LEGISLATIVE ACTION House Senate Comm: RCS 03/23/2015

The Committee on Higher Education (Negron) recommended the following:

Senate Amendment (with title amendment)

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Delete everything after the enacting clause and insert:

Section 1. Subsection (4) of section 1000.03, Florida Statutes, is amended to read:

1000.03 Function, mission, and goals of the Florida K-20 education system.-

(4) The mission of Florida's K-20 education system is to allow its students to increase their proficiency by allowing

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11 them the opportunity to expand their knowledge and skills 12 through rigorous and relevant learning opportunities, in accordance with the mission of the applicable center or system 13 14 statement and accountability requirements of s. 1008.31, and 15 avoid wasteful duplication of programs offered by state 16 universities; Florida Community College System institutions; and 17 career centers and charter technical career centers that are 18 operated by district school boards.

Section 2. Subsection (3) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

- (3) "Florida Community College System institution," except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida Community College System and any branch campuses, centers, or other affiliates of the institution:
- (a) Brevard Eastern Florida State College, which serves Brevard County.
 - (b) Broward College, which serves Broward County.
- (c) College of Central Florida, which serves Citrus, Levy, and Marion Counties.
- (d) Chipola College, which serves Calhoun, Holmes, Jackson, Liberty, and Washington Counties.
- (e) Daytona State College, which serves Flagler and Volusia Counties.
- (f) Florida Southwestern State College, which serves Charlotte, Collier, Glades, Hendry, and Lee Counties.
 - (g) Florida State College at Jacksonville College, which

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serves Duval and Nassau Counties.

- (h) Florida Keys Community College, which serves Monroe County.
- (i) Gulf Coast State College, which serves Bay, Franklin, and Gulf Counties.
- (i) Hillsborough Community College, which serves Hillsborough County.
- (k) Indian River State College, which serves Indian River, Martin, Okeechobee, and St. Lucie Counties.
- (1) Lake City Florida Gateway College, which serves Baker, Columbia, Dixie, Gilchrist, and Union Counties.
- (m) Lake-Sumter State College, which serves Lake and Sumter Counties.
- (n) Manatee-Sarasota State College of Florida, Manatee-Sarasota, which serves Manatee and Sarasota Counties.
 - (o) Miami Dade College, which serves Miami-Dade County.
- (p) North Florida Community College, which serves Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
- (q) Northwest Florida State College, which serves Okaloosa and Walton Counties.
- (r) Palm Beach State College, which serves Palm Beach County.
- (s) Pasco-Hernando State College, which serves Hernando and Pasco Counties.
- (t) Pensacola State College, which serves Escambia and Santa Rosa Counties.
 - (u) Polk State College, which serves Polk County.
- (v) St. Johns River State College, which serves Clay, Putnam, and St. Johns Counties.

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- (w) St. Petersburg College, which serves Pinellas County.
- (x) Santa Fe College, which serves Alachua and Bradford Counties.
- (y) Seminole State College of Florida, which serves Seminole County.
- (z) South Florida State College, which serves DeSoto, Hardee, and Highlands Counties.
- (aa) Tallahassee Community College, which serves Gadsden, Leon, and Wakulla Counties.
- (bb) Valencia College, which serves Orange and Osceola Counties.

By December 1, 2015, a Florida Community College System institution shall change its name to accurately reflect the institution's regional service area in order to be eligible to receive state funds. The institution may not, in its name, include the term "state" or indicate a statewide presence unless expressly authorized by law.

Section 3. Paragraph (c) of subsection (2) of section 1001.02, Florida Statutes, is amended to read:

- 1001.02 General powers of State Board of Education.-
- (2) The State Board of Education has the following duties:
- (c) To exercise general supervision over the divisions of the Department of Education as necessary to ensure that programs offered by Florida Community College System institutions, and career centers and charter technical career centers that are operated by district school boards, are consistent with the mission of the applicable system or center to avoid wasteful duplication of programs; to ensure coordination of educational

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plans and programs and resolve controversies and to minimize problems of articulation and student transfers; to ensure that students moving from one level of education to the next have acquired competencies necessary for satisfactory performance at that level; τ and to ensure maximum utilization of facilities.

Section 4. Subsections (7), (8), (12), and (15) of section 1001.03, Florida Statutes, are amended to read:

- 1001.03 Specific powers of State Board of Education.-
- (7) ARTICULATION ACCOUNTABILITY.—The State Board of Education shall develop articulation accountability measures that assess the status of systemwide articulation processes and preserve Florida's "2+2" system of articulation, in conjunction with the Board of Governors regarding the State University System, and shall establish an articulation accountability process in accordance with the provisions of chapter 1008, in conjunction with the Board of Governors regarding the State University System.
 - (8) SYSTEMWIDE ENFORCEMENT.
- (a) The State Board of Education shall enforce compliance with law and state board rule by all school districts and public postsecondary educational institutions, except for the State University System, in accordance with this subsection and the provisions of s. 1008.32.
- (b) If the State Board of Education determines that a district school board or Florida Community College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board is authorized to initiate any of the following actions:

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- 1. Report to the Legislature that the school district or Florida Community College System institution is unwilling or unable to comply with law or state board rule and recommend action to be taken by the Legislature.
- 2. Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the school district or Florida Community College System institution complies with the law or state board rule.
- 3. Declare the school district or Florida Community College System institution ineligible for competitive grants.
- 4. Require monthly or periodic reporting on the situation related to noncompliance until it is remedied.
 - (12) COMMON POSTSECONDARY DEFINITIONS.
- (a) The term "college" means any Florida Community College System institution offering a substantially complete program that confers at least an associate degree requiring at least 15 semester hours or the equivalent of general education, or that furnishes or offers to furnish instruction leading toward, or prerequisite to, college credit. The use of the designation "college" in combination with any series of letters, numbers, or words is restricted in this state to Florida Community College System institutions and colleges as defined in s. 1005.03. An entity may not use the designation "college" in its name without prior approval by the Legislature or the Commission for Independent Education pursuant to s. 1005.03, as applicable.
- (b) The State Board of Education shall adopt, by rule, common definitions for associate in science degrees and for certificates.

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(15) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION BACCALAUREATE DEGREE PROGRAMS. - The State Board of Education shall provide for the review and approval of proposals by Florida Community College System institutions to offer baccalaureate degree programs pursuant to s. 1007.33. A Florida Community College System institution, as defined in s. 1000.21, that is approved to offer baccalaureate degrees pursuant to s. 1007.33 remains under the authority of the State Board of Education and the Florida Community College System institution's board of trustees. The State Board of Education may not approve Florida College System institution baccalaureate degree program proposals from March 31, 2014, through May 31, 2015.

Section 5. Subsection (26) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.-The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(26) TECHNICAL CENTER GOVERNING BOARD.-May appoint a governing board for a school district technical center or a system of technical centers for the purpose of aligning the educational programs of the technical center with the needs of local businesses and responding quickly to the needs of local businesses for employees holding industry certifications. A technical center governing board shall be comprised of seven members, three of whom must be members of the district school board or their designees and four of whom must be local business leaders. The district school board shall delegate to the technical center governing board decisions regarding entrance requirements for students, curriculum, program development,

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budget and funding allocations, and the development with local businesses of partnership agreements and appropriate industry certifications in order to meet local and regional economic needs. A technical center governing board may approve only courses and programs that contain industry certifications. A course may be continued if at least 25 percent of the students enrolled in the course attain an industry certification. If fewer than 25 percent of the students enrolled in a course attain an industry certification, the course must be discontinued the following year. However, notwithstanding the authority to approve courses and programs under this subsection, a technical center governing board may not approve college credit courses or college credit certificate, associate degree, or baccalaureate degree programs.

Section 6. Section 1001.44, Florida Statutes is amended to read:

1001.44 Career centers; governance, mission, and responsibilities.-

- (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER CENTERS.—Any district school board, after first obtaining the approval of the Department of Education, may, as a part of the district school system, organize, establish and operate a career center, or acquire and operate a career center previously established.
- (a) The primary mission of a career center that is operated by a district school board is to promote advances and innovations in workforce preparation and economic development. A career center may provide a learning environment that serves the needs of a specific population group or group of occupations,

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thus promoting diversity and choices within the public technical education community in this state.

- (b) A career center that is operated by a district school board may not:
- 1. Offer college credit courses or college credit certificate, associate degree, or baccalaureate degree programs.
- 2. In its name, include the term "college" or indicate that the center has the authority to offer college credit courses or college credit certificate, associate degree, or baccalaureate degree programs.
- (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards of any two or more contiquous districts may, upon first obtaining the approval of the department, enter into an agreement to organize, establish and operate, or acquire and operate, a career center under this section.
- (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED BY A DIRECTOR.-
- (a) A career center established or acquired under provisions of law and minimum standards prescribed by the commissioner shall comprise a part of the district school system and shall mean an educational institution offering terminal courses of a technical nature which are not for college credit, and courses for out-of-school youth and adults; shall be subject to all applicable provisions of this code; shall be under the control of the district school board of the school district in which it is located; and shall be directed by a director responsible through the district school superintendent to the district school board of the school district in which the center



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(b) Each career center shall maintain an academic transcript for each student enrolled in the center. Such transcript shall delineate each course completed by the student. Courses shall be delineated by the course prefix and title assigned pursuant to s. 1007.24. The center shall make a copy of a student's transcript available to any student who requests it.

Section 7. Section 1001.60, Florida Statutes, is amended to read:

1001.60 Florida Community College System. -

- (1) PURPOSES.—In order to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state's employment needs, the Legislature establishes a system of governance for the Florida Community College System.
- (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a single Florida Community College System comprised of the Florida Community College System institutions identified in s. 1000.21(3). A Florida Community College System institution may not offer graduate degree programs.
- (a) The programs and services offered by Florida Community College System institutions in providing associate and baccalaureate degrees shall be delivered in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.
- (b) 1. With the approval of its district board of trustees, a Florida Community College System institution that is

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authorized by the State Board of Education to grant baccalaureate degree programs pursuant to s. 1007.33 and has been accredited as a baccalaureate-degree-granting institution by the Commission on Colleges of the Southern Association of Colleges and Schools may, after prior approval by the Legislature by law, may change the institution's name to accurately reflect the institution's regional service area set forth in s. 1000.21(3) and may use the designation "college" or "state college" if it has been authorized to grant baccalaureate degrees pursuant to s. 1007.33 and has been accredited as a baccalaureate-degree-granting institution by the Commission on Colleges of the Southern Association of Colleges and Schools. However, the institution may not, in its name, include the term "state" or indicate a statewide presence unless expressly authorized by law.

- 2. With the approval of its district board of trustees, a Florida Community College System institution that does not meet the criteria in subparagraph 1. may request approval from the State Board of Education to change the institution's name set forth in s. 1000.21(3) and use the designation "college." The State Board of Education may approve the request if the Florida Community College System institution enters into an agreement with the State Board of Education to do the following:
- a. Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education as prescribed in s. 1004.65(5).
- b. Maintain an open-door admissions policy for associatelevel degree programs and workforce education programs.

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- 301 c. Continue to provide outreach to underserved populations.
 - d. Continue to provide remedial education.
 - e. Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degreegranting institutions as adopted by the State Board of Education pursuant to s. 1007.23.
 - (c) A district board of trustees that approves a change to the name of an institution under paragraph (b) must seek statutory codification of such name change in s. 1000.21(3) during the next regular legislative session.
 - (d) A Florida Community College System institution may not use the designation "university."
 - (3) LOCAL BOARDS OF TRUSTEES. Each institution within the Florida Community College System shall be governed by a local board of trustees as provided in s. 1001.64. The membership of each local board of trustees shall be as provided in s. 1001.61.

Section 8. Subsection (4) is added to section 1001.705, Florida Statutes, to read:

- 1001.705 Responsibility for the State University System under s. 7, Art. IX of the State Constitution.-
- (4) MISSION AND RESPONSIBILITIES.—The mission of the state university system is to promote excellence through teaching students, advancing research, and providing public service for the benefit of Florida's citizens and their communities and economies. A state university may provide students undergraduate and graduate level instruction leading to baccalaureate, masters, doctoral, or professional degrees or certificates in accordance with the requirements of subsection (2).

Section 9. Subsections (3) and (4) of section 1001.7065,

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Florida Statutes, are amended to read:

1001.7065 Preeminent state research universities program.-

- (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—The Board of Governors shall designate each state research university that meets at least 11 of the 12 academic and research excellence standards identified in subsection (2) and that enters into and maintains a formal agreement with the National Merit Scholarship Corporation to offer collegesponsored merit scholarship awards a preeminent state research university.
- (4) PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR ONLINE LEARNING.—A state research university that, as of July 1, 2013, met meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall establish an institute for online learning. Continuation of the institute for online learning is contingent upon a state research university entering into and maintaining a formal agreement with the National Merit Scholarship Corporation to offer college-sponsored merit scholarship awards. The institute shall establish a robust offering of high-quality, fully online baccalaureate degree programs at an affordable cost in accordance with this subsection.
- (a) By August 1, 2013, the Board of Governors shall convene an advisory board to support the development of high-quality, fully online baccalaureate degree programs at the university.
 - (b) The advisory board shall:
- 1. Offer expert advice, as requested by the university, in the development and implementation of a business plan to expand the offering of high-quality, fully online baccalaureate degree



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- 2. Advise the Board of Governors on the release of funding to the university upon approval by the Board of Governors of the plan developed by the university.
- 3. Monitor, evaluate, and report on the implementation of the plan to the Board of Governors, the Governor, the President of the Senate, and the Speaker of the House of Representatives.
- (c) The advisory board shall be composed of the following five members:
- 1. The chair of the Board of Governors or the chair's permanent designee.
- 2. A member with expertise in online learning, appointed by the Board of Governors.
- 3. A member with expertise in global marketing, appointed by the Governor.
- 4. A member with expertise in cloud virtualization, appointed by the President of the Senate.
- 5. A member with expertise in disruptive innovation, appointed by the Speaker of the House of Representatives.
- (d) The president of the university shall be consulted on the advisory board member appointments.
- (e) A majority of the advisory board shall constitute a quorum, elect the chair, and appoint an executive director.
- (f) By September 1, 2013, the university shall submit to the advisory board a comprehensive plan to expand high-quality, fully online baccalaureate degree program offerings. The plan shall include:
- 1. Existing on-campus general education courses and baccalaureate degree programs that will be offered online.

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- 388 2. New courses that will be developed and offered online.
 - 3. Support services that will be offered to students enrolled in online baccalaureate degree programs.
 - 4. A tuition and fee structure that meets the requirements in paragraph (k) for online courses, baccalaureate degree programs, and student support services.
 - 5. A timeline for offering, marketing, and enrolling students in the online baccalaureate degree programs.
 - 6. A budget for developing and marketing the online baccalaureate degree programs.
 - 7. Detailed strategies for ensuring the success of students and the sustainability of the online baccalaureate degree programs.

Upon recommendation of the plan by the advisory board and approval by the Board of Governors, the Board of Governors shall award the university \$10 million in nonrecurring funds and \$5 million in recurring funds for fiscal year 2013-2014 and \$5 million annually thereafter, subject to appropriation in the General Appropriations Act.

- (g) Beginning in January 2014, the university shall offer high-quality, fully online baccalaureate degree programs that:
 - 1. Accept full-time, first-time-in-college students.
- 2. Have the same rigorous admissions criteria as equivalent on-campus degree programs.
- 3. Offer curriculum of equivalent rigor to on-campus degree programs.
- 4. Offer rolling enrollment or multiple opportunities for enrollment throughout the year.

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- 5. Do not require any on-campus courses. However, for courses or programs that require clinical training or laboratories that cannot be delivered online, the university shall offer convenient locational options to the student, which may include, but are not limited to, the option to complete such requirements at a summer-in-residence on the university campus. The university may provide a network of sites at convenient locations and contract with commercial testing centers or identify other secure testing services for the purpose of proctoring assessments or testing.
- 6. Apply the university's existing policy for accepting credits for both freshman applicants and transfer applicants.
- (h) The university may offer a fully online Master's in Business Administration degree program and other master's degree programs.
- (i) The university may develop and offer degree programs and courses that are competency based as appropriate for the quality and success of the program.
- (j) The university shall periodically expand its offering of online baccalaureate degree programs to meet student and market demands.
- (k) The university shall establish a tuition structure for its online institute in accordance with this paragraph, notwithstanding any other provision of law.
- 1. For students classified as residents for tuition purposes, tuition for an online baccalaureate degree program shall be set at no more than 75 percent of the tuition rate as specified in the General Appropriations Act pursuant to s. 1009.24(4) and 75 percent of the tuition differential pursuant

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to s. 1009.24(16). No distance learning fee, fee for campus facilities, or fee for on-campus services may be assessed, except that online students shall pay the university's technology fee, financial aid fee, and Capital Improvement Trust Fund fee. The revenues generated from the Capital Improvement Trust Fund fee shall be dedicated to the university's institute for online learning.

- 2. For students classified as nonresidents for tuition purposes, tuition may be set at market rates in accordance with the business plan.
- 3. Tuition for an online degree program shall include all costs associated with instruction, materials, and enrollment, excluding costs associated with the provision of textbooks pursuant to s. 1004.085 and physical laboratory supplies.
- 4. Subject to the limitations in subparagraph 1., tuition may be differentiated by degree program as appropriate to the instructional and other costs of the program in accordance with the business plan. Pricing must incorporate innovative approaches that incentivize persistence and completion, including, but not limited to, a fee for assessment, a bundled or all-inclusive rate, and sliding scale features.
- 5. The university must accept advance payment contracts and student financial aid.
- 6. Fifty percent of the net revenues generated from the online institute of the university shall be used to enhance and enrich the online institute offerings, and 50 percent of the net revenues generated from the online institute shall be used to enhance and enrich the university's campus state-of-the-art research programs and facilities.

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- 7. The institute may charge additional local user fees pursuant to s. 1009.24(14) upon the approval of the Board of Governors.
- 8. The institute shall submit a proposal to the president of the university authorizing additional user fees for the provision of voluntary student participation in activities and additional student services.

Section 10. Subsection (1) of section 1002.34, Florida Statutes, is amended to read:

1002.34 Charter technical career centers; governance, mission, and responsibilities.-

- (1) AUTHORIZATION AND MISSION.-
- (a) The primary mission of a charter technical career center is to promote The Legislature finds that the establishment of charter technical career centers can assist in promoting advances and innovations in workforce preparation and economic development. A charter technical career center may provide a learning environment that better serves the needs of a specific population group or a group of occupations, thus promoting diversity and choices within the public education and public postsecondary technical education community in this state. Therefore, the creation of such centers is authorized as part of the state's program of public education. A charter technical career center may be formed by creating a new school or converting an existing school district or Florida Community College System institution program to charter technical status.
- (b) A charter technical career center that is operated by a district school board may not:
 - 1. Offer college credit courses or college credit



504 certificate, associate degree, or baccalaureate degree programs. 505 2. Include in its name the term "college" or indicate that 506 the center has the authority to offer college credit courses or 507 college credit certificate, associate degree, or baccalaureate 508 degree programs. 509 Section 11. Subsection (2) of section 1004.015, Florida 510 Statutes, is amended to read: 511 1004.015 Higher Education Coordinating Council.-(2) Members of the council shall include: 512 513 (a) One member of the Board of Governors, appointed by the 514 chair of the Board of Governors. 515 (b) The Chancellor of the State University System. 516 (c) The Chancellor of the Florida Community College System. 517 (d) The Chancellor of Career and Adult Education. 518 (e) (d) One member of the State Board of Education, 519 appointed by the chair of the State Board of Education. 520 (f) (e) The Executive Director of the Florida Association of 521 Postsecondary Schools and Colleges. 522 (q) (f) The president of the Independent Colleges and 523 Universities of Florida. 524 (h) (g) The president of Workforce Florida, Inc., or his or 525 her designee. 526 (i) (h) The president of Enterprise Florida, Inc., or a 527 designated member of the Stakeholders Council appointed by the 528 president. 529 (j) (i) Three representatives of the business community, one 530 appointed by the President of the Senate, one appointed by the 531 Speaker of the House of Representatives, and one appointed by 532 the Governor, who are committed to developing and enhancing

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world class workforce infrastructure necessary for Florida's citizens to compete and prosper in the ever-changing economy of the 21st century.

Section 12. Section 1004.65, Florida Statutes, is amended to read:

1004.65 Florida Community College System institutions; governance, mission, and responsibilities.-

- (1) Each Florida Community College System institution shall be governed by a district board of trustees under statutory authority and rules of the State Board of Education.
- (2) Each Florida Community College System institution district shall:
- (a) Consist of the county or counties served by the Florida Community College System institution pursuant to s. 1000.21(3).
- (b) Be an independent, separate, legal entity created for the operation of a Florida Community College System institution.
- (3) Florida Community College System institutions are locally based and governed entities with statutory and funding ties to state government. As such, the mission for Florida Community College System institutions reflects a commitment to be responsive to local educational needs and challenges. In achieving this mission, Florida Community College System institutions strive to maintain sufficient local authority and flexibility while preserving appropriate legal accountability to the state.
- (4) As comprehensive institutions, Florida Community College System institutions shall provide high-quality, affordable education and training opportunities, shall foster a climate of excellence, and shall provide opportunities to all

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while combining high standards with an open-door admission policy for lower-division programs. Florida Community College System institutions shall, as open-access institutions, serve all who can benefit, without regard to age, race, gender, creed, or ethnic or economic background, while emphasizing the achievement of social and educational equity so that all can be prepared for full participation in society.

- (5) The primary mission and responsibility of Florida Community College System institutions is responding to community needs for postsecondary academic education and career degree education. This mission and responsibility includes being responsible for:
- (a) Providing lower level undergraduate instruction and awarding associate degrees.
- (b) Preparing students directly for careers requiring less than baccalaureate degrees. This may include preparing for job entry, supplementing of skills and knowledge, and responding to needs in new areas of technology. Career education in a Florida Community College System institution shall consist of career certificates, credit courses leading to associate in science degrees and associate in applied science degrees, and other programs in fields requiring substantial academic work, background, or qualifications. A Florida Community College System institution may offer career education programs in fields having lesser academic or technical requirements.
- (c) Providing student development services, including assessment, student tracking, support for disabled students, advisement, counseling, financial aid, career development, and remedial and tutorial services, to ensure student success.

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- (d) Promoting economic development for the state within each Florida Community College System institution district through the provision of special programs, including, but not limited to, the:
 - 1. Enterprise Florida-related programs.
 - 2. Technology transfer centers.
 - 3. Economic development centers.
 - 4. Workforce literacy programs.
 - (e) Providing dual enrollment instruction.
- (f) Providing upper level instruction and awarding baccalaureate degrees as specifically authorized by law.
- (6) A separate and secondary role for Florida Community College System institutions includes the offering of programs in:
- (a) Programs in community services that are not directly related to academic or occupational advancement.
- (b) Programs in adult education services, including adult basic education, adult general education, adult secondary education, and high school equivalency examination instruction.
 - (c) Programs in recreational and leisure services.
- (d) Upper level instruction and awarding baccalaureate degrees as specifically authorized by law.
- (7) Funding for Florida Community College System institutions shall reflect their mission as follows:
- (a) Postsecondary academic and career education programs and adult general education programs shall have first priority in Florida Community College System institution funding.
- (b) Community service programs shall be presented to the Legislature with rationale for state funding. The Legislature

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may identify priority areas for use of these funds.

- (c) The resources of a Florida Community College System institution, including staff, faculty, land, and facilities, shall not be used to support the establishment of a new independent nonpublic educational institution. If any institution uses resources for such purpose, the Division of Florida Community Colleges shall notify the President of the Senate and the Speaker of the House of Representatives.
- (8) Florida Community College System institutions are authorized to:
- (a) Offer such programs and courses as are necessary to fulfill their mission.
- (b) Grant associate in arts degrees, associate in science degrees, associate in applied science degrees, certificates, awards, and diplomas.
- (c) Make provisions for the high school equivalency examination.
- (d) Provide access to and award baccalaureate degrees in accordance with law.

Authority to offer one or more baccalaureate degree programs does not alter the governance relationship of the Florida Community College System institution with its district board of trustees or the State Board of Education.

Section 13. Paragraph (b) of subsection (2) of section 1004.92, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

1004.92 Purpose and responsibilities for career education.-(2)

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- (b) Department of Education accountability for career education includes, but is not limited to:
 - 1. The provision of timely, accurate technical assistance to school districts and Florida Community College System institutions.
 - 2. The provision of timely, accurate information to the State Board of Education, the Legislature, and the public.
 - 3. The development of policies, rules, and procedures that facilitate institutional attainment of the accountability standards and coordinate the efforts of all divisions within the department.
 - 4. The development of program standards and industry-driven benchmarks for career, adult, and community education programs, which must be updated every 3 years. The standards must include career, academic, and workplace skills; viability of distance learning for instruction; and work/learn cycles that are responsive to business and industry; and provisions that reflect the quality components of career and technical education programs.
 - 5. Overseeing school district and Florida Community College System institution compliance with the provisions of this chapter.
 - 6. Ensuring that the educational outcomes for the technical component of career programs are uniform and designed to provide a graduate who is capable of entering the workforce on an equally competitive basis regardless of the institution of choice.
 - (4) The State Board of Education shall adopt rules to administer this section.

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Section 14. Subsection (2) of section 1007.01, Florida Statutes, is amended to read:

1007.01 Articulation; legislative intent; purpose; role of the State Board of Education and the Board of Governors: Articulation Coordinating Committee. -

- (2) To preserve Florida's "2+2" system of articulation and improve and facilitate articulation systemwide, the State Board of Education and the Board of Governors shall collaboratively establish and adopt policies with input from statewide K-20 advisory groups established by the Commissioner of Education and the Chancellor of the State University System and shall recommend the policies to the Legislature. The policies shall relate to:
- (a) The alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer.
- (b) The identification of common courses, the level of courses, institutional participation in a statewide course numbering system, and the transferability of credits among such institutions.
- (c) Identification of courses that meet general education or common degree program prerequisite requirements at public postsecondary educational institutions.
 - (d) Dual enrollment course equivalencies.
 - (e) Articulation agreements.
- (f) The application of credit hours earned through CAPE industry certifications pursuant to s. 1008.44 and acceleration mechanisms, including nationally standardized examinations, to general education, associate degree, or baccalaureate degree



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(g) The application of credit hours earned at Florida Community College System institutions to general education, associate degree, or baccalaureate degree requirements at state universities.

Section 15. Subsection (1) of section 1007.23, Florida Statutes, is amended to read:

1007.23 Statewide articulation agreement.

- (1) The State Board of Education and the Board of Governors shall enter into a statewide articulation agreement which the State Board of Education shall adopt by rule. The agreement must preserve Florida's "2+2" system of articulation, facilitate the seamless articulation of student credit across and among Florida's educational entities, and reinforce the provisions of this chapter by governing:
- (a) Articulation between secondary and postsecondary education;
- (b) Admission of associate in arts degree graduates from Florida Community College System institutions and state universities:
- (c) Admission of applied technology diploma program graduates from Florida Community College System institutions or career centers;
- (d) Admission of associate in science degree and associate in applied science degree graduates from Florida Community College System institutions;
- (e) The <u>application</u> use of credit hours earned through CAPE industry certifications pursuant to s. 1008.44 and acceleration mechanisms, including nationally standardized examinations, to

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general education, associate degree, or baccalaureate degree requirements through which students may earn credit;

- (f) General education requirements and statewide course numbers as provided for in ss. 1007.24 and 1007.25; and
 - (g) Articulation among programs in nursing; and
- (h) The application of credit hours earned at Florida Community College System institutions to general education, associate degree, or baccalaureate degree requirements at state universities.

Section 16. Subsections (1), (4), and (5) of section 1007.33, Florida Statutes, are amended, present subsection (6) of that section is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

1007.33 Site-determined baccalaureate degree access.-

- (1) (a) The Legislature recognizes that public and private postsecondary educational institutions play an essential role in improving the quality of life and economic well-being of the state and its residents. The Legislature also recognizes that economic development needs and the educational needs of placebound, nontraditional students have increased the demand for local access to baccalaureate degree programs. It is therefore the intent of the Legislature to further expand access to baccalaureate degree programs through the use of Florida Community College System institutions.
- (b) For purposes of this section, the term "district" refers to the county or counties served by a Florida Community College System institution pursuant to s. 1000.21(3).
 - (4) A Florida Community College System institution may:
 - (a) Offer specified baccalaureate degree programs through

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formal agreements between the Florida Community College System institution and other regionally accredited postsecondary educational institutions pursuant to s. 1007.22.

- (b) Offer baccalaureate degree programs that are were authorized by law prior to July 1, 2009.
- (c) Beginning July 1, 2009, establish a first or subsequent baccalaureate degree program for purposes of meeting district, regional, or statewide workforce needs if approved by the State Board of Education under this section. However, a Florida Community College System institution may not offer a Bachelor of Arts degree program.

Beginning July 1, 2009, the Board of Trustees of St. Petersburg College is authorized to establish one or more bachelor of applied science degree programs based on an analysis of workforce needs in Pinellas, Pasco, and Hernando Counties and other counties approved by the Department of Education. For each program selected, St. Petersburg College must offer a related associate in science or associate in applied science degree program, and the baccalaureate degree level program must be designed to articulate fully with at least one associate in science degree program. The college is encouraged to develop articulation agreements for enrollment of graduates of related associate in applied science degree programs. The Board of Trustees of St. Petersburg College is authorized to establish additional baccalaureate degree programs if it determines a program is warranted and feasible based on each of the factors in paragraph (5) (d). However, the Board of Trustees of St. Petersburg College may not establish any new baccalaureate

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degree programs from March 31, 2014, through May 31, 2015. Prior to developing or proposing a new baccalaureate degree program, St. Petersburg College shall engage in need, demand, and impact discussions with the state university in its service district and other local and regional, accredited postsecondary providers in its region. Documentation, data, and other information from inter-institutional discussions regarding program need, demand, and impact shall be provided to the college's board of trustees to inform the program approval process. Employment at St. Petersburg College is governed by the same laws that govern Florida College System institutions, except that upper-division faculty are eligible for continuing contracts upon the completion of the fifth year of teaching. Employee records for all personnel shall be maintained as required by s. 1012.81.

- (5) The approval process for baccalaureate degree programs requires shall require:
- (a) Each Florida Community College System institution to submit a notice of its intent to propose a baccalaureate degree program to the Division of Florida Community Colleges at least 1 year 100 days before the submission of its proposal under paragraph (c) (d). The notice must include a brief description of the program, the workforce demand and unmet need for graduates of the program to include evidence from entities independent of the institution, the geographic region to be served, and an estimated timeframe for implementation. Notices of intent may be submitted by a Florida Community College System institution at any time throughout the year. The notice must also include evidence that the Florida Community College System institution engaged in need, demand, and impact discussions with the state

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university and other regionally accredited postsecondary education providers in its service district.

(b) The Division of Florida Community Colleges to forward the notice of intent submitted pursuant to paragraph (a) and the justification for the proposed baccalaureate degree program submitted pursuant to paragraph (c) within 10 business days after receiving such notice and justification to the Chancellor of the State University System, the President of the Independent Colleges and Universities of Florida, and the Executive Director of the Commission for Independent Education. State universities shall have 180 60 days following receipt of the justification notice by the Chancellor of the State University System to submit an objection, including a reason for such objection, objections to the proposed new program or submit an alternative proposal to offer the baccalaureate degree program. The chancellor shall review the objection raised by a state university and inform the Board of Governors of such objection before the university submits its objection to the State Board of Education. The State Board of Education must consult with the Chancellor of the State University System to consider the objection raised by a state university in making its decision to approve or deny a Florida Community College System institution's proposal. If a proposal from a state university is not received within the 60-day period, The State Board of Education shall also provide regionally accredited private colleges and universities 180 30 days to submit objections to the proposed new program or submit an alternative proposal. Objections or alternative proposals shall be submitted to the Division of Florida Community Colleges and must be considered by the State

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Board of Education in making its decision to approve or deny a Florida Community College System institution's proposal.

- (c) An alternative proposal submitted by a state university or private college or university to adequately address:
- 1. The extent to which the workforce demand and unmet need described in the notice of intent will be met.
- 2. The extent to which students will be able to complete the degree in the geographic region proposed to be served by the Florida College System institution.
- 3. The level of financial commitment of the college or university to the development, implementation, and maintenance of the specified degree program, including timelines.
- 4. The extent to which faculty at both the Florida College System institution and the college or university will collaborate in the development and offering of the curriculum.
- 5. The ability of the Florida College System institution and the college or university to develop and approve the curriculum for the specified degree program within 6 months after an agreement between the Florida College System institution and the college or university is signed.
- 6. The extent to which the student may incur additional costs above what the student would expect to incur if the program were offered by the Florida College System institution.
- (d) Each proposal submitted by a Florida Community College System institution to, at a minimum, include:
- 1. A description of the planning process and timeline for implementation.
- 2. A justification for the proposed baccalaureate degree program including, at a minimum, a data-driven An analysis of

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workforce demand and unmet need for graduates of the program on a district, regional, or statewide basis, as appropriate, and the extent to which the proposed program will meet the workforce demand and unmet need. The analysis must include workforce and employment data for the most recent 5 years and projections for the next 3 years, and a summary of degree programs, similar to the proposed degree program, which are currently offered by state universities or by independent nonprofit colleges or universities that are eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, which are located in the Florida Community College System institution's regional service area. The analysis must be verified by more than one third-party professional entity that is including evidence from entities independent of the Florida Community College System institution. A Florida Community College System institution must submit the justification to the Division of Florida Community Colleges within 90 days after forwarding the institution's intent to propose a baccalaureate degree program. The division must forward the justification for the proposed baccalaureate degree program within 10 business days after receiving such justification to the Chancellor of the State University System, the President of the Independent Colleges and Universities of Florida, and the Executive Director of the Commission for Independent Education.

- 3. Identification of the facilities, equipment, and library and academic resources that will be used to deliver the program.
- 4. The program cost analysis of creating a new baccalaureate degree when compared to alternative proposals and other program delivery options.

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- 5. The program's admission requirements, academic content, curriculum, faculty credentials, student-to-teacher ratios, and accreditation plan.
- 6. The program's enrollment projections and funding requirements, including the institution's efforts to sustain the program at the cost of tuition and fees for students who are classified as residents for tuition purposes under s. 1009.21, not to exceed \$10,000 for the entire degree program, including utilization of waivers pursuant to s. 1009.26(11).
 - 7. A plan of action if the program is terminated.
- (d) (e) The Division of Florida Community Colleges to review the proposal, notify the Florida Community College System institution of any deficiencies in writing within 30 days following receipt of the proposal, and provide the Florida Community College System institution with an opportunity to correct the deficiencies. Within 45 days following receipt of a completed proposal by the Division of Florida Community Colleges, after consultation with the Chancellor of the State University System and the President of the Independent Colleges and Universities of Florida, the Commissioner of Education shall recommend approval or disapproval of the proposal to the State Board of Education. The State Board of Education shall consider such recommendation, the proposal, input from the chancellor and the president, and any objections or alternative proposals at its next meeting. If the State Board of Education disapproves the Florida Community College System institution's proposal, it shall provide the Florida Community College System institution with written reasons for that determination.
 - (e) (f) The Florida Community College System institution to

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obtain from the Commission on Colleges of the Southern Association of Colleges and Schools accreditation as a baccalaureate-degree-granting institution if approved by the State Board of Education to offer its first baccalaureate degree program.

- (f) (g) The Florida Community College System institution to notify the Commission on Colleges of the Southern Association of Colleges and Schools of subsequent degree programs that are approved by the State Board of Education and to comply with the association's required substantive change protocols for accreditation purposes.
- (g) (h) The Florida Community College System institution to annually report to, and upon request of the State Board of Education, the Commissioner of Education, the Chancellor of the Florida Community College System, the Chancellor of the State University System, and or the Legislature, report its status using the following performance and compliance indicators:
- 1. Obtaining and maintaining appropriate Southern Association of Colleges and Schools accreditation;
- 2. Maintaining qualified faculty and institutional resources;
 - 3. Maintaining enrollment in previously approved programs;
 - 4. Managing fiscal resources appropriately;
- 5. Complying with the primary mission and responsibility requirements in subsections (2) and (3); and
- 6. Other indicators of success, including program completions, employment and earnings outcomes, acceptance into and performance in graduate programs placements, and surveys of graduates and employers; and



7. Continuing to meet workforce demand, as provided in subparagraph (c)2., as demonstrated through a data-driven needs assessment by the Florida Community College System institution, which is verified by a third-party professional entity that is independent of the institution.

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The State Board of Education, upon annual review of the baccalaureate degree program performance and compliance indicators and needs assessment, may require a Florida Community College System institution's board of trustees to modify or terminate a baccalaureate degree program authorized under this section. However, if the annual review indicates negative program performance and compliance results and the needs assessment fails to demonstrate a need for the program, the State Board of Education shall require a Florida Community College System institution's board of trustees to terminate that

(6) The total upper level, undergraduate full-time equivalent enrollment at a Florida Community College System institution may not exceed 5 percent of the combined total lower level and upper level full-time equivalent enrollment at that institution.

Section 17. Section 1008.38, Florida Statutes, is amended to read:

1008.38 Articulation accountability process.—The State Board of Education, in conjunction with the Board of Governors, shall develop articulation accountability measures which assess the status of systemwide articulation processes authorized under s. 1007.23, preserve Florida's "2+2" system of articulation, and

baccalaureate degree program.

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establish an articulation accountability process which at a minimum shall address:

- (1) The impact of articulation processes on ensuring educational continuity and the orderly and unobstructed transition of students between public secondary and postsecondary education systems and facilitating the transition of students between the public and private sectors.
- (2) The adequacy of preparation of public secondary students to smoothly articulate to a public postsecondary institution.
- (3) The effectiveness of articulated acceleration mechanisms available to secondary students and the application of credit hours earned through CAPE industry certifications pursuant to s. 1008.44 and acceleration mechanisms, including nationally standardized examinations, to general education, associate degree, or baccalaureate degree requirements.
- (4) The smooth transfer of Florida Community College System associate degree graduates to a Florida Community College System institution or a state university, and the application of credit hours earned at Florida Community College System institutions to general education, associate degree, or baccalaureate degree requirements at state universities.
- (5) An examination of degree requirements that exceed the parameters of 60 credit hours for an associate degree and 120 hours for a baccalaureate degree in public postsecondary programs.
- (6) The relationship between student attainment of collegelevel academic skills and articulation to the upper division in public postsecondary institutions.



1026	Section 18. The State Board of Education, in collaboration
1027	with the Board of Governors, shall evaluate and report on the
1028	status of Florida's "2+2" system of articulation using the
1029	accountability measures required pursuant to this section and
1030	any other state law. By November 1, 2016, the state board and
1031	the Board of Governors shall submit their report to the
1032	Governor, the President of the Senate, and the Speaker of the
1033	House of Representatives. The report must include findings
1034	regarding the status of Florida's "2+2" system of articulation
1035	and recommendations for improvement.
1036	Section 19. The Division of Law Revision and Information is
1037	directed to prepare a reviser's bill for the 2016 Regular
1038	Session to conform the Florida Statutes to the changes in
1039	terminology made by this act. The reviser's bill must substitute
1040	the term "Division of Florida Community Colleges" for "Division
1041	of Florida Colleges"; "Florida Community College System" for
1042	"Florida College System"; and "Florida Community College System
1043	institution" for "Florida College System institution" where
1044	those terms appear in the Florida Statutes and reflect the
1045	renaming of Florida community colleges in relevant sections of
1046	law.
1047	Section 20. This act shall take effect July 1, 2015.
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1049	======== T I T L E A M E N D M E N T =========
1050	And the title is amended as follows:
1051	Delete everything before the enacting clause
1052	and insert:
1053	A bill to be entitled
1054	An act relating to higher education; amending s.

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1000.03, F.S.; revising the mission of the Florida K-20 education system; amending s. 1000.21, F.S.; revising definitions to conform to the renaming of "Florida College System institution" to "Florida Community College System institution"; requiring a Florida Community College System institution to change its name by a specified date to maintain eligibility for state funding; amending s. 1001.02, F.S.; revising the duties of the State Board of Education with respect to the supervision of the divisions of the Department of Education; amending s. 1001.03, F.S.; revising requirements for the state board's articulation accountability measures; authorizing the state board to take certain action in the event of noncompliance of a district school board or a Florida Community College System institution board of trustees; defining the term "college"; specifying authorized and prohibited uses of the term; conforming provisions to changes made by the act; amending s. 1001.42, F.S.; prohibiting a technical center governing board from approving specified courses and programs; amending s. 1001.44, F.S.; prescribing the mission and responsibilities of a career center operated by a district school board; specifying certain restrictions applicable to a career center; amending s. 1001.60, F.S.; redesignating the "Florida College System" as the "Florida Community College System"; revising provisions relating to the name change of an institution; amending s. 1001.705, F.S.;

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prescribing the mission and responsibilities of the State University System; amending s. 1001.7065, F.S.; requiring a state research university to enter into and maintain a formal agreement with a specified organization to offer college-sponsored merit scholarship awards as a condition of designation as a preeminent state research university; specifying that continuation of a state research university's institute for online learning is contingent on the university entering into and maintaining such an agreement; amending s. 1002.34, F.S.; prescribing the mission and responsibilities of a charter technical career center; specifying certain restrictions applicable to a charter technical career center; amending s. 1004.015, F.S.; revising the composition of the Higher Education Coordinating Council; amending s. 1004.65, F.S.; providing that Florida Community College System institutions may offer upper level instruction and award baccalaureate degrees, as authorized; conforming provisions to changes made by the act; amending s. 1004.92, F.S.; revising requirements for program standards for career, adult, and community education programs; requiring the state board to adopt rules; amending s. 1007.01, F.S.; revising required components for articulation policies established and adopted by the state board and the Board of Governors; amending s. 1007.23, F.S.; revising requirements for the statewide articulation agreement; amending s. 1007.33, F.S.; revising

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provisions regarding baccalaureate degree programs that may be offered by a Florida Community College System institution; prohibiting a Florida Community College System institution from offering a Bachelor of Arts degree program; removing obsolete language; revising provisions regarding the approval process for baccalaureate degree programs; restricting total upper level, undergraduate full-time equivalent enrollment at a Florida Community College System institution; amending s. 1008.38, F.S.; revising minimum requirements for an articulation accountability process; requiring the state board and the Board of Governors to submit a report to the Governor and the Legislature by a specified date; prescribing report requirements; providing a directive to the Division of Law Revision and Information; providing an effective date.