

## CHAPTER 2010-78

### House Bill No. 7237

An act relating to postsecondary education; amending s. 110.181, F.S.; conforming a cross-reference to changes made by the act; amending ss. 112.19 and 112.191, F.S.; requiring the Board of Governors of the State University System to adopt regulations rather than rules to implement certain educational benefits; amending s. 120.81, F.S.; providing that state universities are not required to file certain documents with the Administrative Procedures Committee; amending s. 282.0041, F.S.; revising definitions relating to information technology services to conform to changes made by the act; amending s. 282.703, F.S.; revising provisions relating to the participation of state universities in the SUNCOM Network; amending s. 282.706, F.S.; revising provisions relating to the use of the SUNCOM Network by state university libraries; amending s. 287.064, F.S.; conforming a cross-reference to changes made by the act; amending s. 1000.05, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to discrimination; amending s. 1001.705, F.S.; revising provisions relating to responsibility for the State University System under the State Constitution; deleting legislative findings and intent; providing the constitutional duties of the Board of Governors; providing the constitutional duties of the Legislature; deleting a duty relating to the participation of state universities in the SUNCOM Network; amending s. 1001.706, F.S.; revising powers and duties of the Board of Governors; providing that the Board of Governors has the authority to regulate the State University System and may adopt a regulation development procedure for the board and university boards of trustees to use in implementing their constitutional duties and responsibilities; authorizing the Board of Governors or its designee to adopt regulations; providing requirements for the regulation development procedure; providing requirements for judicial review of certain challenges; revising the Board of Governors' powers and duties relating to accountability and personnel; providing legislative intent that the Board of Governors align the missions of universities with certain factors; providing requirements for a mission alignment and strategic plan; affording opportunities to certain universities; amending s. 1001.72, F.S.; providing that the board of trustees is the university's contracting agent; creating s. 1004.015, F.S.; creating the Higher Education Coordinating Council; providing for membership; providing guiding principles for council recommendations to the Legislature, State Board of Education, and Board of Governors; amending s. 1004.03, F.S.; revising provisions relating to review and approval of new programs at state universities by the Board of Governors; requiring an annual report of the review of proposed new programs; eliminating the requirement that certain programs be approved by the Legislature; amending s. 1004.07, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to student withdrawal from courses due to military service; amending s. 1006.54,

F.S.; requiring university boards of trustees to adopt regulations rather than rules relating to documents distributed to libraries; amending s. 1006.60, F.S.; revising provisions relating to state university codes of conduct to authorize the adoption of regulations rather than rules; amending s. 1006.65, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to safety issues in courses offered by state universities; amending ss. 1007.264 and 1007.265, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to admission and graduation requirements for students with disabilities; amending s. 1009.24, F.S.; reorganizing certain provisions of law relating to state university student fees; authorizing the Board of Governors to approve flexible tuition policies requested by a university board of trustees; providing that certain fees be based on reasonable costs of services and used for certain purposes; authorizing the Board of Governors to approve a proposal from a university board of trustees to establish a new student fee, increase the cap for an existing fee, or implement flexible tuition policies; providing guidelines for review of proposals; requiring an annual report; prohibiting certain fees from exceeding a specified amount, being included in certain scholarship awards, and being used for certain purposes; requiring a fee committee to make recommendations relating to a new fee; providing restrictions on fee increases; requiring the Board of Governors to adopt regulations; amending s. 1009.26, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to fee waivers; amending s. 1010.04, F.S.; providing that the Board of Governors shall adopt regulations rather than rules for purchases and leases; amending s. 1010.62, F.S.; defining the term "auxiliary enterprise" for purposes of revenue bonds and debt; amending s. 1011.43, F.S.; requiring university boards of trustees to adopt regulations rather than rules for administration of certain scholarships and loans; amending s. 1011.90, F.S.; revising provisions relating to management information maintained by the Board of Governors; amending s. 1013.02, F.S.; requiring the Board of Governors to adopt regulations rather than rules to implement provisions of law relating to educational facilities; amending s. 1013.10, F.S.; authorizing regulations for the use of educational buildings and grounds; amending ss. 1013.12 and 1013.28, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to firesafety inspections and disposal of real property; amending s. 1013.30, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to university campus master plans; amending s. 1013.31, F.S.; requiring the Board of Governors to adopt regulations rather than rules for determining facility space needs; amending s. 1013.47, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to building standards; amending s. 1013.74, F.S.; authorizing the Board of Governors to adopt regulations rather than rules relating to authorization for fixed capital outlay projects; repealing s. 1001.74, F.S., relating to powers and duties of university boards of trustees; repealing s. 1004.21, F.S., relating to general provisions for state universities; repealing s. 1004.22(13), F.S., relating to rulemaking by a university board of trustees with respect to divisions of sponsored research; repealing s. 1004.38, F.S.,

relating to the master of science program in speech-language pathology at Florida International University; repealing s. 1004.381, F.S., relating to the bachelor of science nursing degree program at the University of West Florida; repealing s. 1004.3811, F.S., relating to the master of science degree programs in nursing and social work at the University of West Florida; repealing s. 1004.382, F.S., relating to the master's in social work program at Florida Atlantic University; repealing s. 1004.383, F.S., relating to a chiropractic medicine degree program at Florida State University; repealing s. 1004.386, F.S., relating to a bachelor of science degree program in long-term care administration at Florida Gulf Coast University; repealing s. 1004.64, F.S., relating to the School of Engineering at Florida Gulf Coast University and specified bachelor's degrees; providing legislative intent for the repeal of certain sections; requiring each state university to identify and submit to the Board of Governors a list of certain rules that have been superseded by regulations; providing for submission of such rules and certain rules of the Board of Governors to the Department of State; authorizing the Department of State to remove rules from the Florida Administrative Code; providing an effective date.

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

Section 4. Paragraph (e) of subsection (1) of section 120.81, Florida Statutes, is amended to read:

120.81 Exceptions and special requirements; general areas.—

(1) EDUCATIONAL UNITS.—

(e) Educational units, other than ~~the state universities and~~ the Florida School for the Deaf and the Blind, shall not be required to make filings with the committee of the documents required to be filed by s. 120.54 or s. 120.55(1)(a)4.