

1 A bill to be entitled
2 An act relating to postsecondary education funding;
3 amending s. 295.02, F.S.; revising provisions relating to
4 the use of funds to pay postsecondary education expenses
5 for children and spouses of certain members of the
6 military; amending s. 295.04, F.S.; providing a
7 definition; providing educational benefit award amounts
8 for students at public and nonpublic eligible
9 postsecondary education institutions; amending s. 440.491,
10 F.S.; revising provisions relating to the training and
11 education of injured employees; providing that training
12 and education services may be secured from additional
13 providers under certain circumstances; amending s.
14 1004.085, F.S.; revising provisions relating to textbook
15 affordability and the policies, procedures, and guidelines
16 adopted by the State Board of Education and the Board of
17 Governors; requiring policies that encourage the use of
18 open-access textbooks; amending s. 1004.091, F.S.;
19 revising provisions relating to the duties of the Florida
20 Distance Learning Consortium; extending the deadline for
21 the consortium to develop a plan for implementing an
22 online registration process for undergraduate students to
23 enroll in a course listed in the Florida Higher Education
24 Distance Learning Catalog; requiring the plan to address
25 specified policy areas; creating s. 1004.387, F.S.;
26 authorizing a doctor of pharmacy degree program at the
27 University of South Florida; providing for the program to
28 be physically located on the new campus of the University

29 | of South Florida Polytechnic; authorizing the university
30 | to develop and implement the program within existing
31 | facilities until a pharmacy facility is constructed on the
32 | new campus of the University of South Florida Polytechnic;
33 | amending s. 1004.65, F.S.; restricting the use of
34 | resources of a Florida college; amending s. 1006.59, F.S.;
35 | deleting a provision that prohibits institutions
36 | participating in the Historically Black College and
37 | University Library Improvement Program from using funds to
38 | purchase nonprint media; creating s. 1006.72, F.S.;
39 | providing requirements for licensing electronic library
40 | resources; requiring a process to annually identify
41 | electronic library resources for specified core
42 | categories; providing requirements for statewide,
43 | postsecondary education, 4-year degree, and 2-year degree
44 | core resources; amending s. 1009.21, F.S.; revising
45 | provisions relating to the determination of resident
46 | status for tuition purposes to include students in
47 | postsecondary educational programs offered by charter
48 | technical career centers or career centers operated by
49 | school districts; revising a definition to conform to
50 | changes made by the act; providing requirements for
51 | recognition of the classification of a student as a
52 | resident for tuition purposes by an institution of higher
53 | education to which a student transfers; providing
54 | requirements of the Higher Education Coordinating Council
55 | relating to residency determinations; amending s. 1009.22,
56 | F.S.; revising provisions relating to workforce education

57 | postsecondary student fees; providing that enrollments in
58 | continuing workforce education courses may not be counted
59 | for purposes of funding full-time equivalent enrollment;
60 | authorizing, rather than requiring, certain rulemaking;
61 | amending s. 1009.24, F.S.; revising provisions relating to
62 | state university student fee increases; authorizing each
63 | state university to exceed the cap on the increase to
64 | specified fees for the 2010-2011 fiscal year; providing
65 | restrictions; authorizing certain calculations for
66 | expenditures for need-based financial aid; amending s.
67 | 1009.531, F.S.; revising the renewal period during which a
68 | student is eligible to receive a Florida Bright Futures
69 | Scholarship award after high school graduation; requiring
70 | that the State Board of Education base the eligibility of
71 | students to receive a Florida Academic Scholars award or a
72 | Florida Medallion Scholars award on specified SAT scores
73 | and corresponding 2009 SAT percentile ranks; amending s.
74 | 1009.532, F.S.; specifying circumstances under which a
75 | Florida Bright Futures Scholarship award may be restored
76 | or renewed despite insufficient grades or credit hours;
77 | reducing the maximum number of credit hours for which
78 | students may receive a scholarship award; amending s.
79 | 1009.534, F.S., relating to the Florida Academic Scholars
80 | award; conforming provisions to changes made by the act;
81 | removing the scheduled expiration of provisions requiring
82 | that the amount of the award be specified in the General
83 | Appropriations Act; creating s. 1009.5341, F.S.; providing
84 | that recipients of a Florida Bright Futures Scholarship

85 | award may use the unused portion of their award toward
86 | graduate study; providing certain limitations; amending s.
87 | 1009.535, F.S.; revising eligibility criteria for receipt
88 | of a Florida Medallion Scholars award; conforming
89 | provisions to changes made by the act; removing the
90 | scheduled expiration of provisions requiring that the
91 | amount of the award be specified in the General
92 | Appropriations Act; amending s. 1009.536, F.S.; reducing
93 | the maximum number of credit hours that students may earn
94 | under the Florida Gold Seal Vocational Scholars award;
95 | removing the scheduled expiration of provisions requiring
96 | that the amount of the award be specified in the General
97 | Appropriations Act; repealing s. 1009.537, F.S., relating
98 | to transition for eligibility for the Florida Bright
99 | Futures Scholarship Program; repealing s. 1009.5385, F.S.,
100 | relating to criteria for the use of certain scholarship
101 | funds by children of deceased or disabled veterans;
102 | amending s. 1009.72, F.S.; revising provisions relating to
103 | the Jose Marti Scholarship Challenge Grant Program;
104 | removing provisions that provide for funds appropriated by
105 | the Legislature for the program to be deposited into the
106 | State Student Financial Assistance Trust Fund; requiring
107 | that funds deposited into such trust fund be invested;
108 | authorizing the Legislature to appropriate funds from the
109 | General Revenue Fund; amending s. 1009.73, F.S.; revising
110 | provisions relating to the Mary McLeod Bethune Scholarship
111 | Program; removing provisions that provide for funds
112 | appropriated by the Legislature for the program to be

113 deposited into the State Student Financial Assistance
114 Trust Fund; requiring that funds deposited into such trust
115 fund be invested; authorizing the Legislature to
116 appropriate funds from the General Revenue Fund; amending
117 s. 1010.87, F.S., relating to the Workers' Compensation
118 Administration Trust Fund within the Department of
119 Education; providing for the reversion of certain funds;
120 amending s. 1011.32, F.S.; revising the date for
121 transmittal to the Legislature of information relating to
122 the Community College Facility Enhancement Challenge Grant
123 Program; amending s. 1011.52, F.S.; revising requirements
124 that entitle the first accredited medical school to an
125 annual appropriation; amending s. 1011.80, F.S.; revising
126 provisions relating to funds for the operation of
127 workforce education programs; requiring that expenditures
128 for such programs be supported by fees; providing that
129 enrollment in continuing workforce education courses may
130 not be counted for purposes of funding full-time
131 equivalent enrollment; amending s. 1011.83, F.S.; deleting
132 certain provisions relating to funds appropriated for
133 baccalaureate degree programs conducted by community
134 colleges; amending s. 1011.84, F.S.; requiring the
135 Department of Education to estimate certain community
136 college enrollments separately; reducing the number of
137 fiscal years to be covered in each annual estimation;
138 requiring a community college that grants baccalaureate
139 degrees to report certain expenditures separately;
140 creating s. 1012.885, F.S.; providing definitions;

141 providing a limitation on the compensation paid to
 142 community college presidents; providing exceptions;
 143 amending s. 1013.79, F.S.; revising the date for
 144 transmittal to the Legislature of information relating to
 145 the University Facility Enhancement Challenge Grant
 146 Program; requiring each Florida college and state
 147 university to strive to reduce its campuswide energy
 148 consumption by 10 percent; providing methods for this
 149 reduction; requiring a report to the Governor and
 150 Legislature; requiring that the Office of Program Policy
 151 Analysis and Government Accountability conduct a review of
 152 public school adult workforce education programs and
 153 community college and state college workforce education
 154 programs; requiring that the Office of Program Policy
 155 Analysis and Government Accountability conduct a review of
 156 postsecondary educational opportunities for individuals
 157 with developmental disabilities; requiring that the
 158 results of the reviews be submitted to the Legislature by
 159 specified dates; providing an appropriation; providing an
 160 effective date.

161
 162 Be It Enacted by the Legislature of the State of Florida:

163
 164 Section 1. Section 295.02, Florida Statutes, is amended to
 165 read:

166 295.02 Use of funds; age, etc.—

167 (1) Sums appropriated and expended to carry out the
 168 provisions of s. 295.01(1) may ~~shall~~ be used to pay tuition and

169 registration fees, board, and room rent and to buy books and
 170 supplies for the children of deceased or disabled veterans or
 171 servicemembers, as defined and limited in s. 295.01, s. 295.016,
 172 s. 295.017, s. 295.018, s. 295.0185, s. 295.019, or s. 295.0195,
 173 or of parents classified as prisoners of war or missing in
 174 action, as defined and limited in s. 295.015, who are between
 175 the ages of 16 and 22 years and who are in attendance at an
 176 eligible postsecondary education ~~a state-supported~~ institution
 177 as defined in s. 295.04 ~~of higher learning, including a~~
 178 ~~community college or career center~~. Any child having entered
 179 upon a course of training or education under the provisions of
 180 this chapter, consisting of a course of not more than 4 years,
 181 and arriving at the age of 22 years before the completion of
 182 such course may continue the course and receive all benefits of
 183 the provisions of this chapter until the course is completed.

184 (2) Sums appropriated and expended to carry out the
 185 provisions of s. 295.01(2) may ~~shall~~ be used to pay tuition and
 186 registration fees, board, and room rent and to buy books and
 187 supplies for the spouses of deceased or disabled veterans or
 188 servicemembers, as defined and limited in s. 295.01, who are
 189 enrolled at an eligible postsecondary education ~~a state-~~
 190 ~~supported~~ institution as defined in s. 295.04 ~~of higher~~
 191 ~~learning, including a community college or career center~~.

192 (3) Notwithstanding the benefits-disbursement provision in
 193 s. 295.04, such funds shall be applicable for up to 110 percent
 194 of the number of required credit hours of an initial
 195 baccalaureate degree or certificate program for which the
 196 student ~~spouse~~ is enrolled.

197 ~~(4)(3)~~ The Department of Education shall administer this
 198 educational program subject to regulations of the department.

199 Section 2. Section 295.04, Florida Statutes, is amended to
 200 read:

201 295.04 Appropriation; benefits.—

202 (1) The sum necessary for the purposes of this chapter
 203 shall be appropriated in the General Appropriations Act for each
 204 fiscal year, provided that no student shall receive an amount in
 205 excess of tuition and registration fees.

206 (2) As used in this section, the term "eligible
 207 postsecondary education institution" means an institution
 208 described in s. 1009.533.

209 (3) (a) A student who is enrolled in a public eligible
 210 postsecondary education institution is eligible for an award
 211 equal to the amount required to pay tuition and registration
 212 fees or the amount specified in the General Appropriations Act.

213 (b) A student enrolled in a nonpublic eligible
 214 postsecondary education institution is eligible for an award
 215 equal to the amount that would be required to pay for the
 216 average tuition and registration fees of a public postsecondary
 217 education institution at the comparable level or the amount
 218 specified in the General Appropriations Act.

219 (4) Only students in good standing in their respective
 220 institutions shall receive the benefits under this section
 221 ~~thereof, and no student shall receive such benefits for more~~
 222 ~~than 12 quarters, 8 semesters, or 8 trimesters.~~

223 Section 3. Paragraph (a) of subsection (6) of section
 224 440.491, Florida Statutes, is amended to read:

225 440.491 Reemployment of injured workers; rehabilitation.-
 226 (6) TRAINING AND EDUCATION.-
 227 (a) Upon referral of an injured employee by the carrier,
 228 or upon the request of an injured employee, the department shall
 229 conduct a training and education screening to determine whether
 230 it should refer the employee for a vocational evaluation and, if
 231 appropriate, approve training and education or other vocational
 232 services for the employee. The department may not approve formal
 233 training and education programs unless it determines, after
 234 consideration of the reemployment assessment, pertinent
 235 reemployment status reviews or reports, and such other relevant
 236 factors as it prescribes by rule, that the reemployment plan is
 237 likely to result in return to suitable gainful employment. The
 238 department is authorized to expend moneys from the Workers'
 239 Compensation Administration Trust Fund, established by s.
 240 440.50, to secure appropriate training and education at a
 241 Florida public ~~community~~ college ~~as designated in s. 1000.21(3)~~
 242 or at a career center established under s. 1001.44, or to secure
 243 other vocational services when necessary to satisfy the
 244 recommendation of a vocational evaluator. As used in this
 245 paragraph, "appropriate training and education" includes
 246 securing a general education diploma (GED), if necessary. The
 247 department shall establish training and education standards
 248 pertaining to employee eligibility, course curricula and
 249 duration, and associated costs. For purposes of this subsection,
 250 training and education services may be secured from additional
 251 providers if:
 252 1. The injured employee currently holds an associate

253 degree and requests to earn a bachelor's degree not offered by a
 254 Florida public college located within 50 miles from his or her
 255 customary residence;

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

259 3. The most appropriate training and education program is
 260 available only through a provider other than a Florida public
 261 college or career center or at a Florida public college or
 262 career center located more than 50 miles from the injured
 263 employee's customary residence.

264 Section 4. Subsection (4) of section 1004.085, Florida
 265 Statutes, is amended to read:

266 1004.085 Textbook affordability.—

267 (4) ~~By March 1, 2009,~~ The State Board of Education and the
 268 Board of Governors each shall adopt policies, procedures, and
 269 guidelines for implementation by community colleges and state
 270 universities, respectively, that further efforts to minimize the
 271 cost of textbooks for students attending such institutions while
 272 maintaining the quality of education and academic freedom. The
 273 policies, procedures, and guidelines shall provide for the
 274 following:

275 (a) That textbook adoptions are made with sufficient lead
 276 time to bookstores so as to confirm availability of the
 277 requested materials and, where possible, ensure maximum
 278 availability of used books.

279 (b) That, in the textbook adoption process, the intent to
 280 use all items ordered, particularly each individual item sold as

281 part of a bundled package, is confirmed by the course instructor
 282 or the academic department offering the course before the
 283 adoption is finalized.

284 (c) That a course instructor or the academic department
 285 offering the course determines, before a textbook is adopted,
 286 the extent to which a new edition differs significantly and
 287 substantively from earlier versions and the value of changing to
 288 a new edition or the extent to which an open-access textbook may
 289 exist and be used.

290 (d) That the establishment of policies shall address the
 291 availability of required textbooks to students otherwise unable
 292 to afford the cost, including consideration of the extent to
 293 which an open-access textbook may be used.

294 (e) That course instructors and academic departments are
 295 encouraged to participate in the development, adaptation, and
 296 review of open-access textbooks and, in particular, open-access
 297 textbooks for high-demand general education courses.

298 Section 5. Paragraph (b) of subsection (2) of section
 299 1004.091, Florida Statutes, is amended to read:

300 1004.091 Florida Distance Learning Consortium.—

301 (2) The Florida Distance Learning Consortium shall:

302 (b) Develop, in consultation with the Florida College
 303 System and the State University System, a plan to be submitted
 304 to the Board of Governors, the State Board of Education, the
 305 Governor, the President of the Senate, and the Speaker of the
 306 House of Representatives no later than December ~~March~~ 1, 2010,
 307 for implementing. ~~The plan must address the implementation of a~~
 308 ~~streamlined, automated, online registration process for~~

309 | undergraduate students who have been admitted to a public
310 | postsecondary educational institution and who wish to enroll in
311 | a course listed in the Florida Higher Education Distance
312 | Learning Catalog, including courses offered by an institution
313 | that is not the student's degree-granting or home institution.
314 | The plan must describe how such a registration process can be
315 | implemented by the 2011-2012 academic year as an alternative to
316 | the standard registration process of each institution. The plan
317 | must also address:

318 | 1. Fiscal and substantive policy changes needed to address
319 | administrative, academic, and programmatic policies and
320 | procedures. Policy areas that the plan must address include, but
321 | need not be limited to, student financial aid issues, variations
322 | in fees, admission and readmission, registration-prioritization
323 | issues, transfer of credit, and graduation requirements, with
324 | specific attention given to creating recommended guidelines that
325 | address students who attend more than one institution in pursuit
326 | of a degree.

327 | 2. A method for the expedited transfer of distance
328 | learning course credit awarded by an institution offering a
329 | distance learning course to a student's degree-granting or home
330 | institution upon the student's successful completion of the
331 | distance learning course.

332 | 3. Compliance with applicable technology security
333 | standards and guidelines to ensure the secure transmission of
334 | student information.

335 | Section 6. Section 1004.387, Florida Statutes, is created
336 | to read:

337 1004.387 Doctor of pharmacy degree program at the
 338 University of South Florida.—A doctor of pharmacy degree program
 339 is authorized at the University of South Florida. The program
 340 shall be physically located on the new campus of the University
 341 of South Florida Polytechnic. The university is authorized to
 342 develop and implement the program within existing facilities
 343 only until the construction of a pharmacy facility on the new
 344 campus of the University of South Florida Polytechnic is
 345 completed, which shall house the doctor of pharmacy degree
 346 program.

347 Section 7. Paragraph (c) is added to subsection (7) of
 348 section 1004.65, Florida Statutes, to read:

349 1004.65 Florida colleges; governance, mission, and
 350 responsibilities.—

351 (7) Funding for Florida colleges shall reflect their
 352 mission as follows:

353 (c) The resources of a Florida college, including staff,
 354 faculty, land, and facilities, shall not be used to support the
 355 establishment of a new independent nonpublic educational
 356 institution. If any institution uses resources for such purpose,
 357 the Division of Florida Colleges shall notify the President of
 358 the Senate and the Speaker of the House of Representatives.

359 Section 8. Paragraph (a) of subsection (3) of section
 360 1006.59, Florida Statutes, is amended to read:

361 1006.59 The Historically Black College and University
 362 Library Improvement Program.—

363 (3) Each institution shall submit to the State Board of
 364 Education a plan for enhancing its library through the following

365 activities:

366 (a) Each institution shall increase the number of volumes
 367 by purchasing replacement books and new titles. Funds shall not
 368 be used to purchase periodicals ~~or nonprint media~~. The goal of
 369 these purchases is to meet the needs of students and faculty in
 370 disciplines that have recently been added to the curriculum, in
 371 traditional academic fields that have been expanded, or in
 372 academic fields in which rapid changes in technology result in
 373 accelerated obsolescence of related library holdings.

374 Section 9. Section 1006.72, Florida Statutes, is created
 375 to read:

376 1006.72 Licensing electronic library resources.-

377 (1) FINDINGS.-The Legislature finds that the most cost-
 378 efficient and cost-effective means of licensing electronic
 379 library resources requires that Florida colleges and state
 380 universities collaborate with school districts and public
 381 libraries in the identification and acquisition of such
 382 resources needed by more than one sector.

383 (2) PROCESS TO IDENTIFY RESOURCES.-Library staff from
 384 Florida colleges, state universities, school districts, and
 385 public libraries shall implement a process that annually
 386 identifies the electronic library resources for each of the core
 387 categories established in this section. To the extent possible,
 388 the Florida Center for Library Automation, the College Center
 389 for Library Automation, and the Division of Library and
 390 Information Services within the Department of State shall
 391 jointly coordinate this annual process.

392 (3) STATEWIDE CORE RESOURCES.-For purposes of licensing

393 electronic library resources of the Florida Electronic Library,
394 library representatives from public libraries, school districts,
395 Florida colleges, and state universities shall identify the
396 statewide core resources that will be available to all students,
397 teachers, and citizens of the state.

398 (4) POSTSECONDARY EDUCATION CORE RESOURCES.—For purposes
399 of licensing electronic library resources required by both the
400 Florida Center for Library Automation and the College Center for
401 Library Automation from funds appropriated to the centers,
402 Florida college and state university library staff shall
403 identify the postsecondary education core resources that will be
404 available to all public postsecondary education students.

405 (5) FOUR-YEAR DEGREE CORE RESOURCES.—For purposes of
406 licensing electronic library resources beyond the postsecondary
407 education core resources by the Florida Center for Library
408 Automation from funds appropriated to the center, state
409 university library staff, in consultation with Florida college
410 library staff, shall identify the 4-year degree core resources
411 that will be available to all 4-year degree-seeking students in
412 the State University System and the Florida College System. The
413 Florida Center for Library Automation shall include in the
414 negotiated pricing model any Florida college interested in
415 licensing a resource.

416 (6) TWO-YEAR DEGREE CORE RESOURCES.—For purposes of
417 licensing electronic library resources beyond the postsecondary
418 education core resources by the College Center for Library
419 Automation from funds appropriated to the center, Florida
420 college library staff shall identify the 2-year degree core

421 resources that will be available to all Florida college
 422 students. The College Center for Library Automation shall
 423 include in the negotiated pricing model any state university
 424 interested in licensing a resource.

425 Section 10. Section 1009.21, Florida Statutes, is amended
 426 to read:

427 1009.21 Determination of resident status for tuition
 428 purposes.—Students shall be classified as residents or
 429 nonresidents for the purpose of assessing tuition in
 430 postsecondary educational programs offered by charter technical
 431 career centers or career centers operated by school districts,
 432 in community colleges, and in state universities.

433 (1) As used in this section, the term:

434 (a) "Dependent child" means any person, whether or not
 435 living with his or her parent, who is eligible to be claimed by
 436 his or her parent as a dependent under the federal income tax
 437 code.

438 (b) "Initial enrollment" means the first day of class at
 439 an institution of higher education.

440 (c) "Institution of higher education" means any charter
 441 technical career center as defined in s. 1002.34, career center
 442 operated by a school district as defined in s. 1001.44,
 443 community college as defined in s. 1000.21(3), or state
 444 university as defined in s. 1000.21(6).

445 (d) "Legal resident" or "resident" means a person who has
 446 maintained his or her residence in this state for the preceding
 447 year, has purchased a home which is occupied by him or her as
 448 his or her residence, or has established a domicile in this

449 state pursuant to s. 222.17.

450 (e) "Nonresident for tuition purposes" means a person who
 451 does not qualify for the in-state tuition rate.

452 (f) "Parent" means the natural or adoptive parent or legal
 453 guardian of a dependent child.

454 (g) "Resident for tuition purposes" means a person who
 455 qualifies as provided in this section for the in-state tuition
 456 rate.

457 (2) (a) To qualify as a resident for tuition purposes:

458 1. A person or, if that person is a dependent child, his
 459 or her parent or parents must have established legal residence
 460 in this state and must have maintained legal residence in this
 461 state for at least 12 consecutive months immediately prior to
 462 his or her initial enrollment in an institution of higher
 463 education.

464 2. Every applicant for admission to an institution of
 465 higher education shall be required to make a statement as to his
 466 or her length of residence in the state and, further, shall
 467 establish that his or her presence or, if the applicant is a
 468 dependent child, the presence of his or her parent or parents in
 469 the state currently is, and during the requisite 12-month
 470 qualifying period was, for the purpose of maintaining a bona
 471 fide domicile, rather than for the purpose of maintaining a mere
 472 temporary residence or abode incident to enrollment in an
 473 institution of higher education.

474 (b) However, with respect to a dependent child living with
 475 an adult relative other than the child's parent, such child may
 476 qualify as a resident for tuition purposes if the adult relative

477 is a legal resident who has maintained legal residence in this
478 state for at least 12 consecutive months immediately prior to
479 the child's initial enrollment in an institution of higher
480 education, provided the child has resided continuously with such
481 relative for the 5 years immediately prior to the child's
482 initial enrollment in an institution of higher education, during
483 which time the adult relative has exercised day-to-day care,
484 supervision, and control of the child.

485 (c) The legal residence of a dependent child whose parents
486 are divorced, separated, or otherwise living apart will be
487 deemed to be this state if either parent is a legal resident of
488 this state, regardless of which parent is entitled to claim, and
489 does in fact claim, the minor as a dependent pursuant to federal
490 individual income tax provisions.

491 (3) (a) An individual shall not be classified as a resident
492 for tuition purposes and, thus, shall not be eligible to receive
493 the in-state tuition rate until he or she has provided such
494 evidence related to legal residence and its duration or, if that
495 individual is a dependent child, evidence of his or her parent's
496 legal residence and its duration, as may be required by law and
497 by officials of the institution of higher education from which
498 he or she seeks the in-state tuition rate.

499 (b) Except as otherwise provided in this section, evidence
500 of legal residence and its duration shall include clear and
501 convincing documentation that residency in this state was for a
502 minimum of 12 consecutive months prior to a student's initial
503 enrollment in an institution of higher education.

504 (c) Each institution of higher education shall

505 affirmatively determine that an applicant who has been granted
506 admission to that institution as a Florida resident meets the
507 residency requirements of this section at the time of initial
508 enrollment. The residency determination must be documented by
509 the submission of written or electronic verification that
510 includes two or more of the documents identified in this
511 paragraph. No single piece of evidence shall be conclusive.

512 1. The documents must include at least one of the
513 following:

- 514 a. A Florida voter's registration card.
- 515 b. A Florida driver's license.
- 516 c. A State of Florida identification card.
- 517 d. A Florida vehicle registration.
- 518 e. Proof of a permanent home in Florida which is occupied
519 as a primary residence by the individual or by the individual's
520 parent if the individual is a dependent child.

- 521 f. Proof of a homestead exemption in Florida.
- 522 g. Transcripts from a Florida high school for multiple
523 years if the Florida high school diploma or GED was earned
524 within the last 12 months.
- 525 h. Proof of permanent full-time employment in Florida for
526 at least 30 hours per week for a 12-month period.

527 2. The documents may include one or more of the following:

- 528 a. A declaration of domicile in Florida.
- 529 b. A Florida professional or occupational license.
- 530 c. Florida incorporation.
- 531 d. A document evidencing family ties in Florida.
- 532 e. Proof of membership in a Florida-based charitable or

533 professional organization.

534 f. Any other documentation that supports the student's
535 request for resident status, including, but not limited to,
536 utility bills and proof of 12 consecutive months of payments; a
537 lease agreement and proof of 12 consecutive months of payments;
538 or an official state, federal, or court document evidencing
539 legal ties to Florida.

540 (4) With respect to a dependent child, the legal residence
541 of the dependent child's parent or parents is prima facie
542 evidence of the dependent child's legal residence, which
543 evidence may be reinforced or rebutted, relative to the age and
544 general circumstances of the dependent child, by the other
545 evidence of legal residence required of or presented by the
546 dependent child. However, the legal residence of a dependent
547 child's parent or parents who are domiciled outside this state
548 is not prima facie evidence of the dependent child's legal
549 residence if that dependent child has lived in this state for 5
550 consecutive years prior to enrolling or reregistering at the
551 institution of higher education at which resident status for
552 tuition purposes is sought.

553 (5) In making a domiciliary determination related to the
554 classification of a person as a resident or nonresident for
555 tuition purposes, the domicile of a married person, irrespective
556 of sex, shall be determined, as in the case of an unmarried
557 person, by reference to all relevant evidence of domiciliary
558 intent. For the purposes of this section:

559 (a) A person shall not be precluded from establishing or
560 maintaining legal residence in this state and subsequently

561 | qualifying or continuing to qualify as a resident for tuition
562 | purposes solely by reason of marriage to a person domiciled
563 | outside this state, even when that person's spouse continues to
564 | be domiciled outside of this state, provided such person
565 | maintains his or her legal residence in this state.

566 | (b) A person shall not be deemed to have established or
567 | maintained a legal residence in this state and subsequently to
568 | have qualified or continued to qualify as a resident for tuition
569 | purposes solely by reason of marriage to a person domiciled in
570 | this state.

571 | (c) In determining the domicile of a married person,
572 | irrespective of sex, the fact of the marriage and the place of
573 | domicile of such person's spouse shall be deemed relevant
574 | evidence to be considered in ascertaining domiciliary intent.

575 | (6) (a) Except as otherwise provided in this section, a
576 | person who is classified as a nonresident for tuition purposes
577 | may become eligible for reclassification as a resident for
578 | tuition purposes if that person or, if that person is a
579 | dependent child, his or her parent presents clear and convincing
580 | documentation that supports permanent legal residency in this
581 | state for at least 12 consecutive months rather than temporary
582 | residency for the purpose of pursuing an education, such as
583 | documentation of full-time permanent employment for the prior 12
584 | months or the purchase of a home in this state and residence
585 | therein for the prior 12 months while not enrolled in an
586 | institution of higher education.

587 | (b) If a person who is a dependent child and his or her
588 | parent move to this state while such child is a high school

589 student and the child graduates from a high school in this
590 state, the child may become eligible for reclassification as a
591 resident for tuition purposes when the parent submits evidence
592 that the parent qualifies for permanent residency.

593 (c) If a person who is a dependent child and his or her
594 parent move to this state after such child graduates from high
595 school, the child may become eligible for reclassification as a
596 resident for tuition purposes after the parent submits evidence
597 that he or she has established legal residence in the state and
598 has maintained legal residence in the state for at least 12
599 consecutive months.

600 (d) A person who is classified as a nonresident for
601 tuition purposes and who marries a legal resident of the state
602 or marries a person who becomes a legal resident of the state
603 may, upon becoming a legal resident of the state, become
604 eligible for reclassification as a resident for tuition purposes
605 upon submitting evidence of his or her own legal residency in
606 the state, evidence of his or her marriage to a person who is a
607 legal resident of the state, and evidence of the spouse's legal
608 residence in the state for at least 12 consecutive months
609 immediately preceding the application for reclassification.

610 (7) A person shall not lose his or her resident status for
611 tuition purposes solely by reason of serving, or, if such person
612 is a dependent child, by reason of his or her parent's or
613 parents' serving, in the Armed Forces outside this state.

614 (8) A person who has been properly classified as a
615 resident for tuition purposes but who, while enrolled in an
616 institution of higher education in this state, loses his or her

617 resident tuition status because the person or, if he or she is a
618 dependent child, the person's parent or parents establish
619 domicile or legal residence elsewhere shall continue to enjoy
620 the in-state tuition rate for a statutory grace period, which
621 period shall be measured from the date on which the
622 circumstances arose that culminated in the loss of resident
623 tuition status and shall continue for 12 months. However, if the
624 12-month grace period ends during a semester or academic term
625 for which such former resident is enrolled, such grace period
626 shall be extended to the end of that semester or academic term.

627 (9) Any person who ceases to be enrolled at or who
628 graduates from an institution of higher education while
629 classified as a resident for tuition purposes and who
630 subsequently abandons his or her domicile in this state shall be
631 permitted to reenroll at an institution of higher education in
632 this state as a resident for tuition purposes without the
633 necessity of meeting the 12-month durational requirement of this
634 section if that person has reestablished his or her domicile in
635 this state within 12 months of such abandonment and continuously
636 maintains the reestablished domicile during the period of
637 enrollment. The benefit of this subsection shall not be accorded
638 more than once to any one person.

639 (10) The following persons shall be classified as
640 residents for tuition purposes:

641 (a) Active duty members of the Armed Services of the
642 United States residing or stationed in this state, their
643 spouses, and dependent children, and active drilling members of
644 the Florida National Guard.

645 (b) Active duty members of the Armed Services of the
646 United States and their spouses and dependents attending a
647 public community college or state university within 50 miles of
648 the military establishment where they are stationed, if such
649 military establishment is within a county contiguous to Florida.

650 (c) United States citizens living on the Isthmus of
651 Panama, who have completed 12 consecutive months of college work
652 at the Florida State University Panama Canal Branch, and their
653 spouses and dependent children.

654 (d) Full-time instructional and administrative personnel
655 employed by state public schools and institutions of higher
656 education and their spouses and dependent children.

657 (e) Students from Latin America and the Caribbean who
658 receive scholarships from the federal or state government. Any
659 student classified pursuant to this paragraph shall attend, on a
660 full-time basis, a Florida institution of higher education.

661 (f) Southern Regional Education Board's Academic Common
662 Market graduate students attending Florida's state universities.

663 (g) Full-time employees of state agencies or political
664 subdivisions of the state when the student fees are paid by the
665 state agency or political subdivision for the purpose of job-
666 related law enforcement or corrections training.

667 (h) McKnight Doctoral Fellows and Finalists who are United
668 States citizens.

669 (i) United States citizens living outside the United
670 States who are teaching at a Department of Defense Dependent
671 School or in an American International School and who enroll in
672 a graduate level education program which leads to a Florida

673 teaching certificate.

674 (j) Active duty members of the Canadian military residing
675 or stationed in this state under the North American Air Defense
676 (NORAD) agreement, and their spouses and dependent children,
677 attending a community college or state university within 50
678 miles of the military establishment where they are stationed.

679 (k) Active duty members of a foreign nation's military who
680 are serving as liaison officers and are residing or stationed in
681 this state, and their spouses and dependent children, attending
682 a community college or state university within 50 miles of the
683 military establishment where the foreign liaison officer is
684 stationed.

685 (11) Once a student has been classified as a resident for
686 tuition purposes, an institution of higher education to which
687 the student transfers is not required to reevaluate the
688 classification unless inconsistent information suggests that an
689 erroneous classification was made or the student's situation has
690 changed. However, the student must have attended the institution
691 making the initial classification within the prior 12 months and
692 the residency classification must be noted on the student's
693 transcript. The Higher Education Coordinating Council shall
694 consider issues related to residency determinations and make
695 recommendations relating to efficiency and effectiveness of
696 current law.

697 (12)~~(11)~~ Each institution of higher education shall
698 establish a residency appeal committee comprised of at least
699 three members to consider student appeals of residency
700 determinations, in accordance with the institution's official

701 appeal process. The residency appeal committee must render to
 702 the student the final residency determination in writing. The
 703 institution must advise the student of the reasons for the
 704 determination.

705 ~~(13)-(12)~~ The State Board of Education and the Board of
 706 Governors shall adopt rules to implement this section.

707 Section 11. Paragraphs (b) and (g) of subsection (3) and
 708 subsection (11) of section 1009.22, Florida Statutes, are
 709 amended to read:

710 1009.22 Workforce education postsecondary student fees.—

711 (3)

712 (b) Fees for continuing workforce education shall be
 713 locally determined by the district school board or community
 714 college board. ~~However, at least 50 percent of the Expenditures~~
 715 ~~for the continuing workforce education program provided by the~~
 716 ~~community college or school district must be~~ fully supported by
 717 ~~derived from fees.~~ Enrollments in continuing workforce education
 718 courses may not be counted for purposes of funding full-time
 719 equivalent enrollment.

720 (g) The State Board of Education may ~~shall~~ adopt, by rule,
 721 the definitions and procedures that district school boards and
 722 community college boards of trustees shall use in the
 723 calculation of cost borne by students.

724 (11) Any school district or community college that reports
 725 students who have not paid fees in an approved manner in
 726 calculations of full-time equivalent enrollments for state
 727 funding purposes shall be penalized at a rate equal to 2 times
 728 the value of such enrollments. Such penalty shall be charged

729 against the following year's allocation from workforce education
 730 funds or the Community College Program Fund and shall revert to
 731 the General Revenue Fund. The State Board of Education shall
 732 specify, as necessary in rule, approved methods of student fee
 733 payment. Such methods must include, but need not be limited to,
 734 student fee payment; payment through federal, state, or
 735 institutional financial aid; and employer fee payments.

736 Section 12. Paragraph (d) of subsection (4) and paragraph
 737 (a) of subsection (16) of section 1009.24, Florida Statutes, are
 738 amended to read:

739 1009.24 State university student fees.—

740 (4)

741 (d) The sum of the activity and service, health, and
 742 athletic fees a student is required to pay to register for a
 743 course shall not exceed 40 percent of the tuition established in
 744 law or in the General Appropriations Act. No university shall be
 745 required to lower any fee in effect on the effective date of
 746 this act in order to comply with this subsection. Within the 40
 747 percent cap, universities may not increase the aggregate sum of
 748 activity and service, health, and athletic fees more than 5
 749 percent per year, or the same percentage increase in tuition
 750 authorized under paragraph (b), whichever is greater, unless
 751 specifically authorized in law or in the General Appropriations
 752 Act. A university may increase its athletic fee to defray the
 753 costs associated with changing National Collegiate Athletic
 754 Association divisions. Any such increase in the athletic fee may
 755 exceed both the 40 percent cap and the 5 percent cap imposed by
 756 this subsection. Any such increase must be approved by the

757 athletic fee committee in the process outlined in subsection
 758 (12) and cannot exceed \$2 per credit hour. Notwithstanding the
 759 provisions of ss. 1009.534, 1009.535, and 1009.536, that portion
 760 of any increase in an athletic fee pursuant to this subsection
 761 that causes the sum of the activity and service, health, and
 762 athletic fees to exceed the 40 percent cap or the annual
 763 increase in such fees to exceed the 5 percent cap shall not be
 764 included in calculating the amount a student receives for a
 765 Florida Academic Scholars award, a Florida Medallion Scholars
 766 award, or a Florida Gold Seal Vocational Scholars award.
 767 Notwithstanding this paragraph and subject to approval by the
 768 board of trustees, each state university is authorized to exceed
 769 the 5-percent cap on the annual increase to the aggregate sum of
 770 activity and service, health, and athletic fees for the 2010-
 771 2011 fiscal year. Any such increase shall not exceed 15 percent
 772 or the amount required to reach the 2009-2010 fiscal year
 773 statewide average for the aggregate sum of activity and service,
 774 health, and athletic fees at the main campuses, whichever is
 775 greater. The aggregate sum of the activity and service, health,
 776 and athletic fees shall not exceed 40 percent of tuition. Any
 777 increase in the activity and service fee, health fee, or
 778 athletic fee must be approved by the appropriate fee committee
 779 pursuant to subsection (10), subsection (11), or subsection
 780 (12).

781 (16) Each university board of trustees may establish a
 782 tuition differential for undergraduate courses upon receipt of
 783 approval from the Board of Governors. The tuition differential
 784 shall promote improvements in the quality of undergraduate

785 education and shall provide financial aid to undergraduate
786 students who exhibit financial need.

787 (a) Seventy percent of the revenues from the tuition
788 differential shall be expended for purposes of undergraduate
789 education. Such expenditures may include, but are not limited
790 to, increasing course offerings, improving graduation rates,
791 increasing the percentage of undergraduate students who are
792 taught by faculty, decreasing student-faculty ratios, providing
793 salary increases for faculty who have a history of excellent
794 teaching in undergraduate courses, improving the efficiency of
795 the delivery of undergraduate education through academic
796 advisement and counseling, and reducing the percentage of
797 students who graduate with excess hours. This expenditure for
798 undergraduate education may not be used to pay the salaries of
799 graduate teaching assistants. Except as otherwise provided in
800 this subsection, the remaining 30 percent of the revenues from
801 the tuition differential, or the equivalent amount of revenue
802 from private sources, shall be expended to provide financial aid
803 to undergraduate students who exhibit financial need, including
804 students who are scholarship recipients under s. 1009.984, to
805 meet the cost of university attendance. This expenditure for
806 need-based financial aid shall not supplant the amount of need-
807 based aid provided to undergraduate students in the preceding
808 fiscal year from financial aid fee revenues, the direct
809 appropriation for financial assistance provided to state
810 universities in the General Appropriations Act, or from private
811 sources. The total amount of tuition differential waived under
812 subparagraph (b)8. may be included in calculating the

813 expenditures for need-based financial aid to undergraduate
814 students required by this subsection.

815 Section 13. Subsection (2) of section 1009.531, Florida
816 Statutes, is amended, and subsection (6) is added to that
817 section, to read:

818 1009.531 Florida Bright Futures Scholarship Program;
819 student eligibility requirements for initial awards.—

820 (2) (a) For students graduating from high school prior to
821 the 2010-2011 academic year, a student is eligible to accept an
822 initial award for 3 years following high school graduation and
823 to accept a renewal award for 7 years following high school
824 graduation. A student who applies for an award by high school
825 graduation and who meets all other eligibility requirements, but
826 who does not accept his or her award, may reapply during
827 subsequent application periods up to 3 years after high school
828 graduation. For a student who enlists in the United States Armed
829 Forces immediately after completion of high school, the 3-year
830 eligibility period for his or her initial award shall begin upon
831 the date of separation from active duty. For a student who is
832 receiving a Florida Bright Futures Scholarship and discontinues
833 his or her education to enlist in the United States Armed
834 Forces, the remainder of his or her 7-year renewal period shall
835 commence upon the date of separation from active duty.

836 (b) For students graduating from high school in the 2010-
837 2011 academic year and thereafter, a student is eligible to
838 accept an initial award for 3 years following high school
839 graduation and to accept a renewal award for 5 years following
840 high school graduation. A student who applies for an award by

841 high school graduation and who meets all other eligibility
 842 requirements, but who does not accept his or her award, may
 843 reapply during subsequent application periods up to 3 years
 844 after high school graduation. For a student who enlists in the
 845 United States Armed Forces immediately after completion of high
 846 school, the 3-year eligibility period for his or her initial
 847 award and the 5-year renewal period shall begin upon the date of
 848 separation from active duty. For a student who is receiving a
 849 Florida Bright Futures Scholarship award and discontinues his or
 850 her education to enlist in the United States Armed Forces, the
 851 remainder of his or her 5-year renewal period shall commence
 852 upon the date of separation from active duty. If a course of
 853 study is not completed after 5 academic years, an exception of 1
 854 year to the renewal timeframe may be granted due to a verifiable
 855 illness or other documented emergency pursuant to s.
 856 1009.40(1)(b)4.

857 (6)(a) The State Board of Education shall publicize the
 858 examination score required for a student to be eligible for a
 859 Florida Academic Scholars award, pursuant to s. 1009.534(1)(a)
 860 or (b), as follows:

861 1. For high school students graduating in the 2010-2011
 862 and 2011-2012 academic years, the student must earn an SAT score
 863 of 1270 or a concordant ACT score of 28.

864 2. For high school students graduating in the 2012-2013
 865 academic year, the student must earn an SAT score of 1280 which
 866 corresponds to the 88th SAT percentile rank or a concordant ACT
 867 score of 28.

868 3. For high school students graduating in the 2013-2014

869 academic year and thereafter, the student must earn an SAT score
870 of 1290 which corresponds to the 89th SAT percentile rank or a
871 concordant ACT score of 29.

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

876 1. For high school students graduating in the 2010-2011
877 academic year, the student must earn an SAT score of 970 or a
878 concordant ACT score of 20 or the student in a home education
879 program whose parent cannot document a college-preparatory
880 curriculum must earn an SAT score of 1070 or a concordant ACT
881 score of 23.

882 2. For high school students graduating in the 2011-2012
883 academic year, the student must earn an SAT score of 980 which
884 corresponds to the 44th SAT percentile rank or a concordant ACT
885 score of 21 or the student in a home education program whose
886 parent cannot document a college-preparatory curriculum must
887 earn an SAT score of 1070 or a concordant ACT score of 23.

888 3. For high school students graduating in the 2012-2013
889 academic year, the student must earn an SAT score of 1020 which
890 corresponds to the 50th SAT percentile rank or a concordant ACT
891 score of 22 or the student in a home education program whose
892 parent cannot document a college-preparatory curriculum must
893 earn an SAT score of 1070 or a concordant ACT score of 23.

894 4. For high school students graduating in the 2013-2014
895 academic year and thereafter, the student must earn an SAT score
896 of 1050 which corresponds to the 56th SAT percentile rank or a

897 concordant ACT score of 23 or the student in a home education
 898 program whose parent cannot document a college-preparatory
 899 curriculum must earn an SAT score of 1100 or a concordant ACT
 900 score of 24.

901 (c) The SAT percentile ranks and corresponding SAT scores
 902 specified in paragraphs (a) and (b) are based on the SAT
 903 percentile ranks for 2009 college-bound seniors in critical
 904 reading and mathematics as reported by the College Board. The
 905 next highest SAT score is used when the percentile ranks do not
 906 directly correspond.

907 Section 14. Section 1009.532, Florida Statutes, is amended
 908 to read:

909 1009.532 Florida Bright Futures Scholarship Program;
 910 student eligibility requirements for renewal awards.—

911 (1) To be eligible to renew a scholarship from any of the
 912 three types of scholarships under the Florida Bright Futures
 913 Scholarship Program, a student must:

914 (a) Effective for students funded in the 2009-2010
 915 academic year and thereafter, earn at least 24 semester credit
 916 hours or the equivalent in the last academic year in which the
 917 student earned a scholarship if the student was enrolled full
 918 time, or a prorated number of credit hours as determined by the
 919 Department of Education if the student was enrolled less than
 920 full time for any part of the academic year. For students
 921 initially eligible prior to the 2010-2011 academic term, if a
 922 student fails to earn the minimum number of hours required to
 923 renew the scholarship, the student shall lose his or her
 924 eligibility for renewal for a period equivalent to 1 academic

925 | year. Such student is eligible to restore the award the
 926 | following academic year if the student earns the hours for which
 927 | he or she was enrolled at the level defined by the department
 928 | and meets the grade point average for renewal. A student is
 929 | eligible for such restoration one time. The department shall
 930 | notify eligible recipients of the provisions of this paragraph.
 931 | Each institution shall notify award recipients of the provisions
 932 | of this paragraph during the registration process.

933 | (b) Maintain the cumulative grade point average required
 934 | by the scholarship program, except that:

935 | 1. If a recipient's grades fall beneath the average
 936 | required to renew a Florida Academic Scholarship, but are
 937 | sufficient to renew a Florida Medallion Scholarship or a Florida
 938 | Gold Seal Vocational Scholarship, the Department of Education
 939 | may grant a renewal from one of those other scholarship
 940 | programs, if the student meets the renewal eligibility
 941 | requirements;

942 | 2. For students initially eligible prior to the 2010-2011
 943 | academic term, if~~7~~ at any time during the eligibility period~~7~~ a
 944 | student's grades are insufficient to renew the scholarship, the
 945 | student may restore eligibility by improving the grade point
 946 | average to the required level. A student is eligible for such a
 947 | restoration one time. The Legislature encourages education
 948 | institutions to assist students to calculate whether or not it
 949 | is possible to raise the grade point average during the summer
 950 | term. If the institution determines that it is possible, the
 951 | education institution may so inform the department, which may
 952 | reserve the student's award if funds are available. The renewal,

953 however, must not be granted until the student achieves the
954 required cumulative grade point average. If the summer term is
955 not sufficient to raise the grade point average to the required
956 renewal level, the student's next opportunity for renewal is the
957 fall semester of the following academic year; or

958 3. For students initially eligible in the 2010-2011
959 academic term and thereafter, if at any time during a student's
960 first academic year the student's grades are insufficient to
961 renew the scholarship, the student may restore eligibility by
962 improving the grade point average to the required level. A
963 student is eligible for such a restoration one time. The
964 Legislature encourages education institutions to assist students
965 to calculate whether or not it is possible to raise the grade
966 point average during the summer term. If the education
967 institution determines that it is possible, the institution may
968 so inform the department, which may reserve the student's award
969 if funds are available. The renewal, however, must not be
970 granted until the student achieves the required cumulative grade
971 point average. If the summer term is not sufficient to raise the
972 grade point average to the required renewal level, the student's
973 next opportunity for renewal is the fall semester of the
974 following academic year. ~~If a student is receiving a Florida~~
975 ~~Bright Futures Scholarship, is a servicemember of the Florida~~
976 ~~National Guard or United States Reserves while attending a~~
977 ~~postsecondary institution, is called to active duty or state~~
978 ~~active duty, as defined in s. 250.01, prior to completing his or~~
979 ~~her degree, and meets all other requirements for the~~
980 ~~scholarship, the student shall be eligible to continue the~~

981 ~~scholarship for 2 years after completing active duty or state~~
 982 ~~active duty.~~

983 (c) Reimburse or make satisfactory arrangements to
 984 reimburse the institution for the award amount received for
 985 courses dropped after the end of the drop and add period or
 986 courses from which the student withdraws after the end of the
 987 drop and add period unless the student has received an exception
 988 pursuant to s. 1009.53(11).

989 (2) For students initially eligible in the 2010-2011
 990 academic term and thereafter, and unless otherwise provided in
 991 this section, if a student does not meet the requirements for
 992 renewal of a scholarship because of lack of completion of
 993 sufficient credit hours or insufficient grades, the scholarship
 994 shall be renewed only if the student failed to complete
 995 sufficient credit hours or to meet sufficient grade requirements
 996 due to verifiable illness or other documented emergency, in
 997 which case the student may be granted an exception from academic
 998 requirements pursuant to s. 1009.40(1)(b)4.

999 (3)~~(2)~~ A student who is initially eligible prior to the
 1000 2010-2011 academic year and is enrolled in a program that
 1001 terminates in an associate degree or a baccalaureate degree may
 1002 receive an award for a maximum of 110 percent of the number of
 1003 credit hours required to complete the program. A student who is
 1004 enrolled in a program that terminates in a career certificate
 1005 may receive an award for a maximum of 110 percent of the credit
 1006 hours or clock hours required to complete the program up to 90
 1007 credit hours. For a student who is initially eligible in the
 1008 2010-2011 academic term and thereafter, the student may receive

1009 an award for a maximum of 100 percent of the number of credit
 1010 hours required to complete an associate degree program or a
 1011 baccalaureate degree program, or the student may receive an
 1012 award for a maximum of 100 percent of the credit hours or clock
 1013 hours required to complete up to 90 credit hours of a program
 1014 that terminates in a career certificate. A student who transfers
 1015 from one of these program levels to another becomes eligible for
 1016 the higher of the two credit hour limits.

1017 Section 15. Subsections (1) and (5) of section 1009.534,
 1018 Florida Statutes, are amended to read:

1019 1009.534 Florida Academic Scholars award.—

1020 (1) A student is eligible for a Florida Academic Scholars
 1021 award if the student meets the general eligibility requirements
 1022 for the Florida Bright Futures Scholarship Program and the
 1023 student:

1024 (a) Has achieved a 3.5 weighted grade point average as
 1025 calculated pursuant to s. 1009.531, or its equivalent, in high
 1026 school courses that are designated by the State Board of
 1027 Education as college-preparatory academic courses; and has
 1028 attained at least the score pursuant to s. 1009.531(6)(a)
 1029 ~~identified by rules of the State Board of Education~~ on the
 1030 combined verbal and quantitative parts of the Scholastic
 1031 Aptitude Test, the Scholastic Assessment Test, or the recentered
 1032 Scholastic Assessment Test of the College Entrance Examination,
 1033 or an equivalent score on the ACT Assessment Program; ~~or~~

1034 (b) Has attended a home education program according to s.
 1035 1002.41 during grades 11 and 12 or has completed the
 1036 International Baccalaureate curriculum but failed to earn the

1037 International Baccalaureate Diploma or has completed the
 1038 Advanced International Certificate of Education curriculum but
 1039 failed to earn the Advanced International Certificate of
 1040 Education Diploma, and has attained at least the score pursuant
 1041 to s. 1009.531(6)(a) ~~identified by rules of the State Board of~~
 1042 ~~Education~~ on the combined verbal and quantitative parts of the
 1043 Scholastic Aptitude Test, the Scholastic Assessment Test, or the
 1044 recentered Scholastic Assessment Test of the College Entrance
 1045 Examination, or an equivalent score on the ACT Assessment
 1046 Program; ~~or~~

1047 (c) Has been awarded an International Baccalaureate
 1048 Diploma from the International Baccalaureate Office or an
 1049 Advanced International Certificate of Education Diploma from the
 1050 University of Cambridge International Examinations Office; ~~or~~

1051 (d) Has been recognized by the merit or achievement
 1052 programs of the National Merit Scholarship Corporation as a
 1053 scholar or finalist; or

1054 (e) Has been recognized by the National Hispanic
 1055 Recognition Program as a scholar recipient. A student must
 1056 complete a program of community service work, as approved by the
 1057 district school board or the administrators of a nonpublic
 1058 school, which shall include a minimum of 75 hours of service
 1059 work and require the student to identify a social problem that
 1060 interests him or her, develop a plan for his or her personal
 1061 involvement in addressing the problem, and, through papers or
 1062 other presentations, evaluate and reflect upon his or her
 1063 experience.

1064 (5) Notwithstanding subsections (2) and (4), a Florida

1065 Academic Scholar is eligible for an award equal to the amount
 1066 specified in the General Appropriations Act ~~for the 2009-2010~~
 1067 ~~academic year. This subsection expires July 1, 2010.~~

1068 Section 16. Section 1009.5341, Florida Statutes, is
 1069 created to read:

1070 1009.5341 Florida Bright Futures Scholarship awards for
 1071 graduate study.—Florida Bright Futures Scholarship recipients
 1072 who graduate in the 2010-2011 academic year and thereafter with
 1073 a baccalaureate degree in 7 semesters, or the equivalent or
 1074 fewer hours, and wish to pursue graduate study may apply the
 1075 unused portion of their Florida Academic Scholars award or
 1076 Florida Medallion Scholars award toward 1 semester of graduate
 1077 study, not to exceed 15 semester hours paid at the undergraduate
 1078 rate. A baccalaureate degree may include, but is not limited to,
 1079 college credits earned through articulated acceleration
 1080 mechanisms pursuant to s. 1007.27.

1081 Section 17. Subsections (1) and (4) of section 1009.535,
 1082 Florida Statutes, are amended to read:

1083 1009.535 Florida Medallion Scholars award.—

1084 (1) A student is eligible for a Florida Medallion Scholars
 1085 award if the student meets the general eligibility requirements
 1086 for the Florida Bright Futures Scholarship Program and the
 1087 student:

1088 (a) Has achieved a weighted grade point average of 3.0 as
 1089 calculated pursuant to s. 1009.531, or the equivalent, in high
 1090 school courses that are designated by the State Board of
 1091 Education as college-preparatory academic courses; and has
 1092 attained at least the score pursuant to s. 1009.531(6)(b)

1093 ~~identified by rules of the State Board of Education~~ on the
 1094 combined verbal and quantitative parts of the Scholastic
 1095 Aptitude Test, the Scholastic Assessment Test, or the recentered
 1096 Scholastic Assessment Test of the College Entrance Examination,
 1097 or an equivalent score on the ACT Assessment Program; ~~or~~

1098 (b) ~~Has attended a home education program according to s.~~
 1099 ~~1002.41 during grades 11 and 12 or has completed the~~
 1100 International Baccalaureate curriculum but failed to earn the
 1101 International Baccalaureate Diploma or has completed the
 1102 Advanced International Certificate of Education curriculum but
 1103 failed to earn the Advanced International Certificate of
 1104 Education Diploma, and has attained at least the score pursuant
 1105 to s. 1009.531(6) (b) ~~identified by rules of the State Board of~~
 1106 ~~Education~~ on the combined verbal and quantitative parts of the
 1107 Scholastic Aptitude Test, the Scholastic Assessment Test, or the
 1108 recentered Scholastic Assessment Test of the College Entrance
 1109 Examination, or an equivalent score on the ACT Assessment
 1110 Program; ~~or~~

1111 (c) Has attended a home education program according to s.
 1112 1002.41 during grades 11 and 12 and has attained at least the
 1113 score pursuant to s. 1009.531(6) (b) on the combined verbal and
 1114 quantitative parts of the Scholastic Aptitude Test, the
 1115 Scholastic Assessment Test, or the recentered Scholastic
 1116 Assessment Test of the College Entrance Examination, or an
 1117 equivalent score on the ACT Assessment Program, if the student's
 1118 parent cannot document a college-preparatory curriculum as
 1119 described in paragraph (a);

1120 (d) ~~(e)~~ Has been recognized by the merit or achievement

1121 program of the National Merit Scholarship Corporation as a
 1122 scholar or finalist but has not completed a program of community
 1123 service as provided in s. 1009.534; or

1124 (e) ~~(d)~~ Has been recognized by the National Hispanic
 1125 Recognition Program as a scholar, but has not completed a
 1126 program of community service as provided in s. 1009.534.

1127 (4) Notwithstanding subsection (2), a Florida Medallion
 1128 Scholar is eligible for an award equal to the amount specified
 1129 in the General Appropriations Act ~~for the 2009-2010 academic~~
 1130 ~~year. This subsection expires July 1, 2010.~~

1131 Section 18. Subsections (4) and (5) of section 1009.536,
 1132 Florida Statutes, are amended to read:

1133 1009.536 Florida Gold Seal Vocational Scholars award.—The
 1134 Florida Gold Seal Vocational Scholars award is created within
 1135 the Florida Bright Futures Scholarship Program to recognize and
 1136 reward academic achievement and career preparation by high
 1137 school students who wish to continue their education.

1138 (4) A student may earn a Florida Gold Seal Vocational
 1139 Scholarship for 110 percent of the number of credit hours
 1140 required to complete the program, up to 90 credit hours or the
 1141 equivalent. For a student who is initially eligible in the 2010-
 1142 2011 academic term and thereafter, the student may earn a
 1143 Florida Gold Seal Vocational Scholarship for 100 percent of the
 1144 number of credit hours required to complete the program, up to
 1145 90 credit hours or the equivalent.

1146 (5) Notwithstanding subsection (2), a Florida Gold Seal
 1147 Vocational Scholar is eligible for an award equal to the amount
 1148 specified in the General Appropriations Act ~~for the 2009-2010~~

1149 ~~academic year. This subsection expires July 1, 2010.~~

1150 Section 19. Sections 1009.537 and 1009.5385, Florida
1151 Statutes, are repealed.

1152 Section 20. Subsections (2), (3), and (4) of section
1153 1009.72, Florida Statutes, are amended to read:

1154 1009.72 Jose Marti Scholarship Challenge Grant Program.—

1155 (2) ~~Funds appropriated by the Legislature for the program~~
1156 ~~shall be deposited in the State Student Financial Assistance~~
1157 ~~Trust Fund. The Chief Financial Officer shall authorize~~
1158 ~~expenditures from the trust fund upon receipt of vouchers~~
1159 ~~approved by the Department of Education. All moneys collected~~
1160 ~~from private sources for the purposes of this section shall be~~
1161 ~~deposited into the State Student Financial Assistance Trust~~
1162 ~~Fund. Any balance in the trust fund at the end of any fiscal~~
1163 ~~year which ~~that~~ has been allocated to the program shall remain~~
1164 ~~therein and shall be available for carrying out the purposes of~~
1165 ~~the program. All funds deposited into the trust fund for the~~
1166 ~~program shall be invested pursuant to s. 17.61. Interest income~~
1167 ~~accruing to that portion of the funds which are allocated to the~~
1168 ~~program in the trust fund and not matched shall increase the~~
1169 ~~total funds available for the program.~~

1170 (3) The Legislature may appropriate funds ~~shall designate~~
1171 ~~funds to be transferred to the trust fund for the program from~~
1172 ~~the General Revenue Fund. Such funds shall be divided into~~
1173 ~~challenge grants to be administered by the Department of~~
1174 ~~Education. All appropriated funds deposited into the trust fund~~
1175 ~~for the program shall be invested pursuant to the provisions of~~
1176 ~~s. 17.61. Interest income accruing to that portion of the funds~~

1177 ~~that are allocated to the program in the trust fund and not~~
 1178 ~~matched shall increase the total funds available for the~~
 1179 ~~program.~~

1180 (4) The amounts ~~amount~~ appropriated ~~to the trust fund~~ for
 1181 the program shall be allocated by the department on the basis of
 1182 one \$5,000 challenge grant for each \$2,500 raised from private
 1183 sources. Matching funds shall be generated through contributions
 1184 made after July 1, 1986, and pledged for the purposes of this
 1185 section. Pledged contributions shall not be eligible for
 1186 matching prior to the actual collection of the total funds.

1187 Section 21. Subsections (2), (3), and (4) of section
 1188 1009.73, Florida Statutes, are amended to read:

1189 1009.73 Mary McLeod Bethune Scholarship Program.—

1190 (2) ~~Funds appropriated by the Legislature for the program~~
 1191 ~~shall be deposited in the State Student Financial Assistance~~
 1192 ~~Trust Fund. The Chief Financial Officer shall authorize~~
 1193 ~~expenditures from the trust fund upon receipt of vouchers~~
 1194 ~~approved by the Department of Education.~~ The Department of
 1195 Education shall receive all moneys collected from private
 1196 sources for the purposes of this section and shall deposit such
 1197 moneys into the State Student Financial Assistance Trust Fund.
 1198 Notwithstanding the provisions of s. 216.301 and pursuant to s.
 1199 216.351, any balance in the trust fund at the end of any fiscal
 1200 year which ~~that~~ has been allocated to the program shall remain
 1201 in the trust fund and shall be available for carrying out the
 1202 purposes of the program. All moneys deposited into the trust
 1203 fund for the program shall be invested pursuant to s. 17.61.
 1204 Interest income accruing to that portion of the funds which are

1205 allocated to the program in the trust fund and not matched shall
 1206 increase the total funds available for the program.

1207 (3) The Legislature may appropriate funds ~~shall~~
 1208 ~~appropriate moneys to the trust fund~~ for the program from the
 1209 General Revenue Fund. Such moneys shall be applied to
 1210 scholarships to be administered by the Department of Education.
 1211 ~~All moneys deposited into the trust fund for the program shall~~
 1212 ~~be invested pursuant to the provisions of s. 17.61. Interest~~
 1213 ~~income accruing to the program shall be expended to increase the~~
 1214 ~~total moneys available for scholarships.~~

1215 (4) The moneys ~~in the trust fund~~ for the program shall be
 1216 allocated by the department among the institutions of higher
 1217 education listed in subsection (1) on the basis of one \$2,000
 1218 challenge grant for each \$1,000 raised from private sources.
 1219 Matching funds shall be generated through contributions made
 1220 after July 1, 1990, and pledged for the purposes of this
 1221 section. Pledged contributions shall not be eligible for
 1222 matching prior to the actual collection of the total funds. The
 1223 department shall allocate to each of those institutions a
 1224 proportionate share of the contributions received on behalf of
 1225 those institutions and a share of the appropriations and
 1226 matching funds generated by such institution.

1227 Section 22. Subsection (2) of section 1010.87, Florida
 1228 Statutes, is amended to read:

1229 1010.87 Workers' Compensation Administration Trust Fund
 1230 within the Department of Education.—

1231 (2) Funds appropriated by nonoperating transfer from the
 1232 Department of Financial Services Workers' Compensation

1233 Administration Trust Fund which remain unencumbered as of June
 1234 30 or undisbursed as of September 30 shall revert to the
 1235 Department of Financial Services Workers' Compensation
 1236 Administration Trust Fund. ~~Notwithstanding the provisions of s.~~
 1237 ~~216.301 and pursuant to s. 216.351, any balance in the trust~~
 1238 ~~fund at the end of any fiscal year shall remain in the trust~~
 1239 ~~fund at the end of the year and shall be available for carrying~~
 1240 ~~out the purposes of the trust fund.~~

1241 Section 23. Subsection (8) of section 1011.32, Florida
 1242 Statutes, is amended to read:

1243 1011.32 Community College Facility Enhancement Challenge
 1244 Grant Program.—

1245 (8) By October 15 ~~September 1~~ of each year, the State
 1246 Board of Education shall transmit to the Legislature a list of
 1247 projects which meet all eligibility requirements to participate
 1248 in the Community College Facility Enhancement Challenge Grant
 1249 Program and a budget request which includes the recommended
 1250 schedule necessary to complete each project.

1251 Section 24. Paragraph (e) of subsection (2) of section
 1252 1011.52, Florida Statutes, is amended to read:

1253 1011.52 Appropriation to first accredited medical school.—

1254 (2) In order for a medical school to qualify under the
 1255 provisions of this section and to be entitled to the benefits
 1256 herein, such medical school:

1257 (e) Must have in place ~~enter into~~ an annual operating
 1258 agreement ~~each fiscal year~~ with a government-owned hospital that
 1259 is located in the same county as the medical school and that is
 1260 a statutory teaching hospital as defined in s. 408.07(45). The

1261 ~~annual~~ operating agreement shall provide for the medical school
 1262 to maintain the same level of affiliation with the hospital,
 1263 including the level of services to indigent and charity care
 1264 patients served by the hospital, which was in place in the prior
 1265 fiscal year. Each year, documentation demonstrating that an ~~of~~
 1266 ~~the~~ operating agreement is in effect shall be submitted jointly
 1267 to the Department of Education by the hospital and the medical
 1268 school prior to the payment of moneys from the annual
 1269 appropriation.

1270 Section 25. Paragraph (a) of subsection (5) of section
 1271 1011.80, Florida Statutes, is amended to read:

1272 1011.80 Funds for operation of workforce education
 1273 programs.—

1274 (5) State funding and student fees for workforce education
 1275 instruction shall be established as follows:

1276 (a) Expenditures for the continuing workforce education
 1277 programs provided by the community colleges or school districts
 1278 must be fully supported by fees. Enrollments in continuing
 1279 workforce education courses shall not be counted for purposes of
 1280 funding full-time equivalent enrollment. ~~For a continuing~~
 1281 ~~workforce education course, state funding shall equal 50 percent~~
 1282 ~~of the cost of instruction, with student fees, business support,~~
 1283 ~~quick response training funds, or other means making up the~~
 1284 ~~remaining 50 percent.~~

1285 Section 26. Section 1011.83, Florida Statutes, is amended
 1286 to read:

1287 1011.83 Financial support of community colleges.—

1288 (1) Each community college that has been approved by the

1289 Department of Education and meets the requirements of law and
 1290 rules of the State Board of Education shall participate in the
 1291 Community College Program Fund. However, funds to support
 1292 workforce education programs conducted by community colleges
 1293 shall be provided pursuant to s. 1011.80.

1294 ~~(2) Funding for baccalaureate degree programs approved~~
 1295 ~~pursuant to s. 1007.33 shall be specified in the General~~
 1296 ~~Appropriations Act.~~ A student in a baccalaureate degree program
 1297 approved pursuant to s. 1007.33 who is not classified as a
 1298 resident for tuition purposes pursuant to s. 1009.21 may not be
 1299 included in calculations of full-time equivalent enrollments for
 1300 state funding purposes.

1301 ~~(3) Funds specifically appropriated by the Legislature for~~
 1302 ~~baccalaureate degree programs approved pursuant to s. 1007.33~~
 1303 ~~may be used only for such programs. A community college shall~~
 1304 ~~fund the nonrecurring costs related to the initiation of a new~~
 1305 ~~baccalaureate degree program under s. 1007.33 without new state~~
 1306 ~~appropriations unless special grant funds are appropriated in~~
 1307 ~~the General Appropriations Act. A new baccalaureate degree~~
 1308 ~~program may not accept students without a recurring legislative~~
 1309 ~~appropriation for this purpose.~~

1310 ~~(4) State funding for baccalaureate degree programs~~
 1311 ~~approved pursuant to s. 1007.33 shall be as provided in the~~
 1312 ~~General Appropriations Act.~~

1313 ~~(5) A community college that grants baccalaureate degrees~~
 1314 ~~shall maintain reporting and funding distinctions between any~~
 1315 ~~baccalaureate degree program approved under s. 1007.33 and any~~
 1316 ~~other baccalaureate degree programs involving traditional~~

1317 ~~concurrent-use partnerships.~~

1318 Section 27. Paragraph (a) of subsection (3) of section
 1319 1011.84, Florida Statutes, is amended, and paragraph (g) is
 1320 added to that subsection, to read:

1321 1011.84 Procedure for determining state financial support
 1322 and annual apportionment of state funds to each community
 1323 college district.—The procedure for determining state financial
 1324 support and the annual apportionment to each community college
 1325 district authorized to operate a community college under the
 1326 provisions of s. 1001.61 shall be as follows:

1327 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

1328 (a) By December 15 of each year, the Department of
 1329 Education shall estimate the annual enrollment of each community
 1330 college for the current fiscal year and for the 3 ~~6~~ subsequent
 1331 fiscal years. These estimates shall be based upon prior years'
 1332 enrollments, upon the initial fall term enrollments for the
 1333 current fiscal year for each college, and upon each college's
 1334 estimated current enrollment and demographic changes in the
 1335 respective community college districts. Upper-division
 1336 enrollment shall be estimated separately from lower-division
 1337 enrollment.

1338 (g) Expenditures for upper-division enrollment in a
 1339 community college that grants baccalaureate degrees shall be
 1340 reported separately from expenditures for lower-division
 1341 enrollment, in accordance with law and State Board of Education
 1342 rule.

1343 Section 28. Section 1012.885, Florida Statutes, is created
 1344 to read:

1345 1012.885 Remuneration of community college presidents;
 1346 limitations.-

1347 (1) DEFINITIONS.-As used in this section, the term:

1348 (a) "Appropriated state funds" means funds appropriated
 1349 from the General Revenue Fund or funds appropriated from state
 1350 trust funds.

1351 (b) "Cash-equivalent compensation" means any benefit that
 1352 may be assigned an equivalent cash value.

1353 (c) "Remuneration" means salary, bonuses, and cash-
 1354 equivalent compensation paid to a community college president by
 1355 his or her employer for work performed, excluding health
 1356 insurance benefits and retirement benefits.

1357 (2) LIMITATION ON COMPENSATION.-Notwithstanding any other
 1358 law, resolution, or rule to the contrary, a community college
 1359 president may not receive more than \$225,000 in remuneration
 1360 annually from appropriated state funds. Only compensation, as
 1361 defined in s. 121.021(22), provided to a community college
 1362 president may be used in calculating benefits under chapter 121.

1363 (3) EXCEPTIONS.-This section does not prohibit any party
 1364 from providing cash or cash-equivalent compensation from funds
 1365 that are not appropriated state funds to a community college
 1366 president in excess of the limit in subsection (2). If a party
 1367 is unable or unwilling to fulfill an obligation to provide cash
 1368 or cash-equivalent compensation to a community college president
 1369 as permitted under this subsection, appropriated state funds may
 1370 not be used to fulfill such obligation.

1371 Section 29. Subsection (8) of section 1013.79, Florida
 1372 Statutes, is amended to read:

1373 1013.79 University Facility Enhancement Challenge Grant
1374 Program.—

1375 (8) By October 15 ~~±~~ of each year, the Board of Governors
1376 shall transmit to the Legislature a list of projects that meet
1377 all eligibility requirements to participate in the Alec P.
1378 Courtelis University Facility Enhancement Challenge Grant
1379 Program and a budget request that includes the recommended
1380 schedule necessary to complete each project.

1381 Section 30. (1) Each Florida college and state university
1382 shall strive to reduce its campuswide energy consumption by 10
1383 percent. While savings may be accrued by any means, the goal
1384 shall be to implement energy use policies or procedures or both
1385 and any equipment retrofits that are necessary to carry out this
1386 reduction. The reduction may be obtained by either reducing the
1387 cost of the energy consumed or by reducing total energy usage,
1388 or a combination of both.

1389 (2) Energy consumption expenditures incurred during the
1390 2007-2008 fiscal year shall be used to establish the benchmark
1391 for the 10-percent goal. If a Florida college or state
1392 university can document that it has implemented energy use
1393 policies or procedures in the 2008-2009 fiscal year or the 2009-
1394 2010 fiscal year that resulted in reduction in energy usage or
1395 costs, those reductions may be counted towards the 10-percent
1396 goal.

1397 (3) Each Florida college and state university shall submit
1398 a report to the Governor, the Speaker of the House of
1399 Representatives, and the President of the Senate by January 1,
1400 2011, describing how they have met or plan to meet the 10-

1401 percent energy consumption reduction goal.

1402 Section 31. (1) The Office of Program Policy Analysis and
 1403 Government Accountability shall conduct a review of the public
 1404 school adult workforce education programs and the community
 1405 college and state college workforce education programs for the
 1406 purpose of identifying and analyzing the positive and negative
 1407 aspects of merging the school district programs with the
 1408 community college and state college programs. Questions
 1409 addressed by the review shall include:

1410 (a) What types of workforce education programs are offered
 1411 by school districts and Florida College System institutions and
 1412 are there differences between the two systems?

1413 (b) What types of students do school districts and Florida
 1414 College System institutions serve in their workforce education
 1415 programs and are there differences between the two systems?

1416 (c) What are the student outcomes for workforce education
 1417 programs offered by school districts and Florida College System
 1418 institutions and are there differences between the two systems?

1419 (d) How much does Florida spend on workforce education
 1420 programs and what are the funding sources for these programs?

1421 (e) How is workforce education funding allocated to school
 1422 districts and Florida College System institutions and how does
 1423 this compare to other states?

1424 (f) How do individual school districts and Florida College
 1425 System institutions operate their workforce education programs?

1426 (g) What types of instructional settings, facilities,
 1427 locations, and faculty do school districts and Florida College
 1428 System institutions use to deliver workforce education programs?

1429 (h) How do other states structure their workforce
1430 education programs?

1431 (2) The Office of Program Policy Analysis and Government
1432 Accountability shall submit the results of its review to the
1433 President of the Senate and the Speaker of the House of
1434 Representatives by December 1, 2010.

1435 Section 32. The Office of Program Policy Analysis and
1436 Government Accountability shall conduct a review of
1437 postsecondary educational opportunities for individuals with
1438 developmental disabilities. The review shall include, at a
1439 minimum, the following issues: opportunities for postsecondary
1440 education and vocational training; transitioning from school to
1441 the workforce; best practices for providing such postsecondary
1442 education and training services, including any notable public-
1443 private partnerships; and the feasibility and cost of
1444 establishing a residential vocational institution to provide
1445 postsecondary education and vocational training for individuals
1446 with developmental disabilities. The Office of Program Policy
1447 Analysis and Government Accountability shall submit the findings
1448 of its review to the President of the Senate and the Speaker of
1449 the House of Representatives no later than February 1, 2011.

1450 Section 33. There is appropriated \$25,000,000 in
1451 nonrecurring funds from the General Revenue Fund for the 2010-
1452 2011 fiscal year for the Florida Bright Futures Scholarship
1453 Program. The funding is contingent upon Florida being eligible
1454 to receive federal funds, based on the state's Federal Medical
1455 Assistance Percentage (FMAP), in excess of the February 2010
1456 official Social Services Estimating Conference estimate.

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Section 34. This act shall take effect July 1, 2010.