
1050 construction and equipment, renovation, ~~or~~ remodeling of
1051 educational facilities, or the acquisition and renovation or
1052 remodeling of improved real property for use as educational
1053 facilities. The fee shall be collected as a component part of
1054 the tuition and fees, paid into a separate account, and expended
1055 only to acquire improved real property or construct and equip,
1056 maintain, improve, or enhance the educational facilities of the
1057 community college. Projects and acquisitions of improved real
1058 property funded through the use of the capital improvement fee
1059 shall meet the survey and construction requirements of chapter
1060 1013. Pursuant to s. 216.0158, each community college shall
1061 identify each project, including maintenance projects, proposed
1062 to be funded in whole or in part by such fee.

1063 (17) Each Florida College System institution that accepts
1064 transient students, pursuant to s. 1004.091, may establish a
1065 transient student fee not to exceed \$5 per distance learning
1066 course for processing the transient student admissions
1067 application.

1068 (18) (a) The Board of Trustees of Santa Fe College may
1069 establish a transportation access fee. Revenue from the fee may
1070 be used only to provide or improve access to transportation
1071 services for students enrolled at Santa Fe College. The fee may
1072 not exceed \$6 per credit hour. An increase in the transportation
1073 access fee may occur only once each fiscal year and must be

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1074 implemented beginning with the fall term. A referendum must be
1075 held by the student government to approve the application of the
1076 fee.

1077 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
1078 the transportation access fee authorized under paragraph (a) may
1079 not be included in calculating the amount a student receives for
1080 a Florida Academic Scholars award, a Florida Medallion Scholars
1081 award, or a Florida Gold Seal Vocational Scholars award.

1082 Section 13. Paragraph (a) of subsection (4) and paragraph
1083 (a) of subsection (16) of section 1009.24, Florida Statutes, are
1084 amended, and paragraph (t) is added to subsection (14) of that
1085 section, to read:

1086 1009.24 State university student fees.—

1087 (4) (a) Effective July 1, 2011, ~~January 1, 2008~~, the
1088 resident undergraduate tuition for lower-level and upper-level
1089 coursework shall be \$103.32 ~~\$77.39~~ per credit hour.

1090 (14) Except as otherwise provided in subsection (15), each
1091 university board of trustees is authorized to establish the
1092 following fees:

1093 (t) A transient student fee that may not exceed \$5 per
1094 distance learning course for accepting a transient student and
1095 processing the transient student admissions application pursuant
1096 to s. 1004.091.

1097
1098 With the exception of housing rental rates and except as
1099 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)
1100 shall be based on reasonable costs of services. The Board of
1101 Governors shall adopt regulations and timetables necessary to
1102 implement the fees and fines authorized under this subsection.

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1103 The fees assessed under this subsection may be used for debt
1104 only as authorized under s. 1010.62.

1105 (16) Each university board of trustees may establish a
1106 tuition differential for undergraduate courses upon receipt of
1107 approval from the Board of Governors. The tuition differential
1108 shall promote improvements in the quality of undergraduate
1109 education and shall provide financial aid to undergraduate
1110 students who exhibit financial need.

1111 (a) Seventy percent of the revenues from the tuition
1112 differential shall be expended for purposes of undergraduate
1113 education. Such expenditures may include, but are not limited
1114 to, increasing course offerings, improving graduation rates,
1115 increasing the percentage of undergraduate students who are
1116 taught by faculty, decreasing student-faculty ratios, providing
1117 salary increases for faculty who have a history of excellent
1118 teaching in undergraduate courses, improving the efficiency of
1119 the delivery of undergraduate education through academic
1120 advisement and counseling, and reducing the percentage of
1121 students who graduate with excess hours. This expenditure for
1122 undergraduate education may not be used to pay the salaries of
1123 graduate teaching assistants. Except as otherwise provided in
1124 this subsection, the remaining 30 percent of the revenues from
1125 the tuition differential, or the equivalent amount of revenue
1126 from private sources, shall be expended to provide financial aid
1127 to undergraduate students who exhibit financial need, including
1128 students who are scholarship recipients under s. 1009.984, to
1129 meet the cost of university attendance. This expenditure for
1130 need-based financial aid shall not supplant the amount of need-
1131 based aid provided to undergraduate students in the preceding

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1132 fiscal year from financial aid fee revenues, the direct
1133 appropriation for financial assistance provided to state
1134 universities in the General Appropriations Act, or from private
1135 sources. The total amount of tuition differential waived under
1136 subparagraph (b)8. may be included in calculating the
1137 expenditures for need-based financial aid to undergraduate
1138 students required by this subsection. If the entire tuition and
1139 fee costs of resident students who have applied for and received
1140 Pell Grant funds have been met and the university has excess
1141 funds remaining from the 30 percent of the revenues from the
1142 tuition differential required to be used to assist students who
1143 exhibit financial need, the university may expend the excess
1144 portion in the same manner as required for the other 70 percent
1145 of the tuition differential revenues.

1146 Section 14. Section 1009.25, Florida Statutes, is amended
1147 to read:

1148 1009.25 Fee exemptions.—

1149 ~~(1) The following Students are exempt from any requirement~~
1150 ~~for the payment of tuition and fees, including lab fees, for~~
1151 ~~adult basic, adult secondary, or career preparatory instruction:~~

1152 ~~(a) A student who does not have a high school diploma or~~
1153 ~~its equivalent.~~

1154 ~~(b) A student who has a high school diploma or its~~
1155 ~~equivalent and who has academic skills at or below the eighth~~
1156 ~~grade level pursuant to state board rule. A student is eligible~~
1157 ~~for this exemption from fees if the student's skills are at or~~
1158 ~~below the eighth grade level as measured by a test administered~~
1159 ~~in the English language and approved by the Department of~~
1160 ~~Education, even if the student has skills above that level when~~

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1161 ~~tested in the student's native language.~~

1162 (1)~~(2)~~ The following students are exempt from the payment
1163 of tuition and fees, including lab fees, at a school district
1164 that provides postsecondary career programs, community college,
1165 or state university:

1166 (a) A student enrolled in a dual enrollment or early
1167 admission program pursuant to s. 1007.27 or s. 1007.271.

1168 (b) A student enrolled in an approved apprenticeship
1169 program, as defined in s. 446.021.

1170 (c) A student who is or was at the time he or she reached
1171 18 years of age in the custody of the Department of Children and
1172 Family Services or who, after spending at least 6 months in the
1173 custody of the department after reaching 16 years of age, was
1174 placed in a guardianship by the court. Such exemption includes
1175 fees associated with enrollment in career-preparatory
1176 instruction. The exemption remains valid until the student
1177 reaches 28 years of age.

1178 (d) A student who is or was at the time he or she reached
1179 18 years of age in the custody of a relative under s. 39.5085 or
1180 who was adopted from the Department of Children and Family
1181 Services after May 5, 1997. Such exemption includes fees
1182 associated with enrollment in career-preparatory instruction.
1183 The exemption remains valid until the student reaches 28 years
1184 of age.

1185 (e) A student enrolled in an employment and training
1186 program under the welfare transition program. The regional
1187 workforce board shall pay the state university, community
1188 college, or school district for costs incurred for welfare
1189 transition program participants.

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1190 (f) A student who lacks a fixed, regular, and adequate
1191 nighttime residence or whose primary nighttime residence is a
1192 public or private shelter designed to provide temporary
1193 residence for individuals intended to be institutionalized, or a
1194 public or private place not designed for, or ordinarily used as,
1195 a regular sleeping accommodation for human beings.

1196 (g) A student who is a proprietor, owner, or worker of a
1197 company whose business has been at least 50 percent negatively
1198 financially impacted by the buyout of property around Lake
1199 Apopka by the State of Florida. Such student may receive a fee
1200 exemption only if the student has not received compensation
1201 because of the buyout, the student is designated a Florida
1202 resident for tuition purposes, pursuant to s. 1009.21, and the
1203 student has applied for and been denied financial aid, pursuant
1204 to s. 1009.40, which would have provided, at a minimum, payment
1205 of all student fees. The student is responsible for providing
1206 evidence to the postsecondary education institution verifying
1207 that the conditions of this paragraph have been met, including
1208 supporting documentation provided by the Department of Revenue.
1209 The student must be currently enrolled in, or begin coursework
1210 within, a program area by fall semester 2000. The exemption is
1211 valid for a period of 4 years after the date that the
1212 postsecondary education institution confirms that the conditions
1213 of this paragraph have been met.

1214 (2)~~(3)~~ Each community college is authorized to grant
1215 student fee exemptions from all fees adopted by the State Board
1216 of Education and the community college board of trustees for up
1217 to 40 full-time equivalent students at each institution.

1218 Section 15. Subsection (8) of section 1009.26, Florida

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1219 Statutes, is amended to read:

1220 1009.26 Fee waivers.—

1221 (8) A state university or community college shall waive
1222 undergraduate tuition for each recipient of a Purple Heart or
1223 another combat decoration superior in precedence who:

1224 (a) Is enrolled as a full-time, part-time, or summer-school
1225 student in an undergraduate program that terminates in a degree
1226 or certificate;

1227 (b) Is currently, and was at the time of the military
1228 action that resulted in the awarding of the Purple Heart or
1229 other combat decoration superior in precedence, a resident of
1230 this state; and

1231 (c) Submits to the state university or the community
1232 college the DD-214 form issued at the time of separation from
1233 service as documentation that the student has received a Purple
1234 Heart or another combat decoration superior in precedence. If
1235 the DD-214 is not available, other documentation may be
1236 acceptable if recognized by the United States Department of
1237 Defense or the United States Department of Veterans Affairs as
1238 documenting the award.

1239

1240 Such a waiver for a Purple Heart recipient or recipient of
1241 another combat decoration superior in precedence shall be
1242 applicable for 110 percent of the number of required credit
1243 hours of the degree or certificate program for which the student
1244 is enrolled.

1245 Section 16. Subsections (2) and (7) of section 1009.286,
1246 Florida Statutes, are amended to read:

1247 1009.286 Additional student payment for hours exceeding

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1248 baccalaureate degree program completion requirements at state
1249 universities.-

1250 (2) State universities shall require a student to pay an
1251 excess hour surcharge equal to 100 ~~50~~ percent of the tuition
1252 rate for each credit hour in excess of 115 ~~120~~ percent of the
1253 number of credit hours required to complete the baccalaureate
1254 degree program in which the student is enrolled.

1255 (7) The provisions of this section become effective for
1256 students who enter a community college or a state university for
1257 the first time in the 2011-2012 ~~2009-2010~~ academic year and
1258 thereafter.

1259 Section 17. Paragraphs (b) and (c) of subsection (6) of
1260 section 1009.531, Florida Statutes, are amended, and subsection
1261 (7) is added to that section, to read:

1262 1009.531 Florida Bright Futures Scholarship Program;
1263 student eligibility requirements for initial awards.-

1264 (6)

1265 (b) The State Board of Education shall publicize the
1266 examination score required for a student to be eligible for a
1267 Florida Medallion Scholars award, pursuant to s. 1009.535(1) (a)
1268 or (b), as follows:

1269 1. For high school students graduating in the 2010-2011
1270 academic year, the student must earn an SAT score of 970 or a
1271 concordant ACT score of 20 or the student in a home education
1272 program whose parent cannot document a college-preparatory
1273 curriculum must earn an SAT score of 1070 or a concordant ACT
1274 score of 23.

1275 2. For high school students graduating in the 2011-2012
1276 academic year, the student must earn an SAT score of 980 which

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1277 corresponds to the 44th SAT percentile rank or a concordant ACT
1278 score of 21 or the student in a home education program whose
1279 parent cannot document a college-preparatory curriculum must
1280 earn an SAT score of 1070 or a concordant ACT score of 23.

1281 3. For high school students graduating in the 2012-2013
1282 academic year, the student must earn an SAT score of 1020 which
1283 corresponds to the 51st ~~50th~~ SAT percentile rank or a concordant
1284 ACT score of 22 or the student in a home education program whose
1285 parent cannot document a college-preparatory curriculum must
1286 earn an SAT score of 1070 or a concordant ACT score of 23.

1287 4. For high school students graduating in the 2013-2014
1288 academic year and thereafter, the student must earn an SAT score
1289 of 1170 ~~1050~~ which corresponds to the 75th ~~56th~~ SAT percentile
1290 rank or a concordant ACT score of 26 ~~23~~ or the student in a home
1291 education program whose parent cannot document a college-
1292 preparatory curriculum must earn an SAT score of 1220 ~~1100~~ or a
1293 concordant ACT score of 27 ~~24~~.

1294 (c) The SAT percentile ranks and corresponding SAT scores
1295 specified in paragraphs (a) and (b) are based on the SAT
1296 percentile ranks for 2010 ~~2009~~ college-bound seniors in critical
1297 reading and mathematics as reported by the College Board. The
1298 next highest SAT score is used when the percentile ranks do not
1299 directly correspond.

1300 (7) To be eligible for an award under the Florida Bright
1301 Futures Scholarship Program, a student must submit a Free
1302 Application for Federal Student Aid which is complete and error
1303 free prior to disbursement.

1304 Section 18. Subsection (1) of section 1009.534, Florida
1305 Statutes, is amended to read:

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1306 1009.534 Florida Academic Scholars award.—

1307 (1) A student is eligible for a Florida Academic Scholars
1308 award if the student meets the general eligibility requirements
1309 for the Florida Bright Futures Scholarship Program and the
1310 student:

1311 (a) Has achieved a 3.5 weighted grade point average as
1312 calculated pursuant to s. 1009.531, or its equivalent, in high
1313 school courses that are designated by the State Board of
1314 Education as college-preparatory academic courses; and has
1315 attained at least the score pursuant to s. 1009.531(6) (a) on the
1316 combined verbal and quantitative parts of the Scholastic
1317 Aptitude Test, the Scholastic Assessment Test, or the recentered
1318 Scholastic Assessment Test of the College Entrance Examination,
1319 or an equivalent score on the ACT Assessment Program;

1320 (b) Has attended a home education program according to s.
1321 1002.41 during grades 11 and 12 or has completed the
1322 International Baccalaureate curriculum but failed to earn the
1323 International Baccalaureate Diploma or has completed the
1324 Advanced International Certificate of Education curriculum but
1325 failed to earn the Advanced International Certificate of
1326 Education Diploma, and has attained at least the score pursuant
1327 to s. 1009.531(6) (a) on the combined verbal and quantitative
1328 parts of the Scholastic Aptitude Test, the Scholastic Assessment
1329 Test, or the recentered Scholastic Assessment Test of the
1330 College Entrance Examination, or an equivalent score on the ACT
1331 Assessment Program;

1332 (c) Has been awarded an International Baccalaureate Diploma
1333 from the International Baccalaureate Office or an Advanced
1334 International Certificate of Education Diploma from the

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1335 University of Cambridge International Examinations Office;
1336 (d) Has been recognized by the merit or achievement
1337 programs of the National Merit Scholarship Corporation as a
1338 scholar or finalist; or

1339 (e) Has been recognized by the National Hispanic
1340 Recognition Program as a scholar recipient.

1341
1342 A student must complete a program of community service work, as
1343 approved by the district school board or the administrators of a
1344 nonpublic school, which shall include a minimum of 75 hours of
1345 service work for high school students graduating in the 2010-
1346 2011 academic year and 100 hours of service work for high school
1347 students graduating in the 2011-2012 academic year and
1348 thereafter, and must ~~and require the student to~~ identify a
1349 social problem that interests him or her, develop a plan for his
1350 or her personal involvement in addressing the problem, and,
1351 through papers or other presentations, evaluate and reflect upon
1352 his or her experience.

1353 Section 19. Subsection (1) of section 1009.535, Florida
1354 Statutes, is amended to read:

1355 1009.535 Florida Medallion Scholars award.-

1356 (1) A student is eligible for a Florida Medallion Scholars
1357 award if the student meets the general eligibility requirements
1358 for the Florida Bright Futures Scholarship Program and the
1359 student:

1360 (a) Has achieved a weighted grade point average of 3.0 as
1361 calculated pursuant to s. 1009.531, or the equivalent, in high
1362 school courses that are designated by the State Board of
1363 Education as college-preparatory academic courses; and has

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1364 attained at least the score pursuant to s. 1009.531(6) (b) on the
1365 combined verbal and quantitative parts of the Scholastic
1366 Aptitude Test, the Scholastic Assessment Test, or the recentered
1367 Scholastic Assessment Test of the College Entrance Examination,
1368 or an equivalent score on the ACT Assessment Program;

1369 (b) Has completed the International Baccalaureate
1370 curriculum but failed to earn the International Baccalaureate
1371 Diploma or has completed the Advanced International Certificate
1372 of Education curriculum but failed to earn the Advanced
1373 International Certificate of Education Diploma, and has attained
1374 at least the score pursuant to s. 1009.531(6) (b) on the combined
1375 verbal and quantitative parts of the Scholastic Aptitude Test,
1376 the Scholastic Assessment Test, or the recentered Scholastic
1377 Assessment Test of the College Entrance Examination, or an
1378 equivalent score on the ACT Assessment Program;

1379 (c) Has attended a home education program according to s.
1380 1002.41 during grades 11 and 12 and has attained at least the
1381 score pursuant to s. 1009.531(6) (b) on the combined verbal and
1382 quantitative parts of the Scholastic Aptitude Test, the
1383 Scholastic Assessment Test, or the recentered Scholastic
1384 Assessment Test of the College Entrance Examination, or an
1385 equivalent score on the ACT Assessment Program, if the student's
1386 parent cannot document a college-preparatory curriculum as
1387 described in paragraph (a);

1388 (d) Has been recognized by the merit or achievement program
1389 of the National Merit Scholarship Corporation as a scholar or
1390 finalist but has not completed a program of community service as
1391 provided in s. 1009.534; or

1392 (e) Has been recognized by the National Hispanic

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1393 Recognition Program as a scholar, but has not completed a
1394 program of community service as provided in s. 1009.534.

1395
1396 A high school student graduating in the 2011-2012 academic year
1397 and thereafter must complete a program of community service work
1398 approved by the district school board or the administrators of a
1399 nonpublic school, which shall include a minimum of 75 hours of
1400 service work, and must identify a social problem that interests
1401 him or her, develop a plan for his or her personal involvement
1402 in addressing the problem, and, through papers or other
1403 presentations, evaluate and reflect upon his or her experience.

1404 Section 20. Paragraph (e) is added to subsection (1) of
1405 section 1009.536, Florida Statutes, to read:

1406 1009.536 Florida Gold Seal Vocational Scholars award.—The
1407 Florida Gold Seal Vocational Scholars award is created within
1408 the Florida Bright Futures Scholarship Program to recognize and
1409 reward academic achievement and career preparation by high
1410 school students who wish to continue their education.

1411 (1) A student is eligible for a Florida Gold Seal
1412 Vocational Scholars award if the student meets the general
1413 eligibility requirements for the Florida Bright Futures
1414 Scholarship Program and the student:

1415 (e) Beginning with high school students graduating in the
1416 2011-2012 academic year and thereafter, completes a program of
1417 community service work approved by the district school board or
1418 the administrators of a nonpublic school, which shall include a
1419 minimum of 30 hours of service work, and identifies a social
1420 problem that interests him or her, develops a plan for his or
1421 her personal involvement in addressing the problem, and, through

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1422 papers or other presentations, evaluates and reflects upon his
1423 or her experience.

1424 Section 21. Subsection (4) is added to section 1009.55,
1425 Florida Statutes, to read:

1426 1009.55 Rosewood Family Scholarship Program.—

1427 (4) Funding for the program shall be as provided in the
1428 General Appropriations Act.

1429 Section 22. Subsection (7) is added to section 1009.56,
1430 Florida Statutes, to read:

1431 1009.56 Seminole and Miccosukee Indian Scholarships.—

1432 (7) Funding for the program shall be as provided in the
1433 General Appropriations Act.

1434 Section 23. Subsection (3) is added to section 1009.57,
1435 Florida Statutes, to read:

1436 1009.57 Florida Teacher Scholarship and Forgivable Loan
1437 Program.—

1438 (3) Funding for the program shall be as provided in the
1439 General Appropriations Act.

1440 Section 24. Subsection (7) is added to section 1009.60,
1441 Florida Statutes, to read:

1442 1009.60 Minority teacher education scholars program.—There
1443 is created the minority teacher education scholars program,
1444 which is a collaborative performance-based scholarship program
1445 for African-American, Hispanic-American, Asian-American, and
1446 Native American students. The participants in the program
1447 include Florida's community colleges and its public and private
1448 universities that have teacher education programs.

1449 (7) Funding for the program shall be as provided in the
1450 General Appropriations Act.

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1451 Section 25. Subsection (8) is added to section 1009.68,
1452 Florida Statutes, to read:

1453 1009.68 Florida Minority Medical Education Program.—

1454 (8) Funding for the program shall be as provided in the
1455 General Appropriations Act.

1456 Section 26. Subsection (5) is added to section 1009.69,
1457 Florida Statutes, to read:

1458 1009.69 Virgil Hawkins Fellows Assistance Program.—

1459 (5) Funding for the program shall be as provided in the
1460 General Appropriations Act.

1461 Section 27. Subsections (5) and (6) of section 1009.701,
1462 Florida Statutes, are amended to read:

1463 1009.701 First Generation Matching Grant Program.—

1464 (5) In order to be eligible to receive a grant pursuant to
1465 this section, an applicant must:

1466 (a) Be a resident for tuition purposes pursuant to s.
1467 1009.21.

1468 (b) Be a first-generation college student. For the purposes
1469 of this section, a student is considered "first generation" if
1470 neither of the student's parents, as defined in s. 1009.21(1),
1471 earned a college degree at the baccalaureate level or higher or,
1472 in the case of any individual who regularly resided with and
1473 received support from only one parent, if that parent did not
1474 earn a baccalaureate degree.

1475 (c) Be accepted at a state university.

1476 (d) Be enrolled for a minimum of six credit hours per term
1477 as a degree-seeking undergraduate student.

1478 (e) Have submitted a Free Application for Federal Student
1479 Aid which is complete and error free prior to disbursement and

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1480 met the eligibility requirements in s. 1009.50 for demonstrated
1481 financial need for the Florida Public Student Assistance Grant
1482 Program.

1483 (f) Meet additional eligibility requirements as established
1484 by the institution.

1485 (6) The award amount shall be based on the student's need
1486 assessment after any scholarship or grant aid, including, but
1487 not limited to, a Pell Grant or a Bright Futures Scholarship,
1488 has been applied. The first priority of funding shall be given
1489 to students who demonstrate need by qualifying and receiving
1490 federal Pell Grant funds up to the full cost of tuition and fees
1491 per term. An award may not exceed the institution's estimated
1492 annual cost of attendance for the student to attend the
1493 institution.

1494 Section 28. Subsection (11) is added to section 1009.73,
1495 Florida Statutes, to read:

1496 1009.73 Mary McLeod Bethune Scholarship Program.—

1497 (11) Funding for the program shall be as provided in the
1498 General Appropriations Act.

1499 Section 29. Subsection (4) is added to section 1009.74,
1500 Florida Statutes, to read:

1501 1009.74 The Theodore R. and Vivian M. Johnson Scholarship
1502 Program.—

1503 (4) Funding for the program shall be as provided in the
1504 General Appropriations Act.

1505 Section 30. Paragraph (c) of subsection (8) of section
1506 1009.77, Florida Statutes, is amended, and subsection (11) is
1507 added to that section, to read:

1508 1009.77 Florida Work Experience Program.—

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1509 (8) A student is eligible to participate in the Florida
1510 Work Experience Program if the student:

1511 (c) Submits a Free Application for Federal Student Aid
1512 which is complete and error free prior to disbursement and
1513 demonstrates financial need, with the first priority of funding
1514 given to students who demonstrate need by qualifying and
1515 receiving federal Pell Grant funds up to the full cost of
1516 tuition and fees per term.

1517 (11) Funding for the program shall be as provided in the
1518 General Appropriations Act.

1519 Section 31. Subsection (4) and paragraph (a) of subsection
1520 (5) of section 1009.89, Florida Statutes, are amended to read:

1521 1009.89 The William L. Boyd, IV, Florida resident access
1522 grants.—

1523 (4) A person is eligible to receive such William L. Boyd,
1524 IV, Florida resident access grant if:

1525 (a) He or she meets the general requirements, including
1526 residency, for student eligibility as provided in s. 1009.40,
1527 except as otherwise provided in this section; ~~and~~

1528 (b)1. He or she is enrolled as a full-time undergraduate
1529 student at an eligible college or university;

1530 2. He or she is not enrolled in a program of study leading
1531 to a degree in theology or divinity; and

1532 3. He or she is making satisfactory academic progress as
1533 defined by the college or university in which he or she is
1534 enrolled; ~~and~~—

1535 (c) He or she submits a Free Application for Federal
1536 Student Aid which is complete and error free prior to
1537 disbursement.

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1538 (5) (a) Funding for the William L. Boyd, IV, Florida
 1539 Resident Access Grant Program for eligible institutions shall be
 1540 as provided in the General Appropriations Act ~~based on a formula~~
 1541 ~~composed of planned enrollment and the state cost of funding~~
 1542 ~~undergraduate enrollment at public institutions pursuant to s.~~
 1543 ~~1011.90. The amount of the William L. Boyd, IV, Florida resident~~
 1544 ~~access grant issued to a full-time student shall be an amount as~~
 1545 ~~specified in the General Appropriations Act. The William L.~~
 1546 Boyd, IV, Florida resident access grant may be paid on a
 1547 prorated basis in advance of the registration period. The
 1548 department shall make such payments to the college or university
 1549 in which the student is enrolled for credit to the student's
 1550 account for payment of tuition and fees. Institutions shall
 1551 certify to the department the amount of funds disbursed to each
 1552 student and shall remit to the department any undisbursed
 1553 advances or refunds within 60 days of the end of regular
 1554 registration. A student is ~~Students shall~~ not be eligible to
 1555 receive the award for more than 9 semesters or 14 quarters,
 1556 except as otherwise provided in s. 1009.40(3).

1557 Section 32. Subsections (4) and (7) of section 1009.891,
 1558 Florida Statutes are amended to read:

1559 1009.891 The Access to Better Learning and Education Grant
 1560 Program.—

1561 (4) A person is eligible to receive an access grant if:

1562 (a) He or she meets the general requirements, including
 1563 residency, for student eligibility as provided in s. 1009.40,
 1564 except as otherwise provided in this section; ~~and~~

1565 (b)1. He or she is enrolled as a full-time undergraduate
 1566 student at an eligible college or university in a program of

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1567 study leading to a baccalaureate degree;

1568 2. He or she is not enrolled in a program of study leading
1569 to a degree in theology or divinity; and

1570 3. He or she is making satisfactory academic progress as
1571 defined by the college or university in which he or she is
1572 enrolled; and-

1573 (c) He or she submits a Free Application for Federal
1574 Student Aid which is complete and error free prior to
1575 disbursement.

1576 (7) Funding for the program shall be as provided in the
1577 General Appropriations Act. ~~This section shall be implemented~~
1578 ~~only to the extent specifically funded and authorized by law.~~

1579 Section 33. Subsection (13) is added to section 1011.32,
1580 Florida Statutes, to read:

1581 1011.32 Community College Facility Enhancement Challenge
1582 Grant Program.—

1583 (13) Effective July 1, 2011, state matching funds are
1584 temporarily suspended for donations received for the program on
1585 or after June 30, 2011. Existing eligible donations remain
1586 eligible for future matching funds. The program may be restarted
1587 after \$200 million of the backlog for programs under ss.
1588 1011.32, 1011.85, 1011.94, and 1013.79 have been matched.

1589 Section 34. Paragraph (c) of subsection (1) of section
1590 1011.61, Florida Statutes, is amended to read:

1591 1011.61 Definitions.—Notwithstanding the provisions of s.
1592 1000.21, the following terms are defined as follows for the
1593 purposes of the Florida Education Finance Program:

1594 (1) A "full-time equivalent student" in each program of the
1595 district is defined in terms of full-time students and part-time

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1596 students as follows:

1597 (c)1. A "full-time equivalent student" is:

1598 a. A full-time student in any one of the programs listed in
1599 s. 1011.62(1)(c); or

1600 b. A combination of full-time or part-time students in any
1601 one of the programs listed in s. 1011.62(1)(c) which is the
1602 equivalent of one full-time student based on the following
1603 calculations:

1604 (I) A full-time student, ~~except a postsecondary or adult~~
1605 ~~student or a senior high school student enrolled in adult~~
1606 ~~education when such courses are required for high school~~
1607 ~~graduation,~~ in a combination of programs listed in s.
1608 1011.62(1)(c) shall be a fraction of a full-time equivalent
1609 membership in each special program equal to the number of net
1610 hours per school year for which he or she is a member, divided
1611 by the appropriate number of hours set forth in subparagraph
1612 (a)1. or subparagraph (a)2. The difference between that fraction
1613 or sum of fractions and the maximum value as set forth in
1614 subsection (4) for each full-time student is presumed to be the
1615 balance of the student's time not spent in such special
1616 education programs and shall be recorded as time in the
1617 appropriate basic program.

1618 (II) A prekindergarten handicapped student shall meet the
1619 requirements specified for kindergarten students.

1620 (III) A full-time equivalent student for students in
1621 kindergarten through grade 5 in a school district virtual
1622 instruction program under s. 1002.45 shall consist of a student
1623 who has successfully completed a basic program listed in s.
1624 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade

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1625 level.

1626 (IV) A full-time equivalent student for students in grades
1627 6 through 12 in a school district virtual instruction program
1628 under s. 1002.45(1)(b)1. and 2. shall consist of six full credit
1629 completions in programs listed in s. 1011.62(1)(c)1.b. or c. and
1630 3. Credit completions can be a combination of either full
1631 credits or half credits.

1632 (V) A Florida Virtual School full-time equivalent student
1633 shall consist of six full credit completions in the programs
1634 listed in s. 1011.62(1)(c)1.b. for grades 6 through 8 and the
1635 programs listed in s. 1011.62(1)(c)1.c. for grades 9 through 12.
1636 Credit completions can be a combination of either full credits
1637 or half credits.

1638 (VI) Each successfully completed credit earned under the
1639 alternative high school course credit requirements authorized in
1640 s. 1002.375, which is not reported as a portion of the 900 net
1641 hours of instruction pursuant to subparagraph (1)(a)1., shall be
1642 calculated as 1/6 FTE.

1643 2. A student in membership in a program scheduled for more
1644 or less than 180 school days or the equivalent on an hourly
1645 basis as specified by rules of the State Board of Education is a
1646 fraction of a full-time equivalent membership equal to the
1647 number of instructional hours in membership divided by the
1648 appropriate number of hours set forth in subparagraph (a)1.;
1649 however, for the purposes of this subparagraph, membership in
1650 programs scheduled for more than 180 days is limited to students
1651 enrolled in juvenile justice education programs and the Florida
1652 Virtual School.

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1654 The department shall determine and implement an equitable method
1655 of equivalent funding for experimental schools and for schools
1656 operating under emergency conditions, which schools have been
1657 approved by the department to operate for less than the minimum
1658 school day.

1659 Section 35. Subsections (6), (7), and (10) of section
1660 1011.80, Florida Statutes, are amended to read:

1661 1011.80 Funds for operation of workforce education
1662 programs.—

1663 (6) (a) A school district or a community college that
1664 provides workforce education programs shall receive funds in
1665 accordance with distributions for base and performance funding
1666 established by the Legislature in the General Appropriations
1667 Act. To ensure equitable funding for all school district
1668 workforce education programs and to recognize enrollment growth,
1669 the Department of Education shall use the funding model
1670 developed by the District Workforce Education Funding Steering
1671 Committee to determine each district's workforce education
1672 funding needs. To assist the Legislature in allocating workforce
1673 education funds in the General Appropriations Act, the funding
1674 model shall annually be provided to the legislative
1675 appropriations committees no later than March 1. ~~If the General~~
1676 ~~Appropriations Act does not provide for the distribution of~~
1677 ~~funds, the following methodology shall apply:~~

1678 1. ~~Base funding shall be allocated based on weighted~~
1679 ~~enrollment and shall not exceed 90 percent of the allocation.~~
1680 ~~The Department of Education shall develop a funding process for~~
1681 ~~school district workforce education programs that is comparable~~
1682 ~~with community college workforce programs.~~

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1683 ~~2. Performance funding shall be at least 10 percent of the~~
1684 ~~allocation, based on the previous fiscal year's achievement of~~
1685 ~~output and outcomes in accordance with formulas adopted pursuant~~
1686 ~~to subsection (10). Performance funding must incorporate~~
1687 ~~payments for at least three levels of placements that reflect~~
1688 ~~wages and workforce demand. Payments for completions must not~~
1689 ~~exceed 60 percent of the payments for placement. School~~
1690 ~~districts and community colleges shall be awarded funds pursuant~~
1691 ~~to this paragraph based on performance output data and~~
1692 ~~performance outcome data available in that year.~~

1693 (b) A program is established to assist school districts and
1694 community colleges in responding to the needs of new and
1695 expanding businesses and thereby strengthening the state's
1696 workforce and economy. The program may be funded in the General
1697 Appropriations Act. ~~A school district or community college may~~
1698 ~~expend funds under the program without regard to performance~~
1699 ~~criteria set forth in subparagraph (a)2.~~ The district or
1700 community college shall use the program to provide customized
1701 training for businesses which satisfies the requirements of s.
1702 288.047. Business firms whose employees receive the customized
1703 training must provide 50 percent of the cost of the training.
1704 Balances remaining in the program at the end of the fiscal year
1705 shall not revert to the general fund, but shall be carried over
1706 for 1 additional year and used for the purpose of serving
1707 incumbent worker training needs of area businesses with fewer
1708 than 100 employees. Priority shall be given to businesses that
1709 must increase or upgrade their use of technology to remain
1710 competitive.

1711 (7) (a) A school district or community college that receives

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1712 workforce education funds must use the money to benefit the
1713 workforce education programs it provides. The money may be used
1714 for equipment upgrades, program expansions, or any other use
1715 that would result in workforce education program improvement.
1716 The district school board or community college board of trustees
1717 may not withhold any portion of the performance funding for
1718 indirect costs.

1719 (b) State funds provided for the operation of postsecondary
1720 workforce programs may not be expended for the education of
1721 state or federal inmates.

1722 (10) A high school student dually enrolled under s.
1723 1007.271 in a workforce education program operated by a
1724 community college or school district career center generates the
1725 amount calculated for workforce education funding, including any
1726 payment of performance funding, and the proportional share of
1727 full-time equivalent enrollment generated through the Florida
1728 Education Finance Program for the student's enrollment in a high
1729 school. If a high school student is dually enrolled in a
1730 community college program, including a program conducted at a
1731 high school, the community college earns the funds generated for
1732 workforce education funding, and the school district earns the
1733 proportional share of full-time equivalent funding from the
1734 Florida Education Finance Program. If a student is dually
1735 enrolled in a career center operated by the same district as the
1736 district in which the student attends high school, that district
1737 earns the funds generated for workforce education funding and
1738 also earns the proportional share of full-time equivalent
1739 funding from the Florida Education Finance Program. If a student
1740 is dually enrolled in a workforce education program provided by

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1741 a career center operated by a different school district, the
1742 funds must be divided between the two school districts
1743 proportionally from the two funding sources. A student may not
1744 be reported for funding in a dual enrollment workforce education
1745 program unless the student has completed the basic skills
1746 assessment pursuant to s. 1004.91. A student who is coenrolled
1747 in a K-12 education program and an adult education program may
1748 not be reported for purposes of funding in an adult education
1749 program, except that for the 2011-2012 fiscal year only,
1750 students who are coenrolled in core curricula courses for credit
1751 recovery or dropout prevention purposes may be reported for
1752 funding for up to two courses per student. Such students are
1753 exempt from the payment of the block tuition for adult general
1754 education programs provided in s. 1009.22(3)(c).

1755 Section 36. Subsection (3) is added to section 1011.81,
1756 Florida Statutes, to read:

1757 1011.81 Community College Program Fund.—

1758 (3) State funds provided for the Community College Program
1759 Fund may not be expended for the education of state or federal
1760 inmates.

1761 Section 37. Subsection (2) of section 1011.85, Florida
1762 Statutes, is amended, and subsection (13) is added to that
1763 section, to read:

1764 1011.85 Dr. Philip Benjamin Matching Grant Program for
1765 Community Colleges.—

1766 (2) Each community college board of trustees receiving
1767 state appropriations under this program shall approve each gift
1768 to ensure alignment with the unique mission of the community
1769 college. The board of trustees must link all requests for a

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1770 state match to the goals and mission statement. The Florida
1771 Community College Foundation Board receiving state
1772 appropriations under this program shall approve each gift to
1773 ensure alignment with its goals and mission statement. Funds
1774 received from community events and festivals are not eligible
1775 for state matching funds under this program.

1776 (13) Effective July 1, 2011, state matching funds are
1777 temporarily suspended for donations received for this program on
1778 or after June 30, 2011. Existing eligible donations remain
1779 eligible for future matching funds. The program may be restarted
1780 after \$200 million of the backlog for programs under ss.
1781 1011.32, 1011.85, 1011.94, and 1013.79 have been matched.

1782 Section 38. Subsection (8) is added to section 1011.94,
1783 Florida Statutes, to read:

1784 1011.94 University Major Gifts Program.—

1785 (8) Effective July 1, 2011, state matching funds are
1786 temporarily suspended for donations received for this program on
1787 or after June 30, 2011. Existing eligible donations remain
1788 eligible for future matching funds. The program may be restarted
1789 after \$200 million of the backlog for programs under ss.
1790 1011.32, 1011.85, 1011.94, and 1013.79 have been matched.

1791 Section 39. Subsection (4) is added to section 1012.885,
1792 Florida Statutes, to read:

1793 1012.885 Remuneration of community college presidents;
1794 limitations.—

1795 (4) LIMITATION ON REMUNERATION.—Notwithstanding the
1796 provisions of this section, for the 2011-2012 fiscal year, a
1797 Florida College System institution president may not receive
1798 more than \$200,000 in remuneration from appropriated state

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1799 funds. Only compensation, as defined in s. 121.021(22), provided
1800 to a Florida College System institution president may be used in
1801 calculating benefits under chapter 121.

1802 Section 40. Section 1012.886, Florida Statutes, is created
1803 to read:

1804 1012.886 Remuneration of Florida College System institution
1805 administrative employees; limitations.-

1806 (1) DEFINITIONS.-As used in this section, the term:

1807 (a) "Appropriated state funds" means funds appropriated
1808 from the General Revenue Fund or funds appropriated from state
1809 trust funds.

1810 (b) "Cash-equivalent compensation" means any benefit that
1811 may be assigned an equivalent cash value.

1812 (c) "Remuneration" means salary, bonuses, and cash-
1813 equivalent compensation paid to a Florida College System
1814 institution administrative employee by his or her employer for
1815 work performed, excluding health insurance benefits and
1816 retirement benefits.

1817 (2) LIMITATION ON COMPENSATION.-Notwithstanding any other
1818 law, resolution, or rule to the contrary, a Florida College
1819 System institution administrative employee may not receive more
1820 than \$200,000 in remuneration annually from appropriated state
1821 funds. Only compensation, as such term is defined in s.
1822 121.021(22), provided to a Florida College System institution
1823 administrative employee may be used in calculating benefits
1824 under chapter 121.

1825 (3) EXCEPTIONS.-This section does not prohibit any party
1826 from providing cash or cash-equivalent compensation from funds
1827 that are not appropriated state funds to a Florida College

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1828 System institution administrative employee in excess of the
1829 limit in subsection (2). If a party is unable or unwilling to
1830 fulfill an obligation to provide cash or cash-equivalent
1831 compensation to a Florida College System institution
1832 administrative employee as permitted under this subsection,
1833 appropriated state funds may not be used to fulfill such
1834 obligation. This section does not apply to Florida College
1835 System institution teaching faculty.

1836 (4) EXPIRATION.—This section expires June 30, 2012.

1837 Section 41. Subsection (4) is added to section 1012.975,
1838 Florida Statutes, to read:

1839 1012.975 Remuneration of state university presidents;
1840 limitations.—

1841 (4) LIMITATION ON REMUNERATION.—Notwithstanding the
1842 provisions of this section, for the 2011-2012 fiscal year, a
1843 state university president may not receive more than \$200,000 in
1844 remuneration from public funds. Only compensation, as defined in
1845 s. 121.021(22), provided to a state university president may be
1846 used in calculating benefits under chapter 121.

1847 Section 42. Section 1012.976, Florida Statutes, is created
1848 to read:

1849 1012.976 Remuneration of state university administrative
1850 employees; limitations.—

1851 (1) DEFINITIONS.—As used in this section, the term:

1852 (a) "Appropriated state funds" means funds appropriated
1853 from the General Revenue Fund or funds appropriated from state
1854 trust funds.

1855 (b) "Cash-equivalent compensation" means any benefit that
1856 may be assigned an equivalent cash value.

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1857 (c) "Remuneration" means salary, bonuses, and cash-
1858 equivalent compensation paid to a state university
1859 administrative employee by his or her employer for work
1860 performed, excluding health insurance benefits and retirement
1861 benefits.

1862 (2) LIMITATION ON COMPENSATION.—Notwithstanding any other
1863 law, resolution, or rule to the contrary, a state university
1864 administrative employee may not receive more than \$200,000 in
1865 remuneration annually from appropriated state funds. Only
1866 compensation, as such term is defined in s. 121.021(22),
1867 provided to a state university administrative employee may be
1868 used in calculating benefits under chapter 121.

1869 (3) EXCEPTIONS.—This section does not prohibit any party
1870 from providing cash or cash-equivalent compensation from funds
1871 that are not appropriated state funds to a state university
1872 administrative employee in excess of the limit in subsection
1873 (2). If a party is unable or unwilling to fulfill an obligation
1874 to provide cash or cash-equivalent compensation to a state
1875 university administrative employee as permitted under this
1876 subsection, appropriated state funds may not be used to fulfill
1877 such obligation. This section does not apply to university
1878 teaching faculty or medical school faculty or staff.

1879 (4) EXPIRATION.—This section expires June 30, 2012.

1880 Section 43. Subsection (12) of section 1013.33, Florida
1881 Statutes, is amended to read:

1882 1013.33 Coordination of planning with local governing
1883 bodies.—

1884 (12) As early in the design phase as feasible and
1885 consistent with an interlocal agreement entered pursuant to

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1886 subsections (2)-(8), but no later than 90 days before commencing
1887 construction, the district school board shall in writing request
1888 a determination of consistency with the local government's
1889 comprehensive plan. The local governing body that regulates the
1890 use of land shall determine, in writing within 45 days after
1891 receiving the necessary information and a school board's request
1892 for a determination, whether a proposed educational facility is
1893 consistent with the local comprehensive plan and consistent with
1894 local land development regulations. If the determination is
1895 affirmative, school construction may commence and further local
1896 government approvals are not required, except as provided in
1897 this section. Failure of the local governing body to make a
1898 determination in writing within 90 days after a district school
1899 board's request for a determination of consistency shall be
1900 considered an approval of the district school board's
1901 application. Campus master plans and development agreements must
1902 comply with the provisions of s. ss. 1013.30 and 1013.63.

1903 Section 44. Section 1013.63, Florida Statutes, is repealed.

1904 Section 45. Subsection (12) is added to section 1013.79,
1905 Florida Statutes, to read:

1906 1013.79 University Facility Enhancement Challenge Grant
1907 Program.—

1908 (12) Effective July 1, 2011, state matching funds are
1909 temporarily suspended for donations received for this program on
1910 or after June 30, 2011. Existing eligible donations remain
1911 eligible for future matching funds. The program may be restarted
1912 after \$200 million of the backlog for programs under ss.
1913 1011.32, 1011.85, 1011.94, and 1013.79 have been matched.

1914 Section 46. Section 1013.737, Florida Statutes, is amended

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1915 to read:

1916 1013.737 The Class Size Reduction and Educational
1917 Facilities Lottery Revenue Bond Program.—There is established
1918 the Class Size Reduction and Educational Facilities Lottery
1919 Revenue Bond Program.

1920 (1) The issuance of revenue bonds is authorized to finance
1921 or refinance the construction, acquisition, reconstruction, or
1922 renovation of educational facilities. Such bonds shall be issued
1923 pursuant to and in compliance with the provisions of s. 11(d),
1924 Art. VII of the State Constitution, the provisions of the State
1925 Bond Act, ss. 215.57–215.83, as amended, and the provisions of
1926 this section.

1927 (2) The bonds are payable from, and secured by a first lien
1928 on, the first lottery revenues transferred to the Educational
1929 Enhancement Trust Fund each fiscal year, as provided by s.
1930 24.121(2), and do not constitute a general obligation of, or a
1931 pledge of the full faith and credit of, the state.

1932 (3) The state hereby covenants with the holders of such
1933 revenue bonds that it will not take any action that will
1934 materially and adversely affect the rights of such holders so
1935 long as bonds authorized by this section are outstanding. The
1936 state does hereby additionally authorize the establishment of a
1937 covenant in connection with the bonds which provides that any
1938 additional funds received by the state from new or enhanced
1939 lottery programs; video gaming; banking card games, including
1940 baccarat, chemin de fer, or blackjack; electronic or
1941 electromechanical facsimiles of any game of chance; casino
1942 games; slot machines; or other similar activities will first be
1943 available for payments relating to bonds pledging revenues

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1944 available pursuant to s. 24.121(2), prior to use for any other
1945 purpose.

1946 (4) The bonds shall be issued by the Division of Bond
1947 Finance of the State Board of Administration on behalf of the
1948 Department of Education in such amount as shall be requested by
1949 resolution of the State Board of Education. However, the total
1950 principal amount of bonds, excluding refunding bonds, issued
1951 pursuant to this section shall not exceed amounts specifically
1952 authorized in the General Appropriations Act.

1953 (5) Proceeds available from the sale of the bonds shall be
1954 deposited in the Lottery Capital Outlay and Debt Service Trust
1955 Fund within the Department of Education.

1956 (6) The facilities to be financed with the proceeds of such
1957 bonds are designated as state fixed capital outlay projects for
1958 purposes of s. 11(d), Art. VII of the State Constitution, and
1959 the specific facilities to be financed shall be determined in
1960 accordance with state law and appropriations from the
1961 Educational Enhancement Trust Fund. Projects shall be funded
1962 from the Lottery Capital Outlay and Debt Service Trust Fund.
1963 Each educational facility to be financed with the proceeds of
1964 the bonds issued pursuant to this section is hereby approved as
1965 required by s. 11(f), Art. VII of the State Constitution.

1966 (7) Any complaint for validation of such bonds is required
1967 to be filed only in the circuit court of the county where the
1968 seat of state government is situated. The notice required to be
1969 published by s. 75.06 is required to be published only in the
1970 county where the complaint is filed, and the complaint and order
1971 of the circuit court need be served only on the state attorney
1972 of the circuit in which the action is pending.

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1973 (8) The Commissioner of Education shall provide for timely
1974 encumbrances of funds for duly authorized projects. Encumbrances
1975 may include proceeds to be received under a resolution approved
1976 by the State Board of Education authorizing issuance of class
1977 size reduction lottery bonds or educational facilities bonds
1978 pursuant to s. 11(d), Art. VII of the State Constitution, this
1979 section, and other applicable law.

1980 Section 47. The Department of Education shall work with the
1981 College Center for Library Automation (CCLA) to transfer the K-
1982 12 public school bibliographic database in standard library data
1983 format to the CCLA for inclusion in its online discovery tool
1984 product and make it publicly searchable by school district
1985 students, staff, and parents no later than September 1, 2011.
1986 The department shall also develop an ongoing process to provide
1987 for the electronic updating of school district library holdings
1988 data to the CCLA in a manner that will ensure that the public
1989 school bibliographic database and searchable catalog is current.

1990 Section 48. By January 1, 2012, the Chancellors of the
1991 State University System and the Florida College System shall
1992 submit a plan to the Executive Office of the Governor and to the
1993 legislative appropriations committees for establishing a joint
1994 library organization to address the needs of academic libraries
1995 in the State University System and the Florida College System
1996 that replaces the Florida Center for Library Automation and the
1997 College Center for Library Automation. The plan must include,
1998 but need not be limited to, the following components:

1999 (1) A proposed governance and reporting structure for the
2000 joint library organization.

2001 (2) Recommended staffing for the joint library

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2002 organization, which includes roles and responsibilities.

2003 (3) A recommended process and schedule for the acquisition
2004 of a next generation library management system and its
2005 associated services which includes a discovery tool provided by
2006 the joint library organization. The library management system
2007 will replace the current systems and services provided by the
2008 Florida Center for Library Automation and the College Center for
2009 Library Automation. The process for acquiring the next
2010 generation library management system must involve the
2011 identification of the functional requirements necessary to meet
2012 the needs of the postsecondary education library users and be
2013 scalable in order to meet any additional library user needs that
2014 are identified as being necessary and in the best interest of
2015 the state.

2016 (4) A proposed schedule for consolidating the computing and
2017 data center resources and equipment provided by the Florida
2018 Center for Library Automation and the College Center for Library
2019 Automation to a statutorily established or designated primary
2020 data center no later than December 1, 2012, or for
2021 decommissioning the computing and data center resources and
2022 equipment that are no longer required by the joint library
2023 organization and are currently located at and managed by the
2024 Florida Center for Library Automation and the College Center for
2025 Library Automation.

2026 (5) A proposed operational budget for the joint library
2027 organization which is more cost-effective than separately
2028 funding both the Florida Center for Library Automation and the
2029 College Center for Library Automation.

2030 (6) Proposed substantive and fiscal policy changes needed

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2031 to implement the joint library organization.

2032 (7) A timeline and implementation strategies for
2033 establishing the joint library organization.

2034 Section 49. Notwithstanding any section of law to the
2035 contrary, for the fiscal 2011-2012 year only, a university board
2036 of trustees is authorized to expend reserve or carry-forward
2037 balances from prior year operational and programmatic
2038 appropriations on legislatively approved fixed capital outlay
2039 projects authorized for the establishment of a new campus.

2040 Section 50. The Florida College System Council of
2041 Presidents shall develop and recommend an equitable funding
2042 formula for the distribution of Public Educational Capital
2043 Outlay funds to the Florida College System institutions. The
2044 Florida College System Council of Presidents shall submit a
2045 report, with recommendations, to the State Board of Education,
2046 the Governor, the President of the Senate, and the Speaker of
2047 the House of Representatives by December 31, 2011, which
2048 specifically includes a proposed funding formula that provides
2049 for the equitable distribution of Public Educational Capital
2050 Outlay funds to Florida College System institutions for
2051 consideration by the Legislature for implementation in the 2012-
2052 2013 fiscal year.

2053 Section 51. This act shall take effect July 1, 2011.