

1 A bill to be entitled
2 An act relating to postsecondary education; amending s.
3 467.009, F.S.; deleting a reference to the College-Level
4 Academic Skills Test (CLAST); amending s. 705.18, F.S.;
5 revising provisions relating to the disposal of personal
6 property lost or abandoned on public postsecondary
7 institution campuses; providing requirements for
8 notification, disposal, and use or disposition of proceeds
9 from the sale of lost or abandoned bicycles and bicycle
10 safety equipment; repealing s. 1007.07, F.S., relating to
11 the Florida Business and Education Collaborative; amending
12 s. 1001.64, F.S.; requiring a Florida College System
13 institution board of trustees to ask the Commissioner of
14 Education to authorize an investigation of the college
15 president by the Department of Education's inspector
16 general in specified circumstances; requiring a report and
17 recommendations; requiring the inspector general to refer
18 potential legal violations to the Commission on Ethics,
19 the Department of Law Enforcement, the Attorney General,
20 or another appropriate authority; amending s. 1004.015,
21 F.S.; requiring the Higher Education Coordinating Council
22 to make recommendations and submit a report relating to
23 core missions of postsecondary education institutions,
24 performance outputs and outcomes, articulation policies,
25 workforce development education, and baccalaureate degree
26 authorization; amending s. 1004.04, F.S.; deleting a
27 reference to the CLAST; amending s. 1004.68, F.S.;
28 deleting provisions relating to the use of test scores for

29 | assessment of college-level communication and computation
30 | skills; amending s. 1007.01, F.S.; providing legislative
31 | intent and requirements relating to articulation;
32 | requiring the establishment of the Articulation
33 | Coordinating Committee and providing its responsibilities;
34 | amending s. 1007.25, F.S.; deleting provisions that
35 | require an examination or demonstration of remediation of
36 | academic deficiencies to obtain a postsecondary degree;
37 | amending ss. 1007.264 and 1007.265, F.S.; deleting
38 | provisions that exclude students with intellectual
39 | disabilities from eligibility for substitute requirements
40 | for admission to or graduation from a public postsecondary
41 | education institution; amending s. 1007.27, F.S.;
42 | requiring the Department of Education to use student
43 | performance data to determine appropriate credit-by-
44 | examination scores and courses; deleting an exemption from
45 | summer-term enrollment in a public postsecondary education
46 | institution for students earning accelerated credit;
47 | amending s. 1007.33, F.S.; deleting an exemption from
48 | provisions governing the approval process for
49 | baccalaureate degrees; amending s. 1008.30, F.S., relating
50 | to common placement testing for public postsecondary
51 | education; deleting a reference to the CLAST; requiring
52 | rules for remediation opportunities, retesting policies,
53 | and academic competencies; requiring that students be
54 | advised of academic requirements, financial aid
55 | eligibility, and certain costs; amending s. 1008.345,
56 | F.S.; deleting Department of Education duties relating to

57 tests and assessment procedures that measure student
 58 achievement of college-level communication and computation
 59 skills; amending s. 1008.38, F.S.; revising and conforming
 60 provisions relating to the articulation accountability
 61 process; amending s. 1009.534, F.S.; revising provisions
 62 relating to approval of community service work for
 63 eligibility for the Florida Academic Scholars award;
 64 amending ss. 267.062, 1004.23, 1010.03, 1010.04, 1010.07,
 65 and 1013.171, F.S.; replacing references to university
 66 rules with university regulations; conforming provisions;
 67 amending s. 1013.33, F.S.; conforming provisions;
 68 repealing s. 1013.63, F.S., relating to the University
 69 Concurrency Trust Fund; providing an effective date.
 70

71 Be It Enacted by the Legislature of the State of Florida:
 72

73 Section 1. Subsection (3) of section 467.009, Florida
 74 Statutes, is amended to read:

75 467.009 Midwifery programs; education and training
 76 requirements.—

77 (3) To be accepted into an approved midwifery program, an
 78 applicant shall have:

79 (a) A high school diploma or its equivalent.

80 (b) ~~Passed the college level academic scholastic test~~
 81 ~~(CLAST) or~~ Taken three college-level credits each of math and
 82 English or demonstrated competencies in communication and
 83 computation.

84 Section 2. Section 705.18, Florida Statutes, is amended to

85 read:

86 705.18 Disposal of personal property lost or abandoned on
 87 state university or Florida College System institution ~~community~~
 88 ~~college~~ campuses; disposition of proceeds from sale.-

89 (1) Whenever any lost or abandoned personal property,
 90 except for lost or abandoned bicycles and bicycle safety
 91 equipment, shall be found on a campus of an institution in the
 92 State University System or the Florida College System ~~a campus~~
 93 ~~of a state-supported community college,~~ the president of the
 94 institution or the president's designee shall take charge of the
 95 property and make a record of the date such property was found.
 96 If, within 30 days after such property is found, or a longer
 97 period of time as may be deemed appropriate by the president or
 98 designee under the circumstances, the property is not claimed by
 99 the owner, the president or designee shall order it sold at
 100 public outcry after giving notice of the time and place of sale
 101 in a publication of general circulation on the campus of such
 102 institution or by electronic posting on a clearly marked area of
 103 the institution's Internet website and written notice to the
 104 owner if known. The rightful owner of such property may reclaim
 105 the same at any time prior to sale.

106 (2) All moneys realized from such institution's sale shall
 107 be placed in an appropriate fund and used solely for student
 108 scholarship and loan purposes.

109 (3) Whenever any lost or abandoned bicycles and bicycle
 110 safety equipment shall be found on a campus of an institution in
 111 the State University System or the Florida College System, the
 112 president of the institution or the president's designee shall

113 take charge of the property and make a record of the date such
114 property was found. The president or designee shall publish
115 notification of lost or abandoned bicycles and bicycle safety
116 equipment in a manner to provide the most effective notice to
117 students, faculty, and staff of the institution, whether through
118 a publication of general circulation on the campus or by
119 electronic posting on a clearly marked area of the institution's
120 Internet website. If the owner of the property is known, written
121 notice to the owner shall be provided to the last known physical
122 or electronic address. If the property is not claimed by the
123 owner within 30 days after the publication, posting, or written
124 notification, the property may be retained by the institution
125 and made available for university transit-oriented initiatives
126 or sold pursuant to subsection (1) with the proceeds disposed of
127 pursuant to subsection (2).

128 Section 3. Section 1000.07, Florida Statutes, is repealed.

129 Section 4. Subsection (3) of section 1001.64, Florida
130 Statutes, is amended to read:

131 1001.64 Community college boards of trustees; powers and
132 duties.—

133 (3) A board of trustees shall have the power to take
134 action without a recommendation from the president and shall
135 have the power to require the president to deliver to the board
136 of trustees all data and information required by the board of
137 trustees in the performance of its duties. A board of trustees
138 shall ask the Commissioner of Education to authorize an
139 investigation of the president's actions by the department's
140 inspector general if the board considers such investigation

141 necessary. The inspector general shall provide a report
142 detailing each issue under investigation and shall recommend
143 corrective action. If the inspector general identifies potential
144 legal violations, he or she shall refer the potential legal
145 violations to the Commission on Ethics, the Department of Law
146 Enforcement, the Attorney General, or another appropriate
147 authority.

148 Section 5. Subsection (4) of section 1004.015, Florida
149 Statutes, is renumbered as subsection (6) and amended, and new
150 subsections (4) and (5) are added to that section, to read:

151 1004.015 Higher Education Coordinating Council.—

152 (4) The council shall make detailed recommendations
153 relating to:

154 (a) The primary core mission of public and nonpublic
155 postsecondary education institutions in the context of state
156 access demands and economic development goals.

157 (b) Performance outputs and outcomes designed to meet
158 annual and long-term state goals, including, but not limited to,
159 increased student access, preparedness, retention, transfer, and
160 completion. Performance measures must be consistent across
161 sectors and allow for a comparison of the state's performance to
162 that of other states.

163 (c) The state's articulation policies and practices to
164 ensure that cost benefits to the state are maximized without
165 jeopardizing quality. The recommendation shall consider return
166 on investment for both the state and students and propose
167 systems to facilitate and ensure institutional compliance with
168 state articulation policies.

169 (d) A plan for workforce development education that
170 addresses:

171 1. The alignment of school district and Florida College
172 System workforce development education programs to ensure cost
173 efficiency and mission delineation, including an examination of
174 the need for both college credit and noncollege credit
175 certificate programs, an evaluation of the merit of retaining
176 the associate in applied science degree, and the consolidation
177 of adult general education programs within school districts.

178 2. The consistency of workforce education data collected
179 and reported by Florida College System institutions and school
180 districts, including the establishment of common elements and
181 definitions for any data that is used for state and federal
182 funding and program accountability.

183 (e) Baccalaureate degree authorization and production,
184 which shall include the following:

185 1. An assessment of the potential need to establish
186 comprehensive undergraduate institutions that would primarily
187 focus on the delivery of undergraduate instruction, including
188 offering baccalaureate degrees. Such institutions may include
189 Florida College System institutions, state universities, and
190 university branch campuses. The assessment must include
191 accountability options and address local and regional workforce
192 needs and gaps that might result from an institution's shift in
193 primary mission.

194 2. Recommendations related to appropriate student
195 enrollment and institutional expenditure thresholds for upper-
196 division programs that justify legislative consideration in

197 order to establish or reestablish an institution under the
 198 oversight of the State Board of Education, the Board of
 199 Governors, or another statutorily established or created
 200 governing or coordinating organization.

201 3. Recommendations related to funding options and
 202 strategies, student tuition and fees, student financial aid
 203 funding, and other strategies to encourage performance-based
 204 funding.

205 (5) The council shall submit a report outlining its
 206 detailed recommendations to the Governor, the President of the
 207 Senate, the Speaker of the House of Representatives, the Board
 208 of Governors, and the State Board of Education by December 31,
 209 2011, which specifically includes recommendations for
 210 consideration by the Legislature for implementation in the 2012-
 211 2013 fiscal year.

212 (6)-(4) The Board of Governors and the Department of
 213 Education shall provide administrative support for the council.

214 Section 6. Paragraph (b) of subsection (4) of section
 215 1004.04, Florida Statutes, is amended to read:

216 1004.04 Public accountability and state approval for
 217 teacher preparation programs.—

218 (4) INITIAL STATE PROGRAM APPROVAL.—

219 (b) Each teacher preparation program approved by the
 220 Department of Education, as provided for by this section, shall
 221 require students to meet the following as prerequisites for
 222 admission into the program:

223 1. Have a grade point average of at least 2.5 on a 4.0
 224 scale for the general education component of undergraduate

225 studies or have completed the requirements for a baccalaureate
 226 degree with a minimum grade point average of 2.5 on a 4.0 scale
 227 from any college or university accredited by a regional
 228 accrediting association as defined by State Board of Education
 229 rule or any college or university otherwise approved pursuant to
 230 State Board of Education rule.

231 2. Demonstrate mastery of general knowledge, including the
 232 ability to read, write, and compute, by passing the General
 233 Knowledge Test of the Florida Teacher Certification Examination,
 234 ~~the College Level Academic Skills Test,~~ a corresponding
 235 component of the National Teachers Examination series, or a
 236 similar test pursuant to rules of the State Board of Education.

237
 238 Each teacher preparation program may waive these admissions
 239 requirements for up to 10 percent of the students admitted.
 240 Programs shall implement strategies to ensure that students
 241 admitted under a waiver receive assistance to demonstrate
 242 competencies to successfully meet requirements for
 243 certification.

244 Section 7. Section 1004.68, Florida Statutes, is amended
 245 to read:

246 1004.68 Community college; degrees and certificates; ~~tests~~
 247 ~~for certain skills.~~-

248 ~~(1)~~ Each community college board of trustees shall adopt
 249 rules establishing student performance standards for the award
 250 of degrees and certificates.

251 ~~(2)~~ ~~Each community college board of trustees shall require~~
 252 ~~the use of scores on tests for college-level communication and~~

253 ~~computation skills provided in s. 1008.345(7) as a condition for~~
 254 ~~graduation with an associate in arts degree.~~

255 Section 8. Section 1007.01, Florida Statutes, is amended
 256 to read:

257 1007.01 Articulation; legislative intent; purpose; role of
 258 the State Board of Education and the Board of Governors;
 259 Articulation Coordinating Committee.—

260 (1) It is the intent of the Legislature to facilitate
 261 articulation and seamless integration of the K-20 education
 262 system by building, ~~and~~ sustaining, and strengthening
 263 relationships among K-20 public organizations, between public
 264 and private organizations, and between the education system as a
 265 whole and Florida's communities. The purpose of building, ~~and~~
 266 sustaining, and strengthening these relationships is to provide
 267 for the efficient and effective progression and transfer of
 268 students within the education system and to allow students to
 269 proceed toward their educational objectives as rapidly as their
 270 circumstances permit. The Legislature further intends that
 271 articulation policies and budget actions be implemented
 272 consistently in the practices of the Department of Education and
 273 postsecondary educational institutions and expressed in the
 274 collaborative policy efforts of the State Board of Education and
 275 the Board of Governors.

276 (2) To improve and facilitate articulation systemwide, the
 277 State Board of Education and the Board of Governors shall
 278 collaboratively establish and adopt ~~recommend~~ policies ~~and~~
 279 ~~guidelines to the Legislature~~ with input from statewide K-20
 280 advisory groups established by the Commissioner of Education and

281 the Chancellor of the State University System and shall
 282 recommend the policies to the Legislature. The policies shall
 283 relate ~~relating~~ to:

284 (a) The alignment between the exit requirements of one
 285 education system and the admissions requirements of another
 286 education system into which students typically transfer.

287 (b) The identification of common courses, the level of
 288 courses, institutional participation in a statewide course
 289 numbering system, and the transferability of credits among such
 290 institutions.

291 (c) Identification of courses that meet general education
 292 or common degree program prerequisite requirements at public
 293 postsecondary educational institutions.

294 (d) Dual enrollment course equivalencies.

295 (e) Articulation agreements.

296 (3) The Commissioner of Education, in consultation with
 297 the Chancellor of the State University System, shall establish
 298 the Articulation Coordinating Committee which shall make
 299 recommendations related to statewide articulation policies to
 300 the Higher Education Coordination Council, the State Board of
 301 Education, and the Board of Governors. The committee shall
 302 consist of two members each representing the State University
 303 System, the Florida College System, public career and technical
 304 education, public K-12 education, and nonpublic education and
 305 one member representing students. The chair shall be elected
 306 from the membership. The committee shall:

307 (a) Monitor the alignment between the exit requirements of
 308 one education system and the admissions requirements of another

309 education system into which students typically transfer and make
310 recommendations for improvement.

311 (b) Propose guidelines for interinstitutional agreements
312 between and among public schools, career and technical education
313 centers, Florida College System institutions, state
314 universities, and nonpublic postsecondary institutions.

315 (c) Annually recommend dual enrollment course and high
316 school subject area equivalencies for approval by the State
317 Board of Education and the Board of Governors.

318 (d) Annually review the statewide articulation agreement
319 pursuant to s. 1007.23 and make recommendations for revisions.

320 (e) Annually review the statewide course numbering system,
321 the levels of courses, and the application of transfer credit
322 requirements among public and nonpublic institutions
323 participating in the statewide course numbering system and
324 identify instances of student transfer and admissions
325 difficulties.

326 (f) Annually publish a list of courses that meet common
327 general education and common degree program prerequisite
328 requirements at public postsecondary institutions identified
329 pursuant to s. 1007.25.

330 (g) Examine statewide data regarding articulation to
331 identify issues and make recommendations to improve articulation
332 throughout the K-20 education system.

333 (h) Recommend roles and responsibilities of public
334 education entities in interfacing with the single, statewide
335 computer-assisted student advising system established pursuant
336 to s. 1007.28.

337 Section 9. Subsection (12) of section 1007.25, Florida
 338 Statutes, is amended to read:

339 1007.25 General education courses; common prerequisites;
 340 and other degree requirements.—

341 ~~(12) (a) A public postsecondary educational institution may~~
 342 ~~not confer an associate in arts or baccalaureate degree upon any~~
 343 ~~student who fails to successfully complete one of the following~~
 344 ~~requirements:~~

345 ~~1. Achieve a score that meets or exceeds a minimum score~~
 346 ~~on a nationally standardized examination, as established by the~~
 347 ~~State Board of Education in conjunction with the Board of~~
 348 ~~Governors; or~~

349 ~~2. Demonstrate successful remediation of any academic~~
 350 ~~deficiencies and achieve a cumulative grade point average of 2.5~~
 351 ~~or above, on a 4.0 scale, in postsecondary-level coursework~~
 352 ~~identified by the State Board of Education in conjunction with~~
 353 ~~the Board of Governors. The Department of Education shall~~
 354 ~~specify the means by which a student may demonstrate successful~~
 355 ~~remediation.~~

356 ~~(b) Any student who, in the best professional opinion of~~
 357 ~~the postsecondary educational institution, has a specific~~
 358 ~~learning disability such that the student cannot demonstrate~~
 359 ~~successful mastery of one or more of the authorized examinations~~
 360 ~~but is achieving at the college level in every area despite his~~
 361 ~~or her disability, and whose diagnosis indicates that further~~
 362 ~~remediation will not succeed in overcoming the disability, may~~
 363 ~~appeal through the appropriate dean to a committee appointed by~~
 364 ~~the president or the chief academic officer for special~~

365 ~~consideration. The committee shall examine the evidence of the~~
366 ~~student's academic and medical records and may hear testimony~~
367 ~~relevant to the case. The committee may grant a waiver for one~~
368 ~~or more of the authorized examinations based on the results of~~
369 ~~its review.~~

370 ~~(c) Each public postsecondary educational institution~~
371 ~~president shall establish a committee to consider requests for~~
372 ~~waivers from the requirements in paragraph (a). The committee~~
373 ~~shall be chaired by the chief academic officer of the~~
374 ~~institution and shall have four additional members appointed by~~
375 ~~the president as follows:~~

- 376 ~~1. One faculty member from the mathematics department;~~
- 377 ~~2. One faculty member from the English department;~~
- 378 ~~3. The institutional test administrator; and~~
- 379 ~~4. One faculty member from a department other than English~~
380 ~~or mathematics.~~

381 ~~(d) Any student who has taken the authorized examinations~~
382 ~~and has not achieved a passing score, but has otherwise~~
383 ~~demonstrated proficiency in coursework in the same subject area,~~
384 ~~may request a waiver from the examination requirement. Waivers~~
385 ~~shall be considered only after students have been provided test~~
386 ~~accommodations or other administrative adjustments to permit the~~
387 ~~accurate measurement of the student's proficiency in the subject~~
388 ~~areas measured by the authorized examinations. The committee~~
389 ~~shall consider the student's educational records and other~~
390 ~~evidence as to whether the student should be able to pass the~~
391 ~~authorized examinations. A waiver may be recommended to the~~
392 ~~president upon a majority vote of the committee. The president~~

393 ~~may approve or disapprove the recommendation. The president may~~
 394 ~~not approve a request that the committee has disapproved. If a~~
 395 ~~waiver is approved, the student's transcript shall include a~~
 396 ~~statement that the student did not meet the requirements of this~~
 397 ~~subsection and that a waiver was granted.~~

398 Section 10. Subsection (1) of section 1007.264, Florida
 399 Statutes, is amended to read:

400 1007.264 Persons with disabilities; admission to
 401 postsecondary educational institutions; substitute requirements;
 402 rules and regulations.—

403 (1) Any student with a disability, as defined in s.
 404 1007.02(2), who is otherwise eligible ~~except those students who~~
 405 ~~have been documented as having intellectual disabilities,~~ shall
 406 be eligible for reasonable substitution for any requirement for
 407 admission into a public postsecondary educational institution
 408 where documentation can be provided that the person's failure to
 409 meet the admission requirement is related to the disability.

410 Section 11. Subsection (1) of section 1007.265, Florida
 411 Statutes, is amended to read:

412 1007.265 Persons with disabilities; graduation, study
 413 program admission, and upper-division entry; substitute
 414 requirements; rules and regulations.—

415 (1) Any student with a disability, as defined in s.
 416 1007.02(2), in a public postsecondary educational institution,
 417 ~~except those students who have been documented as having~~
 418 ~~intellectual disabilities,~~ shall be eligible for reasonable
 419 substitution for any requirement for graduation, for admission
 420 into a program of study, or for entry into the upper division

421 where documentation can be provided that the person's failure to
 422 meet the requirement is related to the disability and where
 423 failure to meet the graduation requirement or program admission
 424 requirement does not constitute a fundamental alteration in the
 425 nature of the program.

426 Section 12. Subsections (2) and (10) of section 1007.27,
 427 Florida Statutes, are amended to read:

428 1007.27 Articulated acceleration mechanisms.—

429 (2) The Department of Education shall annually identify
 430 and publish the minimum scores, maximum credit, and course or
 431 courses for which credit is to be awarded for each College Level
 432 Examination Program (CLEP) ~~general examination, CLEP subject~~
 433 ~~examination, College Board Advanced Placement Program~~
 434 ~~examination, Advanced International Certificate of Education~~
 435 ~~examination, and International Baccalaureate examination. The~~
 436 ~~department shall use student performance data in subsequent~~
 437 ~~postsecondary courses to determine the appropriate examination~~
 438 ~~scores and courses for which credit is to be granted. Minimum~~
 439 ~~scores may vary by subject area based on available performance~~
 440 ~~data.~~ In addition, the department shall identify such courses in
 441 the general education core curriculum of each state university
 442 and community college.

443 ~~(10) Any student who earns 9 or more credits from one or~~
 444 ~~more of the acceleration mechanisms provided for in this section~~
 445 ~~is exempt from any requirement of a public postsecondary~~
 446 ~~educational institution mandating enrollment during a summer~~
 447 ~~term.~~

448 Section 13. Subsections (6) and (7) of section 1007.33,
 449 Florida Statutes, are amended to read:

450 1007.33 Site-determined baccalaureate degree access.—

451 ~~(6) (a) Beginning July 1, 2010, and each subsequent July 1,~~
 452 ~~the Division of Florida Colleges may accept and review~~
 453 ~~applications from a Florida college to obtain an exemption from~~
 454 ~~the State Board of Education's approval for subsequent degrees~~
 455 ~~as required in subsection (5), if the Florida college is~~
 456 ~~accredited by the Commission on Colleges of the Southern~~
 457 ~~Association of Colleges and Schools as a baccalaureate degree-~~
 458 ~~granting institution and has been offering baccalaureate degree~~
 459 ~~programs for 3 or more years. The division shall develop~~
 460 ~~criteria for determining eligibility for an exemption based upon~~
 461 ~~demonstrated compliance with the requirements for baccalaureate~~
 462 ~~degrees, primary mission, and fiscal, including, but not limited~~
 463 ~~to:~~

- 464 ~~1. Obtaining and maintaining appropriate SACS~~
 465 ~~accreditation;~~
- 466 ~~2. The maintenance of qualified faculty and institutional~~
 467 ~~resources;~~
- 468 ~~3. The maintenance of enrollment projections in previously~~
 469 ~~approved programs;~~
- 470 ~~4. The appropriate management of fiscal resources;~~
- 471 ~~5. Compliance with the primary mission and responsibility~~
 472 ~~requirements in subsections (2) and (3);~~
- 473 ~~6. The timely submission of the institution's annual~~
 474 ~~performance accountability report; and~~

475 ~~7. Other indicators of success such as program completers,~~
 476 ~~placements, and surveys of students and employers.~~

477 ~~(b) If the Florida college has demonstrated satisfactory~~
 478 ~~progress in fulfilling the eligibility criteria in this~~
 479 ~~subsection, the Division of Florida Colleges may recommend to~~
 480 ~~the State Board of Education that the institution be exempt from~~
 481 ~~the requirement in subsection (5) for approval of future~~
 482 ~~baccalaureate degree programs. The State Board of Education~~
 483 ~~shall review the division's recommendation and determine if an~~
 484 ~~exemption is warranted. If the State Board of Education approves~~
 485 ~~the application, the Florida college is exempt from subsequent~~
 486 ~~program approval under subsection (5) and such authority is~~
 487 ~~delegated to the Florida college board of trustees. If the State~~
 488 ~~Board of Education disapproves of the Florida college's request~~
 489 ~~for an exemption, the college shall continue to be subject to~~
 490 ~~the State Board of Education's approval of subsequent~~
 491 ~~baccalaureate degree programs.~~

492 ~~(c) Prior to developing or proposing a new baccalaureate~~
 493 ~~degree program, all Florida colleges, regardless of an exemption~~
 494 ~~from subsection (5), shall:~~

495 ~~1. Engage in need, demand, and impact discussions with the~~
 496 ~~state university in their service district and other local and~~
 497 ~~regional, accredited postsecondary providers in their region.~~

498 ~~2. Send documentation, data, and other information from~~
 499 ~~the inter-institutional discussions regarding program need,~~
 500 ~~demand, and impact required in subparagraph 1. to the college's~~
 501 ~~board of trustees, the Division of Florida Colleges, and the~~
 502 ~~Chancellor of the State University System.~~

503 ~~3. Base board of trustees approval of the new program upon~~
 504 ~~the documentation, data, and other information required in this~~
 505 ~~paragraph and the factors in subsection (5) (d).~~

506
 507 ~~The Division of Florida Colleges shall use the documentation,~~
 508 ~~data, and other information required in this subsection,~~
 509 ~~including information from the Chancellor of the State~~
 510 ~~University System, in its compliance review.~~

511 ~~(d) The board of trustees of a Florida college that is~~
 512 ~~exempt from subsection (5) must submit newly approved programs~~
 513 ~~to the Division of Florida Colleges and SACS within 30 days~~
 514 ~~after approval.~~

515 ~~(e) Within 30 days after receiving the approved~~
 516 ~~baccalaureate degree program, the Division of Florida Colleges~~
 517 ~~shall conduct a compliance review and notify the college if the~~
 518 ~~proposal meets the criteria for implementation based upon the~~
 519 ~~criteria in paragraphs (5) (d) and (6) (c). If the program fails~~
 520 ~~to meet the criteria for implementation as determined by the~~
 521 ~~Division of Florida Colleges, the college may not proceed with~~
 522 ~~implementation of the program until the State Board of Education~~
 523 ~~reviews the proposal and the compliance materials and gives its~~
 524 ~~final approval of the program.~~

525 ~~(6)(7)~~ The State Board of Education shall adopt rules to
 526 prescribe format and content requirements and submission
 527 procedures for notices of intent, proposals, and alternative
 528 proposals under subsection (5).

529 Section 14. Subsection (2) and paragraph (a) of subsection
 530 (4) of section 1008.30, Florida Statutes, are amended to read:

531 1008.30 Common placement testing for public postsecondary
532 education.—

533 (2) The common placement testing program shall include at
534 a minimum the following: the capacity to diagnose basic
535 competencies in the areas of English, reading, and mathematics
536 which are essential to perform college-level work; prerequisite
537 skills that relate to progressively advanced instruction in
538 mathematics, such as algebra and geometry; prerequisite skills
539 that relate to progressively advanced instruction in language
540 arts, such as English composition and literature; ~~prerequisite~~
541 ~~skills which relate to the College Level Academic Skills Test~~
542 ~~(CLAST);~~ and provision of test information to students on the
543 specific deficiencies.

544 (4) (a) ~~Public postsecondary educational institution~~
545 Students who have been identified as requiring additional
546 preparation pursuant to subsection (1) shall enroll in college-
547 preparatory or other adult education pursuant to s. 1004.93 in
548 community colleges to develop needed college-entry skills. The
549 State Board of Education shall specify by rule provisions for
550 alternative remediation opportunities and retesting policies.
551 These students shall be permitted to take courses within their
552 degree program concurrently in other curriculum areas for which
553 they are qualified while enrolled in college-preparatory
554 instruction courses. A student enrolled in a college-preparatory
555 course may concurrently enroll only in college credit courses
556 that do not require the skills addressed in the college-
557 preparatory course. ~~The State Board of Education, in conjunction~~
558 ~~with the Board of Governors, shall specify the college credit~~

559 ~~courses that are acceptable for students enrolled in each~~
560 ~~college-preparatory skill area. A degree-seeking student who~~
561 ~~wishes to earn an associate in arts or a baccalaureate degree,~~
562 ~~but~~ who is required to complete a college-preparatory course,
563 must successfully complete the required college-preparatory
564 studies by the time the student has accumulated 12 hours of
565 lower-division college credit degree coursework; however, a
566 student may continue enrollment in degree-earning coursework
567 provided the student maintains enrollment in college-preparatory
568 coursework for each subsequent semester until college-
569 preparatory coursework requirements are completed, and provided
570 the student demonstrates satisfactory performance in degree-
571 earning coursework. A student who has accumulated 12 college
572 credit hours and has not yet demonstrated proficiency in the
573 basic competency areas of reading, writing, and mathematics must
574 be advised in writing of the requirements for associate degree
575 completion and state university admission, including information
576 about future financial aid eligibility and the potential costs
577 of accumulating excessive college credit as described in s.
578 1009.286. A passing score on a standardized, institutionally
579 ~~developed test must be achieved~~ Before a student is considered
580 to have met basic computation and communication skills
581 requirements, the student must demonstrate successful mastery of
582 the required developmental education competencies as defined in
583 State Board of Education rule; ~~however, no student shall be~~
584 ~~required to retake any test or subtest that was previously~~
585 ~~passed by said student.~~ Credit awarded for college-preparatory

586 instruction may not be counted toward fulfilling the number of
 587 credits required for a degree.

588 Section 15. Subsection (7) of section 1008.345, Florida
 589 Statutes, is amended to read:

590 1008.345 Implementation of state system of school
 591 improvement and education accountability.—

592 (7) As a part of the system of educational accountability,
 593 the Department of Education shall:

594 (a) Develop minimum standards for various grades and
 595 subject areas, as required in ss. 1001.03, 1008.22, and 1008.34.

596 (b) Administer the statewide assessment testing program
 597 created by s. 1008.22.

598 (c) Review the school advisory councils of each district
 599 as required by s. 1001.452.

600 (d) Conduct the program evaluations required by s.
 601 1001.03.

602 (e) Maintain a listing of college-level communication and
 603 mathematics skills ~~defined pursuant to s. 1008.29 as being~~
 604 associated with successful student performance through the
 605 baccalaureate level and submit it to the State Board of
 606 Education and the Board of Governors for approval.

607 ~~(f) Maintain a listing of tests and other assessment~~
 608 ~~procedures which measure and diagnose student achievement of~~
 609 ~~college-level communication and computation skills and submit it~~
 610 ~~to the State Board of Education and the Board of Governors for~~
 611 ~~approval.~~

612 ~~(g) Maintain for the information of the State Board of~~
 613 ~~Education, the Board of Governors, and the Legislature a file of~~

614 ~~data to reflect achievement of college-level communication and~~
615 ~~mathematics competencies by students in state universities and~~
616 ~~community colleges.~~

617 ~~(h) Develop or contract for, and submit to the State Board~~
618 ~~of Education and the Board of Governors for approval, tests~~
619 ~~which measure and diagnose student achievement of college-level~~
620 ~~communication and mathematics skills. Any tests and related~~
621 ~~documents developed are exempt from the provisions of s.~~
622 ~~119.07(1). The commissioner shall maintain statewide~~
623 ~~responsibility for the administration of such tests and may~~
624 ~~assign administrative responsibilities for the tests to any~~
625 ~~state university or community college. The state board, upon~~
626 ~~recommendation of the commissioner, may enter into contracts for~~
627 ~~such services beginning in one fiscal year and continuing into~~
628 ~~the next year which are paid from the appropriation for either~~
629 ~~or both fiscal years.~~

630 ~~(f)~~(i) Perform any other functions that may be involved in
631 educational planning, research, and evaluation or that may be
632 required by the commissioner, the State Board of Education, the
633 Board of Governors, or law.

634 Section 16. Subsections (4) and (6) of section 1008.38,
635 Florida Statutes, are amended to read:

636 1008.38 Articulation accountability process.—The State
637 Board of Education, in conjunction with the Board of Governors,
638 shall develop articulation accountability measures which assess
639 the status of systemwide articulation processes authorized under
640 s. 1007.23 and establish an articulation accountability process
641 which at a minimum shall address:

642 (4) The smooth transfer of Florida College System
 643 ~~community college~~ associate ~~in arts~~ degree graduates to a
 644 Florida College System institution or a state university.

645 (6) The relationship between student attainment of
 646 college-level ~~the College Level~~ academic skills ~~Test Program~~ and
 647 articulation to the upper division in public postsecondary
 648 institutions.

649 Section 17. Subsection (1) of section 1009.534, Florida
 650 Statutes, is amended to read:

651 1009.534 Florida Academic Scholars award.—

652 (1) A student is eligible for a Florida Academic Scholars
 653 award if the student meets the general eligibility requirements
 654 for the Florida Bright Futures Scholarship Program and the
 655 student:

656 (a) Has achieved a 3.5 weighted grade point average as
 657 calculated pursuant to s. 1009.531, or its equivalent, in high
 658 school courses that are designated by the State Board of
 659 Education as college-preparatory academic courses; and has
 660 attained at least the score pursuant to s. 1009.531(6)(a) on the
 661 combined verbal and quantitative parts of the Scholastic
 662 Aptitude Test, the Scholastic Assessment Test, or the recentered
 663 Scholastic Assessment Test of the College Entrance Examination,
 664 or an equivalent score on the ACT Assessment Program;

665 (b) Has attended a home education program according to s.
 666 1002.41 during grades 11 and 12 or has completed the
 667 International Baccalaureate curriculum but failed to earn the
 668 International Baccalaureate Diploma or has completed the
 669 Advanced International Certificate of Education curriculum but

670 failed to earn the Advanced International Certificate of
 671 Education Diploma, and has attained at least the score pursuant
 672 to s. 1009.531(6) (a) on the combined verbal and quantitative
 673 parts of the Scholastic Aptitude Test, the Scholastic Assessment
 674 Test, or the recentered Scholastic Assessment Test of the
 675 College Entrance Examination, or an equivalent score on the ACT
 676 Assessment Program;

677 (c) Has been awarded an International Baccalaureate
 678 Diploma from the International Baccalaureate Office or an
 679 Advanced International Certificate of Education Diploma from the
 680 University of Cambridge International Examinations Office;

681 (d) Has been recognized by the merit or achievement
 682 programs of the National Merit Scholarship Corporation as a
 683 scholar or finalist; or

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

686

687 A student must complete a program of community service work, as
 688 approved by the district school board, ~~or~~ the administrators of
 689 a nonpublic school, or the Department of Education for home
 690 education program students, which shall include a minimum of 75
 691 hours of service work and require the student to identify a
 692 social problem that interests him or her, develop a plan for his
 693 or her personal involvement in addressing the problem, and,
 694 through papers or other presentations, evaluate and reflect upon
 695 his or her experience.

696 Section 18. Subsection (3) of section 267.062, Florida
 697 Statutes, is amended to read:

698 | 267.062 Naming of state buildings and other facilities.—

699 | (3) Notwithstanding the provisions of subsection (1) or s.
 700 | 1013.79(11), any state building, road, bridge, park,
 701 | recreational complex, or other similar facility of a state
 702 | university may be named for a living person by the university
 703 | board of trustees in accordance with regulations ~~rules~~ adopted
 704 | by the Board of Governors of the State University System.

705 | Section 19. Subsection (6) of section 1004.23, Florida
 706 | Statutes, is amended to read:

707 | 1004.23 Universities; powers; patents, copyrights, and
 708 | trademarks.—Any other law to the contrary notwithstanding, each
 709 | state university is authorized, in its own name, to:

710 | (6) Do all other acts necessary and proper for the
 711 | execution of powers and duties herein conferred upon the
 712 | university, including adopting regulations ~~rules~~, as necessary,
 713 | in order to administer this section. Any proceeds therefrom
 714 | shall be deposited and expended in accordance with s. 1004.22.
 715 | Any action taken by the university in securing or exploiting
 716 | such trademarks, copyrights, or patents shall, within 30 days,
 717 | be reported in writing by the president to the Department of
 718 | State.

719 | Section 20. Section 1010.03, Florida Statutes, is amended
 720 | to read:

721 | 1010.03 Delinquent accounts.—District school boards,
 722 | Florida College System institution ~~community college~~ boards of
 723 | trustees, and university boards of trustees:

724 | (1) Shall exert every effort to collect all delinquent
 725 | accounts.

726 (2) May charge off or settle such accounts as may prove
727 uncollectible.

728 (3) May employ the services of a collection agency when
729 deemed advisable in collecting delinquent accounts.

730 (4) May adopt rules, except that university boards of
731 trustees may adopt regulations, as necessary, to implement the
732 provisions of this section, including setoff procedures, payroll
733 deductions, and restrictions on release of transcripts, awarding
734 of diplomas, and access to other resources and services of the
735 school district, Florida College System institution ~~community~~
736 ~~college~~, or university.

737 Section 21. Subsection (2) of section 1010.04, Florida
738 Statutes, is amended to read:

739 1010.04 Purchasing.—

740 (2) Each district school board and Florida College System
741 institution, ~~community college~~ board of trustees, ~~and each~~
742 ~~university board of trustees~~ shall adopt rules, and each
743 university board of trustees shall adopt regulations, to be
744 followed in making purchases.

745 Section 22. Paragraph (b) of subsection (2) of section
746 1010.07, Florida Statutes, is amended to read:

747 1010.07 Bonds or insurance required.—

748 (2)

749 (b) Contractors paid from university funds shall give bond
750 for the faithful performance of their contracts in such amount
751 and for such purposes as prescribed by s. 255.05 or by
752 regulations ~~rules~~ of the Board of Governors relating to the type
753 of contract involved. It shall be the duty of the university

754 board of trustees to require from construction contractors a
755 bond adequate to protect the board and the board's funds
756 involved.

757 Section 23. Subsection (4) of section 1013.171, Florida
758 Statutes, is amended to read:

759 1013.171 University lease agreements; land, facilities.—

760 (4) Agreements as provided in this section shall be
761 entered into with an offeror resulting from publicly announced
762 competitive bids or proposals, except that the university may
763 enter into an agreement with an entity enumerated in paragraph
764 (3) (a) for leasing land or with a direct-support organization as
765 provided in s. 1004.28, which shall enter into subsequent
766 agreements for financing and constructing the project after
767 receiving competitive bids or proposals. Any facility
768 constructed, lease-purchased, or purchased under such
769 agreements, whether erected on land under the jurisdiction of
770 the university or not, shall conform to the construction
771 standards and codes applicable to university facilities. Each
772 university board of trustees shall adopt such regulations ~~rules~~
773 as are necessary to carry out its duties and responsibilities
774 imposed by this section.

775 Section 24. Subsection (12) of section 1013.33, Florida
776 Statutes, is amended to read:

777 1013.33 Coordination of planning with local governing
778 bodies.—

779 (12) As early in the design phase as feasible and
780 consistent with an interlocal agreement entered pursuant to
781 subsections (2)-(8), but no later than 90 days before commencing

782 construction, the district school board shall in writing request
783 a determination of consistency with the local government's
784 comprehensive plan. The local governing body that regulates the
785 use of land shall determine, in writing within 45 days after
786 receiving the necessary information and a school board's request
787 for a determination, whether a proposed educational facility is
788 consistent with the local comprehensive plan and consistent with
789 local land development regulations. If the determination is
790 affirmative, school construction may commence and further local
791 government approvals are not required, except as provided in
792 this section. Failure of the local governing body to make a
793 determination in writing within 90 days after a district school
794 board's request for a determination of consistency shall be
795 considered an approval of the district school board's
796 application. Campus master plans and development agreements must
797 comply with the provisions of s. ss. 1013.30 and 1013.63.

798 Section 25. Section 1013.63, Florida Statutes, is
799 repealed.

800 Section 26. This act shall take effect July 1, 2011.