

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 Concurrence 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

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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~~

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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.~~

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

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

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

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

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

Section 14. Subsection (2) and paragraph (a) of subsection (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

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

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

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

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

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

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

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

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

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

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

~~(g) Maintain for the information of the State Board of 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)~~ (f) 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



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

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

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

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

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

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

267.062 Naming of state buildings and other facilities.—

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

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

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

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

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

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

(1) Shall exert every effort to collect all delinquent 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

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

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

1013.171 University lease agreements; land, facilities.—

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

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

1013.33 Coordination of planning with local governing bodies.—

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

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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.