

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 and workforce development education; amending s. 1004.04,
26 F.S.; deleting a reference to the CLAST; amending s.
27 1004.68, F.S.; deleting provisions relating to the use of
28 test scores for assessment of college-level communication

29 and computation skills; amending s. 1007.01, F.S.;

30 providing legislative intent and requirements relating to

31 articulation; requiring the establishment of the

32 Articulation Coordinating Committee and providing its

33 responsibilities; amending s. 1007.25, F.S.; deleting

34 provisions that require an examination or demonstration of

35 remediation of academic deficiencies to obtain a

36 postsecondary degree; amending ss. 1007.264 and 1007.265,

37 F.S.; deleting provisions that exclude students with

38 intellectual disabilities from eligibility for substitute

39 requirements for admission to or graduation from a public

40 postsecondary education institution; amending s. 1007.27,

41 F.S.; requiring the Department of Education to use student

42 performance data to determine appropriate credit-by-

43 examination scores and courses; deleting an exemption from

44 summer-term enrollment in a public postsecondary education

45 institution for students earning accelerated credit;

46 amending s. 1007.33, F.S.; providing for State Board of

47 Education rules relating to approval and exemption from

48 approval for baccalaureate degree programs at Florida

49 College System institutions; amending s. 1008.30, F.S.,

50 relating to common placement testing for public

51 postsecondary education; deleting a reference to the

52 CLAST; requiring rules for remediation opportunities,

53 retesting policies, and academic competencies; requiring

54 that students be advised of academic requirements,

55 financial aid eligibility, and certain costs; amending s.

56 1008.345, F.S.; deleting Department of Education duties

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

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

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

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

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

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

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

85 Section 2. Section 705.18, Florida Statutes, is amended to
86 read:

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

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

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

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

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

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

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

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

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

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

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

152 1004.015 Higher Education Coordinating Council.—

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

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

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

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

168 systems to facilitate and ensure institutional compliance with
169 state articulation policies.

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

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

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

184 (5) The council shall submit a report outlining its
185 detailed recommendations to the Governor, the President of the
186 Senate, the Speaker of the House of Representatives, the Board
187 of Governors, and the State Board of Education by December 31,
188 2011, which specifically includes recommendations for
189 consideration by the Legislature for implementation in the 2012-
190 2013 fiscal year.

191 (6) ~~(4)~~ The Board of Governors and the Department of
192 Education shall provide administrative support for the council.

193 Section 6. Paragraph (b) of subsection (4) of section
194 1004.04, Florida Statutes, is amended to read:

195 1004.04 Public accountability and state approval for
196 teacher preparation programs.—

197 (4) INITIAL STATE PROGRAM APPROVAL.—

198 (b) Each teacher preparation program approved by the
199 Department of Education, as provided for by this section, shall
200 require students to meet the following as prerequisites for
201 admission into the program:

202 1. Have a grade point average of at least 2.5 on a 4.0
203 scale for the general education component of undergraduate
204 studies or have completed the requirements for a baccalaureate
205 degree with a minimum grade point average of 2.5 on a 4.0 scale
206 from any college or university accredited by a regional
207 accrediting association as defined by State Board of Education
208 rule or any college or university otherwise approved pursuant to
209 State Board of Education rule.

210 2. Demonstrate mastery of general knowledge, including the
211 ability to read, write, and compute, by passing the General
212 Knowledge Test of the Florida Teacher Certification Examination,
213 ~~the College Level Academic Skills Test,~~ a corresponding
214 component of the National Teachers Examination series, or a
215 similar test pursuant to rules of the State Board of Education.
216

217 Each teacher preparation program may waive these admissions
218 requirements for up to 10 percent of the students admitted.
219 Programs shall implement strategies to ensure that students
220 admitted under a waiver receive assistance to demonstrate
221 competencies to successfully meet requirements for
222 certification.

CS/HB 7151, Engrossed 2

2011

223 Section 7. Section 1004.68, Florida Statutes, is amended
224 to read:

225 1004.68 Community college; degrees and certificates; ~~tests~~
226 ~~for certain skills.~~—

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

230 ~~(2) Each community college board of trustees shall require~~
231 ~~the use of scores on tests for college-level communication and~~
232 ~~computation skills provided in s. 1008.345(7) as a condition for~~
233 ~~graduation with an associate in arts degree.~~

234 Section 8. Section 1007.01, Florida Statutes, is amended
235 to read:

236 1007.01 Articulation; legislative intent; purpose; role of
237 the State Board of Education and the Board of Governors;
238 Articulation Coordinating Committee.—

239 (1) It is the intent of the Legislature to facilitate
240 articulation and seamless integration of the K-20 education
241 system by building, and sustaining, and strengthening
242 relationships among K-20 public organizations, between public
243 and private organizations, and between the education system as a
244 whole and Florida's communities. The purpose of building, and
245 sustaining, and strengthening these relationships is to provide
246 for the efficient and effective progression and transfer of
247 students within the education system and to allow students to
248 proceed toward their educational objectives as rapidly as their
249 circumstances permit. The Legislature further intends that
250 articulation policies and budget actions be implemented

251 consistently in the practices of the Department of Education and
252 postsecondary educational institutions and expressed in the
253 collaborative policy efforts of the State Board of Education and
254 the Board of Governors.

255 (2) To improve and facilitate articulation systemwide, the
256 State Board of Education and the Board of Governors shall
257 collaboratively establish and adopt ~~recommend~~ policies ~~and~~
258 ~~guidelines to the Legislature~~ with input from statewide K-20
259 advisory groups established by the Commissioner of Education and
260 the Chancellor of the State University System and shall
261 recommend the policies to the Legislature. The policies shall
262 relate ~~relating~~ to:

263 (a) The alignment between the exit requirements of one
264 education system and the admissions requirements of another
265 education system into which students typically transfer.

266 (b) The identification of common courses, the level of
267 courses, institutional participation in a statewide course
268 numbering system, and the transferability of credits among such
269 institutions.

270 (c) Identification of courses that meet general education
271 or common degree program prerequisite requirements at public
272 postsecondary educational institutions.

273 (d) Dual enrollment course equivalencies.

274 (e) Articulation agreements.

275 (3) The Commissioner of Education, in consultation with
276 the Chancellor of the State University System, shall establish
277 the Articulation Coordinating Committee which shall make
278 recommendations related to statewide articulation policies to

279 the Higher Education Coordination Council, the State Board of
280 Education, and the Board of Governors. The committee shall
281 consist of two members each representing the State University
282 System, the Florida College System, public career and technical
283 education, public K-12 education, and nonpublic education and
284 one member representing students. The chair shall be elected
285 from the membership. The committee shall:

286 (a) Monitor the alignment between the exit requirements of
287 one education system and the admissions requirements of another
288 education system into which students typically transfer and make
289 recommendations for improvement.

290 (b) Propose guidelines for interinstitutional agreements
291 between and among public schools, career and technical education
292 centers, Florida College System institutions, state
293 universities, and nonpublic postsecondary institutions.

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

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

299 (e) Annually review the statewide course numbering system,
300 the levels of courses, and the application of transfer credit
301 requirements among public and nonpublic institutions
302 participating in the statewide course numbering system and
303 identify instances of student transfer and admissions
304 difficulties.

305 (f) Annually publish a list of courses that meet common
306 general education and common degree program prerequisite

307 requirements at public postsecondary institutions identified
308 pursuant to s. 1007.25.

309 (g) Examine statewide data regarding articulation to
310 identify issues and make recommendations to improve articulation
311 throughout the K-20 education system.

312 (h) Recommend roles and responsibilities of public
313 education entities in interfacing with the single, statewide
314 computer-assisted student advising system established pursuant
315 to s. 1007.28.

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

318 1007.25 General education courses; common prerequisites;
319 ~~and~~ other degree requirements.—

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

324 ~~1. Achieve a score that meets or exceeds a minimum score~~
325 ~~on a nationally standardized examination, as established by the~~
326 ~~State Board of Education in conjunction with the Board of~~
327 ~~Governors; or~~

328 ~~2. Demonstrate successful remediation of any academic~~
329 ~~deficiencies and achieve a cumulative grade point average of 2.5~~
330 ~~or above, on a 4.0 scale, in postsecondary-level coursework~~
331 ~~identified by the State Board of Education in conjunction with~~
332 ~~the Board of Governors. The Department of Education shall~~
333 ~~specify the means by which a student may demonstrate successful~~
334 ~~remediation.~~

335 ~~(b) Any student who, in the best professional opinion of~~
336 ~~the postsecondary educational institution, has a specific~~
337 ~~learning disability such that the student cannot demonstrate~~
338 ~~successful mastery of one or more of the authorized examinations~~
339 ~~but is achieving at the college level in every area despite his~~
340 ~~or her disability, and whose diagnosis indicates that further~~
341 ~~remediation will not succeed in overcoming the disability, may~~
342 ~~appeal through the appropriate dean to a committee appointed by~~
343 ~~the president or the chief academic officer for special~~
344 ~~consideration. The committee shall examine the evidence of the~~
345 ~~student's academic and medical records and may hear testimony~~
346 ~~relevant to the case. The committee may grant a waiver for one~~
347 ~~or more of the authorized examinations based on the results of~~
348 ~~its review.~~

349 ~~(c) Each public postsecondary educational institution~~
350 ~~president shall establish a committee to consider requests for~~
351 ~~waivers from the requirements in paragraph (a). The committee~~
352 ~~shall be chaired by the chief academic officer of the~~
353 ~~institution and shall have four additional members appointed by~~
354 ~~the president as follows:~~

- 355 ~~1. One faculty member from the mathematics department;~~
356 ~~2. One faculty member from the English department;~~
357 ~~3. The institutional test administrator; and~~
358 ~~4. One faculty member from a department other than English~~
359 ~~or mathematics.~~

360 ~~(d) Any student who has taken the authorized examinations~~
361 ~~and has not achieved a passing score, but has otherwise~~
362 ~~demonstrated proficiency in coursework in the same subject area,~~

CS/HB 7151, Engrossed 2

2011

363 ~~may request a waiver from the examination requirement. Waivers~~
364 ~~shall be considered only after students have been provided test~~
365 ~~accommodations or other administrative adjustments to permit the~~
366 ~~accurate measurement of the student's proficiency in the subject~~
367 ~~areas measured by the authorized examinations. The committee~~
368 ~~shall consider the student's educational records and other~~
369 ~~evidence as to whether the student should be able to pass the~~
370 ~~authorized examinations. A waiver may be recommended to the~~
371 ~~president upon a majority vote of the committee. The president~~
372 ~~may approve or disapprove the recommendation. The president may~~
373 ~~not approve a request that the committee has disapproved. If a~~
374 ~~waiver is approved, the student's transcript shall include a~~
375 ~~statement that the student did not meet the requirements of this~~
376 ~~subsection and that a waiver was granted.~~

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

379 1007.264 Persons with disabilities; admission to
380 postsecondary educational institutions; substitute requirements;
381 rules and regulations.—

382 (1) Any student with a disability, as defined in s.
383 1007.02(2), who is otherwise eligible ~~except those students who~~
384 ~~have been documented as having intellectual disabilities,~~ shall
385 be eligible for reasonable substitution for any requirement for
386 admission into a public postsecondary educational institution
387 where documentation can be provided that the person's failure to
388 meet the admission requirement is related to the disability.

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

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

(1) Any student with a disability, as defined in s. 1007.02(2), in a public postsecondary educational institution, ~~except those students who have been documented as having intellectual disabilities,~~ shall be eligible for reasonable substitution for any requirement for graduation, for admission into a program of study, or for entry into the upper division where documentation can be provided that the person's failure to meet the requirement is related to the disability and where failure to meet the graduation requirement or program admission requirement does not constitute a fundamental alteration in the nature of the program.

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

1007.27 Articulated acceleration mechanisms.—

(2) The Department of Education shall annually identify and publish the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) ~~general examination, CLEP subject examination, College Board Advanced Placement Program examination, Advanced International Certificate of Education examination,~~ and International Baccalaureate examination. The department shall use student performance data in subsequent postsecondary courses to determine the appropriate examination scores and courses for which credit is to be granted. Minimum scores may vary by subject area based on available performance

CS/HB 7151, Engrossed 2

2011

419 data. In addition, the department shall identify such courses in
420 the general education core curriculum of each state university
421 and community college.

422 ~~(10) Any student who earns 9 or more credits from one or~~
423 ~~more of the acceleration mechanisms provided for in this section~~
424 ~~is exempt from any requirement of a public postsecondary~~
425 ~~educational institution mandating enrollment during a summer~~
426 ~~term.~~

427 Section 13. Subsection (7) of section 1007.33, Florida
428 Statutes, is amended to read:

429 1007.33 Site-determined baccalaureate degree access.—

430 (7) The State Board of Education shall adopt rules to
431 implement this section. The rules shall prescribe format and
432 content requirements and submission procedures for notices of
433 intent, proposals, and alternative proposals under subsection
434 (5). The rules shall establish specific criteria for submission
435 and review of applications for exemption under subsection (6)
436 and include, at a minimum, the requirement that institutions
437 seeking an exemption submit a 5-year plan for baccalaureate
438 degree expansion and an assessment of the fiscal impact of such
439 expansion.

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

442 1008.30 Common placement testing for public postsecondary
443 education.—

444 (2) The common placement testing program shall include at
445 a minimum the following: the capacity to diagnose basic
446 competencies in the areas of English, reading, and mathematics

447 which are essential to perform college-level work; prerequisite
448 skills that relate to progressively advanced instruction in
449 mathematics, such as algebra and geometry; prerequisite skills
450 that relate to progressively advanced instruction in language
451 arts, such as English composition and literature; ~~prerequisite~~
452 ~~skills which relate to the College Level Academic Skills Test~~
453 ~~(CLAST);~~ and provision of test information to students on the
454 specific deficiencies.

455 (4) (a) ~~Public postsecondary educational institution~~
456 Students who have been identified as requiring additional
457 preparation pursuant to subsection (1) shall enroll in college-
458 preparatory or other adult education pursuant to s. 1004.93 in
459 community colleges to develop needed college-entry skills. The
460 State Board of Education shall specify by rule provisions for
461 alternative remediation opportunities and retesting policies.
462 These students shall be permitted to take courses within their
463 degree program concurrently in other curriculum areas for which
464 they are qualified while enrolled in college-preparatory
465 instruction courses. A student enrolled in a college-preparatory
466 course may concurrently enroll only in college credit courses
467 that do not require the skills addressed in the college-
468 preparatory course. ~~The State Board of Education, in conjunction~~
469 ~~with the Board of Governors, shall specify the college credit~~
470 ~~courses that are acceptable for students enrolled in each~~
471 ~~college-preparatory skill area. A degree-seeking student who~~
472 ~~wishes to earn an associate in arts or a baccalaureate degree,~~
473 ~~but~~ who is required to complete a college-preparatory course,
474 must successfully complete the required college-preparatory

475 studies by the time the student has accumulated 12 hours of
476 lower-division college credit degree coursework; however, a
477 student may continue enrollment in degree-earning coursework
478 provided the student maintains enrollment in college-preparatory
479 coursework for each subsequent semester until college-
480 preparatory coursework requirements are completed, and provided
481 the student demonstrates satisfactory performance in degree-
482 earning coursework. A student who has accumulated 12 college
483 credit hours and has not yet demonstrated proficiency in the
484 basic competency areas of reading, writing, and mathematics must
485 be advised in writing of the requirements for associate degree
486 completion and state university admission, including information
487 about future financial aid eligibility and the potential costs
488 of accumulating excessive college credit as described in s.
489 1009.286. ~~A passing score on a standardized, institutionally~~
490 ~~developed test must be achieved~~ Before a student is considered
491 to have met basic computation and communication skills
492 requirements, the student must demonstrate successful mastery of
493 the required developmental education competencies as defined in
494 State Board of Education rule; ~~however, no student shall be~~
495 ~~required to retake any test or subtest that was previously~~
496 ~~passed by said student.~~ Credit awarded for college-preparatory
497 instruction may not be counted toward fulfilling the number of
498 credits required for a degree.

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

501 1008.345 Implementation of state system of school
502 improvement and education accountability.—

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

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

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

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

511 (d) Conduct the program evaluations required by s.
512 1001.03.

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

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

523 ~~(g) Maintain for the information of the State Board of~~
524 ~~Education, the Board of Governors, and the Legislature a file of~~
525 ~~data to reflect achievement of college-level communication and~~
526 ~~mathematics competencies by students in state universities and~~
527 ~~community colleges.~~

528 ~~(h) Develop or contract for, and submit to the State Board~~
529 ~~of Education and the Board of Governors for approval, tests~~
530 ~~which measure and diagnose student achievement of college-level~~

531 ~~communication and mathematics skills. Any tests and related~~
532 ~~documents developed are exempt from the provisions of s.~~
533 ~~119.07(1). The commissioner shall maintain statewide~~
534 ~~responsibility for the administration of such tests and may~~
535 ~~assign administrative responsibilities for the tests to any~~
536 ~~state university or community college. The state board, upon~~
537 ~~recommendation of the commissioner, may enter into contracts for~~
538 ~~such services beginning in one fiscal year and continuing into~~
539 ~~the next year which are paid from the appropriation for either~~
540 ~~or both fiscal years.~~

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

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

547 1008.38 Articulation accountability process.—The State
548 Board of Education, in conjunction with the Board of Governors,
549 shall develop articulation accountability measures which assess
550 the status of systemwide articulation processes authorized under
551 s. 1007.23 and establish an articulation accountability process
552 which at a minimum shall address:

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

556 (6) The relationship between student attainment of
557 college-level ~~the College Level~~ academic skills ~~Test Program~~ and

558 articulation to the upper division in public postsecondary
559 institutions.

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

562 1009.534 Florida Academic Scholars award.—

563 (1) A student is eligible for a Florida Academic Scholars
564 award if the student meets the general eligibility requirements
565 for the Florida Bright Futures Scholarship Program and the
566 student:

567 (a) Has achieved a 3.5 weighted grade point average as
568 calculated pursuant to s. 1009.531, or its equivalent, in high
569 school courses that are designated by the State Board of
570 Education as college-preparatory academic courses; and has
571 attained at least the score pursuant to s. 1009.531(6)(a) on the
572 combined verbal and quantitative parts of the Scholastic
573 Aptitude Test, the Scholastic Assessment Test, or the recentered
574 Scholastic Assessment Test of the College Entrance Examination,
575 or an equivalent score on the ACT Assessment Program;

576 (b) Has attended a home education program according to s.
577 1002.41 during grades 11 and 12 or has completed the
578 International Baccalaureate curriculum but failed to earn the
579 International Baccalaureate Diploma or has completed the
580 Advanced International Certificate of Education curriculum but
581 failed to earn the Advanced International Certificate of
582 Education Diploma, and has attained at least the score pursuant
583 to s. 1009.531(6)(a) on the combined verbal and quantitative
584 parts of the Scholastic Aptitude Test, the Scholastic Assessment
585 Test, or the recentered Scholastic Assessment Test of the

586 College Entrance Examination, or an equivalent score on the ACT
587 Assessment Program;

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

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

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

597
598 A student must complete a program of community service work, as
599 approved by the district school board, ~~or~~ the administrators of
600 a nonpublic school, or the Department of Education for home
601 education program students, which shall include a minimum of 75
602 hours of service work and require the student to identify a
603 social problem that interests him or her, develop a plan for his
604 or her personal involvement in addressing the problem, and,
605 through papers or other presentations, evaluate and reflect upon
606 his or her experience.

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

609 267.062 Naming of state buildings and other facilities.—

610 (3) Notwithstanding the provisions of subsection (1) or s.
611 1013.79(11), any state building, road, bridge, park,
612 recreational complex, or other similar facility of a state
613 university may be named for a living person by the university

614 board of trustees in accordance with regulations ~~rules~~ adopted
615 by the Board of Governors of the State University System.

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

618 1004.23 Universities; powers; patents, copyrights, and
619 trademarks.—Any other law to the contrary notwithstanding, each
620 state university is authorized, in its own name, to:

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

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

632 1010.03 Delinquent accounts.—District school boards,
633 Florida College System institution ~~community college~~ boards of
634 trustees, and university boards of trustees:

635 (1) Shall exert every effort to collect all delinquent
636 accounts.

637 (2) May charge off or settle such accounts as may prove
638 uncollectible.

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

641 (4) May adopt rules, except that university boards of

CS/HB 7151, Engrossed 2

2011

trustees may adopt regulations, as necessary, to implement the provisions of this section, including setoff procedures, payroll deductions, and restrictions on release of transcripts, awarding of diplomas, and access to other resources and services of the school district, Florida College System institution ~~community college~~, or university.

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

1010.04 Purchasing.—

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

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

1010.07 Bonds or insurance required.—

(2)

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

670 1013.171 University lease agreements; land, facilities.—

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

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

688 1013.33 Coordination of planning with local governing
689 bodies.—

690 (12) As early in the design phase as feasible and
691 consistent with an interlocal agreement entered pursuant to
692 subsections (2)-(8), but no later than 90 days before commencing
693 construction, the district school board shall in writing request
694 a determination of consistency with the local government's
695 comprehensive plan. The local governing body that regulates the
696 use of land shall determine, in writing within 45 days after
697 receiving the necessary information and a school board's request

CS/HB 7151, Engrossed 2

2011

698 for a determination, whether a proposed educational facility is
699 consistent with the local comprehensive plan and consistent with
700 local land development regulations. If the determination is
701 affirmative, school construction may commence and further local
702 government approvals are not required, except as provided in
703 this section. Failure of the local governing body to make a
704 determination in writing within 90 days after a district school
705 board's request for a determination of consistency shall be
706 considered an approval of the district school board's
707 application. Campus master plans and development agreements must
708 comply with the provisions of s. ss. 1013.30 and 1013.63.

709 Section 25. Section 1013.63, Florida Statutes, is
710 repealed.

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