

By the Committee on Budget

576-03564-11

20112150__

1 A bill to be entitled
2 An act relating to postsecondary education funding;
3 amending s. 213.053, F.S.; authorizing the Department
4 of Revenue to provide certain information regarding
5 the gross receipts tax to the State Board of
6 Education, the Division of Bond Finance, and the
7 Office of Economic and Demographic Research; amending
8 s. 215.61, F.S.; requiring that, for purposes of
9 servicing public education capital outlay bonds, the
10 State Board of Education disregard the effects on the
11 gross receipts tax revenues collected during a tax
12 period of a refund resulting from a specified
13 settlement agreement; amending s. 1001.706, F.S.;
14 prohibiting the Board of Governors from establishing
15 and maintaining a foundation, a direct-support
16 organization, or any similar entity; requiring that
17 any funds currently held by the board in a foundation
18 be returned to the donor; prohibiting the board from
19 paying an employee compensation from a foundation,
20 direct-support organization, or similar entity;
21 amending s. 1004.091, F.S.; revising provisions
22 relating to the duties of the Florida Distance
23 Learning Consortium; requiring that the consortium
24 implement a streamlined, automated, online
25 registration process for transient students who are
26 undergraduate students currently enrolled and pursuing
27 a degree at a public postsecondary educational
28 institution; requiring that the consortium work with
29 the Florida College System and the State University

576-03564-11

20112150__

30 System to implement the admissions application
31 process; providing certain requirements for state
32 universities and state colleges; amending s. 1006.72,
33 F.S.; revising provisions relating to the licensing of
34 electronic library resources; requiring that the
35 Chancellor and Vice Chancellor of the Florida College
36 System and the State University System report cost
37 savings resulting from the collaborative licensing
38 process to the Executive Office of the Governor and
39 the chairs of the legislative appropriations
40 committees; amending s. 1007.28, F.S.; revising
41 provisions relating to the computer-assisted student
42 advising system; requiring that the system provide a
43 transient student admissions application process for
44 certain students; creating s. 1009.215, F.S.;
45 authorizing each university, with the approval of the
46 Board of Governors of the State University System, to
47 plan and implement a program for students to enroll
48 for the spring and summer terms rather than the fall
49 terms in order to align student enrollment with
50 available instructional staff and facilities;
51 providing for eligibility for the Bright Futures
52 Scholarship to conform to periods of a student's
53 enrollment; requiring each university that implements
54 the plan to report to the Legislature by a specified
55 date; amending s. 1009.22, F.S.; revising provisions
56 relating to workforce education postsecondary student
57 fees; revising the standard tuition for programs
58 leading to a career certificate or an applied

576-03564-11

20112150__

59 technology diploma; requiring that a block tuition be
60 assessed for residents and nonresidents enrolled in
61 adult general education programs; authorizing the
62 Board of Trustees of Santa Fe College to establish a
63 transportation access fee for students enrolled at
64 Santa Fe College; requiring that revenue from the fee
65 be used only to provide or improve access to
66 transportation services; limiting the amount of the
67 fee; providing a timeframe for a fee increase and
68 implementation of an increase; requiring that a
69 referendum be held by the student government to
70 approve the application of the fee; prohibiting the
71 inclusion of the fee in calculating the amount a
72 student receives under Florida Bright Futures
73 Scholarship Program awards; amending s. 1009.23, F.S.;
74 revising provisions relating to community college
75 student fees, including the standard tuition for
76 residents and nonresidents and the out-of-state fee;
77 authorizing each college to assess a transient student
78 fee that does not exceed a specified amount per
79 distance learning course; authorizing the Board of
80 Trustees of Santa Fe College to establish a
81 transportation access fee for students enrolled at
82 Santa Fe College; requiring that revenue from the fee
83 be used only to provide or improve access to
84 transportation services; limiting the amount of the
85 fee; providing a timeframe for a fee increase and
86 implementation of an increase; requiring that a
87 referendum be held by the student government to

576-03564-11

20112150__

88 approve the application of the fee; prohibiting the
89 inclusion of the fee in calculating the amount a
90 student receives under Florida Bright Futures
91 Scholarship Program awards; amending s. 1009.24, F.S.;
92 revising provisions relating to state university
93 student fees; authorizing each university board of
94 trustees to establish a transient student fee that
95 does not exceed a specified amount per distance
96 learning course for processing the transient student
97 admissions application; revising provisions relating
98 to the tuition differential; amending s. 1009.25,
99 F.S.; deleting provisions that exempt students from
100 paying tuition and fees for adult basic, adult
101 secondary, or career preparatory instruction; creating
102 s. 1009.251, F.S.; creating the STEM Scholarship
103 Program; providing a purpose; providing definitions;
104 providing eligibility requirements; providing that
105 funds appropriated by the Legislature in the General
106 Appropriations Act be allocated by the Office of
107 Student Financial Assistance within the Department of
108 Education; providing for the issuance of scholarship
109 awards annually; authorizing the State Board of
110 Education to establish rules; amending s. 1009.286,
111 F.S.; revising provisions relating to a surcharge for
112 hours exceeding baccalaureate degree program
113 completion requirements at state universities;
114 increasing the percentage of the tuition rate that
115 must be paid; amending ss. 1009.55, 1009.56, 1009.57,
116 1009.60, 1009.68, and 1009.69, F.S.; requiring that

576-03564-11

20112150__

the funding for the Rosewood Family Scholarship Program, the Seminole and Miccosukee Indian Scholarships, the Florida Teacher Scholarship and Forgivable Loan Program, the Minority Teacher Education Scholars Program, the Florida Minority Medical Education Program, and the Virgil Hawkins Fellows Assistance Program be as provided in the General Appropriations Act; amending s. 1009.701, F.S.; revising provisions relating to the First Generation Matching Grant Program; requiring that the first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; amending ss. 1009.73 and 1009.74, F.S.; providing that funding for the Mary McLeod Bethune Scholarship Program and the Theodore R. and Vivian M. Johnson Scholarship Program be as provided in the General Appropriations Act; amending s. 1009.77, F.S.; revising provisions relating to the Florida Work Experience Program; requiring that first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; requiring that the funding of the program be provided as in the General Appropriations Act; amending ss. 1009.89 and 1009.891, F.S.; requiring that funding of the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program be provided as in the General Appropriations Act; amending s. 1011.32, F.S.; providing that state matching funds for the Community College Facility

576-03564-11

20112150__

Enhancement Challenge Grant Program be temporarily
suspended for donations made after a specified date;
providing that existing donations remain eligible for
future matching funds; amending s. 1011.52, F.S.;
deleting a provision that requires the Legislature to
provide an annual appropriation to the first
accredited medical school; amending s. 1011.61, F.S.;
revising the definition of the term "full-time
equivalent student"; amending s. 1011.80, F.S.;
revising provisions relating to funds for the
operation of workforce education programs; prohibiting
the expenditure of funds for the education of state or
federal inmates; prohibiting the reporting of a
student who is coenrolled in a K-12 education program
and an adult education program for funding purposes;
amending s. 1011.81, F.S.; revising provisions
relating to the Community College Program Fund to
prohibit the expenditure of funds for the education of
state or federal inmates; amending s. 1011.85, F.S.;
revising provisions relating to the Dr. Philip
Benjamin Matching Grant Program for Community
Colleges; providing that funds received from community
events, festivals, or other such activities are not
eligible for state matching funds; providing that
state matching funds under the program be temporarily
suspended for donations after a specified date;
providing that existing donations remain eligible for
future matching funds; amending ss. 1011.94 and
1013.79, F.S.; providing that state matching funds for

576-03564-11

20112150__

donations to the University Major Gifts Program and the University Facility Enhancement Challenge Grant Program are temporarily suspended; providing that existing donations remain eligible for future matching funds; amending s. 1013.737, F.S.; revising the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; requiring that the Department of Education work with the College Center for Library Automation to transfer the Sunlink bibliographic database for inclusion in CCLA's online discovery tool product for the public to search; requiring that the department also develop an ongoing process to provide for the updating of such data; requiring that the Florida Center for Library Automation and the CCLA develop and submit a plan to the Governor and the Legislature for establishing a single postsecondary education union catalog; requiring that the Task Force for the Future of Academic Libraries in Florida submit a plan to the Governor and Legislature regarding the establishment of a joint library technology organizational structure; providing effective dates.

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

Section 1. Paragraph (dd) is added to subsection (8) of section 213.053, Florida Statutes, as amended by chapter 2010-

576-03564-11

20112150__

280, Laws of Florida, to read:

213.053 Confidentiality and information sharing.—

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

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

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

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

215.61 State system of public education capital outlay bonds.—

(6) In making the determination as required by subsection (3) of the amount that can be serviced by the gross receipts tax, the State Board of Education shall disregard the effects on the reported gross receipts tax revenues collected during a tax period of any refund paid by the Department of Revenue as a direct result of a refund request made pursuant to the settlement reached in *In re: AT&T Mobility Wireless Data Services Sales Litigation*, 270 F.R.D. 330, (Aug. 11, 2010). The Department of Revenue shall provide to the State Board of Education, the Division of Bond Finance, and the Office of

576-03564-11

20112150__

233 Economic and Demographic Research the amount of any such refund
234 and the tax period in which the refund is included.

235 Section 3. Paragraph (e) is added to subsection (4) of
236 section 1001.706, Florida Statutes, and paragraph (e) is added
237 to subsection (6) of that section, to read:

238 1001.706 Powers and duties of the Board of Governors.—

239 (4) POWERS AND DUTIES RELATING TO FINANCE.—

240 (e) The Board of Governors may not establish or maintain a
241 foundation, a direct-support organization, or any similar
242 entity. Any funds currently held by the board in a foundation
243 shall be returned to the donor.

244 (6) POWERS AND DUTIES RELATING TO PERSONNEL.—

245 (e) An employee of the Board of Governors may not be paid a
246 salary or any other compensation from a foundation, direct-
247 support organization, or similar entity.

248 Section 4. Subsection (2) of section 1004.091, Florida
249 Statutes, is amended to read:

250 1004.091 Florida Distance Learning Consortium.—

251 (2) The Florida Distance Learning Consortium shall:

252 (a) Manage and promote the Florida Higher Education
253 Distance Learning Catalog, established pursuant to s. 1004.09,
254 to help increase student access to undergraduate distance
255 learning courses and degree programs and to assist students
256 seeking accelerated access in order to complete their degrees.

257 (b) Beginning with the 2011-2012 academic year, implement
258 ~~Develop, in consultation with the Florida College System and the~~
259 ~~State University System, a plan to be submitted to the Board of~~
260 ~~Governors, the State Board of Education, the Governor, the~~
261 ~~President of the Senate, and the Speaker of the House of~~

576-03564-11

20112150__

~~Representatives no later than December 1, 2010, for implementing~~
a streamlined, automated, online registration process for
transient students who are undergraduate students currently
enrolled and pursuing a degree at ~~who have been admitted to a~~
public postsecondary educational institution and who choose ~~wish~~
to enroll in a course listed in the Florida Higher Education
Distance Learning Catalog ~~which, including courses offered by an~~
~~institution that~~ is offered by a public postsecondary
educational institution that is not the student's degree-
granting or home institution. The consortium shall work with the
Florida College System and the State University System to
implement this admissions application process requiring all
state universities and state colleges to: ~~The plan must describe~~
~~how such a registration process can be implemented by the 2011-~~
~~2012 academic year as an alternative to the standard~~
~~registration process of each institution. The plan must also~~
~~address:~~

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

2. Implement the financial aid procedures required by the
transient student admissions application process in accordance
with the published specifications, which must include the
involvement of the financial aid officers.

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

576-03564-11

20112150__

291 4. Interface their institutional systems to the Florida
292 Academic Counseling and Tracking for Students system in order to
293 electronically send, receive, and process the transient
294 admissions application no later than July 1, 2012. ~~Fiscal and~~
295 ~~substantive policy changes needed to address administrative,~~
296 ~~academic, and programmatic policies and procedures. Policy areas~~
297 ~~that the plan must address include, but need not be limited to,~~
298 ~~student financial aid issues, variations in fees, admission and~~
299 ~~readmission, registration prioritization issues, transfer of~~
300 ~~credit, and graduation requirements, with specific attention~~
301 ~~given to creating recommended guidelines that address students~~
302 ~~who attend more than one institution in pursuit of a degree.~~

303 ~~2. A method for the expedited transfer of distance learning~~
304 ~~course credit awarded by an institution offering a distance~~
305 ~~learning course to a student's degree-granting or home~~
306 ~~institution upon the student's successful completion of the~~
307 ~~distance learning course.~~

308 ~~3. Compliance with applicable technology security standards~~
309 ~~and guidelines to ensure the secure transmission of student~~
310 ~~information.~~

311 (c) Coordinate the negotiation of statewide licensing and
312 preferred pricing agreements for distance learning resources and
313 enter into agreements that result in cost savings with distance
314 learning resource providers so that postsecondary educational
315 institutions have the opportunity to benefit from the cost
316 savings.

317 (d)1. Develop and operate a central instructional content
318 repository that allows public school and postsecondary
319 educational institution users ~~faculty~~ to search, locate, and

576-03564-11

20112150__

use, and contribute digital and electronic instructional
resources and content, including open access textbooks. In the
development of the ~~a~~ repository, the consortium shall identify
and seek partnerships ~~with similar national, state, and regional~~
~~repositories~~ for the purpose of sharing instructional content.
The consortium shall collaborate with the public ~~postsecondary~~
educational institutions to ensure that the repository:

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

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

c. Allows for appropriate customization.

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

2. Provide to Develop, ~~in consultation with the~~ chancellors
of the Florida College System and the State University System,
recommendations ~~a plan~~ for promoting and increasing the use of
open access textbooks as a method for reducing textbook costs.
The recommendations ~~plan shall be submitted to the Board of~~
~~Governors, the State Board of Education, the Office of Policy~~
~~and Budget in the Executive Office of the Governor, the chair of~~
~~the Senate Policy and Steering Committee on Ways and Means, and~~
~~the chair of the House Full Appropriations Council on Education~~
~~& Economic Development no later than March 1, 2010, and shall~~
include:

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

~~a.b.~~ The ~~A listing of~~ undergraduate courses, in particular

576-03564-11

20112150__

the general education courses, that would be recommended for the use of open access textbooks.

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

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

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

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

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

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

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

Section 5. Subsection (7) is added to section 1006.72, Florida Statutes, to read:

1006.72 Licensing electronic library resources.—

(7) REPORT.—The Chancellor and Vice Chancellor of the Florida College System and the State University System shall annually report to the Executive Office of the Governor and the chairs of the House Appropriations Committee and the Senate

576-03564-11

20112150__

Budget Committee the cost savings realized as a result of the collaborative licensing process identified in this section.

Section 6. Subsection (5) is added to section 1007.28, Florida Statutes, to read:

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

(5) The system must provide the transient student admissions application process for those students defined in s. 1004.091, which includes the electronic transfer and receipt of information and records for the following functions:

(a) Admissions and readmissions;

(b) Financial aid; and

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

576-03564-11

20112150__

407 granting institution.

408 Section 7. Section 1009.215, Florida Statutes, is created
409 to read:

410 1009.215 Spring and summer term student enrollment.—

411 (1) Subject to approval by the Board of Governors of the
412 State University System, each university is authorized to plan
413 and implement a student enrollment plan for the spring and
414 summer terms for the purpose of aligning on-campus student
415 enrollment with available instructional staff and facilities.

416 (2) The plan shall provide for a student cohort that is
417 limited to on-campus enrollment during the spring and summer
418 terms. Students in this cohort would not be eligible for on-
419 campus enrollment during the fall terms.

420 (3) Students who enroll for the spring and summer terms and
421 who are eligible to receive Bright Futures Scholarships under
422 ss. 1009.53-1009.536 are eligible to receive the scholarship
423 award for attendance during the spring and summer terms but are
424 not eligible to receive the scholarship for attendance during
425 the fall terms.

426 (4) By January 31, 2013, each university that has
427 implemented this plan shall report to the President of the
428 Senate and the Speaker of the House of Representatives regarding
429 the status of the plan's implementation.

430 Section 8. Paragraph (c) of subsection (3) of section
431 1009.22, Florida Statutes, is amended, present subsection (12)
432 of that section is redesignated as subsection (13), and a new
433 subsection (12) is added to that section, to read:

434 1009.22 Workforce education postsecondary student fees.—

435 (3)

576-03564-11

20112150__

(c) Effective July 1, 2011, for programs leading to a career certificate or an applied technology diploma, the standard tuition shall be \$2.22 per contact hour for residents and nonresidents and the out-of-state fee shall be \$6.66 per contact hour. For adult general education programs, a block tuition of \$45 per half year shall be assessed for residents and nonresidents, and the out-of-state fee shall be \$135 per half year. ~~Effective January 1, 2008, standard tuition shall be \$1.67 per contact hour for programs leading to a career certificate or an applied technology diploma and 83 cents for adult general education programs. The out-of-state fee per contact hour shall be three times the standard tuition per contact hour.~~

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

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

Section 9. Paragraphs (a) and (b) of subsection (3) of section 1009.23, Florida Statutes, are amended, present subsection (17) of that section is redesignated as subsection

576-03564-11

20112150__

(19), and new subsections (17) and (18) are added to that section, to read:

1009.23 Community college student fees.—

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

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

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

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

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

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

(17) Each college may assess a transient student fee not to exceed \$5 per distance learning course for processing the transient student admissions application pursuant to s. 1004.091.

(18)(a) The Board of Trustees of Santa Fe College may

576-03564-11

20112150__

494 establish a transportation access fee. Revenue from the fee may
495 be used only to provide or improve access to transportation
496 services for students enrolled at Santa Fe College. The fee may
497 not exceed \$6 per credit hour. An increase in the transportation
498 access fee may occur only once each fiscal year and must be
499 implemented beginning with the fall term. A referendum must be
500 held by the student government to approve the application of the
501 fee.

502 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
503 the transportation access fee authorized under paragraph (a) may
504 not be included in calculating the amount a student receives for
505 a Florida Academic Scholars award, a Florida Medallion Scholars
506 award, or a Florida Gold Seal Vocational Scholars award.

507 Section 10. Paragraph (t) is added to subsection (14) of
508 section 1009.24, Florida Statutes, and paragraph (a) of
509 subsection (16) of that section is amended, to read:

510 1009.24 State university student fees.—

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

514 (t) A transient student fee not to exceed \$5 per distance
515 learning course for processing the transient student admissions
516 application pursuant to s. 1004.091.

517
518 With the exception of housing rental rates and except as
519 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)
520 shall be based on reasonable costs of services. The Board of
521 Governors shall adopt regulations and timetables necessary to
522 implement the fees and fines authorized under this subsection.

576-03564-11

20112150__

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

525 (16) Each university board of trustees may establish a
526 tuition differential for undergraduate courses upon receipt of
527 approval from the Board of Governors. The tuition differential
528 shall promote improvements in the quality of undergraduate
529 education and shall provide financial aid to undergraduate
530 students who exhibit financial need.

531 (a) Seventy percent of the revenues from the tuition
532 differential shall be expended for purposes of undergraduate
533 education. Such expenditures may include, but are not limited
534 to, increasing course offerings, improving graduation rates,
535 increasing the percentage of undergraduate students who are
536 taught by faculty, decreasing student-faculty ratios, providing
537 salary increases for faculty who have a history of excellent
538 teaching in undergraduate courses, improving the efficiency of
539 the delivery of undergraduate education through academic
540 advisement and counseling, and reducing the percentage of
541 students who graduate with excess hours. This expenditure for
542 undergraduate education may not be used to pay the salaries of
543 graduate teaching assistants. Except as otherwise provided in
544 this subsection, the remaining 30 percent of the revenues from
545 the tuition differential, or the equivalent amount of revenue
546 from private sources, shall be expended to provide financial aid
547 to undergraduate students who exhibit financial need, including
548 students who are scholarship recipients under s. 1009.984, to
549 meet the cost of university attendance. This expenditure for
550 need-based financial aid shall not supplant the amount of need-
551 based aid provided to undergraduate students in the preceding

576-03564-11

20112150__

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

Section 11. Section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

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

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

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

576-03564-11

20112150__

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

582 (1)~~(2)~~ The following students are exempt from the payment
583 of tuition and fees, including lab fees, at a school district
584 that provides postsecondary career programs, community college,
585 or state university:

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

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

590 (c) A student who is or was at the time he or she reached
591 18 years of age in the custody of the Department of Children and
592 Family Services or who, after spending at least 6 months in the
593 custody of the department after reaching 16 years of age, was
594 placed in a guardianship by the court. Such exemption includes
595 fees associated with enrollment in career-preparatory
596 instruction. The exemption remains valid until the student
597 reaches 28 years of age.

598 (d) A student who is or was at the time he or she reached
599 18 years of age in the custody of a relative under s. 39.5085 or
600 who was adopted from the Department of Children and Family
601 Services after May 5, 1997. Such exemption includes fees
602 associated with enrollment in career-preparatory instruction.
603 The exemption remains valid until the student reaches 28 years
604 of age.

605 (e) A student enrolled in an employment and training
606 program under the welfare transition program. The regional
607 workforce board shall pay the state university, community
608 college, or school district for costs incurred for welfare
609 transition program participants.

576-03564-11

20112150__

610 (f) A student who lacks a fixed, regular, and adequate
611 nighttime residence or whose primary nighttime residence is a
612 public or private shelter designed to provide temporary
613 residence for individuals intended to be institutionalized, or a
614 public or private place not designed for, or ordinarily used as,
615 a regular sleeping accommodation for human beings.

616 (g) A student who is a proprietor, owner, or worker of a
617 company whose business has been at least 50 percent negatively
618 financially impacted by the buyout of property around Lake
619 Apopka by the State of Florida. Such student may receive a fee
620 exemption only if the student has not received compensation
621 because of the buyout, the student is designated a Florida
622 resident for tuition purposes, pursuant to s. 1009.21, and the
623 student has applied for and been denied financial aid, pursuant
624 to s. 1009.40, which would have provided, at a minimum, payment
625 of all student fees. The student is responsible for providing
626 evidence to the postsecondary education institution verifying
627 that the conditions of this paragraph have been met, including
628 supporting documentation provided by the Department of Revenue.
629 The student must be currently enrolled in, or begin coursework
630 within, a program area by fall semester 2000. The exemption is
631 valid for a period of 4 years after the date that the
632 postsecondary education institution confirms that the conditions
633 of this paragraph have been met.

634 (2)~~(3)~~ Each community college is authorized to grant
635 student fee exemptions from all fees adopted by the State Board
636 of Education and the community college board of trustees for up
637 to 40 full-time equivalent students at each institution.

638 Section 12. Section 1009.251, Florida Statutes, is created

576-03564-11

20112150__

to read:

1009.251 STEM Scholarship Program.—

(1) PURPOSE.—The STEM Scholarship Program is created for students who are accepted and enrolled in an eligible major in programs of study in the fields of physical science, life science, computer science, technology, engineering, or mathematics. The purpose of the STEM Scholarship Program is to help eligible junior and senior undergraduate students who demonstrate need and are pursuing eligible majors to meet the cost of their postsecondary education. The program shall be administered by the participating institutions in accordance with rules of the State Board of Education.

(2) DEFINITIONS.—For purposes of this section, the term:

(a) "STEM" means any program of study leading to a baccalaureate degree in the field of physical, life, or computer sciences, mathematics, technology, or engineering. Eligible programs shall be designated by the Department of Education through the federal Classification of Instructional Programs Codes in the following areas:

1. Computer science.—The branch of knowledge or study of computers, including such fields of knowledge or study related to computer hardware, computer software, computer engineering, information systems, and robotics.

2. Engineering.—The science by which the properties of matter and the sources of energy in nature are made useful to humanity in structures, machines, and products, as in the construction of engines, bridges, buildings, mines, and chemical plants, including such fields of knowledge or study related to aeronautical engineering, chemical engineering, civil

576-03564-11

20112150__

engineering, electrical engineering, industrial engineering, materials engineering, manufacturing engineering, and mechanical engineering.

3. Life sciences.—The branch of knowledge or study of living things, including such fields of knowledge or study related to biology, biochemistry, biophysics, microbiology, genetics, physiology, botany, zoology, ecology, and behavioral biology, except that the term does not encompass the health professions.

4. Mathematics.—The branch of knowledge or study of numbers and the systematic treatment of magnitude, relationships between figures and forms, and relationships between quantities expressed symbolically, including such fields of knowledge or study related to statistics, applied mathematics, and operations research.

5. Natural resources and conservation.—Instructional programs that focus on the various natural resources and conservation fields and prepare students for related occupations.

6. Physical sciences.—The branch of knowledge or study of the material universe, including such fields of knowledge or study related to astronomy, atmospheric sciences, chemistry, earth sciences, ocean sciences, physics, and planetary sciences.

7. Technology.—The application of mechanical or scientific knowledge, for example, applied science.

8. Multidisciplinary studies related to the areas described in subparagraphs 1.-7.

(b) "Need" means the difference between the student's cost of attendance and the expected family contribution and other

576-03564-11

20112150__

financial resources available to the student to meet this cost.

(c) "Undergraduate" means the student who is in the process of attaining a first bachelor's or baccalaureate degree.

(d) "Junior" means a student who has earned between 60 and 89 semester hours, or the equivalent, and has been accepted into an eligible major.

(e) "Senior" means a student who has earned a minimum of 90 semester hours or the equivalent and has been accepted into an eligible major.

(3) ELIGIBILITY.—

(a) Grants to students through the program may be made only to baccalaureate, degree-seeking, Florida residents who are accepted and enroll in an eligible Florida postsecondary institution full-time, at least 12 semester hours or the equivalent per term, and who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section.

1. An eligible student must be enrolled in a state university or Florida college authorized by Florida law.

2. An eligible student must be enrolled in a program of study leading to a baccalaureate degree in the field of physical, life, or computer sciences, mathematics, technology, or engineering, as specified in paragraph (2) (a).

3. A student applying for a STEM scholarship must apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student. The first priority of funding shall be given to students having the lowest total family resources and who demonstrate need by qualifying and receiving federal

576-03564-11

20112150__

Pell Grant funds. The amount of the STEM Scholarship award shall supplement the Pell Grant amount at least, but not limited to, up to the full cost of tuition and fees per term, not to exceed the maximum term award. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

4. An initial student must earn a minimum cumulative grade point average of 2.75 on a 4.0 scale.

5. A renewal student must earn a minimum cumulative grade point average of 2.75 on a 4.0 scale.

6. A student is eligible to receive an annual STEM Scholarship award during the student's junior and senior academic years in all eligible programs for a maximum of 6 terms.

(b) The eligibility status of each student to receive a disbursement shall be determined by each institution at the end of its regular registration period, inclusive of a drop and add period. Institutions are not required to reevaluate a student's eligibility status after this date for purposes of changing eligibility determinations previously made.

(4) AWARD AMOUNT.—The annual award amount shall be \$1,000 or an amount as specified in the General Appropriations Act. Funds appropriated by the Legislature shall be allocated by the Office of Student Financial Assistance. If funds appropriated are not adequate to provide the maximum allowable award to each eligible applicant, awards may be paid on a prorated basis.

(5) ISSUANCE OF AWARDS.—The department shall issue awards from the scholarship program annually. Before the registration period each semester, the department shall transmit payment for

576-03564-11

20112150__

each award to the president or director of the postsecondary education institution, or his or her representative, except that the department may withhold payment if the receiving institution fails to report or to make refunds to the department as required in this section. Institutions shall notify students of the amount of their awards. Each participating institution shall report to the department by the established date the eligible students to whom grant moneys are disbursed each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students. Within 30 days after the end of regular registration each semester, the educational institution shall certify to the department the eligibility status of each student who receives an award. After the end of the drop and add period, an institution is not required to reevaluate or revise a student's eligibility status. An institution that receives funds from the program shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 60 days after the end of regular registration and by June 1 of each year.

(6) RULES.—The State Board of Education may establish rules necessary to administer this section.

(7) IMPLEMENTATION.—This section shall be implemented only to the extent specifically funded.

Section 13. Subsections (2) and (7) of section 1009.286, Florida Statutes, are amended to read:

1009.286 Additional student payment for hours exceeding baccalaureate degree program completion requirements at state universities.—

576-03564-11

20112150__

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

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

Section 14. Subsection (4) is added to section 1009.55, Florida Statutes, to read:

1009.55 Rosewood Family Scholarship Program.—

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

Section 15. Subsection (7) is added to section 1009.56, Florida Statutes, to read:

1009.56 Seminole and Miccosukee Indian Scholarships.—

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

Section 16. Subsection (3) is added to section 1009.57, Florida Statutes, to read:

1009.57 Florida Teacher Scholarship and Forgivable Loan Program.—

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

Section 17. Subsection (7) is added to section 1009.60, Florida Statutes, to read:

1009.60 Minority teacher education scholars program.—There is created the minority teacher education scholars program,

576-03564-11

20112150__

which is a collaborative performance-based scholarship program for African-American, Hispanic-American, Asian-American, and Native American students. The participants in the program include Florida's community colleges and its public and private universities that have teacher education programs.

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

Section 18. Subsection (8) is added to section 1009.68, Florida Statutes, is to read:

1009.68 Florida Minority Medical Education Program.—

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

Section 19. Subsection (5) is added to section 1009.69, Florida Statutes, to read:

1009.69 Virgil Hawkins Fellows Assistance Program.—

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

Section 20. Subsection (6) of section 1009.701, Florida Statutes, is amended to read:

1009.701 First Generation Matching Grant Program.—

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

576-03564-11

20112150__

Section 21. Subsection (11) is added to section 1009.73, Florida Statutes, to read:

1009.73 Mary McLeod Bethune Scholarship Program.—

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

Section 22. Subsection (4) is added to section 1009.74, Florida Statutes, to read:

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

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

Section 23. Effective upon this act becoming a law, paragraph (c) of subsection (8) of section 1009.77, Florida Statutes, is amended, and subsection (11) is added to that section, to read:

1009.77 Florida Work Experience Program.—

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

(c) Demonstrates financial need with the first priority of funding given to students who demonstrate need by qualifying and receiving federal Pell Grant funds up to the full cost of tuition and fees per term.

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

Section 24. Paragraph (a) of subsection (5) of section 1009.89, Florida Statutes, is amended to read:

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

(5) (a) Funding for the William L. Boyd, IV, Florida

576-03564-11

20112150__

871 Resident Access Grant Program for eligible institutions shall be
872 as provided in the General Appropriations Act ~~based on a formula~~
873 ~~composed of planned enrollment and the state cost of funding~~
874 ~~undergraduate enrollment at public institutions pursuant to s.~~
875 ~~1011.90~~. The amount of the William L. Boyd, IV, Florida resident
876 access grant issued to a full-time student shall be ~~an amount~~ as
877 specified in the General Appropriations Act. The William L.
878 Boyd, IV, Florida resident access grant may be paid on a
879 prorated basis in advance of the registration period. The
880 department shall make such payments to the college or university
881 in which the student is enrolled for credit to the student's
882 account for payment of tuition and fees. Institutions shall
883 certify to the department the amount of funds disbursed to each
884 student and shall remit to the department any undisbursed
885 advances or refunds within 60 days of the end of regular
886 registration. Students shall not be eligible to receive the
887 award for more than 9 semesters or 14 quarters, except as
888 otherwise provided in s. 1009.40(3).

889 Section 25. Subsection (7) of section 1009.891, Florida
890 Statutes, is amended to read:

891 1009.891 The Access to Better Learning and Education Grant
892 Program.—

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

896 Section 26. Subsection (13) is added to section 1011.32,
897 Florida Statutes, to read:

898 1011.32 Community College Facility Enhancement Challenge
899 Grant Program.—

576-03564-11

20112150__

900 (13) Effective July 1, 2011, state matching funds are
901 temporarily suspended for donations received for the program
902 after June 30, 2011. Existing eligible donations remain eligible
903 for future matching funds.

904 Section 27. Subsection (1) of section 1011.52, Florida
905 Statutes, is amended to read:

906 1011.52 Appropriation to first accredited medical school.—

907 (1) Subject to the provisions hereinafter set forth, the
908 Legislature may ~~shall~~ provide an annual appropriation to the
909 first accredited medical school. Payments of moneys from such
910 appropriation shall be made semiannually at the beginning of the
911 first and third quarters.

912 Section 28. Paragraph (c) of subsection (1) of section
913 1011.61, Florida Statutes, is amended to read:

914 1011.61 Definitions.—Notwithstanding the provisions of s.
915 1000.21, the following terms are defined as follows for the
916 purposes of the Florida Education Finance Program:

917 (1) A “full-time equivalent student” in each program of the
918 district is defined in terms of full-time students and part-time
919 students as follows:

920 (c)1. A “full-time equivalent student” is:

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

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

927 (I) A full-time student, ~~except a postsecondary or adult~~
928 ~~student or a senior high school student enrolled in adult~~

576-03564-11

20112150__

929 ~~education when such courses are required for high school~~
930 ~~graduation,~~ in a combination of programs listed in s.
931 1011.62(1)(c) shall be a fraction of a full-time equivalent
932 membership in each special program equal to the number of net
933 hours per school year for which he or she is a member, divided
934 by the appropriate number of hours set forth in subparagraph
935 (a)1. or subparagraph (a)2. The difference between that fraction
936 or sum of fractions and the maximum value as set forth in
937 subsection (4) for each full-time student is presumed to be the
938 balance of the student's time not spent in such special
939 education programs and shall be recorded as time in the
940 appropriate basic program.

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

943 (III) A full-time equivalent student for students in
944 kindergarten through grade 5 in a school district virtual
945 instruction program under s. 1002.45 shall consist of a student
946 who has successfully completed a basic program listed in s.
947 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade
948 level.

949 (IV) A full-time equivalent student for students in grades
950 6 through 12 in a school district virtual instruction program
951 under s. 1002.45(1)(b)1. and 2. shall consist of six full credit
952 completions in programs listed in s. 1011.62(1)(c)1.b. or c. and
953 3. Credit completions can be a combination of either full
954 credits or half credits.

955 (V) A Florida Virtual School full-time equivalent student
956 shall consist of six full credit completions in the programs
957 listed in s. 1011.62(1)(c)1.b. for grades 6 through 8 and the

576-03564-11

20112150__

958 programs listed in s. 1011.62(1)(c)1.c. for grades 9 through 12.
959 Credit completions can be a combination of either full credits
960 or half credits.

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

966 2. A student in membership in a program scheduled for more
967 or less than 180 school days or the equivalent on an hourly
968 basis as specified by rules of the State Board of Education is a
969 fraction of a full-time equivalent membership equal to the
970 number of instructional hours in membership divided by the
971 appropriate number of hours set forth in subparagraph (a)1.;
972 however, for the purposes of this subparagraph, membership in
973 programs scheduled for more than 180 days is limited to students
974 enrolled in juvenile justice education programs and the Florida
975 Virtual School.

976
977 The department shall determine and implement an equitable method
978 of equivalent funding for experimental schools and for schools
979 operating under emergency conditions, which schools have been
980 approved by the department to operate for less than the minimum
981 school day.

982 Section 29. Subsections (7) and (10) of section 1011.80,
983 Florida Statutes, are amended to read:

984 1011.80 Funds for operation of workforce education
985 programs.—

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

576-03564-11

20112150__

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

(b) Any funds for the operation of postsecondary workforce programs may not be expended for the education of state or federal inmates.

(10) A high school student dually enrolled under s. 1007.271 in a workforce education program operated by a community college or school district career center generates the amount calculated for workforce education funding, including any payment of performance funding, and the proportional share of full-time equivalent enrollment generated through the Florida Education Finance Program for the student's enrollment in a high school. If a high school student is dually enrolled in a community college program, including a program conducted at a high school, the community college earns the funds generated for workforce education funding, and the school district earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a career center operated by the same district as the district in which the student attends high school, that district earns the funds generated for workforce education funding and also earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a workforce education program provided by

576-03564-11

20112150__

1016 a career center operated by a different school district, the
1017 funds must be divided between the two school districts
1018 proportionally from the two funding sources. A student may not
1019 be reported for funding in a dual enrollment workforce education
1020 program unless the student has completed the basic skills
1021 assessment pursuant to s. 1004.91. A student who is coenrolled
1022 in a K-12 education program and an adult education program may
1023 not be reported for purposes of funding in an adult education
1024 program.

1025 Section 30. Subsection (3) is added to section 1011.81,
1026 Florida Statutes, to read:

1027 1011.81 Community College Program Fund.—

1028 (3) Any funds that are allocated to a college from the
1029 Community College Program Fund may not be expended for the
1030 education for state or federal inmates.

1031 Section 31. Subsection (2) of section 1011.85, Florida
1032 Statutes, is amended, and subsection (13) is added to that
1033 section, to read:

1034 1011.85 Dr. Philip Benjamin Matching Grant Program for
1035 Community Colleges.—

1036 (2) Each community college board of trustees receiving
1037 state appropriations under this program shall approve each gift
1038 to ensure alignment with the unique mission of the community
1039 college. The board of trustees must link all requests for a
1040 state match to the goals and mission statement. The Florida
1041 Community College Foundation Board receiving state
1042 appropriations under this program shall approve each gift to
1043 ensure alignment with its goals and mission statement. Funds
1044 received from community events, festivals, or other such

576-03564-11

20112150__

activities are not eligible for state matching funds under this program.

(13) Effective July 1, 2011, state matching funds are temporarily suspended for donations received for this program after June 30, 2011. Existing eligible donations remain eligible for future matching funds.

Section 32. Subsection (8) is added to section 1011.94, Florida Statutes, to read:

1011.94 University Major Gifts Program.—

(8) Effective July 1, 2011, state matching funds are temporarily suspended for donations received for this program after June 30, 2011. Existing eligible donations remain eligible for future matching funds.

Section 33. Subsection (12) is added to section 1013.79, Florida Statutes, to read:

1013.79 University Facility Enhancement Challenge Grant Program.—

(12) Effective July 1, 2011, state matching funds are temporarily suspended for donations received for this program after June 30, 2011. Existing eligible donations remain eligible for future matching funds.

Section 34. Section 1013.737, Florida Statutes, is amended to read:

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

(1) The issuance of revenue bonds is authorized to finance or refinance the construction, acquisition, reconstruction, or

576-03564-11

20112150__

renovation of educational facilities. Such bonds shall be issued pursuant to and in compliance with the provisions of s. 11(d), Art. VII of the State Constitution, the provisions of the State Bond Act, ss. 215.57-215.83, as amended, and the provisions of this section.

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

(3) The state hereby covenants with the holders of such revenue bonds that it will not take any action that will materially and adversely affect the rights of such holders so long as bonds authorized by this section are outstanding. The state does hereby additionally authorize the establishment of a covenant in connection with the bonds which provides that any additional funds received by the state from new or enhanced lottery programs; video gaming; banking card games, including baccarat, chemin de fer, or blackjack; electronic or electromechanical facsimiles of any game of chance; casino games; slot machines; or other similar activities will first be available for payments relating to bonds pledging revenues available pursuant to s. 24.121(2), prior to use for any other purpose.

(4) The bonds shall be issued by the Division of Bond Finance of the State Board of Administration on behalf of the Department of Education in such amount as shall be requested by resolution of the State Board of Education. However, the total principal amount of bonds, excluding refunding bonds, issued

576-03564-11

20112150__

pursuant to this section shall not exceed amounts specifically authorized in the General Appropriations Act.

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

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

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

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

576-03564-11

20112150__

1132 Section 35. The Department of Education shall work with the
1133 College Center for Library Automation (CCLA) to transfer the
1134 Sunlink bibliographic database in standard library data format
1135 to the CCLA for inclusion in its online discovery tool product
1136 and made publicly searchable by school district students, staff,
1137 and parents no later than September 1, 2011. The department
1138 shall also develop an ongoing process to provide for the
1139 electronic updating of school district library holdings data to
1140 the CCLA in a manner that will ensure that the public school
1141 bibliographic database and searchable catalog is current.

1142 Section 36. The Florida Center for Library Automation
1143 (FCLA) and the College Center for Library Automation (CCLA)
1144 shall develop and submit a plan by December 1, 2011, to the
1145 Executive Office of the Governor and to the chairs of the House
1146 Appropriations Committee and the Senate Budget Committee for
1147 establishing a single postsecondary education union catalog that
1148 includes the combined holdings and electronic resources of all
1149 the state universities and colleges and that allows a user to
1150 search these holdings and electronic resources by an individual
1151 state university or college, selected state universities or
1152 colleges, or all state universities and colleges. The plan must
1153 also include the projected costs for the development and ongoing
1154 maintenance of the postsecondary education union catalog,
1155 projected cost savings resulting from FCLA and CCLA no longer
1156 being required to maintain separate online discovery tool
1157 products and associated resources, and timeline and
1158 implementation strategies for making the postsecondary education
1159 union catalog available for use.

1160 Section 37. By January 1, 2012, the Task Force for the

576-03564-11

20112150__

1161 Future of Academic Libraries in Florida shall submit a plan to
1162 the Executive Office of the Governor and to the chairs of the
1163 House Appropriations Committee and the Senate Budget Committee
1164 that describes the establishment of a joint library technology
1165 organizational structure that will meet the needs of academic
1166 libraries in both the Florida College System and the State
1167 University System in a manner that must be more cost-effective
1168 than the current organizational structure that includes the
1169 Florida Center for Library Automation and the College Center for
1170 Library Automation. The plan must include the recommended
1171 governance and reporting structure, staffing, funding, and
1172 duties and responsibilities of the joint library technology
1173 organizational structure, and provide recommendations for any
1174 substantive and fiscal changes needed to establish and fund the
1175 organizational structure.

1176 Section 38. Except as otherwise expressly provided in this
1177 act and except for this section, which shall take effect upon
1178 this act becoming a law, this act shall take effect July 1,
1179 2011.