



392006

LEGISLATIVE ACTION

Senate	.	House
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05/08/2017 03:35 PM	.	05/08/2017 07:47 PM
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The Conference Committee on CS/CS/SB 374, 1st Eng. recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. This act shall be cited as the "Florida
7 Excellence in Higher Education Act of 2017."

8 Section 2. Effective July 1, 2017, section 1001.6001,
9 Florida Statutes, is created to read:

10 1001.6001 Florida Community College System governance.-



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11 (1) The Florida College System, established in s. 1001.60,
12 is renamed as the Florida Community College System.

13 (2) The State Board of Community Colleges is created
14 pursuant to s. 20.156 to oversee and coordinate the Florida
15 Community College System. The Governor shall appoint the
16 membership of the State Board of Community Colleges, subject to
17 confirmation by the Senate, in time for the members to convene
18 for the board's organizational meeting pursuant to s. 20.156(5).

19 (3) The Division of Florida Colleges shall provide
20 administrative support to the State Board of Community Colleges
21 until September 30, 2017.

22 (4) On October 1, 2017, all powers, duties, functions,
23 records, offices, personnel, property, pending issues and
24 existing contracts, administrative authority, administrative
25 rules, and unexpended balances of appropriations, allocations,
26 and other funds related to the Florida College System and the
27 Division of Florida Colleges are transferred by a type two
28 transfer, as defined in s. 20.06(2), from the State Board of
29 Education to the State Board of Community Colleges.

30 (5) The State Board of Community Colleges shall appoint a
31 Chancellor of the Florida Community College System by November
32 1, 2017, to aid the board in the implementation of its
33 responsibilities.

34 (6) Any State Board of Education approval, policy,
35 guidance, and appointment in effect on October 1, 2017, remain
36 effective unless acted upon by the State Board of Community
37 Colleges.

38 Section 3. Subsections (3) and (8) of section 20.15,
39 Florida Statutes, are amended to read:



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40 20.15 Department of Education.—There is created a
41 Department of Education.

42 (3) DIVISIONS.—The following divisions of the Department of
43 Education are established:

44 ~~(a) Division of Florida Colleges.~~

45 (a) ~~(b)~~ Division of Public Schools.

46 (b) ~~(c)~~ Division of Career and Adult Education.

47 (c) ~~(d)~~ Division of Vocational Rehabilitation.

48 (d) ~~(e)~~ Division of Blind Services.

49 (e) ~~(f)~~ Division of Accountability, Research, and
50 Measurement.

51 (f) ~~(g)~~ Division of Finance and Operations.

52 (g) ~~(h)~~ Office of K-20 Articulation.

53 (h) ~~(i)~~ The Office of Independent Education and Parental
54 Choice, which must include the following offices:

55 1. The Office of Early Learning, which shall be
56 administered by an executive director who is fully accountable
57 to the Commissioner of Education. The executive director shall,
58 pursuant to s. 1001.213, administer the early learning programs,
59 including the school readiness program and the Voluntary
60 Prekindergarten Education Program at the state level.

61 2. The Office of K-12 School Choice, which shall be
62 administered by an executive director who is fully accountable
63 to the Commissioner of Education.

64 (8) SUPPORT SERVICES.—The Department of Education shall
65 continue to provide support to the Board of Governors of the
66 State University System and to the State Board of Community
67 Colleges of the Florida Community College System. At a minimum,
68 support services provided to the Board of Governors and the



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69 State Board of Community Colleges shall include accounting,
70 printing, computer and Internet support, personnel and human
71 resources support, support for accountability initiatives, and
72 administrative support as needed for trust funds under the
73 jurisdiction of the Board of Governors and the State Board of
74 Community Colleges.

75 Section 4. Effective July 1, 2017, section 20.156, Florida
76 Statutes, is created to read:

77 20.156 State Board of Community Colleges.—

78 (1) GENERAL PROVISIONS.—The State Board of Community
79 Colleges is created. For the purposes of s. 6, Art. IV of the
80 State Constitution, the state board shall be assigned to and
81 administratively housed within the Department of Education.
82 However, the state board shall independently exercise the powers
83 and duties in s. 1001.602; is a separate budget program; and is
84 not subject to control, supervision, or direction by the
85 department. For purposes of this section, the State Board of
86 Community Colleges is referred to as the "state board."

87 (2) HEAD OF THE FLORIDA COMMUNITY COLLEGE SYSTEM.—The state
88 board is the head of the Florida Community College System. The
89 Governor shall appoint the board members, subject to
90 confirmation by the Senate.

91 (3) PERSONNEL.—The state board shall appoint a Chancellor
92 of the Florida Community College System by November 1, 2017, to
93 aid in carrying out the state board's duties. The chancellor is
94 the chief executive officer and secretary to the state board and
95 directs the activities of the staff of the state board. The
96 Chancellor of the Division of Florida Colleges shall serve as
97 the Chancellor of the Florida Community College System until the



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98 state board selects a chancellor.

99 (4) POWERS AND DUTIES.—Effective October 1, 2017, the state
100 board shall regulate, control, and be responsible for the
101 management of the Florida Community College System.

102 (5) ORGANIZATION.—The state board shall, by September 30,
103 2017, conduct an organizational meeting to adopt bylaws, elect a
104 chair and vice chair from the membership, and fix dates and
105 places for regular meetings.

106 Section 5. Subsection (18) is added to section 112.313,
107 Florida Statutes, to read:

108 112.313 Standards of conduct for public officers, employees
109 of agencies, and local government attorneys.—

110 (18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF
111 TRUSTEES.—A citizen member of the State Board of Community
112 Colleges or a citizen member of a Florida Community College
113 System institution board of trustees may not have or hold an
114 employment or contractual relationship as a legislative lobbyist
115 requiring annual registration and reporting pursuant to s.
116 11.045.

117 Section 6. Paragraph (c) of subsection (1) of section
118 112.3145, Florida Statutes, is amended to read:

119 112.3145 Disclosure of financial interests and clients
120 represented before agencies.—

121 (1) For purposes of this section, unless the context
122 otherwise requires, the term:

123 (c) "State officer" means:

124 1. Any elected public officer, excluding those elected to
125 the United States Senate and House of Representatives, not
126 covered elsewhere in this part and any person who is appointed



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127 to fill a vacancy for an unexpired term in such an elective
128 office.

129 2. An appointed member of each board, commission,
130 authority, or council having statewide jurisdiction, excluding a
131 member of an advisory body.

132 3. A member of the Board of Governors of the State
133 University System or a state university board of trustees, the
134 Chancellor and Vice Chancellors of the State University System,
135 and the president of a state university; or a member of the
136 State Board of Community Colleges and the Chancellor of the
137 Florida Community College System.

138 4. A member of the judicial nominating commission for any
139 district court of appeal or any judicial circuit.

140 Section 7. Subsections (2) and (4) of section 1000.03,
141 Florida Statutes, are amended to read:

142 1000.03 Function, mission, and goals of the Florida K-20
143 education system.—

144 (2) (a) The Legislature shall establish education policy,
145 enact education laws, and appropriate and allocate education
146 resources.

147 (b) With the exception of matters relating to the State
148 University System and the Florida Community College System, the
149 State Board of Education shall oversee the enforcement of all
150 laws and rules, and the timely provision of direction,
151 resources, assistance, intervention when needed, and strong
152 incentives and disincentives to force accountability for
153 results.

154 (c) The Board of Governors shall oversee the enforcement of
155 all state university laws and rules and regulations and the



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156 timely provision of direction, resources, assistance,
157 intervention when needed, and strong incentives and
158 disincentives to force accountability for results.

159 (d) The State Board of Community Colleges shall oversee the
160 enforcement of all Florida Community College System laws and
161 rules and the timely provision of direction, resources,
162 assistance, intervention when needed, and strong incentives and
163 disincentives to force accountability for results.

164 (4) The mission of Florida's K-20 education system is to
165 allow its students to increase their proficiency by allowing
166 them the opportunity to expand their knowledge and skills
167 through rigorous and relevant learning opportunities, in
168 accordance with the mission of the applicable career center or
169 system ~~statement~~ and the accountability requirements of s.
170 1008.31, and to avoid wasteful duplication of programs offered
171 by state universities, Florida Community College System
172 institutions, and career centers and charter technical career
173 centers that are operated by a district school board or a
174 Florida Community College System institution board of trustees.

175 Section 8. Paragraph (d) of subsection (3) and subsections
176 (5) and (6) of section 1000.05, Florida Statutes, are amended to
177 read:

178 1000.05 Discrimination against students and employees in
179 the Florida K-20 public education system prohibited; equality of
180 access required.-

181 (3)

182 (d) A public K-20 educational institution which operates or
183 sponsors interscholastic, intercollegiate, club, or intramural
184 athletics shall provide equal athletic opportunity for members



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185 of both genders.

186 1. The Board of Governors shall determine whether equal
187 opportunities are available at state universities.

188 2. The Commissioner of Education, for school districts, and
189 the Chancellor of the Florida Community College System, for
190 Florida Community College System institutions, shall determine
191 whether equal opportunities are available in school districts
192 and Florida Community College System institutions. In
193 determining whether equal opportunities are available in school
194 districts and Florida Community College System institutions, the
195 Commissioner of Education and the Chancellor of the Florida
196 Community College System shall consider, among other factors:

197 a. Whether the selection of sports and levels of
198 competition effectively accommodate the interests and abilities
199 of members of both genders.

200 b. The provision of equipment and supplies.

201 c. Scheduling of games and practice times.

202 d. Travel and per diem allowances.

203 e. Opportunities to receive coaching and academic tutoring.

204 f. Assignment and compensation of coaches and tutors.

205 g. Provision of locker room, practice, and competitive
206 facilities.

207 h. Provision of medical and training facilities and
208 services.

209 i. Provision of housing and dining facilities and services.

210 j. Publicity.

211

212 Unequal aggregate expenditures for members of each gender or
213 unequal expenditures for male and female teams if a public



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214 school or Florida Community College System institution operates
215 or sponsors separate teams do not constitute nonimplementation
216 of this subsection, but the Commissioner of Education shall
217 consider the failure to provide necessary funds for teams for
218 one gender in assessing equality of opportunity for members of
219 each gender.

220 (5) (a) The State Board of Education shall adopt rules to
221 implement this section as it relates to school districts ~~and~~
222 ~~Florida College System institutions.~~

223 (b) The Board of Governors shall adopt regulations to
224 implement this section as it relates to state universities.

225 (c) The State Board of Community Colleges shall adopt rules
226 to implement this section as it relates to Florida Community
227 College System institutions.

228 (6) The functions of the State Board of Community Colleges
229 for Florida Community College System institutions and the Office
230 of Equal Educational Opportunity of the Department of Education
231 shall include, but are not limited to:

232 (a) Requiring all district school boards and Florida
233 Community College System institution boards of trustees to
234 develop and submit plans for the implementation of this section
235 to the Department of Education.

236 (b) Conducting periodic reviews of school districts and
237 Florida Community College System institutions to determine
238 compliance with this section and, after a finding that a school
239 district or a Florida Community College System institution is
240 not in compliance with this section, notifying the entity of the
241 steps that it must take to attain compliance and performing
242 followup monitoring.



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243 (c) Providing technical assistance, including assisting
244 school districts or Florida Community College System
245 institutions in identifying unlawful discrimination and
246 instructing them in remedies for correction and prevention of
247 such discrimination and performing followup monitoring.

248 (d) Conducting studies of the effectiveness of methods and
249 strategies designed to increase the participation of students in
250 programs and courses in which students of a particular race,
251 ethnicity, national origin, gender, disability, or marital
252 status have been traditionally underrepresented and monitoring
253 the success of students in such programs or courses, including
254 performing followup monitoring.

255 (e) Requiring all district school boards and Florida
256 Community College System institution boards of trustees to
257 submit data and information necessary to determine compliance
258 with this section. The Commissioner of Education, for school
259 districts, and the Chancellor of the Florida Community College
260 System, for Florida Community College System institutions, shall
261 prescribe the format and the date for submission of such data
262 and any other educational equity data. If any board does not
263 submit the required compliance data or other required
264 educational equity data by the prescribed date, the commissioner
265 shall notify the board of this fact and, if the board does not
266 take appropriate action to immediately submit the required
267 report, the State Board of Education shall impose monetary
268 sanctions.

269 (f) Based upon rules of the State Board of Education, for
270 school districts, and the State Board of Community Colleges, for
271 Florida Community College System institutions, developing and



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272 implementing enforcement mechanisms with appropriate penalties
273 to ensure that public K-12 schools and Florida Community College
274 System institutions comply with Title IX of the Education
275 Amendments of 1972 and subsection (3) of this section. However,
276 the State Board of Education may not force a public school or
277 Florida Community College System institution to conduct, nor
278 penalize such entity for not conducting, a program of athletic
279 activity or athletic scholarship for female athletes unless it
280 is an athletic activity approved for women by a recognized
281 association whose purpose is to promote athletics and a
282 conference or league exists to promote interscholastic or
283 intercollegiate competition for women in that athletic activity.

284 (g) Reporting to the Commissioner of Education, for school
285 districts, or to the Chancellor of the Florida Community College
286 System, for Florida Community College System institutions, any
287 district school board or Florida Community College System
288 institution board of trustees found to be out of compliance with
289 rules of the State Board of Education or the State Board of
290 Community Colleges adopted as required by paragraph (f) or
291 paragraph (3) (d). To penalize the respective board, the State
292 Board of Education or the State Board of Community Colleges, as
293 applicable, shall:

294 1. Declare the school district or Florida Community College
295 System institution ineligible for competitive state grants.

296 2. Notwithstanding the provisions of s. 216.192, direct the
297 Chief Financial Officer to withhold general revenue funds
298 sufficient to obtain compliance from the school district or
299 Florida Community College System institution.

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301 The school district or Florida Community College System
302 institution shall remain ineligible and the funds may ~~shall~~ not
303 be paid until the institution comes into compliance or the State
304 Board of Education or the State Board of Community Colleges, as
305 applicable, approves a plan for compliance.

306 Section 9. Section 1001.02, Florida Statutes, is amended to
307 read:

308 1001.02 General powers of State Board of Education.—

309 (1) The State Board of Education is the chief implementing
310 and coordinating body of public education in Florida except for
311 the State University System and the Florida Community College
312 System, and it shall focus on high-level policy decisions. It
313 has authority to adopt rules pursuant to ss. 120.536(1) and
314 120.54 to implement the provisions of law conferring duties upon
315 it for the improvement of the state system of K-20 public
316 education except for the State University System and the Florida
317 Community College System. Except as otherwise provided herein,
318 it may, as it finds appropriate, delegate its general powers to
319 the Commissioner of Education or the directors of the divisions
320 of the department.

321 (2) The State Board of Education has the following duties:

322 (a) To adopt comprehensive educational objectives for
323 public education except for the State University System and the
324 Florida Community College System.

325 (b) To adopt comprehensive long-range plans and short-range
326 programs for the development of the state system of public
327 education except for the State University System and the Florida
328 Community College System.

329 (c) To exercise general supervision over the divisions of



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330 the Department of Education as necessary to ensure coordination
331 of educational plans and programs and resolve controversies and
332 to minimize problems of articulation and student transfers, to
333 ensure that students moving from one level of education to the
334 next have acquired competencies necessary for satisfactory
335 performance at that level, and to ensure maximum utilization of
336 facilities.

337 (d) To adopt, in consultation with the Board of Governors
338 and the State Board of Community Colleges, and from time to time
339 modify, minimum and uniform standards of college-level
340 communication and computation skills generally associated with
341 successful performance and progression through the baccalaureate
342 level and to identify college-preparatory high school coursework
343 and postsecondary-level coursework that prepares students with
344 the academic skills necessary to succeed in postsecondary
345 education.

346 (e) To adopt and submit to the Governor and Legislature, as
347 provided in s. 216.023, a coordinated K-20 education budget that
348 estimates the expenditure requirements for the Board of
349 Governors, as provided in s. 1001.706, the State Board of
350 Education, including the Department of Education and the
351 Commissioner of Education, and all of the boards, institutions,
352 agencies, and services under the general supervision of the
353 Board of Governors, as provided in s. 1001.706, the State Board
354 of Community Colleges, as provided in s. 1001.602, or the State
355 Board of Education for the ensuing fiscal year. The State Board
356 of Education may not amend the budget request submitted by the
357 Board of Governors or the State Board of Community Colleges. Any
358 program recommended by the Board of Governors, the State Board



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359 of Community Colleges, or the State Board of Education which
360 will require increases in state funding for more than 1 year
361 must be presented in a multiyear budget plan.

362 (f) To hold meetings, transact business, keep records,
363 adopt a seal, and, except as otherwise provided by law, perform
364 such other duties as may be necessary for the enforcement of
365 laws and rules relating to the state system of public education.

366 (g) To approve plans for cooperating with the Federal
367 Government.

368 (h) To approve plans for cooperating with other public
369 agencies in the development of rules and in the enforcement of
370 laws for which the state board and such agencies are jointly
371 responsible.

372 (i) To review plans for cooperating with appropriate
373 nonpublic agencies for the improvement of conditions relating to
374 the welfare of schools.

375 (j) To create such subordinate advisory bodies as are
376 required by law or as it finds necessary for the improvement of
377 education.

378 (k) To constitute any education bodies or other structures
379 as required by federal law.

380 (l) To assist in the economic development of the state by
381 developing a state-level planning process to identify future
382 training needs for industry, especially high-technology
383 industry.

384 (m) To assist in the planning and economic development of
385 the state by establishing a clearinghouse for information on
386 educational programs of value to economic development.

387 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and



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388 120.54, within statutory authority.

389 (o) To authorize the allocation of resources in accordance
390 with law and rule.

391 (p) To contract with independent institutions accredited by
392 an agency whose standards are comparable to the minimum
393 standards required to operate a postsecondary career center
394 ~~educational institution at that level in the state~~. The purpose
395 of the contract is to provide those educational programs and
396 facilities which will meet needs unfulfilled by the state system
397 of public postsecondary education.

398 (q) To recommend that a district school board take action
399 consistent with the state board's decision relating to an appeal
400 of a charter school application.

401 (r) To enforce systemwide education goals and policies
402 except as otherwise provided by law.

403 (s) To establish a detailed procedure for the
404 implementation and operation of a systemwide K-20 technology
405 plan that is based on a common set of data definitions.

406 (t) To establish accountability standards for existing
407 legislative performance goals, standards, and measures, and
408 order the development of mechanisms to implement new legislative
409 goals, standards, and measures.

410 (u) To adopt criteria and implementation plans for future
411 growth issues, ~~such as new Florida College System institutions~~
412 ~~and Florida College System institution campus mergers~~, and to
413 provide for cooperative agreements between and within public and
414 private education sectors.

415 (v) To develop, in conjunction with the Board of Governors
416 and the State Board of Community Colleges, and periodically



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417 review for adjustment, a coordinated 5-year plan for
418 postsecondary enrollment, identifying enrollment and graduation
419 expectations by baccalaureate degree program, and annually
420 submit the plan to the Legislature as part of its legislative
421 budget request.

422 ~~(w) Beginning in the 2014-2015 academic year and annually~~
423 ~~thereafter, to require each Florida College System institution~~
424 ~~prior to registration to provide each enrolled student~~
425 ~~electronic access to the economic security report of employment~~
426 ~~and earning outcomes prepared by the Department of Economic~~
427 ~~Opportunity pursuant to s. 445.07.~~

428 (3) (a) The State Board of Education shall adopt a strategic
429 plan that specifies goals and objectives for the state's public
430 schools ~~and Florida College System institutions~~. The plan shall
431 be formulated in conjunction with plans of the Board of
432 Governors and the State Board of Community Colleges in order to
433 provide for the roles of the universities and Florida Community
434 College System institutions to be coordinated to best meet state
435 needs and reflect cost-effective use of state resources. The
436 strategic plan must clarify the mission statements of each
437 Florida Community College System institution and the system as a
438 whole and identify degree programs, including baccalaureate
439 degree programs, to be offered at each Florida Community College
440 System institution in accordance with the objectives provided in
441 this subsection and the coordinated 5-year plan pursuant to
442 paragraph (2) (v). The strategic plan must cover a period of 5
443 years, with modification of the program lists after 2 years.
444 Development of each 5-year plan must be coordinated with and
445 initiated after completion of the master plan. The strategic



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446 plans must specifically include programs and procedures for
447 responding to the educational needs of teachers and students in
448 the public schools of this state and consider reports and
449 recommendations of the Higher Education Coordinating Council
450 pursuant to s. 1004.015 and the Articulation Coordinating
451 Committee pursuant to s. 1007.01. The state board shall submit a
452 report to the President of the Senate and the Speaker of the
453 House of Representatives upon modification of the plan and as
454 part of its legislative budget request.

455 (b) The State Board of Education, ~~and~~ the Board of
456 Governors, and the State Board of Community Colleges shall
457 jointly develop long-range plans and annual reports for
458 financial aid in this state. The long-range plans shall
459 establish goals and objectives for a comprehensive program of
460 financial aid for Florida students and shall be updated every 5
461 years. The annual report shall include programs administered by
462 the department as well as awards made from financial aid fee
463 revenues, any other funds appropriated by the Legislature for
464 financial assistance, and the value of tuition and fees waived
465 for students enrolled in a dual enrollment course at a public
466 postsecondary educational institution. The annual report shall
467 include an assessment of progress made in achieving goals and
468 objectives established in the long-range plans and
469 recommendations for repealing or modifying existing financial
470 aid programs or establishing new programs. A long-range plan
471 shall be submitted by January 1, 2004, and every 5 years
472 thereafter. An annual report shall be submitted on January 1,
473 2004, and in each successive year that a long-range plan is not
474 submitted, to the President of the Senate and the Speaker of the



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475 House of Representatives.

476 (4) The State Board of Education shall:

477 ~~(a) Provide for each Florida College System institution to~~
478 ~~offer educational training and service programs designed to meet~~
479 ~~the needs of both students and the communities served.~~

480 ~~(b) Specify, by rule, procedures to be used by the Florida~~
481 ~~College System institution boards of trustees in the annual~~
482 ~~evaluations of presidents and review the evaluations of~~
483 ~~presidents by the boards of trustees, including the extent to~~
484 ~~which presidents serve both institutional and system goals.~~

485 ~~(c) Establish, in conjunction with the Board of Governors,~~
486 ~~an effective information system that will provide composite data~~
487 ~~concerning the Florida College System institutions and state~~
488 ~~universities and ensure that special analyses and studies~~
489 ~~concerning the institutions are conducted, as necessary, for~~
490 ~~provision of accurate and cost-effective information concerning~~
491 ~~the institutions.~~

492 ~~(d) Establish criteria for making recommendations for~~
493 ~~modifying district boundary lines for Florida College System~~
494 ~~institutions, including criteria for service delivery areas of~~
495 ~~Florida College System institutions authorized to grant~~
496 ~~baccalaureate degrees.~~

497 ~~(e) Establish criteria for making recommendations~~
498 ~~concerning all proposals for the establishment of additional~~
499 ~~centers or campuses for Florida College System institutions.~~

500 ~~(f) Examine the annual administrative review of each~~
501 ~~Florida College System institution.~~

502 ~~(g) adopt and submit to the Legislature a 3-year list of~~
503 ~~priorities for fixed-capital-outlay projects. The State Board of~~



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504 Education may not amend the 3-year list of priorities of the
505 Board of Governors or the State Board of Community Colleges.

506 ~~(5) The State Board of Education is responsible for~~
507 ~~reviewing and administering the state program of support for the~~
508 ~~Florida College System institutions and, subject to existing~~
509 ~~law, shall establish the tuition and out-of-state fees for~~
510 ~~developmental education and for credit instruction that may be~~
511 ~~counted toward an associate in arts degree, an associate in~~
512 ~~applied science degree, or an associate in science degree.~~

513 ~~(6) The State Board of Education shall prescribe minimum~~
514 ~~standards, definitions, and guidelines for Florida College~~
515 ~~System institutions that will ensure the quality of education,~~
516 ~~coordination among the Florida College System institutions and~~
517 ~~state universities, and efficient progress toward accomplishing~~
518 ~~the Florida College System institution mission. At a minimum,~~
519 ~~these rules must address:~~

520 ~~(a) Personnel.~~

521 ~~(b) Contracting.~~

522 ~~(c) Program offerings and classification, including~~
523 ~~college-level communication and computation skills associated~~
524 ~~with successful performance in college and with tests and other~~
525 ~~assessment procedures that measure student achievement of those~~
526 ~~skills. The performance measures must provide that students~~
527 ~~moving from one level of education to the next acquire the~~
528 ~~necessary competencies for that level.~~

529 ~~(d) Provisions for curriculum development, graduation~~
530 ~~requirements, college calendars, and program service areas.~~
531 ~~These provisions must include rules that:~~

532 ~~1. Provide for the award of an associate in arts degree to~~



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533 ~~a student who successfully completes 60 semester credit hours at~~
534 ~~the Florida College System institution.~~

535 ~~2. Require all of the credits accepted for the associate in~~
536 ~~arts degree to be in the statewide course numbering system as~~
537 ~~credits toward a baccalaureate degree offered by a state~~
538 ~~university or a Florida College System institution.~~

539 ~~3. Require no more than 36 semester credit hours in general~~
540 ~~education courses in the subject areas of communication,~~
541 ~~mathematics, social sciences, humanities, and natural sciences.~~

542
543 ~~The rules should encourage Florida College System institutions~~
544 ~~to enter into agreements with state universities that allow~~
545 ~~Florida College System institution students to complete upper-~~
546 ~~division-level courses at a Florida College System institution.~~
547 ~~An agreement may provide for concurrent enrollment at the~~
548 ~~Florida College System institution and the state university and~~
549 ~~may authorize the Florida College System institution to offer an~~
550 ~~upper-division-level course or distance learning.~~

551 ~~(e) Student admissions, conduct and discipline,~~
552 ~~nonclassroom activities, and fees.~~

553 ~~(f) Budgeting.~~

554 ~~(g) Business and financial matters.~~

555 ~~(h) Student services.~~

556 ~~(i) Reports, surveys, and information systems, including~~
557 ~~forms and dates of submission.~~

558 Section 10. Subsections (7) through (17) of section
559 1001.03, Florida Statutes, are amended to read:

560 1001.03 Specific powers of State Board of Education.-

561 (7) ARTICULATION ACCOUNTABILITY.-The State Board of



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562 Education shall develop articulation accountability measures
563 that assess the status of systemwide articulation processes, in
564 conjunction with the Board of Governors regarding the State
565 University System and the State Board of Community Colleges
566 regarding the Florida Community College System, and shall
567 establish an articulation accountability process in accordance
568 with the provisions of chapter 1008, in conjunction with the
569 Board of Governors regarding the State University System and the
570 State Board of Community Colleges regarding the Florida
571 Community College System.

572 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
573 shall enforce compliance with law and state board rule by all
574 school districts and public postsecondary educational
575 institutions, except for institutions within the State
576 University System and the Florida Community College System, in
577 accordance with the provisions of s. 1008.32.

578 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
579 Education, in conjunction with the Board of Governors regarding
580 the State University System and the State Board of Community
581 Colleges regarding the Florida Community College System, shall
582 continue to collect and maintain, at a minimum, the management
583 information databases for state universities, community
584 colleges, and all other components of the public K-20 education
585 system as such databases existed on June 30, 2002.

586 ~~(10) COMMON PLACEMENT TESTING FOR PUBLIC POSTSECONDARY~~
587 ~~EDUCATION. The State Board of Education, in conjunction with the~~
588 ~~Board of Governors, shall develop and implement a common~~
589 ~~placement test to assess the basic computation and communication~~
590 ~~skills of students who intend to enter a degree program at any~~



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591 ~~Florida College System institution or state university.~~
592 (10) ~~(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY
593 EDUCATION.—The State Board of Education shall adopt minimum
594 standards relating to nonpublic postsecondary education and
595 institutions, in accordance with the provisions of chapter 1005.
596 ~~(12) COMMON POSTSECONDARY DEFINITIONS.—The State Board of~~
597 ~~Education shall adopt, by rule, common definitions for associate~~
598 ~~in science degrees and for certificates.~~
599 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS.—The~~
600 ~~State Board of Education shall provide for the cyclic review of~~
601 ~~all academic programs in Florida College System institutions at~~
602 ~~least every 7 years. Program reviews shall document how~~
603 ~~individual academic programs are achieving stated student~~
604 ~~learning and program objectives within the context of the~~
605 ~~institution's mission. The results of the program reviews shall~~
606 ~~inform strategic planning, program development, and budgeting~~
607 ~~decisions at the institutional level.~~
608 (11) ~~(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
609 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of
610 Education shall maintain a uniform classification system for
611 school district administrative and management personnel that
612 will facilitate the uniform coding of administrative and
613 management personnel to total district employees.
614 ~~(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE~~
615 ~~DEGREE PROGRAMS.—The State Board of Education shall provide for~~
616 ~~the review and approval of proposals by Florida College System~~
617 ~~institutions to offer baccalaureate degree programs pursuant to~~
618 ~~s. 1007.33. A Florida College System institution, as defined in~~
619 ~~s. 1000.21, that is approved to offer baccalaureate degrees~~



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620 ~~pursuant to s. 1007.33 remains under the authority of the State~~
621 ~~Board of Education and the Florida College System institution's~~
622 ~~board of trustees. The State Board of Education may not approve~~
623 ~~Florida College System institution baccalaureate degree program~~
624 ~~proposals from March 31, 2014, through May 31, 2015.~~

625 ~~(16) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1, 2013,~~
626 ~~the State Board of Education shall identify performance metrics~~
627 ~~for the Florida College System and develop a plan that specifies~~
628 ~~goals and objectives for each Florida College System~~
629 ~~institution. The plan must include:~~

630 ~~(a) Performance metrics and standards common for all~~
631 ~~institutions and metrics and standards unique to institutions~~
632 ~~depending on institutional core missions, including, but not~~
633 ~~limited to, remediation success, retention, graduation,~~
634 ~~employment, transfer rates, licensure passage, excess hours,~~
635 ~~student loan burden and default rates, job placement, faculty~~
636 ~~awards, and highly respected rankings for institution and~~
637 ~~program achievements.~~

638 ~~(b) Student enrollment and performance data delineated by~~
639 ~~method of instruction, including, but not limited to,~~
640 ~~traditional, online, and distance learning instruction.~~

641 ~~(12)(17) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,~~
642 ~~ENGINEERING, AND MATHEMATICS (STEM).—The State Board of~~
643 ~~Education, in consultation with the Board of Governors, the~~
644 ~~State Board of Community Colleges, and the Department of~~
645 ~~Economic Opportunity, shall adopt a unified state plan to~~
646 ~~improve K-20 STEM education and prepare students for high-skill,~~
647 ~~high-wage, and high-demand employment in STEM and STEM-related~~
648 ~~fields.~~



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649 Section 11. Subsection (1), paragraphs (g) and (j) of
650 subsection (6), and subsection (7) of section 1001.10, Florida
651 Statutes, are amended to read:

652 1001.10 Commissioner of Education; general powers and
653 duties.—

654 (1) The Commissioner of Education is the chief educational
655 officer of the state and the sole custodian of the K-20 data
656 warehouse, and is responsible for giving full assistance to the
657 State Board of Education in enforcing compliance with the
658 mission and goals of the K-20 education system except for the
659 State University System and the Florida Community College
660 System.

661 (6) Additionally, the commissioner has the following
662 general powers and duties:

663 (g) To submit to the State Board of Education, on or before
664 October 1 of each year, recommendations for a coordinated K-20
665 education budget that estimates the expenditures for the Board
666 of Governors, the State Board of Community Colleges, the State
667 Board of Education, including the Department of Education and
668 the Commissioner of Education, and all of the boards,
669 institutions, agencies, and services under the general
670 supervision of the Board of Governors, the State Board of
671 Community Colleges, or the State Board of Education for the
672 ensuing fiscal year. Any program recommended to the State Board
673 of Education that will require increases in state funding for
674 more than 1 year must be presented in a multiyear budget plan.

675 (j) To implement a program of school improvement and
676 education accountability designed to provide all students the
677 opportunity to make adequate learning gains in each year of



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678 school as provided by statute and State Board of Education rule
679 based upon the achievement of the state education goals,
680 recognizing the following:

681 1. The district school board is responsible for school and
682 student performance.

683 2. The individual school is the unit for education
684 accountability.

685 ~~3. The Florida College System institution board of trustees~~
686 ~~is responsible for Florida College System institution~~
687 ~~performance and student performance.~~

688 ~~(7) The commissioner, or the commissioner's designee, may~~
689 ~~conduct a review or investigation of practices, procedures, or~~
690 ~~actions at any Florida College System institution which appear~~
691 ~~to be inconsistent with sound financial, management, or academic~~
692 ~~practice.~~

693 Section 12. Paragraphs (c) through (f) of subsection (1)
694 and subsection (3) of section 1001.11, Florida Statutes, are
695 amended to read:

696 1001.11 Commissioner of Education; other duties.-

697 (1) The Commissioner of Education must independently
698 perform the following duties:

699 (c) In cooperation with the Board of Governors and the
700 State Board of Community Colleges, develop and implement a
701 process for receiving and processing requests, in conjunction
702 with the Legislature, for the allocation of PECO funds for
703 qualified postsecondary education projects.

704 ~~(d) Integrally work with the boards of trustees of the~~
705 ~~Florida College System institutions.~~

706 (d)(e) Monitor the activities of the State Board of



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707 Education and provide information related to current and pending
708 policies to the members of the boards of trustees of the Florida
709 Community College System institutions and state universities.

710 (e)~~(f)~~ Ensure the timely provision of information requested
711 by the Legislature from the State Board of Education, the
712 commissioner's office, and the Department of Education.

713 (3) Notwithstanding any other provision of law to the
714 contrary, the Commissioner of Education, in conjunction with the
715 Legislature, and the Board of Governors regarding the State
716 University System, and the State Board of Community Colleges
717 regarding the Florida Community College System, must recommend
718 funding priorities for the distribution of capital outlay funds
719 for public postsecondary educational institutions, based on
720 priorities that include, but are not limited to, the following
721 criteria:

722 (a) Growth at the institutions.

723 (b) Need for specific skills statewide.

724 (c) Need for maintaining and repairing existing facilities.

725 Section 13. Paragraph (e) of subsection (4) of section
726 1001.20, Florida Statutes, is amended to read:

727 1001.20 Department under direction of state board.—

728 (4) The Department of Education shall establish the
729 following offices within the Office of the Commissioner of
730 Education which shall coordinate their activities with all other
731 divisions and offices:

732 (e) *Office of Inspector General.*—Organized using existing
733 resources and funds and responsible for promoting
734 accountability, efficiency, and effectiveness and detecting
735 fraud and abuse within school districts and~~r~~ the Florida School



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736 for the Deaf and the Blind, ~~and Florida College System~~
737 ~~institutions in Florida~~. If the Commissioner of Education
738 determines that a district school board or the Board of
739 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~
740 ~~Florida College System institution board of trustees~~ is
741 unwilling or unable to address substantiated allegations made by
742 any person relating to waste, fraud, or financial mismanagement
743 within the school district or the Florida School for the Deaf
744 and the Blind, ~~or the Florida College System institution~~, the
745 office shall conduct, coordinate, or request investigations into
746 such substantiated allegations. The office shall have access to
747 all information and personnel necessary to perform its duties
748 and shall have all of its current powers, duties, and
749 responsibilities authorized in s. 20.055.

750 Section 14. Section 1001.28, Florida Statutes, is amended
751 to read:

752 1001.28 Distance learning duties.—The duties of the
753 Department of Education concerning distance learning include,
754 but are not limited to, the duty to:

755 (1) Facilitate the implementation of a statewide
756 coordinated system and resource system for cost-efficient
757 advanced telecommunications services and distance education
758 which will increase overall student access to education.

759 (2) Coordinate the use of existing resources, including,
760 but not limited to, the state's satellite transponders, the
761 Florida Information Resource Network (FIRN), and distance
762 learning initiatives.

763 (3) Assist in the coordination of the utilization of the
764 production and uplink capabilities available through Florida's



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765 public television stations, eligible facilities, independent
766 colleges and universities, private firms, and others as needed.

767 (4) Seek the assistance and cooperation of Florida's cable
768 television providers in the implementation of the statewide
769 advanced telecommunications services and distance learning
770 network.

771 (5) Seek the assistance and cooperation of Florida's
772 telecommunications carriers to provide affordable student access
773 to advanced telecommunications services and to distance
774 learning.

775 (6) Coordinate partnerships for development, acquisition,
776 use, and distribution of distance learning.

777 (7) Secure and administer funding for programs and
778 activities for distance learning from federal, state, local, and
779 private sources and from fees derived from services and
780 materials.

781 (8) Hire appropriate staff which may include a position
782 that shall be exempt from part II of chapter 110 and is included
783 in the Senior Management Service in accordance with s. 110.205.

784
785 Nothing in this section shall be construed to abrogate,
786 supersede, alter, or amend the powers and duties of any state
787 agency, district school board, Florida Community College System
788 institution board of trustees, university board of trustees, the
789 Board of Governors, the State Board of Community Colleges, or
790 the State Board of Education.

791 Section 15. Effective July 1, 2017, section 1001.44,
792 Florida Statutes, is amended to read:

793 1001.44 Career centers; governance, mission, and



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794 responsibilities.-

795 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
796 CENTERS.—Any district school board, after first obtaining the
797 approval of the Department of Education, may, as a part of the
798 district school system, organize, establish and operate a career
799 center, or acquire and operate a career center previously
800 established. The primary mission of a career center that is
801 operated by a district school board is to promote advances and
802 innovations in workforce preparation and economic development. A
803 career center may provide a learning environment that serves the
804 needs of a specific population group or group of occupations,
805 thus promoting diversity and choices within the public technical
806 education community in this state.

807 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
808 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards
809 of any two or more contiguous districts may, upon first
810 obtaining the approval of the department, enter into an
811 agreement to organize, establish and operate, or acquire and
812 operate, a career center under this section.

813 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED
814 BY A DIRECTOR.—

815 (a) A career center established or acquired under
816 provisions of law and minimum standards prescribed by the
817 commissioner shall comprise a part of the district school system
818 and shall mean an educational institution offering terminal
819 courses of a technical nature, and courses for out-of-school
820 youth and adults; shall be subject to all applicable provisions
821 of this code; shall be under the control of the district school
822 board of the school district in which it is located; and shall



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823 be directed by a director responsible through the district
824 school superintendent to the district school board of the school
825 district in which the center is located.

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

832 Section 16. Effective July 1, 2017, section 1001.60,
833 Florida Statutes, is amended to read:

834 1001.60 Florida Community College System.—

835 (1) PURPOSES.—In order to maximize open access for
836 students, respond to community needs for postsecondary academic
837 education and career degree education, and provide associate and
838 baccalaureate degrees that will best meet the state's employment
839 needs, the Legislature establishes a system of governance for
840 the Florida Community College System.

841 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a
842 single Florida Community College System comprised of the Florida
843 Community College System institutions identified in s.
844 1000.21(3). A Florida Community College System institution may
845 not offer graduate degree programs.

846 (a) The programs and services offered by Florida Community
847 College System institutions in providing associate and
848 baccalaureate degrees shall be delivered in a cost-effective
849 manner that demonstrates substantial savings to the student and
850 to the state over the cost of providing the degree at a state
851 university.



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852 (b)1. With the approval of its district board of trustees,
853 a Florida Community College System institution may change the
854 institution's name set forth in s. 1000.21(3) and use the
855 designation "college" or "state college" if it has been
856 authorized to grant baccalaureate degrees pursuant to s. 1007.33
857 and has been accredited as a baccalaureate-degree-granting
858 institution by the Commission on Colleges of the Southern
859 Association of Colleges and Schools.

860 2. With the approval of its district board of trustees, a
861 Florida Community College System institution that does not meet
862 the criteria in subparagraph 1. may request approval from the
863 State Board of Education to change the institution's name set
864 forth in s. 1000.21(3) and use the designation "college." The
865 State Board of Community Colleges ~~Education~~ may approve the
866 request if the Florida Community College System institution
867 enters into an agreement with the State Board of Community
868 Colleges ~~Education~~ to do the following:

869 a. Maintain as its primary mission responsibility for
870 responding to community needs for postsecondary academic
871 education and career degree education as prescribed in s.
872 1004.65(5).

873 b. Maintain an open-door admissions policy for associate-
874 level degree programs and workforce education programs.

875 c. Continue to provide outreach to underserved populations.

876 d. Continue to provide remedial education.

877 e. Comply with all provisions of the statewide articulation
878 agreement that relate to 2-year and 4-year public degree-
879 granting institutions as adopted by the State Board of Community
880 Colleges ~~Education~~ pursuant to s. 1007.23.



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881 (c) A district board of trustees that approves a change to
882 the name of an institution under paragraph (b) must seek
883 statutory codification of such name change in s. 1000.21(3)
884 during the next regular legislative session.

885 (d) A Florida Community College System institution may not
886 use the designation "university."

887 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the
888 Florida Community College System shall be governed by a local
889 board of trustees as provided in s. 1001.64. The membership of
890 each local board of trustees shall be as provided in s. 1001.61.

891 Section 17. Effective July 1, 2017, section 1001.601,
892 Florida Statutes, is created to read:

893 1001.601 State Board of Community Colleges of the Florida
894 Community College System.—

895 (1) The State Board of Community Colleges is established as
896 a body corporate consisting of 13 members, which shall consist
897 of the Commissioner of Education and 12 citizen members who are
898 appointed by the Governor in a manner that provides equitable
899 geographical representation.

900 (a) The 12 appointed citizen members must include a student
901 enrolled in a Florida Community College System institution and a
902 faculty member employed at a Florida Community College System
903 institution.

904 (b) Except for the student member, each citizen member must
905 be confirmed by the Senate and must reside and be registered to
906 vote in this state.

907 (c) Except for the student member, who shall serve a 1-year
908 term, appointed citizen members shall serve staggered 4-year
909 terms. In order to achieve staggered terms, beginning September



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910 1, 2017, of the initial appointments, 3 members shall serve 2-
911 year terms, 4 members shall serve 3-year terms, and 4 members
912 shall serve 4-year terms.

913 (2) Members of the State Board of Community Colleges may
914 not receive compensation but may be reimbursed for travel and
915 per diem expenses as provided in s. 112.061.

916 Section 18. Section 1001.602, Florida Statutes, is created
917 to read:

918 1001.602 Powers and duties of the State Board of Community
919 Colleges.—

920 (1) RESPONSIBILITIES.—The State Board of Community Colleges
921 is responsible for the efficient and effective operation and
922 maintenance of the Florida Community College System, as defined
923 in s. 1001.60. The State Board of Community Colleges may adopt
924 rules pursuant to ss. 120.536(1) and 120.54 to implement
925 provisions of law for the Florida Community College System. For
926 the purposes of this section, the State Board of Community
927 Colleges is referred to as the "state board."

928 (2) DUTIES.—The state board has the following duties:

929 (a) Ensure Florida Community College System institutions
930 operate consistent with the mission of the system, pursuant to
931 s. 1004.65.

932 (b) Oversee the Florida Community College System and
933 coordinate with the Board of Governors and the State Board of
934 Education to avoid wasteful duplication of facilities or
935 programs.

936 (c) Provide for each Florida Community College System
937 institution to offer educational training and service programs
938 designed to meet the needs of both students and the communities



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- 939 served.
- 940 (d) Hold meetings, transact business, keep records, and,
941 except as otherwise provided by law, perform such other duties
942 as may be necessary for the enforcement of laws and rules
943 relating to the Florida Community College System.
- 944 (e) Provide for the coordination of educational plans and
945 programs to resolve controversies, minimize problems of
946 articulation and student transfers, ensure that students moving
947 from one level of education to the next have acquired
948 competencies necessary for satisfactory performance at that
949 level, and ensure maximum utilization of facilities.
- 950 (f) Establish and review, in consultation with the State
951 Board of Education and the Board of Governors, minimum and
952 uniform standards of college-level communication and computation
953 skills generally associated with successful performance and
954 progression through the baccalaureate level, to identify
955 college-preparatory high school coursework and postsecondary-
956 level coursework that prepares students with the academic skills
957 necessary to succeed in postsecondary education.
- 958 (g) Approve plans for cooperating with the Federal
959 Government.
- 960 (h) Approve plans for cooperating with other public
961 agencies in the development of rules and in the enforcement of
962 laws for which the state board and the agencies are jointly
963 responsible.
- 964 (i) Create subordinate advisory bodies if required by law
965 or as necessary for the improvement of the Florida Community
966 College System.
- 967 (j) Coordinate with the State Board of Education to collect



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968 and maintain data for the Florida Community College System.

969 (k) Establish, in conjunction with the State Board of
970 Education and the Board of Governors, an effective information
971 system that will provide composite data concerning the Florida
972 Community College System institutions and state universities and
973 that will ensure that special analyses and studies concerning
974 the institutions are conducted, as necessary, for provision of
975 accurate and cost-effective information concerning the
976 institutions.

977 (l) Establish accountability standards for existing
978 legislative performance goals, standards, and measures, and
979 order the development of mechanisms to implement new legislative
980 goals, standards, and measures.

981 (m) Require each Florida Community College System
982 institution, before registration, to provide each enrolled
983 student electronic access to the economic security report of
984 employment and earning outcomes prepared by the Department of
985 Economic Opportunity pursuant to s. 445.07.

986 (n) Specify, by rule, procedures to be used by Florida
987 Community College System institution boards of trustees in the
988 annual evaluation of presidents, and review the evaluations of
989 presidents by the boards of trustees, including the extent to
990 which presidents serve both institutional and system goals.

991 (o) Establish, subject to existing law, the tuition and
992 out-of-state fees for developmental education and for credit
993 instruction that may be counted toward an associate in arts
994 degree, an associate in applied science degree, or an associate
995 in science degree.

996 (p) Develop, in conjunction with the Board of Governors and



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997 the State Board of Education, and implement a common placement
998 test to assess the basic computation and communication skills of
999 students who intend to enter a degree program at a Florida
1000 Community College System institution or state university.

1001 (q) May direct the Chancellor of the Florida Community
1002 College System to conduct investigations of practices,
1003 procedures, or actions at a Florida Community College System
1004 institution which appear to be inconsistent with sound
1005 financial, management, or academic practice.

1006 (r) Examine the annual administrative review of each
1007 Florida Community College System institution.

1008 (s) Through the Chancellor of the Florida Community College
1009 System, integrally work with the boards of trustees of the
1010 Florida Community College System institutions.

1011 (t) Establish criteria for making recommendations
1012 concerning all proposals to establish additional centers or
1013 campuses for a Florida Community College System institution.

1014 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
1015 the requirements under subsection (4) and the performance
1016 metrics and standards adopted under ss. 1001.66 and 1001.67, the
1017 state board shall identify performance metrics for the Florida
1018 Community College System and develop a plan that specifies goals
1019 and objectives for each Florida Community College System
1020 institution. The plan must include:

1021 (a) Performance metrics and standards common for all
1022 institutions and metrics and standards unique to institutions
1023 depending on institutional core missions, including, but not
1024 limited to, remediation success, retention, graduation,
1025 employment, transfer rates, licensure passage, excess hours,



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1026 student loan burden and default rates, job placement, faculty
1027 awards, and highly respected rankings for institution and
1028 program achievements.

1029 (b) Student enrollment and performance data delineated by
1030 method of instruction, including, but not limited to,
1031 traditional, online, and distance learning instruction.

1032 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1033 (a) The state board shall adopt a strategic plan that
1034 specifies goals and objectives for the Florida Community College
1035 System. The plan must be formulated in conjunction with plans of
1036 the State Board of Education and the Board of Governors in order
1037 to coordinate the roles of the school districts and universities
1038 to best meet state needs and reflect cost-effective use of state
1039 resources. The strategic plan must clarify the mission
1040 statements of the Florida Community College System and each
1041 Florida Community College System institution and identify degree
1042 programs, including baccalaureate degree programs, to be offered
1043 at each Florida Community College System institution in
1044 accordance with the objectives provided in this subsection and
1045 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The
1046 strategic plan must cover a period of 5 years, with modification
1047 of the program lists after 2 years. Development of each 5-year
1048 plan must be coordinated with and initiated after completion of
1049 the master plan. The strategic plan must consider reports and
1050 recommendations of the Higher Education Coordinating Council
1051 pursuant to s. 1004.015 and the Articulation Coordinating
1052 Committee pursuant to s. 1007.01. Upon modification of the plan,
1053 the state board shall submit a report to the President of the
1054 Senate and the Speaker of the House of Representatives as part



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1055 of its legislative budget request.

1056 (b) The state board, the State Board of Education, and the
1057 Board of Governors shall jointly develop long-range plans and
1058 annual reports for financial aid in this state. The long-range
1059 plans must establish goals and objectives for a comprehensive
1060 program of financial aid for students and shall be updated every
1061 5 years. The annual report must include programs administered by
1062 the department as well as awards made from financial aid fee
1063 revenues, other funds appropriated by the Legislature for
1064 financial assistance, and the value of tuition and fees waived
1065 for students enrolled in a dual enrollment course at a public
1066 postsecondary educational institution. The annual report must
1067 include an assessment of the progress made in achieving goals
1068 and objectives established in the long-range plans and must
1069 include recommendations for repealing or modifying existing
1070 financial aid programs or establishing new programs. The state
1071 board, the State Board of Education, and the Board of Governors
1072 shall submit their long-range plans by July 1, 2018, and every 5
1073 years thereafter and shall submit their annual reports on July
1074 1, 2018, and in each successive year that a long-range plan is
1075 not submitted, to the President of the Senate and the Speaker of
1076 the House of Representatives.

1077 (c) The state board shall also:

1078 1. Adopt comprehensive long-range plans and short-range
1079 programs for the development of the Florida Community College
1080 System.

1081 2. Assist in the economic development of the state by
1082 developing a state-level planning process to identify future
1083 training needs for industry, especially high-technology



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1084 industry.

1085 3. Adopt criteria and implementation plans for future
1086 growth issues, such as new Florida Community College System
1087 institutions and Florida Community College System institution
1088 campus mergers, and provide for cooperative agreements between
1089 and within public and private education sectors.

1090 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
1091 prescribe minimum standards, definitions, and guidelines for
1092 Florida Community College System institutions which will ensure
1093 the quality of education, coordination among the Florida
1094 Community College System institutions and state universities,
1095 and efficient progress toward accomplishing the Florida
1096 Community College System institution's mission. At a minimum,
1097 these rules must address all of the following:

1098 (a) Personnel.

1099 (b) Contracting.

1100 (c) Program offerings and classification, including
1101 college-level communication and computation skills associated
1102 with successful performance in college and with tests and other
1103 assessment procedures that measure student achievement of those
1104 skills. The performance measures must provide that students
1105 moving from one level of education to the next acquire the
1106 necessary competencies for that level.

1107 (d) Provisions for curriculum development, graduation
1108 requirements, college calendars, and program service areas.
1109 These provisions must include rules that:

1110 1. Provide for the award of an associate in arts degree to
1111 a student who successfully completes 60 semester credit hours at
1112 the Florida Community College System institution.



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1113 2. Require all of the credits accepted for the associate in
1114 arts degree to be in the statewide course numbering system as
1115 credits toward a baccalaureate degree offered by a state
1116 university or a Florida Community College System institution.

1117 3. Require no more than 36 semester credit hours in general
1118 education courses in the subject areas of communication,
1119 mathematics, social sciences, humanities, and natural sciences.

1120
1121 The rules under this paragraph should encourage Florida
1122 Community College System institutions to enter into agreements
1123 with state universities which allow a Florida Community College
1124 System institution student to complete upper-division-level
1125 courses at a Florida Community College System institution. An
1126 agreement may provide for concurrent enrollment at the Florida
1127 Community College System institution and the state university
1128 and may authorize the Florida Community College System
1129 institution to offer an upper-division-level course or distance
1130 learning.

1131 (e) Student admissions, conduct and discipline;
1132 nonclassroom activities; and fees.

1133 (f) Budgeting.

1134 (g) Business and financial matters.

1135 (h) Student services.

1136 (i) Reports, surveys, and information systems, including
1137 forms and dates of submission.

1138 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
1139 shall provide for the cyclic review of all academic programs in
1140 Florida Community College System institutions at least every 7
1141 years. Program reviews must document how individual academic



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1142 programs are achieving stated student learning and program
1143 objectives within the context of the institution's mission. The
1144 results of the program reviews must inform strategic planning,
1145 program development, and budgeting decisions at the
1146 institutional level.

1147 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION
1148 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for
1149 the review and approval of proposals by Florida Community
1150 College System institutions to offer baccalaureate degree
1151 programs pursuant to s. 1007.33. A Florida Community College
1152 System institution, as defined in s. 1000.21, which is approved
1153 to offer baccalaureate degrees pursuant to s. 1007.33 remains
1154 under the authority of the state board and the Florida Community
1155 College System institution's board of trustees.

1156 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall
1157 establish criteria for making recommendations for modifying
1158 district boundary lines for a Florida Community College System
1159 institution, including criteria for service delivery areas of a
1160 Florida Community College System institution authorized to grant
1161 baccalaureate degrees.

1162 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee
1163 the performance of Florida Community College System institution
1164 boards of trustees in enforcement of all laws and rules. Florida
1165 Community College System institution boards of trustees are
1166 primarily responsible for compliance with law and state board
1167 rule.

1168 (a) In order to ensure compliance with law or state board
1169 rule, the state board has the authority to request and receive
1170 information, data, and reports from Florida Community College



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1171 System institutions. The Florida Community College System
1172 institution president is responsible for the accuracy of the
1173 information and data reported to the state board.

1174 (b) The Chancellor of the Florida Community College System
1175 may investigate allegations of noncompliance with law or state
1176 board rule and determine probable cause. The Chancellor shall
1177 report determinations of probable cause to the State Board of
1178 Community Colleges who shall require the Florida Community
1179 College System institution board of trustees to document
1180 compliance with law or state board rule.

1181 (c) If the Florida Community College System institution
1182 board of trustees cannot satisfactorily document compliance, the
1183 state board may order compliance within a specified timeframe.

1184 (d) If the state board determines that a Florida Community
1185 College System institution board of trustees is unwilling or
1186 unable to comply with law or state board rule within the
1187 specified time, the state board has the authority to initiate
1188 any of the following actions:

1189 1. Report to the Legislature that the Florida Community
1190 College System institution is unwilling or unable to comply with
1191 law or state board rule and recommend that the Legislature take
1192 action against the institution;

1193 2. Withhold the transfer of state funds, discretionary
1194 grant funds, discretionary lottery funds, or any other funds
1195 specified as eligible for this purpose by the Legislature until
1196 the Florida Community College System institution complies with
1197 the law or state board rule;

1198 3. Declare the Florida Community College System institution
1199 ineligible for competitive grants; or



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1200 4. Require monthly or periodic reporting on the situation
1201 related to noncompliance until it is remedied.

1202 (e) This section may not be construed to create a private
1203 cause of action or create any rights for individuals or entities
1204 in addition to those provided elsewhere in law or rule.

1205 (10) INSPECTOR GENERAL.—The inspector general is
1206 responsible for promoting accountability, efficiency, and
1207 effectiveness and detecting fraud and abuse within Florida
1208 Community College System institutions. If the Chancellor of the
1209 Florida Community College System determines that a Florida
1210 Community College System institution board of trustees is
1211 unwilling or unable to address substantiated allegations made by
1212 any person relating to waste, fraud, or financial mismanagement
1213 within the Florida Community College System institution, the
1214 inspector general shall conduct, coordinate, or request
1215 investigations into such substantiated allegations. The
1216 inspector general shall have access to all information and
1217 personnel necessary to perform its duties and shall have all of
1218 his or her current powers, duties, and responsibilities
1219 authorized in s. 20.055.

1220 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
1221 state board shall coordinate with the State Board of Education:

1222 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
1223 education budget.

1224 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
1225 the Legislature a 3-year list of priorities for fixed-capital-
1226 outlay projects.

1227 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in
1228 collaboration with the State Board of Education, by rule,



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1229 definitions for associate in science degrees and for
1230 certificates offered by Florida Community College System
1231 institutions.

1232 Section 19. Section 1001.61, Florida Statutes, is amended
1233 to read:

1234 1001.61 Florida Community College System institution boards
1235 of trustees; membership.—

1236 (1) Florida Community College System institution boards of
1237 trustees shall be comprised of five members when a Florida
1238 Community College System institution district is confined to one
1239 school board district; seven members when a Florida Community
1240 College System institution district is confined to one school
1241 board district and the board of trustees so elects; and not more
1242 than nine members when the district contains two or more school
1243 board districts, as provided by rules of the State Board of
1244 Community Colleges Education. However, Florida State College at
1245 Jacksonville shall have an odd number of trustees, and St. Johns
1246 River State College shall have seven trustees from the three-
1247 county area that the college serves.

1248 (2) Trustees shall be appointed by the Governor to
1249 staggered 4-year terms, subject to confirmation by the Senate in
1250 regular session.

1251 (3) Members of the board of trustees shall receive no
1252 compensation but may receive reimbursement for expenses as
1253 provided in s. 112.061.

1254 (4) At its first regular meeting after July 1 of each year,
1255 each Florida Community College System institution board of
1256 trustees shall organize by electing a chair, whose duty as such
1257 is to preside at all meetings of the board, to call special



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1258 meetings thereof, and to attest to actions of the board, and a
1259 vice chair, whose duty as such is to act as chair during the
1260 absence or disability of the elected chair. It is the further
1261 duty of the chair of each board of trustees to notify the
1262 Governor, in writing, whenever a board member fails to attend
1263 three consecutive regular board meetings in any one fiscal year,
1264 which absences may be grounds for removal.

1265 (5) A Florida Community College System institution
1266 president shall serve as the executive officer and corporate
1267 secretary of the board of trustees and shall be responsible to
1268 the board of trustees for setting the agenda for meetings of the
1269 board of trustees in consultation with the chair. The president
1270 also serves as the chief administrative officer of the Florida
1271 Community College System institution, and all the components of
1272 the institution and all aspects of its operation are responsible
1273 to the board of trustees through the president.

1274 Section 20. Section 1001.64, Florida Statutes, is amended
1275 to read:

1276 1001.64 Florida Community College System institution boards
1277 of trustees; powers and duties.—

1278 (1) The boards of trustees shall be responsible for cost-
1279 effective policy decisions appropriate to the Florida Community
1280 College System institution's mission, the implementation and
1281 maintenance of high-quality education programs within law and
1282 rules of the State Board of Community Colleges ~~Education~~, the
1283 measurement of performance, the reporting of information, and
1284 the provision of input regarding state policy, budgeting, and
1285 education standards.

1286 (2) Each board of trustees is vested with the



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1287 responsibility to govern its respective Florida Community
1288 College System institution and with such necessary authority as
1289 is needed for the proper operation and improvement thereof in
1290 accordance with rules of the State Board of Community Colleges
1291 ~~Education~~.

1292 (3) A board of trustees shall have the power to take action
1293 without a recommendation from the president and shall have the
1294 power to require the president to deliver to the board of
1295 trustees all data and information required by the board of
1296 trustees in the performance of its duties. A board of trustees
1297 shall ask the Chancellor of the Florida Community College System
1298 ~~Commissioner of Education~~ to authorize an investigation of the
1299 president's actions by the State Board of Community College's
1300 ~~department's~~ inspector general if the board considers such
1301 investigation necessary. The inspector general shall provide a
1302 report detailing each issue under investigation and shall
1303 recommend corrective action. If the inspector general identifies
1304 potential legal violations, he or she shall refer the potential
1305 legal violations to the Commission on Ethics, the Department of
1306 Law Enforcement, the Attorney General, or another appropriate
1307 authority.

1308 (4) (a) The board of trustees, after considering
1309 recommendations submitted by the Florida Community College
1310 System institution president, may adopt rules pursuant to ss.
1311 120.536(1) and 120.54 to implement the provisions of law
1312 conferring duties upon it. These rules may supplement those
1313 prescribed by the State Board of Community Colleges ~~Education~~ if
1314 they will contribute to the more orderly and efficient operation
1315 of Florida Community College System institutions.



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1316 (b) Each board of trustees is specifically authorized to
1317 adopt rules, procedures, and policies, consistent with law and
1318 rules of the State Board of Community Colleges ~~Education~~,
1319 related to its mission and responsibilities as set forth in s.
1320 1004.65, its governance, personnel, budget and finance,
1321 administration, programs, curriculum and instruction, buildings
1322 and grounds, travel and purchasing, technology, students,
1323 contracts and grants, or college property.

1324 (5) Each board of trustees shall have responsibility for
1325 the use, maintenance, protection, and control of Florida
1326 Community College System institution owned or Florida Community
1327 College System institution controlled buildings and grounds,
1328 property and equipment, name, trademarks and other proprietary
1329 marks, and the financial and other resources of the Florida
1330 Community College System institution. Such authority may include
1331 placing restrictions on activities and on access to facilities,
1332 firearms, food, tobacco, alcoholic beverages, distribution of
1333 printed materials, commercial solicitation, animals, and sound.

1334 (6) Each board of trustees has responsibility for the
1335 establishment and discontinuance of program and course offerings
1336 in accordance with law and rule; provision for instructional and
1337 noninstructional community services, location of classes, and
1338 services provided; and dissemination of information concerning
1339 such programs and services. New programs must be approved
1340 pursuant to s. 1004.03.

1341 (7) Each board of trustees has responsibility for~~+~~ ensuring
1342 that students have access to general education courses as
1343 identified in rule; requiring no more than 60 semester hours of
1344 degree program coursework, including 36 semester hours of



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1345 general education coursework, for an associate in arts degree;
1346 notifying students that earned hours in excess of 60 semester
1347 hours may not be accepted by state universities; notifying
1348 students of unique program prerequisites; and ensuring that
1349 degree program coursework beyond general education coursework is
1350 consistent with degree program prerequisite requirements adopted
1351 pursuant to s. 1007.25(5).

1352 (8) Each board of trustees has authority for policies
1353 related to students, enrollment of students, student records,
1354 student activities, financial assistance, and other student
1355 services.

1356 (a) Each board of trustees shall govern admission of
1357 students pursuant to s. 1007.263 and rules of the State Board of
1358 Community Colleges Education. A board of trustees may establish
1359 additional admissions criteria, which shall be included in the
1360 dual enrollment articulation agreement developed according to s.
1361 1007.271(21), to ensure student readiness for postsecondary
1362 instruction. Each board of trustees may consider the past
1363 actions of any person applying for admission or enrollment and
1364 may deny admission or enrollment to an applicant because of
1365 misconduct if determined to be in the best interest of the
1366 Florida Community College System institution.

1367 (b) Each board of trustees shall adopt rules establishing
1368 student performance standards for the award of degrees and
1369 certificates pursuant to s. 1004.68.

1370 (c) Boards of trustees are authorized to establish
1371 intrainstitutional and interinstitutional programs to maximize
1372 articulation pursuant to s. 1007.22.

1373 (d) Boards of trustees shall identify their general



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1374 education curricula pursuant to s. 1007.25(6).

1375 (e) Each board of trustees must adopt a written antihazing
1376 policy, provide a program for the enforcement of such rules, and
1377 adopt appropriate penalties for violations of such rules
1378 pursuant to the provisions of s. 1006.63.

1379 (f) Each board of trustees may establish a uniform code of
1380 conduct and appropriate penalties for violation of its rules by
1381 students and student organizations, including rules governing
1382 student academic honesty. Such penalties, unless otherwise
1383 provided by law, may include fines, the withholding of diplomas
1384 or transcripts pending compliance with rules or payment of
1385 fines, and the imposition of probation, suspension, or
1386 dismissal.

1387 (g) Each board of trustees pursuant to s. 1006.53 shall
1388 adopt a policy in accordance with rules of the State Board of
1389 Community Colleges Education that reasonably accommodates the
1390 religious observance, practice, and belief of individual
1391 students in regard to admissions, class attendance, and the
1392 scheduling of examinations and work assignments.

1393 (9) A board of trustees may contract with the board of
1394 trustees of a state university for the Florida Community College
1395 System institution to provide developmental education on the
1396 state university campus.

1397 (10) Each board of trustees shall establish fees pursuant
1398 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1399 (11) Each board of trustees shall submit an institutional
1400 budget request, including a request for fixed capital outlay,
1401 and an operating budget to the State Board of Community Colleges
1402 ~~Education~~ for review in accordance with guidelines established



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1403 by the State Board of Community Colleges ~~Education~~.

1404 (12) Each board of trustees shall account for expenditures
1405 of all state, local, federal, and other funds in the manner
1406 described by the State Board of Community Colleges ~~Department of~~
1407 ~~Education~~.

1408 (13) Each board of trustees is responsible for the uses for
1409 the proceeds of academic improvement trust funds pursuant to s.
1410 1011.85.

1411 (14) Each board of trustees shall develop a strategic plan
1412 specifying institutional goals and objectives for the Florida
1413 Community College System institution for recommendation to the
1414 State Board of Community Colleges ~~Education~~.

1415 (15) Each board of trustees shall develop an accountability
1416 plan pursuant to s. 1008.45.

1417 (16) Each board of trustees must expend performance funds
1418 provided for workforce education pursuant to the provisions of
1419 s. 1011.80.

1420 (17) Each board of trustees is accountable for performance
1421 in certificate career education and diploma programs pursuant to
1422 s. 1008.43.

1423 (18) Each board of trustees shall establish the personnel
1424 program for all employees of the Florida Community College
1425 System institution, including the president, pursuant to the
1426 provisions of chapter 1012 and rules and guidelines of the State
1427 Board of Community Colleges ~~Education~~, including: compensation
1428 and other conditions of employment; recruitment and selection;
1429 nonreappointment; standards for performance and conduct;
1430 evaluation; benefits and hours of work; leave policies;
1431 recognition; inventions and work products; travel; learning



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1432 opportunities; exchange programs; academic freedom and
1433 responsibility; promotion; assignment; demotion; transfer;
1434 ethical obligations and conflict of interest; restrictive
1435 covenants; disciplinary actions; complaints; appeals and
1436 grievance procedures; and separation and termination from
1437 employment.

1438 (19) Each board of trustees shall appoint, suspend, or
1439 remove the president of the Florida Community College System
1440 institution. The board of trustees may appoint a search
1441 committee. The board of trustees shall conduct annual
1442 evaluations of the president in accordance with rules of the
1443 State Board of Community Colleges ~~Education~~ and submit such
1444 evaluations to the State Board of Community Colleges ~~Education~~
1445 for review. The evaluation must address the achievement of the
1446 performance goals established by the accountability process
1447 implemented pursuant to s. 1008.45 and the performance of the
1448 president in achieving the annual and long-term goals and
1449 objectives established in the Florida Community College System
1450 institution's employment accountability program implemented
1451 pursuant to s. 1012.86.

1452 (20) Each board of trustees is authorized to enter into
1453 contracts to provide a State Community College System Optional
1454 Retirement Program pursuant to s. 1012.875 and to enter into
1455 consortia with other boards of trustees for this purpose.

1456 (21) Each board of trustees is authorized to purchase
1457 annuities for its Florida Community College System institution
1458 personnel who have 25 or more years of creditable service and
1459 who have reached age 55 and have applied for retirement under
1460 the Florida Retirement System pursuant to the provisions of s.



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1461 1012.87.

1462 (22) A board of trustees may defray all costs of defending
1463 civil actions against officers, employees, or agents of the
1464 board of trustees pursuant to s. 1012.85.

1465 (23) Each board of trustees has authority for risk
1466 management, safety, security, and law enforcement operations.
1467 Each board of trustees is authorized to employ personnel,
1468 including police officers pursuant to s. 1012.88, to carry out
1469 the duties imposed by this subsection.

1470 (24) Each board of trustees shall provide rules governing
1471 parking and the direction and flow of traffic within campus
1472 boundaries. Except for sworn law enforcement personnel, persons
1473 employed to enforce campus parking rules have no authority to
1474 arrest or issue citations for moving traffic violations. The
1475 board of trustees may adopt a uniform code of appropriate
1476 penalties for violations. Such penalties, unless otherwise
1477 provided by law, may include the levying of fines, the
1478 withholding of diplomas or transcripts pending compliance with
1479 rules or payment of fines, and the imposition of probation,
1480 suspension, or dismissal. Moneys collected from parking rule
1481 infractions shall be deposited in appropriate funds at each
1482 Florida Community College System institution for student
1483 financial aid purposes.

1484 (25) Each board of trustees constitutes the contracting
1485 agent of the Florida Community College System institution. It
1486 may when acting as a body make contracts, sue, and be sued in
1487 the name of the board of trustees. In any suit, a change in
1488 personnel of the board of trustees shall not abate the suit,
1489 which shall proceed as if such change had not taken place.



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1490 (26) Each board of trustees is authorized to contract for
1491 the purchase, sale, lease, license, or acquisition in any
1492 manner, including purchase by installment or lease-purchase
1493 contract which may provide for the payment of interest on the
1494 unpaid portion of the purchase price and for the granting of a
1495 security interest in the items purchased, subject to the
1496 provisions of subsection (38) and ss. 1009.22 and 1009.23, of
1497 goods, materials, equipment, and services required by the
1498 Florida Community College System institution. The board of
1499 trustees may choose to consolidate equipment contracts under
1500 master equipment financing agreements made pursuant to s.
1501 287.064.

1502 (27) Each board of trustees shall be responsible for
1503 managing and protecting real and personal property acquired or
1504 held in trust for use by and for the benefit of such Florida
1505 Community College System institution. To that end, any board of
1506 trustees is authorized to be self-insured, to enter into risk
1507 management programs, or to purchase insurance for whatever
1508 coverage it may choose, or to have any combination thereof, in
1509 anticipation of any loss, damage, or destruction. A board of
1510 trustees may contract for self-insurance services pursuant to s.
1511 1004.725.

1512 (28) Each board of trustees is authorized to enter into
1513 agreements for, and accept, credit card, charge card, and debit
1514 card payments as compensation for goods, services, tuition, and
1515 fees. Each Florida Community College System institution is
1516 further authorized to establish accounts in credit card, charge
1517 card, and debit card banks for the deposit of sales invoices.

1518 (29) Each board of trustees may provide incubator



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1519 facilities to eligible small business concerns pursuant to s.
1520 1004.79.

1521 (30) Each board of trustees may establish a technology
1522 transfer center for the purpose of providing institutional
1523 support to local business and industry and governmental agencies
1524 in the application of new research in technology pursuant to the
1525 provisions of s. 1004.78.

1526 (31) Each board of trustees may establish economic
1527 development centers for the purpose of serving as liaisons
1528 between Florida Community College System institutions and the
1529 business sector pursuant to the provisions of s. 1004.80.

1530 (32) Each board of trustees may establish a child
1531 development training center pursuant to s. 1004.81.

1532 (33) Each board of trustees is authorized to develop and
1533 produce work products relating to educational endeavors that are
1534 subject to trademark, copyright, or patent statutes pursuant to
1535 chapter 1004.

1536 (34) Each board of trustees shall administer the facilities
1537 program pursuant to chapter 1013, including but not limited to:
1538 the construction of public educational and ancillary plants; the
1539 acquisition and disposal of property; compliance with building
1540 and life safety codes; submission of data and information
1541 relating to facilities and construction; use of buildings and
1542 grounds; establishment of safety and sanitation programs for the
1543 protection of building occupants; and site planning and
1544 selection.

1545 (35) Each board of trustees may exercise the right of
1546 eminent domain pursuant to the provisions of chapter 1013.

1547 (36) Each board of trustees may enter into lease-purchase



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1548 arrangements with private individuals or corporations for
1549 necessary grounds and buildings for Florida Community College
1550 System institution purposes, other than dormitories, or for
1551 buildings other than dormitories to be erected for Florida
1552 Community College System institution purposes. Such arrangements
1553 shall be paid from capital outlay and debt service funds as
1554 provided by s. 1011.84(2), with terms not to exceed 30 years at
1555 a stipulated rate. The provisions of such contracts, including
1556 building plans, are subject to approval by the Department of
1557 Education, and no such contract may be entered into without such
1558 approval.

1559 (37) Each board of trustees may purchase, acquire, receive,
1560 hold, own, manage, lease, sell, dispose of, and convey title to
1561 real property, in the best interests of the Florida Community
1562 College System institution.

1563 (38) Each board of trustees is authorized to enter into
1564 short-term loans and installment, lease-purchase, and other
1565 financing contracts for a term of not more than 5 years,
1566 including renewals, extensions, and refundings. Payments on
1567 short-term loans and installment, lease-purchase, and other
1568 financing contracts pursuant to this subsection shall be subject
1569 to annual appropriation by the board of trustees. Each board of
1570 trustees is authorized to borrow funds and incur long-term debt,
1571 including promissory notes, installment sales agreements, lease-
1572 purchase agreements, certificates of participation, and other
1573 similar long-term financing arrangements, only as specifically
1574 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At
1575 the option of the board of trustees, bonds issued pursuant to
1576 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured



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1577 by a combination of revenues authorized to be pledged to bonds
1578 pursuant to such subsections. Revenue bonds may not be secured
1579 by or paid from, directly or indirectly, tuition, financial aid
1580 fees, the Florida Community College System Program Fund, or any
1581 other operating revenues of a Florida Community College System
1582 institution. Lease-purchase agreements may be secured by a
1583 combination of revenues as specifically authorized pursuant to
1584 ss. 1009.22(7) and 1009.23(10).

1585 (39) Each board of trustees shall prescribe conditions for
1586 direct-support organizations to be certified and to use Florida
1587 Community College System institution property and services.
1588 Conditions relating to certification must provide for audit
1589 review and oversight by the board of trustees.

1590 (40) Each board of trustees may adopt policies pursuant to
1591 s. 1010.02 that provide procedures for transferring to the
1592 direct-support organization of that Florida Community College
1593 System institution for administration by such organization
1594 contributions made to the Florida Community College System
1595 institution.

1596 (41) The board of trustees shall exert every effort to
1597 collect all delinquent accounts pursuant to s. 1010.03.

1598 (42) Each board of trustees shall implement a plan, in
1599 accordance with guidelines of the State Board of Community
1600 Colleges Education, for working on a regular basis with the
1601 other Florida Community College System institution boards of
1602 trustees, representatives of the university boards of trustees,
1603 and representatives of the district school boards to achieve the
1604 goals of the seamless education system.

1605 (43) Each board of trustees has responsibility for



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1606 compliance with state and federal laws, rules, regulations, and
1607 requirements.

1608 (44) Each board of trustees may adopt rules, procedures,
1609 and policies related to institutional governance,
1610 administration, and management in order to promote orderly and
1611 efficient operation, including, but not limited to, financial
1612 management, budget management, physical plant management, and
1613 property management.

1614 (45) Each board of trustees may adopt rules and procedures
1615 related to data or technology, including, but not limited to,
1616 information systems, communications systems, computer hardware
1617 and software, and networks.

1618 (46) Each board of trustees may consider the past actions
1619 of any person applying for employment and may deny employment to
1620 a person because of misconduct if determined to be in the best
1621 interest of the Florida Community College System institution.

1622 (47) Each contract or employment agreement, or renewal or
1623 renegotiation of an existing contract or employment agreement,
1624 containing a provision for severance pay with an officer, agent,
1625 employee, or contractor must include the provisions required in
1626 s. 215.425.

1627 (48) Each board of trustees shall use purchasing agreements
1628 and state term contracts pursuant to s. 287.056 or enter into
1629 consortia and cooperative agreements to maximize the purchasing
1630 power for goods and services. A consortium or cooperative
1631 agreement may be statewide, regional, or a combination of
1632 institutions, as appropriate to achieve the lowest cost, with
1633 the goal of achieving a 5-percent savings on existing contract
1634 prices through the use of new cooperative arrangements or new



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1635 consortium contracts.

1636 Section 21. Section 1001.65, Florida Statutes, is amended
1637 to read:

1638 1001.65 Florida Community College System institution
1639 presidents; powers and duties.—The president is the chief
1640 executive officer of the Florida Community College System
1641 institution, shall be corporate secretary of the Florida
1642 Community College System institution board of trustees, and is
1643 responsible for the operation and administration of the Florida
1644 Community College System institution. Each Florida Community
1645 College System institution president shall:

1646 (1) Recommend the adoption of rules, as appropriate, to the
1647 Florida Community College System institution board of trustees
1648 to implement provisions of law governing the operation and
1649 administration of the Florida Community College System
1650 institution, which shall include the specific powers and duties
1651 enumerated in this section. Such rules shall be consistent with
1652 law, the mission of the Florida Community College System
1653 institution, and the rules and policies of the State Board of
1654 Community Colleges Education.

1655 (2) Prepare a budget request and an operating budget
1656 pursuant to s. 1011.30 for approval by the Florida Community
1657 College System institution board of trustees at such time and in
1658 such format as the State Board of Community Colleges Education
1659 may prescribe.

1660 (3) Establish and implement policies and procedures to
1661 recruit, appoint, transfer, promote, compensate, evaluate,
1662 reward, demote, discipline, and remove personnel, within law and
1663 rules of the State Board of Community College Education and in



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1664 accordance with rules or policies approved by the Florida
1665 Community College System institution board of trustees.

1666 (4) Govern admissions, subject to law and rules or policies
1667 of the Florida Community College System institution board of
1668 trustees and the State Board of Community Colleges ~~Education~~.

1669 (5) Approve, execute, and administer contracts for and on
1670 behalf of the Florida Community College System institution board
1671 of trustees for licenses; the acquisition or provision of
1672 commodities, goods, equipment, and services; leases of real and
1673 personal property; and planning and construction to be rendered
1674 to or by the Florida Community College System institution,
1675 provided such contracts are within law and guidelines of the
1676 State Board of Community Colleges ~~Education~~ and in conformance
1677 with policies of the Florida Community College System
1678 institution board of trustees, and are for the implementation of
1679 approved programs of the Florida Community College System
1680 institution.

1681 (6) Act for the Florida Community College System
1682 institution board of trustees as custodian of all Florida
1683 Community College System institution property and financial
1684 resources. The authority vested in the Florida Community College
1685 System institution president under this subsection includes the
1686 authority to prioritize the use of Florida Community College
1687 System institution space, property, equipment, and resources and
1688 the authority to impose charges for the use of those items.

1689 (7) Establish the internal academic calendar of the Florida
1690 Community College System institution within general guidelines
1691 of the State Board of Community Colleges ~~Education~~.

1692 (8) Administer the Florida Community College System



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1693 institution's program of intercollegiate athletics.

1694 (9) Recommend to the board of trustees the establishment
1695 and termination of programs within the approved role and scope
1696 of the Florida Community College System institution.

1697 (10) Award degrees.

1698 (11) Recommend to the board of trustees a schedule of
1699 tuition and fees to be charged by the Florida Community College
1700 System institution, within law and rules of the State Board of
1701 Community Colleges Education.

1702 (12) Organize the Florida Community College System
1703 institution to efficiently and effectively achieve the goals of
1704 the Florida Community College System institution.

1705 (13) Review periodically the operations of the Florida
1706 Community College System institution in order to determine how
1707 effectively and efficiently the Florida Community College System
1708 institution is being administered and whether it is meeting the
1709 goals of its strategic plan adopted by the State Board of
1710 Community Colleges Education.

1711 (14) Enter into agreements for student exchange programs
1712 that involve students at the Florida Community College System
1713 institution and students in other institutions of higher
1714 learning.

1715 (15) Approve the internal procedures of student government
1716 organizations and provide purchasing, contracting, and budgetary
1717 review processes for these organizations.

1718 (16) Ensure compliance with federal and state laws, rules,
1719 regulations, and other requirements that are applicable to the
1720 Florida Community College System institution.

1721 (17) Maintain all data and information pertaining to the



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1722 operation of the Florida Community College System institution,
1723 and report on the attainment by the Florida Community College
1724 System institution of institutional and statewide performance
1725 accountability goals.

1726 (18) Certify to the department a project's compliance with
1727 the requirements for expenditure of PECO funds prior to release
1728 of funds pursuant to ~~the provisions of~~ chapter 1013.

1729 (19) Provide to the law enforcement agency and fire
1730 department that has jurisdiction over the Florida Community
1731 College System institution a copy of the floor plans and other
1732 relevant documents for each educational facility as defined in
1733 s. 1013.01(6). After the initial submission of the floor plans
1734 and other relevant documents, the Florida Community College
1735 System institution president shall submit, by October 1 of each
1736 year, revised floor plans and other relevant documents for each
1737 educational facility that was modified during the preceding
1738 year.

1739 (20) Develop and implement jointly with school
1740 superintendents a comprehensive dual enrollment articulation
1741 agreement for the students enrolled in their respective school
1742 districts and service areas pursuant to s. 1007.271(21).

1743 (21) Have authority, after notice to the student of the
1744 charges and after a hearing thereon, to expel, suspend, or
1745 otherwise discipline any student who is found to have violated
1746 any law, ordinance, or rule or regulation of the State Board of
1747 Community Colleges Education or of the board of trustees of the
1748 Florida Community College System institution pursuant to the
1749 provisions of s. 1006.62.

1750 (22) Submit an annual employment accountability plan to the



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1751 State Board of Community Colleges ~~Department of Education~~
1752 pursuant to the provisions of s. 1012.86.

1753 (23) Annually evaluate, or have a designee annually
1754 evaluate, each department chairperson, dean, provost, and vice
1755 president in achieving the annual and long-term goals and
1756 objectives of the Florida Community College System institution's
1757 employment accountability plan.

1758 (24) Have vested with the president or the president's
1759 designee the authority that is vested with the Florida Community
1760 College System institution.

1761 Section 22. Subsections (1) and (18) of section 1002.34,
1762 Florida Statutes, are amended to read:

1763 1002.34 Charter technical career centers; governance,
1764 mission, and responsibilities.-

1765 (1) MISSION AND AUTHORIZATION.-The primary mission of a
1766 charter technical career center is to promote ~~The Legislature~~
1767 ~~finds that the establishment of charter technical career centers~~
1768 ~~can assist in promoting~~ advances and innovations in workforce
1769 preparation and economic development. A charter technical career
1770 center may provide a learning environment that ~~better~~ serves the
1771 needs of a specific population group or a group of occupations,
1772 thus promoting diversity and choices within the public education
1773 and public postsecondary technical education community in this
1774 state. Therefore, the creation of such centers is authorized as
1775 part of the state's program of public education. A charter
1776 technical career center may be formed by creating a new school
1777 or converting an existing school district or Florida Community
1778 College System institution program to charter technical status.

1779 (18) RULES.-The State Board of Education, for technical



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1780 centers operated by school districts, and the State Board of
1781 Community Colleges, for technical centers operated by Florida
1782 Community College System institutions, shall adopt rules,
1783 pursuant to ss. 120.536(1) and 120.54, relating to the
1784 implementation of charter technical career centers, including
1785 rules to implement a charter model application form and an
1786 evaluation instrument in accordance with this section.

1787 Section 23. Paragraph (b) of subsection (4) of section
1788 1003.491, Florida Statutes, is amended to read:

1789 1003.491 Florida Career and Professional Education Act.—The
1790 Florida Career and Professional Education Act is created to
1791 provide a statewide planning partnership between the business
1792 and education communities in order to attract, expand, and
1793 retain targeted, high-value industry and to sustain a strong,
1794 knowledge-based economy.

1795 (4) The State Board of Education shall establish a process
1796 for the continual and uninterrupted review of newly proposed
1797 core secondary courses and existing courses requested to be
1798 considered as core courses to ensure that sufficient rigor and
1799 relevance is provided for workforce skills and postsecondary
1800 education and aligned to state curriculum standards.

1801 (b) The curriculum review committee shall review newly
1802 proposed core courses electronically. Each proposed core course
1803 shall be approved or denied within 30 days after submission by a
1804 district school board or local workforce development board. All
1805 courses approved as core courses for purposes of middle school
1806 promotion and high school graduation shall be immediately added
1807 to the Course Code Directory. Approved core courses shall also
1808 be reviewed and considered for approval for dual enrollment



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1809 credit. The Board of Governors, the State Board of Community
1810 Colleges, and the Commissioner of Education shall jointly
1811 recommend an annual deadline for approval of new core courses to
1812 be included for purposes of postsecondary admissions and dual
1813 enrollment credit the following academic year. The State Board
1814 of Education shall establish an appeals process in the event
1815 that a proposed course is denied which shall require a consensus
1816 ruling by the Department of Economic Opportunity and the
1817 Commissioner of Education within 15 days.

1818 Section 24. Paragraph (b) of subsection (4) of section
1819 1003.493, Florida Statutes, is amended to read:

1820 1003.493 Career and professional academies and career-
1821 themed courses.—

1822 (4) Each career and professional academy and secondary
1823 school providing a career-themed course must:

1824 (b) Include one or more partnerships with postsecondary
1825 institutions, businesses, industry, employers, economic
1826 development organizations, or other appropriate partners from
1827 the local community. Such partnerships with postsecondary
1828 institutions shall be delineated in articulation agreements and
1829 include any career and professional academy courses or career-
1830 themed courses that earn postsecondary credit. Such agreements
1831 may include articulation between the secondary school and public
1832 or private 2-year and 4-year postsecondary institutions and
1833 technical centers. The Department of Education, in consultation
1834 with the Board of Governors and the State Board of Community
1835 Colleges, shall establish a mechanism to ensure articulation and
1836 transfer of credits to postsecondary institutions in this state.
1837 Such partnerships must provide opportunities for:



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1838 1. Instruction from highly skilled professionals who
1839 possess industry-certification credentials for courses they are
1840 teaching.

1841 2. Internships, externships, and on-the-job training.

1842 3. A postsecondary degree, diploma, or certificate.

1843 4. The highest available level of industry certification.

1844 5. Maximum articulation of credits pursuant to s. 1007.23
1845 upon program completion.

1846 Section 25. Subsections (4), (5), and (6) of section
1847 1004.015, Florida Statutes, are amended to read:

1848 1004.015 Higher Education Coordinating Council.—

1849 (4) The council shall serve as an advisory board to the
1850 Legislature, the State Board of Education, ~~and~~ the Board of
1851 Governors, and the State Board of Community Colleges.

1852 Recommendations of the council shall be consistent with the
1853 following guiding principles:

1854 (a) To achieve within existing resources a seamless
1855 academic educational system that fosters an integrated continuum
1856 of kindergarten through graduate school education for Florida's
1857 students.

1858 (b) To promote consistent education policy across all
1859 educational delivery systems, focusing on students.

1860 (c) To promote substantially improved articulation across
1861 all educational delivery systems.

1862 (d) To promote a system that maximizes educational access
1863 and allows the opportunity for a high-quality education for all
1864 Floridians.

1865 (e) To promote a system of coordinated and consistent
1866 transfer of credit and data collection for improved



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1867 accountability purposes between the educational delivery
1868 systems.

1869 (5) The council shall annually by December 31 submit to the
1870 Governor, the President of the Senate, the Speaker of the House
1871 of Representatives, the Board of Governors, the State Board of
1872 Community Colleges, and the State Board of Education a report
1873 outlining its recommendations relating to:

1874 (a) The primary core mission of public and nonpublic
1875 postsecondary education institutions in the context of state
1876 access demands and economic development goals.

1877 (b) Performance outputs and outcomes designed to meet
1878 annual and long-term state goals, including, but not limited to,
1879 increased student access, preparedness, retention, transfer, and
1880 completion. Performance measures must be consistent across
1881 sectors and allow for a comparison of the state's performance to
1882 that of other states.

1883 (c) The state's articulation policies and practices to
1884 ensure that cost benefits to the state are maximized without
1885 jeopardizing quality. The recommendations shall consider return
1886 on investment for both the state and students and propose
1887 systems to facilitate and ensure institutional compliance with
1888 state articulation policies.

1889 (d) Workforce development education, specifically
1890 recommending improvements to the consistency of workforce
1891 education data collected and reported by Florida Community
1892 College System institutions and school districts, including the
1893 establishment of common elements and definitions for any data
1894 that is used for state and federal funding and program
1895 accountability.



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1896 (6) The Office of K-20 Articulation, in collaboration with
1897 the Board of Governors and the State Board of Community Division
1898 ~~of Florida~~ Colleges, shall provide administrative support for
1899 the council.

1900 Section 26. Subsection (7) of section 1004.02, Florida
1901 Statutes, is amended to read:

1902 1004.02 Definitions.—As used in this chapter:

1903 (7) "Applied technology diploma program" means a course of
1904 study that is part of a technical degree program, is less than
1905 60 credit hours, and leads to employment in a specific
1906 occupation. An applied technology diploma program may consist of
1907 either technical credit or college credit. A public school
1908 district may offer an applied technology diploma program only as
1909 technical credit, with college credit awarded to a student upon
1910 articulation to a Florida Community College System institution.
1911 Statewide articulation among public schools and Florida
1912 Community College System institutions is guaranteed by s.
1913 1007.23, and is subject to guidelines and standards adopted by
1914 the State Board of Community Colleges Education pursuant to ss.
1915 1007.24 and 1007.25.

1916 Section 27. Subsection (2) of section 1004.03, Florida
1917 Statutes, is amended to read:

1918 1004.03 Program approval.—

1919 (2) The State Board of Community Colleges Education shall
1920 establish criteria for the approval of new programs at Florida
1921 Community College System institutions, which criteria include,
1922 but are not limited to, the following:

1923 (a) New programs may not be approved unless the same
1924 objectives cannot be met through use of educational technology.



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1925 (b) Unnecessary duplication of programs offered by
1926 independent institutions shall be avoided.

1927 (c) Cooperative programs, particularly within regions,
1928 should be encouraged.

1929 (d) New programs may be approved only if they are
1930 consistent with the ~~state master~~ plan adopted by the State Board
1931 of Community Colleges Education.

1932 Section 28. Paragraph (f) of subsection (4) of section
1933 1004.04, Florida Statutes, is amended to read:

1934 1004.04 Public accountability and state approval for
1935 teacher preparation programs.—

1936 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
1937 teacher preparation program shall be based upon evidence that
1938 the program continues to implement the requirements for initial
1939 approval and upon significant, objective, and quantifiable
1940 measures of the program and the performance of the program
1941 completers.

1942 (f) By January 1 of each year, the Department of Education
1943 shall report the results of each approved program's annual
1944 progress on the performance measures in paragraph (a) as well as
1945 the current approval status of each program to:

- 1946 1. The Governor.
- 1947 2. The President of the Senate.
- 1948 3. The Speaker of the House of Representatives.
- 1949 4. The State Board of Education.
- 1950 5. The Board of Governors.
- 1951 6. The State Board of Community Colleges.
- 1952 7. The Commissioner of Education.
- 1953 ~~8.7.~~ Each Florida postsecondary teacher preparation



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1954 program.

1955 ~~9.8.~~ Each district school superintendent.

1956 ~~10.9.~~ The public.

1957

1958 This report may include the results of other continued approval
1959 requirements provided by State Board of Education rule and
1960 recommendations for improving teacher preparation programs in
1961 the state.

1962 Section 29. Section 1004.07, Florida Statutes, is amended
1963 to read:

1964 1004.07 Student withdrawal from courses due to military
1965 service; effect.—

1966 (1) Each district school board, Florida Community College
1967 System institution board of trustees, and state university board
1968 of trustees shall establish policies regarding currently
1969 enrolled students who are called to, or enlist in, active
1970 military service.

1971 (2) Such policies must ~~shall~~ provide that any student
1972 enrolled in a postsecondary course or courses at a career
1973 center, a Florida Community College System institution, or a
1974 state university may ~~shall~~ not incur academic or financial
1975 penalties by virtue of performing military service on behalf of
1976 our country. Such student shall be permitted the option of
1977 either completing the course or courses at a later date without
1978 penalty or withdrawing from the course or courses with a full
1979 refund of fees paid. If the student chooses to withdraw, the
1980 student's record shall reflect that the withdrawal is due to
1981 active military service.

1982 (3) Policies of district school boards must ~~and Florida~~



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1983 ~~College System institution boards of trustees shall~~ be
1984 established by rule and pursuant to guidelines of the State
1985 Board of Education.

1986 (4) Policies of state university boards of trustees must
1987 ~~shall~~ be established by regulation and pursuant to guidelines of
1988 the Board of Governors.

1989 (5) Policies of Florida Community College System
1990 institution boards of trustees must be established by rule and
1991 pursuant to guidelines of the State Board of Community Colleges.

1992 Section 30. Section 1004.084, Florida Statutes, is amended
1993 to read:

1994 1004.084 College affordability.-

1995 (1) The Board of Governors and the State Board of Community
1996 Colleges Education shall annually identify strategies to promote
1997 college affordability for all Floridians by evaluating, at a
1998 minimum, the impact of:

1999 (a) Tuition and fees on undergraduate, graduate, and
2000 professional students at public colleges and universities and
2001 graduate assistants employed by public universities.

2002 (b) Federal, state, and institutional financial aid
2003 policies on the actual cost of attendance for students and their
2004 families.

2005 (c) The costs of textbooks and instructional materials.

2006 (2) By December 31 of each year, ~~beginning in 2016,~~ the
2007 Board of Governors and the State Board of Community Colleges
2008 ~~Education~~ shall submit a report on their respective college
2009 affordability initiatives to the Governor, the President of the
2010 Senate, and the Speaker of the House of Representatives.

2011 Section 31. Paragraph (d) of subsection (3) and subsections



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2012 (6), (7), and (8) of section 1004.085, Florida Statutes, are
2013 amended to read:

2014 1004.085 Textbook and instructional materials
2015 affordability.—

2016 (3) An employee may receive:

2017 (d) Fees associated with activities such as reviewing,
2018 critiquing, or preparing support materials for textbooks or
2019 instructional materials pursuant to guidelines adopted by the
2020 State Board of Community Colleges Education or the Board of
2021 Governors.

2022 (6) Each Florida Community College System institution and
2023 state university shall post prominently in the course
2024 registration system and on its website, as early as is feasible,
2025 but at least 45 days before the first day of class for each
2026 term, a hyperlink to lists of required and recommended textbooks
2027 and instructional materials for at least 95 percent of all
2028 courses and course sections offered at the institution during
2029 the upcoming term. The lists must include the International
2030 Standard Book Number (ISBN) for each required and recommended
2031 textbook and instructional material or other identifying
2032 information, which must include, at a minimum, all of the
2033 following: the title, all authors listed, publishers, edition
2034 number, copyright date, published date, and other relevant
2035 information necessary to identify the specific textbooks or
2036 instructional materials required and recommended for each
2037 course. The State Board of Community Colleges Education and the
2038 Board of Governors shall include in the policies, procedures,
2039 and guidelines adopted under subsection (7) certain limited
2040 exceptions to this notification requirement for classes added



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2041 after the notification deadline.

2042 (7) After receiving input from students, faculty,
2043 bookstores, and publishers, the State Board of Community
2044 Colleges Education and the Board of Governors each shall adopt
2045 textbook and instructional materials affordability policies,
2046 procedures, and guidelines for implementation by Florida
2047 Community College System institutions and state universities,
2048 respectively, that further efforts to minimize the cost of
2049 textbooks and instructional materials for students attending
2050 such institutions while maintaining the quality of education and
2051 academic freedom. The policies, procedures, and guidelines shall
2052 address:

2053 (a) The establishment of deadlines for an instructor or
2054 department to notify the bookstore of required and recommended
2055 textbooks and instructional materials so that the bookstore may
2056 verify availability, source lower cost options when practicable,
2057 explore alternatives with faculty when academically appropriate,
2058 and maximize the availability of used textbooks and
2059 instructional materials.

2060 (b) Confirmation by the course instructor or academic
2061 department offering the course, before the textbook or
2062 instructional materials adoption is finalized, of the intent to
2063 use all items ordered, particularly each individual item sold as
2064 part of a bundled package.

2065 (c) Determination by a course instructor or the academic
2066 department offering the course, before a textbook or
2067 instructional material is adopted, of the extent to which a new
2068 edition differs significantly and substantively from earlier
2069 versions and the value to the student of changing to a new



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2070 edition or the extent to which an open-access textbook or
2071 instructional material is available.

2072 (d) The availability of required and recommended textbooks
2073 and instructional materials to students otherwise unable to
2074 afford the cost, including consideration of the extent to which
2075 an open-access textbook or instructional material may be used.

2076 (e) Participation by course instructors and academic
2077 departments in the development, adaptation, and review of open-
2078 access textbooks and instructional materials and, in particular,
2079 open-access textbooks and instructional materials for high-
2080 demand general education courses.

2081 (f) Consultation with school districts to identify
2082 practices that impact the cost of dual enrollment textbooks and
2083 instructional materials to school districts, including, but not
2084 limited to, the length of time that textbooks and instructional
2085 materials remain in use.

2086 (g) Selection of textbooks and instructional materials
2087 through cost-benefit analyses that enable students to obtain the
2088 highest-quality product at the lowest available price, by
2089 considering:

2090 1. Purchasing digital textbooks in bulk.

2091 2. Expanding the use of open-access textbooks and
2092 instructional materials.

2093 3. Providing rental options for textbooks and instructional
2094 materials.

2095 4. Increasing the availability and use of affordable
2096 digital textbooks and learning objects.

2097 5. Developing mechanisms to assist in buying, renting,
2098 selling, and sharing textbooks and instructional materials.



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2099 6. The length of time that textbooks and instructional
2100 materials remain in use.

2101 7. An evaluation of cost savings for textbooks and
2102 instructional materials which a student may realize if
2103 individual students are able to exercise opt-in provisions for
2104 the purchase of the materials.

2105 (8) The board of trustees of each Florida Community College
2106 System institution and state university shall report, by
2107 September 30 of each year, beginning in 2016, to the Chancellor
2108 of the Florida Community College System or the Chancellor of the
2109 State University System, as applicable, the textbook and
2110 instructional materials selection process for general education
2111 courses with a wide cost variance identified pursuant to
2112 subsection (4) and high-enrollment courses; specific initiatives
2113 of the institution designed to reduce the costs of textbooks and
2114 instructional materials; policies implemented in accordance with
2115 subsection (6); the number of courses and course sections that
2116 were not able to meet the textbook and instructional materials
2117 posting deadline for the previous academic year; and any
2118 additional information determined by the chancellors. By
2119 November 1 of each year, ~~beginning in 2016~~, each chancellor
2120 shall provide a summary of the information provided by
2121 institutions to the State Board of Community Colleges ~~Education~~
2122 and the Board of Governors, as applicable.

2123 Section 32. Section 1004.096, Florida Statutes, is amended
2124 to read:

2125 1004.096 College credit for military training and education
2126 courses.—The Board of Governors shall adopt regulations and the
2127 State Board of Community Colleges ~~Education~~ shall adopt rules



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2128 that enable eligible servicemembers or veterans of the United
2129 States Armed Forces to earn academic college credit at public
2130 postsecondary educational institutions for college-level
2131 training and education acquired in the military. The regulations
2132 and rules shall include procedures for credential evaluation and
2133 the award of academic college credit, including, but not limited
2134 to, equivalency and alignment of military coursework with
2135 appropriate college courses, course descriptions, type and
2136 amount of college credit that may be awarded, and transfer of
2137 credit.

2138 Section 33. Section 1004.0961, Florida Statutes, is amended
2139 to read:

2140 1004.0961 Credit for online courses. ~~Beginning in the 2015-~~
2141 ~~2016 school year,~~ The State Board of Community Colleges
2142 ~~Education~~ shall adopt rules and the Board of Governors shall
2143 adopt regulations that enable students to earn academic credit
2144 for online courses, including massive open online courses,
2145 before initial enrollment at a postsecondary institution. The
2146 rules of the State Board of Community Colleges ~~Education~~ and
2147 regulations of the Board of Governors must include procedures
2148 for credential evaluation and the award of credit, including,
2149 but not limited to, recommendations for credit by the American
2150 Council on Education; equivalency and alignment of coursework
2151 with appropriate courses; course descriptions; type and amount
2152 of credit that may be awarded; and transfer of credit.

2153 Section 34. Subsections (2), (3), (4), and paragraph (b) of
2154 subsection (5) of section 1004.28, Florida Statutes, are amended
2155 to read:

2156 1004.28 Direct-support organizations; use of property;



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2157 board of directors; activities; audit; facilities.-

2158 (2) USE OF PROPERTY.-

2159 (a) Each state university board of trustees is authorized
2160 to permit the use of property, facilities, and personal services
2161 at any state university by any university direct-support
2162 organization, and, subject to the provisions of this section,
2163 direct-support organizations may establish accounts with the
2164 State Board of Administration for investment of funds pursuant
2165 to part IV of chapter 218. Beginning July 1, 2022, a state
2166 university board of trustees may not permit any university
2167 direct-support organization to use personal services.

2168 (b) The board of trustees, in accordance with regulations
2169 ~~rules~~ and guidelines of the Board of Governors, shall prescribe
2170 by regulation ~~rule~~ conditions with which a university direct-
2171 support organization must comply in order to use property,
2172 facilities, or personal services at any state university. Such
2173 regulations ~~rules~~ shall provide for budget and audit review and
2174 oversight by the board of trustees.

2175 (c) The board of trustees shall not permit the use of
2176 property, facilities, or personal services at any state
2177 university by any university direct-support organization that
2178 does not provide equal employment opportunities to all persons
2179 regardless of race, color, religion, gender, age, or national
2180 origin.

2181 (d) The board of trustees may not permit the use of state
2182 funds for travel expenses by any university direct-support
2183 organization.

2184 (3) BOARD OF DIRECTORS.-The chair of the university board
2185 of trustees shall ~~may~~ appoint at least one ~~a~~ representative to



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2186 the board of directors and the executive committee of any
2187 direct-support organization established under this section. The
2188 president of the university for which the direct-support
2189 organization is established, or his or her designee, shall also
2190 serve on the board of directors and the executive committee of
2191 any direct-support organization established to benefit that
2192 university.

2193 (4) ACTIVITIES; RESTRICTION.—A university direct-support
2194 organization is prohibited from giving, either directly or
2195 indirectly, any gift to a political committee as defined in s.
2196 106.011 for any purpose ~~other than those certified by a majority~~
2197 ~~roll call vote of the governing board of the direct support~~
2198 ~~organization at a regularly scheduled meeting as being directly~~
2199 ~~related to the educational mission of the university.~~

2200 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC MEETINGS
2201 EXEMPTION.—

2202 (b) All records of the organization other than the
2203 auditor's report, management letter, any information related to
2204 the expenditure of state funds, any information related to the
2205 expenditure of private funds for travel, and any supplemental
2206 data requested by the Board of Governors, the university board
2207 of trustees, the Auditor General, and the Office of Program
2208 Policy Analysis and Government Accountability shall be
2209 confidential and exempt from s. 119.07(1).

2210 Section 35. Section 1004.35, Florida Statutes, is amended
2211 to read:

2212 1004.35 Broward County campuses of Florida Atlantic
2213 University; coordination with other institutions.—The State
2214 Board of Community Colleges Education, the Board of Governors,



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2215 and Florida Atlantic University shall consult with Broward
2216 College and Florida International University in coordinating
2217 course offerings at the postsecondary level in Broward County.
2218 Florida Atlantic University may contract with the Board of
2219 Trustees of Broward College and with Florida International
2220 University to provide instruction in courses offered at the
2221 Southeast Campus. Florida Atlantic University shall increase
2222 course offerings at the Southeast Campus as facilities become
2223 available.

2224 Section 36. Paragraphs (c) and (d) of subsection (5) and
2225 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2226 are amended to read:

2227 1004.6495 Florida Postsecondary Comprehensive Transition
2228 Program and Florida Center for Students with Unique Abilities.-

2229 (5) CENTER RESPONSIBILITIES.-The Florida Center for
2230 Students with Unique Abilities is established within the
2231 University of Central Florida. At a minimum, the center shall:

2232 (c) Create the application for the initial approval and
2233 renewal of approval as an FPCTP for use by an eligible
2234 institution which, at a minimum, must align with the federal
2235 comprehensive transition and postsecondary program application
2236 requirements. Notwithstanding the program approval requirements
2237 of s. 1004.03, the director shall review applications for the
2238 initial approval of an application for, or renewal of approval
2239 of, an FPCTP.

2240 1. Within 30 days after receipt of an application, the
2241 director shall issue his or her recommendation regarding
2242 approval to the Chancellor of the State University System, ~~or~~
2243 the Chancellor of the Florida Community College System, or the



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2244 Commissioner of Education, as applicable, or shall give written
2245 notice to the applicant of any deficiencies in the application,
2246 which the eligible institution must be given an opportunity to
2247 correct. Within 15 days after receipt of a notice of
2248 deficiencies, an eligible institution that chooses to continue
2249 to seek program approval shall correct the application
2250 deficiencies and return the application to the center. Within 30
2251 days after receipt of a revised application, the director shall
2252 recommend approval or disapproval of the revised application to
2253 the applicable chancellor ~~or the commissioner, as applicable.~~
2254 Within 15 days after receipt of the director's recommendation,
2255 the applicable chancellor ~~or the commissioner~~ shall approve or
2256 disapprove the recommendation. If the applicable chancellor ~~or~~
2257 ~~the commissioner~~ does not act on the director's recommendation
2258 within 15 days after receipt of such recommendation, the
2259 comprehensive transition program proposed by the institution
2260 shall be considered approved.

2261 2. Initial approval of an application for an FPCTP that
2262 meets the requirements of this section is valid for the 3
2263 academic years immediately following the academic year during
2264 which the approval is granted. An eligible institution may
2265 submit an application to the center requesting that the initial
2266 approval be renewed. If the approval is granted and the FPCTP
2267 continues to meet the requirements of this section, including,
2268 but not limited to, program and student performance outcomes,
2269 and federal requirements, a renewal is valid for the 5 academic
2270 years immediately following the academic year during which the
2271 renewal is granted.

2272 3. An application must, at a minimum:



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2273 a. Identify a credential associated with the proposed
2274 program which will be awarded to eligible students upon
2275 completion of the FPCTP.

2276 b. Outline the program length and design, including, at a
2277 minimum, inclusive and successful experiential education
2278 practices relating to curricular, assessment, and advising
2279 structure and internship and employment opportunities, which
2280 must support students with intellectual disabilities who are
2281 seeking to continue academic, career and technical, and
2282 independent living instruction at an eligible institution,
2283 including, but not limited to, opportunities to earn industry
2284 certifications, to prepare students for gainful employment. If
2285 an eligible institution offers a credit-bearing degree program,
2286 the institution is responsible for maintaining the rigor and
2287 effectiveness of a comprehensive transition degree program at
2288 the same level as other comparable degree programs offered by
2289 the institution pursuant to applicable accreditation standards.

2290 c. Outline a plan for students with intellectual
2291 disabilities to be integrated socially and academically with
2292 nondisabled students, to the maximum extent possible, and to
2293 participate on not less than a half-time basis, as determined by
2294 the eligible institution, with such participation focusing on
2295 academic components and occurring through one or more of the
2296 following activities with nondisabled students:

2297 (I) Regular enrollment in credit-bearing courses offered by
2298 the institution.

2299 (II) Auditing or participating in courses offered by the
2300 institution for which the student does not receive academic
2301 credit.



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2302 (III) Enrollment in noncredit-bearing, nondegree courses.
2303 (IV) Participation in internships or work-based training.
2304 d. Outline a plan for partnerships with businesses to
2305 promote experiential training and employment opportunities for
2306 students with intellectual disabilities.
2307 e. Identify performance indicators pursuant to subsection
2308 (8) and other requirements identified by the center.
2309 f. Outline a 5-year plan incorporating enrollment and
2310 operational expectations for the program.
2311 (d) Provide technical assistance regarding programs and
2312 services for students with intellectual disabilities to
2313 administrators, instructors, staff, and others, as applicable,
2314 at eligible institutions by:
2315 1. Holding meetings and annual workshops to share
2316 successful practices and to address issues or concerns.
2317 2. Facilitating collaboration between eligible institutions
2318 and school districts, private schools operating pursuant to s.
2319 1002.42, and parents of students enrolled in home education
2320 programs operating pursuant to s. 1002.41 in assisting students
2321 with intellectual disabilities and their parents to plan for the
2322 transition of such students into an FPCTP or another program at
2323 an eligible institution.
2324 3. Assisting eligible institutions with FPCTP and federal
2325 comprehensive transition and postsecondary program applications.
2326 4. Assisting eligible institutions with the identification
2327 of funding sources for an FPCTP and for student financial
2328 assistance for students enrolled in an FPCTP.
2329 5. Monitoring federal and state law relating to the
2330 comprehensive transition program and notifying the Legislature,



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2331 the Governor, the Board of Governors, the State Board of
2332 Community Colleges, and the State Board of Education of any
2333 change in law which may impact the implementation of this
2334 section.

2335 (8) ACCOUNTABILITY.—

2336 (a) The center, in collaboration with the Board of
2337 Governors and the State Board of Community Colleges ~~Education~~,
2338 shall identify indicators for the satisfactory progress of a
2339 student in an FPCTP and for the performance of such programs.
2340 Each eligible institution must address the indicators identified
2341 by the center in its application for the approval of a proposed
2342 program and for the renewal of an FPCTP and in the annual report
2343 that the institution submits to the center.

2344 (b) By October 1 of each year, the center shall provide to
2345 the Governor, the President of the Senate, the Speaker of the
2346 House of Representatives, the Chancellor of the State University
2347 System, and the Chancellor of the Florida Community College
2348 System ~~Commissioner of Education~~ a report summarizing
2349 information including, but not limited to:

2350 1. The status of the statewide coordination of FPCTPs and
2351 the implementation of FPCTPs at eligible institutions including,
2352 but not limited to:

2353 a. The number of applications approved and disapproved and
2354 the reasons for each disapproval and no action taken by the
2355 chancellor or the commissioner.

2356 b. The number and value of all scholarships awarded to
2357 students and undisbursed advances remitted to the center
2358 pursuant to subsection (7).

2359 2. Indicators identified by the center pursuant to



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2360 paragraph (a) and the performance of each eligible institution
2361 based on the indicators identified in paragraph (6)(c).

2362 3. The projected number of students with intellectual
2363 disabilities who may be eligible to enroll in the FPCTPs within
2364 the next academic year.

2365 4. Education programs and services for students with
2366 intellectual disabilities which are available at eligible
2367 institutions.

2368 (c) Beginning in the 2016-2017 fiscal year, the center, in
2369 collaboration with the Board of Governors, State Board of
2370 Community Colleges Education, Higher Education Coordinating
2371 Council, and other stakeholders, by December 1 of each year,
2372 shall submit to the Governor, the President of the Senate, and
2373 the Speaker of the House of Representatives statutory and budget
2374 recommendations for improving the implementation and delivery of
2375 FPCTPs and other education programs and services for students
2376 with disabilities.

2377 (9) RULES.—The Board of Governors and the State Board of
2378 Community Colleges Education, in consultation with the center,
2379 shall expeditiously adopt any necessary regulations and rules,
2380 as applicable, to allow the center to perform its
2381 responsibilities pursuant to this section beginning in the 2016-
2382 2017 fiscal year.

2383 Section 37. Section 1004.65, Florida Statutes, is amended
2384 to read:

2385 1004.65 Florida Community College System institutions;
2386 governance, mission, and responsibilities.—

2387 (1) Each Florida Community College System institution shall
2388 be governed by a district board of trustees under statutory



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2389 authority and rules of the State Board of Community Colleges
2390 Education.

2391 (2) Each Florida Community College System institution
2392 district shall:

2393 (a) Consist of the county or counties served by the Florida
2394 Community College System institution pursuant to s. 1000.21(3).

2395 (b) Be an independent, separate, legal entity created for
2396 the operation of a Florida Community College System institution.

2397 (3) Florida Community College System institutions are
2398 locally based and governed entities with statutory and funding
2399 ties to state government. As such, the mission for Florida
2400 Community College System institutions reflects a commitment to
2401 be responsive to local educational needs and challenges. In
2402 achieving this mission, Florida Community College System
2403 institutions strive to maintain sufficient local authority and
2404 flexibility while preserving appropriate legal accountability to
2405 the state.

2406 (4) As comprehensive institutions, Florida Community
2407 College System institutions shall provide high-quality,
2408 affordable education and training opportunities, shall foster a
2409 climate of excellence, and shall provide opportunities to all
2410 while combining high standards with an open-door admission
2411 policy for lower-division programs. Florida Community College
2412 System institutions shall, as open-access institutions, serve
2413 all who can benefit, without regard to age, race, gender, creed,
2414 or ethnic or economic background, while emphasizing the
2415 achievement of social and educational equity so that all can be
2416 prepared for full participation in society.

2417 (5) The primary mission and responsibility of Florida



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2418 Community College System institutions is responding to community
2419 needs for postsecondary academic education and career degree
2420 education. This mission and responsibility includes being
2421 responsible for:

2422 (a) Providing lower-level ~~lower-level~~ undergraduate
2423 instruction and awarding associate degrees.

2424 (b) Preparing students directly for careers requiring less
2425 than baccalaureate degrees. This may include preparing for job
2426 entry, supplementing of skills and knowledge, and responding to
2427 needs in new areas of technology. Career education in a Florida
2428 Community College System institution consists ~~shall consist~~ of
2429 career certificates, nationally recognized industry
2430 certifications, credit courses leading to associate in science
2431 degrees and associate in applied science degrees, and other
2432 programs in fields requiring substantial academic work,
2433 background, or qualifications. A Florida Community College
2434 System institution may offer career education programs in fields
2435 having lesser academic or technical requirements.

2436 (c) Providing student development services, including
2437 assessment, student tracking, support for disabled students,
2438 advisement, counseling, financial aid, career development, and
2439 remedial and tutorial services, to ensure student success.

2440 (d) Promoting economic development for the state within
2441 each Florida Community College System institution district
2442 through the provision of special programs, including, but not
2443 limited to, the:

- 2444 1. Enterprise Florida-related programs.
- 2445 2. Technology transfer centers.
- 2446 3. Economic development centers.



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2447 4. Workforce literacy programs.
2448 (e) Providing dual enrollment instruction.
2449 ~~(f) Providing upper level instruction and awarding~~
2450 ~~baccalaureate degrees as specifically authorized by law.~~
2451 (6) A separate and secondary role for Florida Community
2452 College System institutions includes ~~the offering of programs~~
2453 ~~in~~:
2454 (a) Programs in community services that are not directly
2455 related to academic or occupational advancement.
2456 (b) Programs in adult education services, including adult
2457 basic education, adult general education, adult secondary
2458 education, and high school equivalency examination instruction.
2459 (c) Programs in recreational and leisure services.
2460 (d) Upper-level instruction and awarding baccalaureate
2461 degrees as specifically authorized by law.
2462 (7) Funding for Florida Community College System
2463 institutions must ~~shall~~ reflect their mission as follows:
2464 (a) Postsecondary academic and career education programs
2465 and adult general education programs must ~~shall~~ have first
2466 priority in Florida Community College System institution
2467 funding.
2468 (b) Community service programs shall be presented to the
2469 Legislature with rationale for state funding. The Legislature
2470 may identify priority areas for use of these funds.
2471 (c) The resources of a Florida Community College System
2472 institution, including staff, faculty, land, and facilities, may
2473 ~~shall~~ not be used to support the establishment of a new
2474 independent nonpublic educational institution. If any
2475 institution uses resources for such purpose, the State Board of



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2476 ~~Community Division of Florida~~ Colleges shall notify the
2477 President of the Senate and the Speaker of the House of
2478 Representatives.

2479 (8) Florida Community College System institutions are
2480 authorized to:

2481 (a) Offer such programs and courses as are necessary to
2482 fulfill their mission.

2483 (b) Grant associate in arts degrees, associate in science
2484 degrees, associate in applied science degrees, certificates,
2485 awards, and diplomas.

2486 (c) Make provisions for the high school equivalency
2487 examination.

2488 (d) Provide access to and award baccalaureate degrees in
2489 accordance with law.

2490
2491 Authority to offer one or more baccalaureate degree programs
2492 does not alter the governance relationship of the Florida
2493 Community College System institution with its district board of
2494 trustees or the State Board of Community Colleges ~~Education~~.

2495 Section 38. Section 1004.67, Florida Statutes, is amended
2496 to read:

2497 1004.67 Florida Community College System institutions;
2498 legislative intent.—It is The legislative intent that Florida
2499 Community College System institutions, constituted as political
2500 subdivisions of the state, continue to be operated by Florida
2501 Community College System institution boards of trustees as
2502 provided in s. 1001.63 and that no department, bureau, division,
2503 agency, or subdivision of the state exercise any responsibility
2504 and authority to operate any Florida Community College System



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2505 institution of the state except as specifically provided by law
2506 or rules of the State Board of Community Colleges ~~Education~~.

2507 Section 39. Section 1004.70, Florida Statutes, is amended
2508 to read:

2509 1004.70 Florida Community College System institution
2510 direct-support organizations.—

2511 (1) DEFINITIONS.—For the purposes of this section:

2512 (a) "Florida Community College System institution direct-
2513 support organization" means an organization that is:

2514 1. A Florida corporation not for profit, incorporated under
2515 the provisions of chapter 617 and approved by the Department of
2516 State.

2517 2. Organized and operated exclusively to receive, hold,
2518 invest, and administer property and to make expenditures to, or
2519 for the benefit of, a Florida Community College System
2520 institution in this state.

2521 3. An organization that the Florida Community College
2522 System institution board of trustees, after review, has
2523 certified to be operating in a manner consistent with the goals
2524 of the Florida Community College System institution and in the
2525 best interest of the state. Any organization that is denied
2526 certification by the board of trustees may not use the name of
2527 the Florida Community College System institution that it serves.

2528 (b) "Personal services" includes full-time or part-time
2529 personnel as well as payroll processing.

2530 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
2531 shall appoint at least one ~~a~~ representative to the board of
2532 directors and the executive committee of each direct-support
2533 organization established under this section, including those



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2534 established before July 1, 1998. The president of the Florida
2535 Community College System institution for which the direct-
2536 support organization is established, or the president's
2537 designee, shall also serve on the board of directors and the
2538 executive committee of the direct-support organization,
2539 including any direct-support organization established before
2540 July 1, 1998.

2541 (3) USE OF PROPERTY.—

2542 (a) The board of trustees is authorized to permit the use
2543 of property, facilities, and personal services at any Florida
2544 Community College System institution by any Florida Community
2545 College System institution direct-support organization, subject
2546 to the provisions of this section. Beginning July 1, 2022, a
2547 community college board of trustees may not permit any Florida
2548 Community College System institution direct-support organization
2549 to use personal services.

2550 (b) The board of trustees is authorized to prescribe by
2551 rule any condition with which a Florida Community College System
2552 institution direct-support organization must comply in order to
2553 use property, facilities, or personal services at any Florida
2554 Community College System institution.

2555 (c) The board of trustees may not permit the use of
2556 property, facilities, or personal services at any Florida
2557 Community College System institution by any Florida Community
2558 College System institution direct-support organization that does
2559 not provide equal employment opportunities to all persons
2560 regardless of race, color, national origin, gender, age, or
2561 religion.

2562 (d) The board of trustees may not permit the use of state



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2563 funds for travel expenses by any Florida Community College
2564 System institution direct-support organization.

2565 (4) ACTIVITIES; RESTRICTIONS.—

2566 (a) A direct-support organization may, at the request of
2567 the board of trustees, provide residency opportunities on or
2568 near campus for students.

2569 (b) A direct-support organization that constructs
2570 facilities for use by a Florida Community College System
2571 institution or its students must comply with all requirements of
2572 law relating to the construction of facilities by a Florida
2573 Community College System institution, including requirements for
2574 competitive bidding.

2575 (c) Any transaction or agreement between one direct-support
2576 organization and another direct-support organization must be
2577 approved by the board of trustees.

2578 (d) A Florida Community College System institution direct-
2579 support organization is prohibited from giving, either directly
2580 or indirectly, any gift to a political committee as defined in
2581 s. 106.011 for any purpose ~~other than those certified by a~~
2582 ~~majority roll call vote of the governing board of the direct-~~
2583 ~~support organization at a regularly scheduled meeting as being~~
2584 ~~directly related to the educational mission of the Florida~~
2585 ~~College System institution.~~

2586 (e) A Florida Community College System institution board of
2587 trustees must authorize all debt, including lease-purchase
2588 agreements, incurred by a direct-support organization.
2589 Authorization for approval of short-term loans and lease-
2590 purchase agreements for a term of not more than 5 years,
2591 including renewals, extensions, and refundings, for goods,



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2592 materials, equipment, and services may be delegated by the board
2593 of trustees to the board of directors of the direct-support
2594 organization. Trustees shall evaluate proposals for debt
2595 according to guidelines issued by the State Board of Community
2596 ~~Division of Florida~~ Colleges. Revenues of the Florida Community
2597 College System institution may not be pledged to debt issued by
2598 direct-support organizations.

2599 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
2600 organization shall submit to the board of trustees its federal
2601 Internal Revenue Service Application for Recognition of
2602 Exemption form (Form 1023) and its federal Internal Revenue
2603 Service Return of Organization Exempt from Income Tax form (Form
2604 990).

2605 (6) ANNUAL AUDIT.—Each direct-support organization shall
2606 provide for an annual financial audit in accordance with rules
2607 adopted by the Auditor General pursuant to s. 11.45(8). The
2608 annual audit report must be submitted, within 9 months after the
2609 end of the fiscal year, to the Auditor General, the State Board
2610 of Community Colleges Education, and the board of trustees for
2611 review. The board of trustees, the Auditor General, and the
2612 Office of Program Policy Analysis and Government Accountability
2613 may require and receive from the organization or from its
2614 independent auditor any detail or supplemental data relative to
2615 the operation of the organization. The identity of donors who
2616 desire to remain anonymous shall be protected, and that
2617 anonymity shall be maintained in the auditor's report. All
2618 records of the organization, other than the auditor's report,
2619 any information necessary for the auditor's report, any
2620 information related to the expenditure of funds, and any



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2621 supplemental data requested by the board of trustees, the
2622 Auditor General, and the Office of Program Policy Analysis and
2623 Government Accountability, shall be confidential and exempt from
2624 the provisions of s. 119.07(1).

2625 Section 40. Section 1004.71, Florida Statutes, is amended
2626 to read:

2627 1004.71 Statewide Florida Community College System
2628 institution direct-support organizations.—

2629 (1) DEFINITIONS.—For the purposes of this section:

2630 (a) "Statewide Florida Community College System institution
2631 direct-support organization" means an organization that is:

2632 1. A Florida corporation not for profit, incorporated under
2633 the provisions of chapter 617 and approved by the Department of
2634 State.

2635 2. Organized and operated exclusively to receive, hold,
2636 invest, and administer property and to make expenditures to, or
2637 for the benefit of, the Florida Community College System
2638 institutions in this state.

2639 3. An organization that the State Board of Community
2640 Colleges ~~Education~~, after review, has certified to be operating
2641 in a manner consistent with the goals of the Florida Community
2642 College System institutions and in the best interest of the
2643 state.

2644 (b) "Personal services" includes full-time or part-time
2645 personnel as well as payroll processing.

2646 (2) BOARD OF DIRECTORS.—The chair of the State Board of
2647 Community Colleges ~~Education~~ may appoint a representative to the
2648 board of directors and the executive committee of any statewide,
2649 direct-support organization established under this section or s.



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2650 1004.70. The chair of the State Board of Community Colleges
2651 ~~Education~~, or the chair's designee, shall also serve on the
2652 board of directors and the executive committee of any direct-
2653 support organization established to benefit Florida Community
2654 College System institutions.

2655 (3) USE OF PROPERTY.—

2656 (a) The State Board of Education may permit the use of
2657 property, facilities, and personal services of the Department of
2658 Education by any statewide Florida Community College System
2659 institution direct-support organization, subject to the
2660 provisions of this section.

2661 (b) The State Board of Education may prescribe by rule any
2662 condition with which a statewide Florida Community College
2663 System institution direct-support organization must comply in
2664 order to use property, facilities, or personal services of the
2665 Department of Education.

2666 (c) The State Board of Education may not permit the use of
2667 property, facilities, or personal services of the Department of
2668 Education by any statewide Florida Community College System
2669 institution direct-support organization that does not provide
2670 equal employment opportunities to all persons regardless of
2671 race, color, national origin, gender, age, or religion.

2672 (4) RESTRICTIONS.—

2673 (a) A statewide, direct-support organization may not use
2674 public funds to acquire, construct, maintain, or operate any
2675 facilities.

2676 (b) Any transaction or agreement between a statewide,
2677 direct-support organization and any other direct-support
2678 organization must be approved by the State Board of Community



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2679 Colleges Education.

2680 (c) A statewide Florida Community College System
2681 institution direct-support organization is prohibited from
2682 giving, either directly or indirectly, any gift to a political
2683 committee as defined in s. 106.011 for any purpose other than
2684 those certified by a majority roll call vote of the governing
2685 board of the direct-support organization at a regularly
2686 scheduled meeting as being directly related to the educational
2687 mission of the State Board of Community Colleges Education.

2688 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
2689 organization shall submit to the State Board of Community
2690 Colleges Education its federal Internal Revenue Service
2691 Application for Recognition of Exemption form (Form 1023) and
2692 its federal Internal Revenue Service Return of Organization
2693 Exempt from Income Tax form (Form 990).

2694 (6) ANNUAL AUDIT.—A statewide Florida Community College
2695 System institution direct-support organization shall provide for
2696 an annual financial audit in accordance with s. 1004.70. The
2697 identity of a donor or prospective donor who desires to remain
2698 anonymous and all information identifying such donor or
2699 prospective donor are confidential and exempt from the
2700 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
2701 Constitution. Such anonymity shall be maintained in the
2702 auditor's report.

2703 Section 41. Subsection (4) of section 1004.74, Florida
2704 Statutes, is amended to read:

2705 1004.74 Florida School of the Arts.—

2706 (4) The Council for the Florida School of the Arts shall be
2707 established to advise the Florida Community College System



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2708 institution district board of trustees on matters pertaining to
2709 the operation of the school. The council shall consist of nine
2710 members, appointed jointly by the Chancellor of the Florida
2711 Community College System and the Commissioner of Education for
2712 4-year terms. A member may serve three terms and may serve until
2713 replaced.

2714 Section 42. Section 1004.78, Florida Statutes, is amended
2715 to read:

2716 1004.78 Technology transfer centers at Florida Community
2717 College System institutions.-

2718 (1) Each Florida Community College System institution may
2719 establish a technology transfer center for the purpose of
2720 providing institutional support to local business and industry
2721 and governmental agencies in the application of new research in
2722 technology. The primary responsibilities of such centers may
2723 include: identifying technology research developed by
2724 universities, research institutions, businesses, industries, the
2725 United States Armed Forces, and other state or federal
2726 governmental agencies; determining and demonstrating the
2727 application of technologies; training workers to integrate
2728 advanced equipment and production processes; and determining for
2729 business and industry the feasibility and efficiency of
2730 accommodating advanced technologies.

2731 (2) The Florida Community College System institution board
2732 of trustees shall set such policies to regulate the activities
2733 of the technology transfer center as it may consider necessary
2734 to effectuate the purposes of this section and to administer the
2735 programs of the center in a manner which assures efficiency and
2736 effectiveness, producing the maximum benefit for the educational



2737 programs and maximum service to the state. To this end,
2738 materials that relate to methods of manufacture or production,
2739 potential trade secrets, potentially patentable material, actual
2740 trade secrets, business transactions, or proprietary information
2741 received, generated, ascertained, or discovered during the
2742 course of activities conducted within the Florida Community
2743 College System institutions shall be confidential and exempt
2744 from the provisions of s. 119.07(1), except that a Florida
2745 Community College System institution shall make available upon
2746 request the title and description of a project, the name of the
2747 investigator, and the amount and source of funding provided for
2748 such project.

2749 (3) A technology transfer center created under the
2750 provisions of this section shall be under the supervision of the
2751 board of trustees of that Florida Community College System
2752 institution, which is authorized to appoint a director; to
2753 employ full-time and part-time staff, research personnel, and
2754 professional services; to employ on a part-time basis personnel
2755 of the Florida Community College System institution; and to
2756 employ temporary employees whose salaries are paid entirely from
2757 the permanent technology transfer fund or from that fund in
2758 combination with other nonstate sources, with such positions
2759 being exempt from the requirements of the Florida Statutes
2760 relating to salaries, except that no such appointment shall be
2761 made for a total period of longer than 1 year.

2762 (4) The board of trustees of the Florida Community College
2763 System institution in which a technology transfer center is
2764 created, or its designee, may negotiate, enter into, and execute
2765 contracts; solicit and accept grants and donations; and fix and



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2766 collect fees, other payments, and donations that may accrue by
2767 reason thereof for technology transfer activities. The board of
2768 trustees or its designee may negotiate, enter into, and execute
2769 contracts on a cost-reimbursement basis and may provide
2770 temporary financing of such costs prior to reimbursement from
2771 moneys on deposit in the technology transfer fund, except as may
2772 be prohibited elsewhere by law.

2773 (5) A technology transfer center shall be financed from the
2774 Academic Improvement Program or from moneys of a Florida
2775 Community College System institution which are on deposit or
2776 received for use in the activities conducted in the center. Such
2777 moneys shall be deposited by the Florida Community College
2778 System institution in a permanent technology transfer fund in a
2779 depository or depositories approved for the deposit of state
2780 funds and shall be accounted for and disbursed subject to audit
2781 by the Auditor General.

2782 (6) The fund balance in any existing research trust fund of
2783 a Florida Community College System institution at the time a
2784 technology transfer center is created shall be transferred to a
2785 permanent technology transfer fund established for the Florida
2786 Community College System institution, and thereafter the fund
2787 balance of the technology transfer fund at the end of any fiscal
2788 period may be used during any succeeding period pursuant to this
2789 section.

2790 (7) Moneys deposited in the permanent technology transfer
2791 fund of a Florida Community College System institution shall be
2792 disbursed in accordance with the terms of the contract, grant,
2793 or donation under which they are received. Moneys received for
2794 overhead or indirect costs and other moneys not required for the



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2795 payment of direct costs shall be applied to the cost of
2796 operating the technology transfer center.

2797 (8) All purchases of a technology transfer center shall be
2798 made in accordance with the policies and procedures of the
2799 Florida Community College System institution.

2800 (9) The Florida Community College System institution board
2801 of trustees may authorize the construction, alteration, or
2802 remodeling of buildings when the funds used are derived entirely
2803 from the technology transfer fund of a Florida Community College
2804 System institution or from that fund in combination with other
2805 nonstate sources, provided that such construction, alteration,
2806 or remodeling is for use exclusively by the center. It also may
2807 authorize the acquisition of real property when the cost is
2808 entirely from said funds. Title to all real property shall vest
2809 in the board of trustees.

2810 (10) The State Board of Community Colleges ~~Education~~ may
2811 award grants to Florida Community College System institutions,
2812 or consortia of public and private colleges and universities and
2813 other public and private entities, for the purpose of supporting
2814 the objectives of this section. Grants awarded pursuant to this
2815 subsection shall be in accordance with rules of the State Board
2816 of Community Colleges ~~Education~~. Such rules shall include the
2817 following provisions:

2818 (a) The number of centers established with state funds
2819 provided expressly for the purpose of technology transfer shall
2820 be limited, but shall be geographically located to maximize
2821 public access to center resources and services.

2822 (b) Grants to centers funded with state revenues
2823 appropriated specifically for technology transfer activities



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2824 shall be reviewed and approved by the State Board of Community
2825 Colleges Education using proposal solicitation, evaluation, and
2826 selection procedures established by the state board in
2827 consultation with Enterprise Florida, Inc. Such procedures may
2828 include designation of specific areas or applications of
2829 technology as priorities for the receipt of funding.

2830 (c) Priority for the receipt of state funds appropriated
2831 specifically for the purpose of technology transfer shall be
2832 given to grant proposals developed jointly by Florida Community
2833 College System institutions and public and private colleges and
2834 universities.

2835 (11) Each technology transfer center established under the
2836 provisions of this section shall establish a technology transfer
2837 center advisory committee. Each committee shall include
2838 representatives of a university or universities conducting
2839 research in the area of specialty of the center. Other members
2840 shall be determined by the Florida Community College System
2841 institution board of trustees.

2842 Section 43. Subsection (4) of section 1004.80, Florida
2843 Statutes, is amended to read:

2844 1004.80 Economic development centers.—

2845 (4) The State Board of Community Colleges Education may
2846 award grants to economic development centers for the purposes of
2847 this section. Grants awarded pursuant to this subsection shall
2848 be in accordance with rules established by the State Board of
2849 Community Colleges Education.

2850 Section 44. Section 1004.91, Florida Statutes, is amended
2851 to read:

2852 1004.91 Requirements for career education program basic



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2853 skills.-

2854 (1) The State Board of Education, for career centers
2855 operated by district school boards, and the State Board of
2856 Community Colleges, for charter technical career centers
2857 operated by Florida Community College System institutions, shall
2858 collaborate to adopt, by rule, standards of basic skill mastery
2859 for completion of certificate career education programs. Each
2860 school district and Florida Community College System institution
2861 that conducts programs that confer career and technical
2862 certificates shall provide applied academics instruction through
2863 which students receive the basic skills instruction required
2864 pursuant to this section.

2865 (2) Students who enroll in a program offered for career
2866 credit of 450 hours or more shall complete an entry-level
2867 examination within the first 6 weeks after admission into the
2868 program. The State Board of Education and the State Board of
2869 Community Colleges shall collaborate to designate examinations
2870 that are currently in existence, the results of which are
2871 comparable across institutions, to assess student mastery of
2872 basic skills. Any student found to lack the required level of
2873 basic skills for such program shall be referred to applied
2874 academics instruction or another adult general education program
2875 for a structured program of basic skills instruction. Such
2876 instruction may include English for speakers of other languages.
2877 A student may not receive a career or technical certificate of
2878 completion without first demonstrating the basic skills required
2879 in the state curriculum frameworks for the career education
2880 program.

2881 (3) (a) An adult student with a disability may be exempted



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2882 from this section.

2883 (b) The following students are exempt from this section:

2884 1. A student who possesses a college degree at the
2885 associate in applied science level or higher.

2886 2. A student who demonstrates readiness for public
2887 postsecondary education pursuant to s. 1008.30 and applicable
2888 rules adopted by the State Board of Education and State Board of
2889 Community Colleges.

2890 3. A student who passes a state or national industry
2891 certification or licensure examination that is identified in
2892 State Board of Education or State Board of Community Colleges
2893 rules and aligned to the career education program in which the
2894 student is enrolled.

2895 4. An adult student who is enrolled in an apprenticeship
2896 program that is registered with the Department of Education in
2897 accordance with chapter 446.

2898 Section 45. Paragraph (b) of subsection (2) of section
2899 1004.92, Florida Statutes, is amended, and subsection (4) is
2900 added to that section, to read:

2901 1004.92 Purpose and responsibilities for career education.—

2902 (2)

2903 (b) Department of Education, for school districts, and the
2904 State Board of Community Colleges, for Florida Community College
2905 System institutions, have the following responsibilities related
2906 to accountability for career education ~~includes, but is not~~
2907 limited to:

2908 1. The provision of timely, accurate technical assistance
2909 to school districts and Florida Community College System
2910 institutions.



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2911 2. The provision of timely, accurate information to the
2912 State Board of Education, the Legislature, and the public.

2913 3. The development of policies, rules, and procedures that
2914 facilitate institutional attainment of the accountability
2915 standards and coordinate the efforts of all divisions within the
2916 department.

2917 4. The development of program standards and industry-driven
2918 benchmarks for career, adult, and community education programs,
2919 which must be updated every 3 years. The standards must include
2920 career, academic, and workplace skills; viability of distance
2921 learning for instruction; ~~and~~ work/learn cycles that are
2922 responsive to business and industry; and provisions that reflect
2923 the quality components of career and technical education
2924 programs. The Department of Education and the State Board of
2925 Community Colleges shall collaborate to develop a common set of
2926 standards and benchmarks as specified under this subparagraph
2927 for the programs that are offered by both the school districts
2928 and Florida Community College System institutions.

2929 5. Overseeing school district and Florida Community College
2930 System institution compliance with ~~the provisions of~~ this
2931 chapter.

2932 6. Ensuring that the educational outcomes for the technical
2933 component of career programs are uniform and designed to provide
2934 a graduate who is capable of entering the workforce on an
2935 equally competitive basis regardless of the institution of
2936 choice.

2937 (4) The State Board of Education, for career education
2938 provided by school districts, and the State Board of Community
2939 Colleges, for career education provided by Florida Community



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2940 College System institutions, shall collaborate to adopt rules to
2941 administer this section.

2942 Section 46. Subsection (1) of section 1004.925, Florida
2943 Statutes, is amended to read:

2944 1004.925 Automotive service technology education programs;
2945 certification.—

2946 (1) All automotive service technology education programs
2947 shall be industry certified in accordance with rules adopted by
2948 the State Board of Education and the State Board of Community
2949 Colleges.

2950 Section 47. Paragraphs (c) and (d) of subsection (4) and
2951 subsections (6) and (9) of section 1004.93, Florida Statutes,
2952 are amended to read:

2953 1004.93 Adult general education.—

2954 (4)

2955 (c) The State Board of Community Colleges ~~Education~~ shall
2956 define, by rule, the levels and courses of instruction to be
2957 funded through the developmental education program. The State
2958 Board of Community Colleges shall coordinate the establishment
2959 of costs for developmental education courses, the establishment
2960 of statewide standards that define required levels of
2961 competence, acceptable rates of student progress, and the
2962 maximum amount of time to be allowed for completion of
2963 developmental education. Developmental education is part of an
2964 associate in arts degree program and may not be funded as an
2965 adult career education program.

2966 (d) Expenditures for developmental education and lifelong
2967 learning students shall be reported separately. Allocations for
2968 developmental education shall be based on proportional full-time



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2969 equivalent enrollment. Program review results shall be included
2970 in the determination of subsequent allocations. A student shall
2971 be funded to enroll in the same developmental education class
2972 within a skill area only twice, after which time the student
2973 shall pay 100 percent of the full cost of instruction to support
2974 the continuous enrollment of that student in the same class;
2975 however, students who withdraw or fail a class due to
2976 extenuating circumstances may be granted an exception only once
2977 for each class, provided approval is granted according to policy
2978 established by the board of trustees. Each Florida Community
2979 College System institution shall have the authority to review
2980 and reduce payment for increased fees due to continued
2981 enrollment in a developmental education class on an individual
2982 basis contingent upon the student's financial hardship, pursuant
2983 to definitions and fee levels established by the State Board of
2984 Community Colleges Education. Developmental education and
2985 lifelong learning courses do not generate credit toward an
2986 associate or baccalaureate degree.

2987 (6) The commissioner, for school districts, and the
2988 Chancellor of the Florida Community College System, for Florida
2989 Community College System institutions, shall recommend the level
2990 of funding for public school and Florida Community College
2991 System institution adult education within the legislative budget
2992 request and make other recommendations and reports considered
2993 necessary or required by rules of the State Board of Education.

2994 (9) The State Board of Education and the State Board of
2995 Community Colleges may adopt rules necessary for the
2996 implementation of this section.

2997 Section 48. Subsection (3) of section 1006.60, Florida



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2998 Statutes, is amended to read:

2999 1006.60 Codes of conduct; disciplinary measures; authority
3000 to adopt rules or regulations.—

3001 (3) Sanctions authorized by such codes of conduct may be
3002 imposed only for acts or omissions in violation of rules or
3003 regulations adopted by the institution, including rules or
3004 regulations adopted under this section, rules of the State Board
3005 of Community Colleges regarding the Florida Community College
3006 System Education, rules or regulations of the Board of Governors
3007 regarding the State University System, county and municipal
3008 ordinances, and the laws of this state, the United States, or
3009 any other state.

3010 Section 49. Subsection (1) of section 1006.61, Florida
3011 Statutes, is amended to read:

3012 1006.61 Participation by students in disruptive activities
3013 at public postsecondary educational institution; penalties.—

3014 (1) Any person who accepts the privilege extended by the
3015 laws of this state of attendance at any public postsecondary
3016 educational institution shall, by attending such institution, be
3017 deemed to have given his or her consent to the policies of that
3018 institution, the State Board of Community Colleges regarding the
3019 Florida Community College System Education, and the Board of
3020 Governors regarding the State University System, and the laws of
3021 this state. Such policies shall include prohibition against
3022 disruptive activities at public postsecondary educational
3023 institutions.

3024 Section 50. Section 1006.62, Florida Statutes, is amended
3025 to read:

3026 1006.62 Expulsion and discipline of students of Florida



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3027 Community College System institutions and state universities.-

3028 (1) Each student in a Florida Community College System
3029 institution or state university is subject to federal and state
3030 law, respective county and municipal ordinances, and all rules
3031 and regulations of the State Board of Community Colleges
3032 regarding the Florida Community College System Education, the
3033 Board of Governors regarding the State University System, or the
3034 board of trustees of the institution.

3035 (2) Violation of these published laws, ordinances, or rules
3036 and regulations may subject the violator to appropriate action
3037 by the institution's authorities.

3038 (3) Each president of a Florida Community College System
3039 institution or state university may, after notice to the student
3040 of the charges and after a hearing thereon, expel, suspend, or
3041 otherwise discipline any student who is found to have violated
3042 any law, ordinance, or rule or regulation of the State Board of
3043 Community Colleges regarding the Florida Community College
3044 System Education, the Board of Governors regarding the State
3045 University System, or the board of trustees of the institution.

3046 A student may be entitled to waiver of expulsion:

3047 (a) If the student provides substantial assistance in the
3048 identification, arrest, or conviction of any of his or her
3049 accomplices, accessories, coconspirators, or principals or of
3050 any other person engaged in violations of chapter 893 within a
3051 state university or Florida Community College System
3052 institution;

3053 (b) If the student voluntarily discloses his or her
3054 violations of chapter 893 prior to his or her arrest; or

3055 (c) If the student commits himself or herself, or is



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3056 referred by the court in lieu of sentence, to a state-licensed
3057 drug abuse program and successfully completes the program.

3058 Section 51. Paragraphs (c) and (g) of subsection (1),
3059 paragraph (b) of subsection (2), and subsection (3) of section
3060 1006.71, Florida Statutes, are amended to read:

3061 1006.71 Gender equity in intercollegiate athletics.—

3062 (1) GENDER EQUITY PLAN.—

3063 (c) The Chancellor of the Florida Community College System
3064 ~~Commissioner of Education~~ shall annually assess the progress of
3065 each Florida Community College System institution's plan and
3066 advise the State Board of Community Colleges ~~Education~~ and the
3067 Legislature regarding compliance.

3068 (g)1. If a Florida Community College System institution is
3069 not in compliance with Title IX of the Education Amendments of
3070 1972 and the Florida Educational Equity Act, the State Board of
3071 Community Colleges ~~Education~~ shall:

3072 a. Declare the Florida Community College System institution
3073 ineligible for competitive state grants.

3074 b. Withhold funds sufficient to obtain compliance.

3075
3076 The Florida Community College System institution shall remain
3077 ineligible and the funds may ~~shall~~ not be paid until the Florida
3078 Community College System institution comes into compliance or
3079 the Chancellor of the Florida Community College System
3080 ~~Commissioner of Education~~ approves a plan for compliance.

3081 2. If a state university is not in compliance with Title IX
3082 of the Education Amendments of 1972 and the Florida Educational
3083 Equity Act, the Board of Governors shall:

3084 a. Declare the state university ineligible for competitive



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3085 state grants.

3086 b. Withhold funds sufficient to obtain compliance.

3087

3088 The state university shall remain ineligible and the funds may
3089 ~~shall~~ not be paid until the state university comes into
3090 compliance or the Board of Governors approves a plan for
3091 compliance.

3092 (2) FUNDING.—

3093 (b) The level of funding and percentage share of support
3094 for women's intercollegiate athletics for Florida Community
3095 College System institutions shall be determined by the State
3096 Board of Community Colleges Education. The level of funding and
3097 percentage share of support for women's intercollegiate
3098 athletics for state universities shall be determined by the
3099 Board of Governors. The level of funding and percentage share
3100 attained in the 1980-1981 fiscal year shall be the minimum level
3101 and percentage maintained by each institution, except as the
3102 State Board of Community Colleges Education or the Board of
3103 Governors otherwise directs its respective institutions for the
3104 purpose of assuring equity. Consideration shall be given by the
3105 State Board of Community Colleges Education or the Board of
3106 Governors to emerging athletic programs at institutions which
3107 may not have the resources to secure external funds to provide
3108 athletic opportunities for women. It is the intent that the
3109 effect of any redistribution of funds among institutions may
3110 ~~shall~~ not negate the requirements as set forth in this section.

3111 (3) STATE BOARD OF COMMUNITY COLLEGES EDUCATION.—The State
3112 Board of Community Colleges Education shall assure equal
3113 opportunity for female athletes at Florida Community College



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3114 System institutions and establish:

3115 (a) In conjunction with the State Board of Education,
3116 guidelines for reporting of intercollegiate athletics data
3117 concerning financial, program, and facilities information for
3118 review by the State Board of Community Colleges ~~Education~~
3119 annually.

3120 (b) Systematic audits for the evaluation of such data.

3121 (c) Criteria for determining and assuring equity.

3122 Section 52. Section 1007.01, Florida Statutes, is amended
3123 to read:

3124 1007.01 Articulation; legislative intent; purpose; role of
3125 the State Board of Education, the State Board of Community
3126 Colleges, and the Board of Governors; Articulation Coordinating
3127 Committee.—

3128 (1) It is the intent of the Legislature to facilitate
3129 articulation and seamless integration of the K-20 education
3130 system by building, sustaining, and strengthening relationships
3131 among K-20 public organizations, between public and private
3132 organizations, and between the education system as a whole and
3133 Florida's communities. The purpose of building, sustaining, and
3134 strengthening these relationships is to provide for the
3135 efficient and effective progression and transfer of students
3136 within the education system and to allow students to proceed
3137 toward their educational objectives as rapidly as their
3138 circumstances permit. The Legislature further intends that
3139 articulation policies and budget actions be implemented
3140 consistently in the practices of the Department of Education and
3141 postsecondary educational institutions and expressed in the
3142 collaborative policy efforts of the State Board of Education,



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3143 ~~and~~ the Board of Governors, and the State Board of Community
3144 Colleges.

3145 (2) To preserve Florida's "2+2" system of articulation and
3146 improve and facilitate articulation systemwide, the State Board
3147 of Education, ~~and~~ the Board of Governors, and the State Board of
3148 Community Colleges shall collaboratively establish and adopt
3149 policies with input from statewide K-20 advisory groups
3150 established by the Commissioner of Education, the Chancellor of
3151 the Florida Community College System, and the Chancellor of the
3152 State University System and shall recommend the policies to the
3153 Legislature. The policies shall relate to:

3154 (a) The alignment between the exit requirements of one
3155 education system and the admissions requirements of another
3156 education system into which students typically transfer.

3157 (b) The identification of common courses, the level of
3158 courses, institutional participation in a statewide course
3159 numbering system, and the transferability of credits among such
3160 institutions.

3161 (c) Identification of courses that meet general education
3162 or common degree program prerequisite requirements at public
3163 postsecondary educational institutions.

3164 (d) Dual enrollment course equivalencies.

3165 (e) Articulation agreements.

3166 (3) The Commissioner of Education, in consultation with the
3167 Chancellor of the Florida Community College System and the
3168 Chancellor of the State University System, shall establish the
3169 Articulation Coordinating Committee, which shall make
3170 recommendations related to statewide articulation policies and
3171 issues regarding access, quality, and reporting of data



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3172 maintained by the K-20 data warehouse, established pursuant to
3173 ss. 1001.10 and 1008.31, to the Higher Education Coordination
3174 Council, the State Board of Education, ~~and~~ the Board of
3175 Governors, and the State Board of Community Colleges. The
3176 committee shall consist of two members each representing the
3177 State University System, the Florida Community College System,
3178 public career and technical education, K-12 education, and
3179 nonpublic postsecondary education and one member representing
3180 students. The chair shall be elected from the membership. The
3181 Office of K-20 Articulation shall provide administrative support
3182 for the committee. The committee shall:

3183 (a) Monitor the alignment between the exit requirements of
3184 one education system and the admissions requirements of another
3185 education system into which students typically transfer and make
3186 recommendations for improvement.

3187 (b) Propose guidelines for interinstitutional agreements
3188 between and among public schools, career and technical education
3189 centers, Florida Community College System institutions, state
3190 universities, and nonpublic postsecondary institutions.

3191 (c) Annually recommend dual enrollment course and high
3192 school subject area equivalencies for approval by the State
3193 Board of Education, ~~and~~ the Board of Governors, and the State
3194 Board of Community Colleges.

3195 (d) Annually review the statewide articulation agreement
3196 pursuant to s. 1007.23 and make recommendations for revisions.

3197 (e) Annually review the statewide course numbering system,
3198 the levels of courses, and the application of transfer credit
3199 requirements among public and nonpublic institutions
3200 participating in the statewide course numbering system and



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3201 identify instances of student transfer and admissions
3202 difficulties.

3203 (f) Annually publish a list of courses that meet common
3204 general education and common degree program prerequisite
3205 requirements at public postsecondary institutions identified
3206 pursuant to s. 1007.25.

3207 (g) Foster timely collection and reporting of statewide
3208 education data to improve the K-20 education performance
3209 accountability system pursuant to ss. 1001.10 and 1008.31,
3210 including, but not limited to, data quality, accessibility, and
3211 protection of student records.

3212 (h) Recommend roles and responsibilities of public
3213 education entities in interfacing with the single, statewide
3214 computer-assisted student advising system established pursuant
3215 to s. 1006.735.

3216 (i) Make recommendations regarding the cost and
3217 requirements to develop and implement an online system for
3218 collecting and analyzing data regarding requests for transfer of
3219 credit by postsecondary education students. The online system,
3220 at a minimum, must collect information regarding the total
3221 number of credit transfer requests denied and the reason for
3222 each denial. Recommendations shall be reported to the President
3223 of the Senate and the Speaker of the House of Representatives on
3224 or before January 31, 2015.

3225 Section 53. Subsections (1) and (6) of section 1007.23,
3226 Florida Statutes, are amended, and subsection (7) is added to
3227 that section, to read:

3228 1007.23 Statewide articulation agreement.—

3229 (1) The State Board of Education, ~~and~~ the Board of



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3230 Governors, and the State Board of Community Colleges shall enter
3231 into a statewide articulation agreement which the State Board of
3232 Education and the State Board of Community Colleges shall adopt
3233 by rule. The agreement must preserve Florida's "2+2" system of
3234 articulation, facilitate the seamless articulation of student
3235 credit across and among Florida's educational entities, and
3236 reinforce the provisions of this chapter by governing:

3237 (a) Articulation between secondary and postsecondary
3238 education;

3239 (b) Admission of associate in arts degree graduates from
3240 Florida Community College System institutions and state
3241 universities;

3242 (c) Admission of applied technology diploma program
3243 graduates from Florida Community College System institutions or
3244 career centers;

3245 (d) Admission of associate in science degree and associate
3246 in applied science degree graduates from Florida Community
3247 College System institutions;

3248 (e) The use of acceleration mechanisms, including
3249 nationally standardized examinations through which students may
3250 earn credit;

3251 (f) General education requirements and statewide course
3252 numbers as provided for in ss. 1007.24 and 1007.25; and

3253 (g) Articulation among programs in nursing.

3254 (6) The articulation agreement must guarantee the
3255 articulation of 9 credit hours toward a postsecondary degree in
3256 early childhood education for programs approved by the State
3257 Board of Community Colleges ~~Education~~ and the Board of Governors
3258 which:



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3259 (a) Award a child development associate credential issued
3260 by the National Credentialing Program of the Council for
3261 Professional Recognition or award a credential approved under s.
3262 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
3263 child development associate credential; and

3264 (b) Include training in emergent literacy which meets or
3265 exceeds the minimum standards for training courses for
3266 prekindergarten instructors of the Voluntary Prekindergarten
3267 Education Program in s. 1002.59.

3268 (7) To strengthen Florida's "2+2" system of articulation
3269 and improve student retention and on-time graduation, by the
3270 2018-2019 academic year, each Florida Community College System
3271 institution shall execute at least one "2+2" targeted pathway
3272 articulation agreement with one or more state universities to
3273 establish "2+2" targeted pathway programs. The agreement must
3274 provide students who graduate with an associate in arts degree
3275 and who meet specified requirements guaranteed access to the
3276 state university and a degree program at that university, in
3277 accordance with the terms of the "2+2" targeted pathway
3278 articulation agreement.

3279 (a) To participate in a "2+2" targeted pathway program, a
3280 student must:

3281 1. Enroll in the program before completing 30 credit hours,
3282 including, but not limited to, college credits earned through
3283 articulated acceleration mechanisms pursuant to s. 1007.27;

3284 2. Complete an associate in arts degree; and

3285 3. Meet the university's transfer requirements.

3286 (b) A state university that executes a "2+2" targeted
3287 pathway articulation agreement must meet the following



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3288 requirements in order to implement a "2+2" targeted pathway
3289 program in collaboration with its partner Florida Community
3290 College System institution:

3291 1. Establish a 4-year on-time graduation plan for a
3292 baccalaureate degree program, including, but not limited to, a
3293 plan for students to complete associate in arts degree programs,
3294 general education courses, common prerequisite courses, and
3295 elective courses;

3296 2. Advise students enrolled in the program about the
3297 university's transfer and degree program requirements; and

3298 3. Provide students who meet the requirements under this
3299 paragraph with access to academic advisors and campus events and
3300 with guaranteed admittance to the state university and a degree
3301 program of the state university, in accordance with the terms of
3302 the agreement.

3303 (c) To assist the state universities and Florida Community
3304 College System institutions with implementing the "2+2" targeted
3305 pathway programs effectively, the State Board of Community
3306 Colleges and the Board of Governors shall collaborate to
3307 eliminate barriers in executing "2+2" targeted pathway
3308 articulation agreements.

3309 Section 54. Subsections (1), (2), and (3) of section
3310 1007.24, Florida Statutes, are amended to read:

3311 1007.24 Statewide course numbering system.-

3312 (1) The Department of Education, in conjunction with the
3313 Board of Governors and the State Board of Community Colleges,
3314 shall develop, coordinate, and maintain a statewide course
3315 numbering system for postsecondary and dual enrollment education
3316 in school districts, public postsecondary educational



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3317 institutions, and participating nonpublic postsecondary
3318 educational institutions that will improve program planning,
3319 increase communication among all delivery systems, and
3320 facilitate student acceleration and the transfer of students and
3321 credits between public school districts, public postsecondary
3322 educational institutions, and participating nonpublic
3323 educational institutions. The continuing maintenance of the
3324 system shall be accomplished with the assistance of appropriate
3325 faculty committees representing public and participating
3326 nonpublic educational institutions.

3327 (2) The Commissioner of Education, in conjunction with the
3328 Chancellor of the Florida Community College System and the
3329 Chancellor of the State University System, shall appoint faculty
3330 committees representing faculties of participating institutions
3331 to recommend a single level for each course, including
3332 postsecondary career education courses, included in the
3333 statewide course numbering system.

3334 (a) Any course designated as an upper-division-level course
3335 must be characterized by a need for advanced academic
3336 preparation and skills that a student would be unlikely to
3337 achieve without significant prior coursework.

3338 (b) A course that is offered as part of an associate in
3339 science degree program and as an upper-division course for a
3340 baccalaureate degree shall be designated for both the lower and
3341 upper division.

3342 (c) A course designated as lower-division may be offered by
3343 any Florida Community College System institution.

3344 (3) The Commissioner of Education shall recommend to the
3345 State Board of Education the levels for the courses. The State



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3346 Board of Education, with input from the Board of Governors and
3347 the State Board of Community Colleges, shall approve the levels
3348 for the courses.

3349 Section 55. Subsections (3), (5), and (8) through (11) of
3350 section 1007.25, Florida Statutes, are amended to read:

3351 1007.25 General education courses; common prerequisites;
3352 other degree requirements.-

3353 (3) The chair of the State Board of Community Colleges
3354 ~~Education~~ and the chair of the Board of Governors, or their
3355 designees, shall jointly appoint faculty committees to identify
3356 statewide general education core course options. General
3357 education core course options shall consist of a maximum of five
3358 courses within each of the subject areas of communication,
3359 mathematics, social sciences, humanities, and natural sciences.
3360 The core courses may be revised, or the five-course maximum
3361 within each subject area may be exceeded, if approved by the
3362 State Board of Community Colleges ~~Education~~ and the Board of
3363 Governors, as recommended by the subject area faculty committee
3364 and approved by the Articulation Coordinating Committee as
3365 necessary for a subject area. Each general education core course
3366 option must contain high-level academic and critical thinking
3367 skills and common competencies that students must demonstrate to
3368 successfully complete the course. Beginning with students
3369 initially entering a Florida Community College System
3370 institution or state university in 2015-2016 and thereafter,
3371 each student must complete at least one identified core course
3372 in each subject area as part of the general education course
3373 requirements. All public postsecondary educational institutions
3374 shall accept these courses as meeting general education core



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3375 course requirements. The remaining general education course
3376 requirements shall be identified by each institution and
3377 reported to the department by their statewide course number. The
3378 general education core course options shall be adopted in rule
3379 by the State Board of Community Colleges ~~Education~~ and in
3380 regulation by the Board of Governors.

3381 (5) The department shall identify common prerequisite
3382 courses and course substitutions for degree programs across all
3383 institutions. Common degree program prerequisites shall be
3384 offered and accepted by all state universities and Florida
3385 Community College System institutions, except in cases approved
3386 by the State Board of Community Colleges, ~~Education~~ for Florida
3387 Community College System institutions, and the Board of
3388 Governors, for state universities. The department shall develop
3389 a centralized database containing the list of courses and course
3390 substitutions that meet the prerequisite requirements for each
3391 baccalaureate degree program.

3392 (8) A baccalaureate degree program shall require no more
3393 than 120 semester hours of college credit and include 36
3394 semester hours of general education coursework, unless prior
3395 approval has been granted by the Board of Governors for
3396 baccalaureate degree programs offered by state universities and
3397 by the State Board of Community Colleges ~~Education~~ for
3398 baccalaureate degree programs offered by Florida Community
3399 College System institutions.

3400 (9) A student who received an associate in arts degree for
3401 successfully completing 60 semester credit hours may continue to
3402 earn ~~additional~~ credits at a Florida Community College System
3403 institution. The university must provide credit toward the



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3404 student's baccalaureate degree for a ~~an additional~~ Florida
3405 Community College System institution course if, according to the
3406 statewide course numbering, the Florida Community College System
3407 institution course is a course listed in the university catalog
3408 as required for the degree or as prerequisite to a course
3409 required for the degree. Of the courses required for the degree,
3410 at least half of the credit hours required for the degree shall
3411 be achievable through courses designated as lower division,
3412 except in degree programs approved by the State Board of
3413 Community Colleges Education for programs offered by Florida
3414 Community College System institutions and by the Board of
3415 Governors for programs offered by state universities.

3416 (10) Students at state universities may request associate
3417 in arts certificates if they have successfully completed the
3418 minimum requirements for the degree of associate in arts (A.A.).
3419 The university must grant the student an associate in arts
3420 degree if the student has successfully completed minimum
3421 requirements for college-level communication and computation
3422 skills adopted by the State Board of Community Colleges
3423 ~~Education~~ and 60 academic semester hours or the equivalent
3424 within a degree program area, including 36 semester hours in
3425 general education courses in the subject areas of communication,
3426 mathematics, social sciences, humanities, and natural sciences,
3427 consistent with the general education requirements specified in
3428 the articulation agreement pursuant to s. 1007.23.

3429 (11) The Commissioner of Education and the Chancellor of
3430 the Florida Community College System shall jointly appoint
3431 faculty committees representing both Florida Community College
3432 System institution and public school faculties to recommend to



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3433 the commissioner, or the Chancellor of the Florida Community
3434 College System, as applicable, for approval by the State Board
3435 of Education and the State Board of Community Colleges, as
3436 applicable, a standard program length and appropriate
3437 occupational completion points for each postsecondary career
3438 certificate program, diploma, and degree offered by a school
3439 district or a Florida Community College System institution.

3440 Section 56. Section 1007.262, Florida Statutes, is amended
3441 to read:

3442 1007.262 Foreign language competence; equivalence
3443 determinations.—The Department of Education shall identify the
3444 competencies demonstrated by students upon the successful
3445 completion of 2 credits of sequential high school foreign
3446 language instruction. For the purpose of determining
3447 postsecondary equivalence, the State Board of Community Colleges
3448 ~~department~~ shall develop rules through which Florida Community
3449 College System institutions correlate such competencies to the
3450 competencies required of students in the colleges' respective
3451 courses. Based on this correlation, each Florida Community
3452 College System institution shall identify the minimum number of
3453 postsecondary credits that students must earn in order to
3454 demonstrate a level of competence in a foreign language at least
3455 equivalent to that of students who have completed 2 credits of
3456 such instruction in high school. The department may also specify
3457 alternative means by which students can demonstrate equivalent
3458 foreign language competence, including means by which a student
3459 whose native language is not English may demonstrate proficiency
3460 in the native language. A student who demonstrates proficiency
3461 in a native language other than English is exempt from a



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3462 requirement of completing foreign language courses at the
3463 secondary or Florida Community College System level.

3464 Section 57. Section 1007.263, Florida Statutes, is amended
3465 to read:

3466 1007.263 Florida Community College System institutions;
3467 admissions of students.—Each Florida Community College System
3468 institution board of trustees is authorized to adopt rules
3469 governing admissions of students subject to this section and
3470 rules of the State Board of Community Colleges ~~Education~~. These
3471 rules shall include the following:

3472 (1) Admissions counseling shall be provided to all students
3473 entering college or career credit programs. For students who are
3474 not otherwise exempt from testing under s. 1008.30, counseling
3475 must use tests to measure achievement of college-level
3476 communication and computation competencies by students entering
3477 college credit programs or tests to measure achievement of basic
3478 skills for career education programs as prescribed in s.
3479 1004.91. Counseling includes providing developmental education
3480 options for students whose assessment results, determined under
3481 s. 1008.30, indicate that they need to improve communication or
3482 computation skills that are essential to perform college-level
3483 work.

3484 (2) Admission to associate degree programs is subject to
3485 minimum standards adopted by the State Board of Community
3486 Colleges ~~Education~~ and shall require:

3487 (a) A standard high school diploma, a high school
3488 equivalency diploma as prescribed in s. 1003.435, previously
3489 demonstrated competency in college credit postsecondary
3490 coursework, or, in the case of a student who is home educated, a



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3491 signed affidavit submitted by the student's parent or legal
3492 guardian attesting that the student has completed a home
3493 education program pursuant to the requirements of s. 1002.41.
3494 Students who are enrolled in a dual enrollment or early
3495 admission program pursuant to s. 1007.271 are exempt from this
3496 requirement.

3497 (b) A demonstrated level of achievement of college-level
3498 communication and computation skills.

3499 (c) Any other requirements established by the board of
3500 trustees.

3501 (3) Admission to other programs within the Florida
3502 Community College System institution shall include education
3503 requirements as established by the board of trustees.

3504 (4) A student who has been awarded a certificate of
3505 completion under s. 1003.4282 is eligible to enroll in
3506 certificate career education programs.

3507 (5) A student with a documented disability may be eligible
3508 for reasonable substitutions, as prescribed in ss. 1007.264 and
3509 1007.265.

3510
3511 Each board of trustees shall establish policies that notify
3512 students about developmental education options for improving
3513 their communication or computation skills that are essential to
3514 performing college-level work, including tutoring, extended time
3515 in gateway courses, free online courses, adult basic education,
3516 adult secondary education, or private provider instruction.

3517 Section 58. Subsection (2) of section 1007.264, Florida
3518 Statutes, is amended to read:

3519 1007.264 Persons with disabilities; admission to



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3520 postsecondary educational institutions; substitute requirements;
3521 rules and regulations.-

3522 (2) The State Board of Community Colleges ~~Education~~, in
3523 consultation with the Board of Governors, shall adopt rules to
3524 implement this section for Florida Community College System
3525 institutions and shall develop substitute admission requirements
3526 where appropriate.

3527 Section 59. Subsections (2) and (3) of section 1007.265,
3528 Florida Statutes, are amended to read:

3529 1007.265 Persons with disabilities; graduation, study
3530 program admission, and upper-division entry; substitute
3531 requirements; rules and regulations.-

3532 (2) The State Board of Community Colleges ~~Education~~, in
3533 consultation with the Board of Governors, shall adopt rules to
3534 implement this section for Florida Community College System
3535 institutions and shall develop substitute requirements where
3536 appropriate.

3537 (3) The Board of Governors, in consultation with the State
3538 Board of Community Colleges ~~Education~~, shall adopt regulations
3539 to implement this section for state universities and shall
3540 develop substitute requirements where appropriate.

3541 Section 60. Subsections (3) and (22) of section 1007.271,
3542 Florida Statutes, are amended to read:

3543 1007.271 Dual enrollment programs.-

3544 (3) Student eligibility requirements for initial enrollment
3545 in college credit dual enrollment courses must include a 3.0
3546 unweighted high school grade point average and the minimum score
3547 on a common placement test adopted by the State Board of
3548 Education which indicates that the student is ready for college-



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3549 level coursework. Student eligibility requirements for continued
3550 enrollment in college credit dual enrollment courses must
3551 include the maintenance of a 3.0 unweighted high school grade
3552 point average and the minimum postsecondary grade point average
3553 established by the postsecondary institution. Regardless of
3554 meeting student eligibility requirements for continued
3555 enrollment, a student may lose the opportunity to participate in
3556 a dual enrollment course if the student is disruptive to the
3557 learning process such that the progress of other students or the
3558 efficient administration of the course is hindered. Student
3559 eligibility requirements for initial and continued enrollment in
3560 career certificate dual enrollment courses must include a 2.0
3561 unweighted high school grade point average. Exceptions to the
3562 required grade point averages may be granted on an individual
3563 student basis if the educational entities agree and the terms of
3564 the agreement are contained within the dual enrollment
3565 articulation agreement established pursuant to subsection (21).
3566 Florida Community College System institution boards of trustees
3567 may establish additional initial student eligibility
3568 requirements, which shall be included in the dual enrollment
3569 articulation agreement, to ensure student readiness for
3570 postsecondary instruction. Additional requirements included in
3571 the agreement may not arbitrarily prohibit students who have
3572 demonstrated the ability to master advanced courses from
3573 participating in dual enrollment courses.

3574 (22) The Department of Education shall develop an
3575 electronic submission system for dual enrollment articulation
3576 agreements and shall review, for compliance, each dual
3577 enrollment articulation agreement submitted pursuant to



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3578 subsections (13), (21), and (24). The Commissioner of Education
3579 shall notify the district school superintendent and the Florida
3580 Community College System institution president if the dual
3581 enrollment articulation agreement does not comply with statutory
3582 requirements and shall submit any dual enrollment articulation
3583 agreement with unresolved issues of noncompliance to the State
3584 Board of Education. The State Board of Education shall
3585 collaborate with the State Board of Community Colleges to
3586 resolve unresolved issues of noncompliance.

3587 Section 61. Subsection (6) of section 1007.273, Florida
3588 Statutes, is amended to read:

3589 1007.273 Collegiate high school program.—

3590 (6) The collegiate high school program shall be funded
3591 pursuant to ss. 1007.271 and 1011.62. The State Board of
3592 Education shall enforce compliance with this section by
3593 withholding the transfer of funds for the school districts ~~and~~
3594 ~~the Florida College System institutions~~ in accordance with s.
3595 1008.32. Annually by December 31, the State Board of Community
3596 Colleges shall enforce compliance with this section by
3597 withholding the transfer of funds for the Florida Community
3598 College System institutions in accordance with s. 1001.602.

3599 Section 62. Section 1007.33, Florida Statutes, is amended
3600 to read:

3601 1007.33 Site-determined baccalaureate degree access.—

3602 (1) (a) The Legislature recognizes that public and private
3603 postsecondary educational institutions play an essential role in
3604 improving the quality of life and economic well-being of the
3605 state and its residents. The Legislature also recognizes that
3606 economic development needs and the educational needs of place-



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3607 bound, nontraditional students have increased the demand for
3608 local access to baccalaureate degree programs. It is therefore
3609 the intent of the Legislature to further expand access to
3610 baccalaureate degree programs through the use of Florida
3611 Community College System institutions.

3612 (b) For purposes of this section, the term "district"
3613 refers to the county or counties served by a Florida Community
3614 College System institution pursuant to s. 1000.21(3).

3615 (2) Any Florida Community College System institution that
3616 offers one or more baccalaureate degree programs must:

3617 (a) Maintain as its primary mission:

3618 1. Responsibility for responding to community needs for
3619 postsecondary academic education and career degree education as
3620 prescribed in s. 1004.65(5).

3621 2. The provision of associate degrees that provide access
3622 to a university.

3623 (b) Maintain an open-door admission policy for associate-
3624 level degree programs and workforce education programs.

3625 (c) Continue to provide outreach to underserved
3626 populations.

3627 (d) Continue to provide remedial education pursuant to s.
3628 1008.30.

3629 (e) Comply with all provisions of the statewide
3630 articulation agreement which relate to 2-year and 4-year public
3631 degree-granting institutions as adopted by the State Board of
3632 Education or the State Board of Community Colleges, as
3633 applicable, pursuant to s. 1007.23.

3634 (f) Not award graduate credit.

3635 (g) Not participate in intercollegiate athletics beyond the



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3636 2-year level.

3637 (3) A Florida Community College System institution may not
3638 terminate its associate in arts or associate in science degree
3639 programs as a result of being authorized to offer one or more
3640 baccalaureate degree programs. The Legislature intends that the
3641 primary responsibility of a Florida Community College System
3642 institution, including a Florida Community College System
3643 institution that offers baccalaureate degree programs, continues
3644 to be the provision of associate degrees that provide access to
3645 a university.

3646 (4) A Florida Community College System institution may:

3647 (a) Offer specified baccalaureate degree programs through
3648 formal agreements between the Florida Community College System
3649 institution and other regionally accredited postsecondary
3650 educational institutions pursuant to s. 1007.22.

3651 (b) Offer baccalaureate degree programs that are ~~were~~
3652 authorized by law ~~prior to July 1, 2009.~~

3653 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~
3654 ~~baccalaureate degree program~~ for purposes of meeting district,
3655 regional, or statewide workforce needs if approved by the State
3656 Board of Community Colleges ~~Education~~ under this section.
3657 However, a Florida Community College System institution may not
3658 offer a bachelor of arts degree program.

3659
3660 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
3661 ~~College is authorized to establish one or more bachelor of~~
3662 ~~applied science degree programs based on an analysis of~~
3663 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
3664 ~~other counties approved by the Department of Education. For each~~



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3665 ~~program selected, St. Petersburg College must offer a related~~
3666 ~~associate in science or associate in applied science degree~~
3667 ~~program, and the baccalaureate degree level program must be~~
3668 ~~designed to articulate fully with at least one associate in~~
3669 ~~science degree program. The college is encouraged to develop~~
3670 ~~articulation agreements for enrollment of graduates of related~~
3671 ~~associate in applied science degree programs. The Board of~~
3672 ~~Trustees of St. Petersburg College is authorized to establish~~
3673 ~~additional baccalaureate degree programs if it determines a~~
3674 ~~program is warranted and feasible based on each of the factors~~
3675 ~~in paragraph (5)(d). However, the Board of Trustees of St.~~
3676 ~~Petersburg College may not establish any new baccalaureate~~
3677 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~
3678 ~~to developing or proposing a new baccalaureate degree program,~~
3679 ~~St. Petersburg College shall engage in need, demand, and impact~~
3680 ~~discussions with the state university in its service district~~
3681 ~~and other local and regional, accredited postsecondary providers~~
3682 ~~in its region. Documentation, data, and other information from~~
3683 ~~inter-institutional discussions regarding program need, demand,~~
3684 ~~and impact shall be provided to the college's board of trustees~~
3685 ~~to inform the program approval process. Employment at St.~~
3686 ~~Petersburg College is governed by the same laws that govern~~
3687 ~~Florida College System institutions, except that upper division~~
3688 ~~faculty are eligible for continuing contracts upon the~~
3689 ~~completion of the fifth year of teaching. Employee records for~~
3690 ~~all personnel shall be maintained as required by s. 1012.81.~~

3691 (5) The approval process for baccalaureate degree programs
3692 requires ~~shall require~~:

3693 (a) Each Florida Community College System institution to



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3694 submit a notice of interest at least 180 days before submitting
3695 a notice of ~~its~~ intent to propose a baccalaureate degree program
3696 to the Division of Florida Colleges at least 100 days before the
3697 submission of its proposal under paragraph (d). The notice of
3698 interest must be submitted into a shared postsecondary database
3699 that allows other postsecondary institutions to preview and
3700 provide feedback on the notice of interest. A written notice of
3701 intent must be submitted to the Chancellor of the Florida
3702 Community College System at least 100 days before the submission
3703 of a baccalaureate degree program proposal under paragraph (c).
3704 The notice of intent must include a brief description of the
3705 program, the workforce demand and unmet need for graduates of
3706 the program to include evidence from entities independent of the
3707 institution, the geographic region to be served, and an
3708 estimated timeframe for implementation. Notices of interest and
3709 intent may be submitted by a Florida Community College System
3710 institution at any time throughout the year. The notice of
3711 intent must also include evidence that the Florida Community
3712 College System institution engaged in need, demand, and impact
3713 discussions with the state university and other regionally
3714 accredited postsecondary education providers in its service
3715 district.

3716 (b) The Chancellor of the Florida Community College System
3717 Division of Florida Colleges to forward the notice of intent
3718 submitted pursuant to paragraph (a) and the justification for
3719 the proposed baccalaureate degree program required under
3720 paragraph (c) within 10 business days after receiving such
3721 notice and justification to the Chancellor of the State
3722 University System, the president of the Independent Colleges and



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3723 Universities of Florida, and the Executive Director of the
3724 Commission for Independent Education. State universities ~~shall~~
3725 have 60 days following receipt of the notice of intent and
3726 justification by the Chancellor of the State University System
3727 to submit an objection and a reason for the objection to the
3728 proposed baccalaureate degree program, which may include
3729 ~~objections to the proposed new program or submit~~ an alternative
3730 proposal to offer the baccalaureate degree program. The
3731 Chancellor of the State University System shall review the
3732 objection raised by a state university and inform the Board of
3733 Governors of the objection before a state university submits its
3734 objection to the Chancellor of the Florida Community College
3735 System. The Chancellor of the Florida Community College System
3736 must consult with the Chancellor of the State University System
3737 to consider the objection raised by the state university before
3738 the State Board of Community Colleges approves or denies a
3739 Florida Community College System institution's proposal
3740 submitted pursuant to paragraph (c). ~~If a proposal from a state~~
3741 ~~university is not received within the 60-day period,~~ The
3742 Chancellor of the Florida Community College System ~~State Board~~
3743 ~~of Education~~ shall also provide regionally accredited private
3744 colleges and universities 60 ~~30~~ days to submit an objection and
3745 a reason for the objection to the proposed baccalaureate degree
3746 program, which may include an alternative proposal to offer a
3747 baccalaureate degree program ~~objections to the proposed new~~
3748 ~~program or submit an alternative proposal.~~ Objections by a
3749 regionally accredited private college or university ~~or~~
3750 ~~alternative proposals~~ shall be submitted to the Chancellor of
3751 the Florida Community College System, and the state board must



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3752 ~~consider such objections before Division of Florida Colleges and~~
3753 ~~must be considered by the State Board of Education in making its~~
3754 ~~decision to approve or deny a Florida Community College System~~
3755 ~~institution's proposal submitted pursuant to paragraph (c).~~

3756 ~~(c) An alternative proposal submitted by a state university~~
3757 ~~or private college or university to adequately address:~~

3758 ~~1. The extent to which the workforce demand and unmet need~~
3759 ~~described in the notice of intent will be met.~~

3760 ~~2. The extent to which students will be able to complete~~
3761 ~~the degree in the geographic region proposed to be served by the~~
3762 ~~Florida College System institution.~~

3763 ~~3. The level of financial commitment of the college or~~
3764 ~~university to the development, implementation, and maintenance~~
3765 ~~of the specified degree program, including timelines.~~

3766 ~~4. The extent to which faculty at both the Florida College~~
3767 ~~System institution and the college or university will~~
3768 ~~collaborate in the development and offering of the curriculum.~~

3769 ~~5. The ability of the Florida College System institution~~
3770 ~~and the college or university to develop and approve the~~
3771 ~~curriculum for the specified degree program within 6 months~~
3772 ~~after an agreement between the Florida College System~~
3773 ~~institution and the college or university is signed.~~

3774 ~~6. The extent to which the student may incur additional~~
3775 ~~costs above what the student would expect to incur if the~~
3776 ~~program were offered by the Florida College System institution.~~

3777 ~~(c) (d) Each Florida Community College System institution to~~
3778 ~~submit a baccalaureate degree program proposal at least 100 days~~
3779 ~~after submitting the notice of intent. Each proposal must~~
3780 ~~submitted by a Florida College System institution to, at a~~



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3781 minimum, include:

3782 1. A description of the planning process and timeline for
3783 implementation.

3784 2. A justification for the proposed baccalaureate degree
3785 program, including, at a minimum, a data-driven ~~An~~ analysis of
3786 workforce demand and unmet need for graduates of the program on
3787 a district, regional, or statewide basis, as appropriate, and
3788 the extent to which the proposed program will meet the workforce
3789 demand and unmet need. The analysis must include workforce and
3790 employment data for the most recent years and projections by the
3791 Department of Economic Opportunity for future years, and a
3792 summary of degree programs similar to the proposed degree
3793 program which are currently offered by state universities or by
3794 independent nonprofit colleges or universities that are eligible
3795 to participate in a grant program pursuant to s. 1009.89 and
3796 which are located in the Florida Community College System
3797 institution's regional service area. The analysis and evidence
3798 must be verified by the Chancellor of the Florida Community
3799 College System ~~including evidence from entities independent of~~
3800 the institution.

3801 3. Identification of the facilities, equipment, and library
3802 and academic resources that will be used to deliver the program.

3803 4. The program cost analysis of creating a new
3804 baccalaureate degree when compared to ~~alternative proposals and~~
3805 other program delivery options.

3806 5. The program's admission requirements, academic content,
3807 curriculum, faculty credentials, student-to-teacher ratios, and
3808 accreditation plan.

3809 6. The program's student enrollment ~~projections~~ and funding



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3810 requirements, including:
3811 a. The impact of the program's enrollment projections on
3812 compliance with the upper-level enrollment provisions under
3813 subsection (6); and
3814 b. The institution's efforts to sustain the program at the
3815 cost of tuition and fees for students who are classified as
3816 residents for tuition purposes under s. 1009.21, not to exceed
3817 \$10,000 for the entire degree program, including flexible
3818 tuition and fee rates, and the use of waivers pursuant to s.
3819 1009.26(11).
3820 7. A plan of action if the program is terminated.
3821 (d) ~~(e)~~ The State Board of Community ~~Division of Florida~~
3822 Colleges to review the proposal, notify the Florida Community
3823 College System institution of any deficiencies in writing within
3824 30 days following receipt of the proposal, and provide the
3825 Florida Community College System institution with an opportunity
3826 to correct the deficiencies. Within 45 days following receipt of
3827 a completed proposal by the State Board of Community ~~Division of~~
3828 ~~Florida~~ Colleges, the Chancellor of the Florida Community
3829 College System ~~Commissioner of Education~~ shall recommend
3830 approval or disapproval of the proposal to the State Board of
3831 Community Colleges ~~Education~~. The State Board of Community
3832 Colleges ~~Education~~ shall consider such recommendation, the
3833 proposal, input from the Chancellor of the State University
3834 System and the president of the Independent Colleges and
3835 Universities of Florida, and any objections or alternative
3836 proposals at its next meeting. If the State Board of Community
3837 Colleges ~~Education~~ disapproves the Florida Community College
3838 System institution's proposal, it shall provide the Florida



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3839 Community College System institution with written reasons for
3840 that determination.

3841 (e) ~~(f)~~ The Florida Community College System institution to
3842 obtain from the Commission on Colleges of the Southern
3843 Association of Colleges and Schools accreditation as a
3844 baccalaureate-degree-granting institution if approved by the
3845 State Board of Community Colleges Education to offer its first
3846 baccalaureate degree program.

3847 (f) ~~(g)~~ The Florida Community College System institution to
3848 notify the Commission on Colleges of the Southern Association of
3849 Colleges and Schools of subsequent degree programs that are
3850 approved by the State Board of Community Colleges Education and
3851 to comply with the association's required substantive change
3852 protocols for accreditation purposes.

3853 (g) ~~(h)~~ The Florida Community College System institution to
3854 annually report to the State Board of Community Colleges, the
3855 Chancellor of the State University System, and upon request of
3856 ~~the State Board of Education, the Commissioner of Education, the~~
3857 ~~Chancellor of the Florida College System, or the Legislature,~~
3858 ~~report~~ its status using the following performance and compliance
3859 indicators:

- 3860 1. Obtaining and maintaining appropriate Southern
3861 Association of Colleges and Schools accreditation;
- 3862 2. Maintaining qualified faculty and institutional
3863 resources;
- 3864 3. Maintaining student enrollment in previously approved
3865 programs;
- 3866 4. Managing fiscal resources appropriately;
- 3867 5. Complying with the primary mission and responsibility



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3868 requirements in subsections (2) and (3); ~~and~~
3869 6. Other indicators of success, including program
3870 completions, employment and earnings outcomes, student
3871 acceptance into and performance in graduate programs placements,
3872 and surveys of graduates and employers;
3873 7. Continuing to meet workforce demand, as provided in
3874 subparagraph (c)2., as demonstrated through a data-driven needs
3875 assessment by the Florida Community College System institution
3876 which is verified by more than one third-party professional
3877 entity that is independent of the institution; and
3878 8. Complying with the upper-level enrollment provisions
3879 under subsection (6).
3880
3881 The State Board of Community Colleges Education, upon annual
3882 review of the baccalaureate degree program performance and
3883 compliance indicators and needs assessment, may require a
3884 Florida Community College System institution's board of trustees
3885 to modify or terminate a baccalaureate degree program authorized
3886 under this section. If the annual review indicates negative
3887 program performance and compliance results, and if the needs
3888 assessment fails to demonstrate a need for the program, the
3889 State Board of Community Colleges must require a Florida
3890 Community College System institution's board of trustees to
3891 terminate that baccalaureate degree program.
3892 (6) (a) If the 2015-2016 total upper-level, undergraduate
3893 full-time equivalent enrollment at a Florida Community College
3894 System institution is at or above 10 percent of the 2015-2016
3895 combined total lower-level and upper-level full-time equivalent
3896 enrollment at that institution, the total upper-level



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3897 enrollment, as a percentage of the combined enrollment, may not
3898 increase by more than 4 percentage points unless the institution
3899 obtains prior legislative approval.

3900 (b) If the 2015-2016 total upper-level, undergraduate full-
3901 time equivalent enrollment at a Florida Community College System
3902 institution is below 10 percent of the 2015-2016 combined total
3903 lower-level and upper-level full-time equivalent enrollment at
3904 that institution, the total upper-level enrollment, as a
3905 percentage of the combined enrollment, may not increase by more
3906 than 8 percentage points unless the institution obtains prior
3907 legislative approval.

3908 (c) Notwithstanding enrollment provisions in paragraphs (a)
3909 and (b), the upper-level, undergraduate full-time equivalent
3910 enrollment at a Florida Community College System institution may
3911 not exceed 15 percent of the combined total lower-level and
3912 upper-level full-time equivalent enrollment at that institution.

3913 (d) Within the 4 percent or 8 percent growth authorized
3914 under paragraph (a) or paragraph (b), for any planned and
3915 purposeful expansion of existing baccalaureate degree programs
3916 or creation of a new baccalaureate program, a community college
3917 must demonstrate satisfactory performance in fulfilling its
3918 primary mission pursuant to s. 1004.65, executing at least one
3919 "2+2" targeted pathway articulation agreement pursuant to s.
3920 1007.23, and meeting or exceeding the performance standards
3921 related to on-time completion and graduation rates under s.
3922 1001.66 for students earning associate of arts or baccalaureate
3923 degrees. The State Board of Community Colleges may not approve a
3924 new baccalaureate degree program proposal for a community
3925 college that does not meet the conditions specified in this



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3926 subsection in addition to the other requirements for approval
3927 under this section. Each community college that offers a
3928 baccalaureate degree must annually review each baccalaureate
3929 degree program and annually report to the State Board of
3930 Community Colleges, in a format prescribed by the state board,
3931 current and projected student enrollment for such program,
3932 justification for continuation of each baccalaureate degree
3933 program, and a plan to comply with the upper-level enrollment
3934 provisions of this subsection. A Florida Community College
3935 System institution that does not comply with the requirements of
3936 this section is subject to s. 1001.602(9) and may not report for
3937 funding, the upper-level, undergraduate full-time equivalent
3938 enrollment that exceeds the upper-level enrollment percent
3939 provision of this subsection.

3940 (7) ~~(6)~~ The State Board of Community Colleges Education
3941 shall adopt rules to prescribe format and content requirements
3942 and submission procedures for notices of interest and intent,
3943 baccalaureate degree program proposals, objections alternative
3944 proposals, and compliance reviews under subsection (5).

3945 Section 63. Paragraphs (d) and (e) of subsection (1) and
3946 paragraphs (a) and (c) of subsection (3) of section 1008.31,
3947 Florida Statutes, are amended to read:

3948 1008.31 Florida's K-20 education performance accountability
3949 system; legislative intent; mission, goals, and systemwide
3950 measures; data quality improvements.-

3951 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
3952 that:

3953 (d) The State Board of Education, ~~and~~ the Board of
3954 Governors of the State University System, and the State Board of



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3955 Community Colleges of the Florida Community College System
3956 recommend to the Legislature systemwide performance standards;
3957 the Legislature establish systemwide performance measures and
3958 standards; and the systemwide measures and standards provide
3959 Floridians with information on what the public is receiving in
3960 return for the funds it invests in education and how well the K-
3961 20 system educates its students.

3962 (e)1. The State Board of Education establish performance
3963 measures and set performance standards for individual public
3964 schools ~~and Florida College System institutions~~, with measures
3965 and standards based primarily on student achievement.

3966 2. The Board of Governors of the State University System
3967 establish performance measures and set performance standards for
3968 individual state universities, including actual completion
3969 rates.

3970 3. The State Board of Community Colleges establish
3971 performance measures and set performance standards for
3972 individual Florida Community College System institutions.

3973 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
3974 data required to implement education performance accountability
3975 measures in state and federal law, the Commissioner of Education
3976 shall initiate and maintain strategies to improve data quality
3977 and timeliness. The Board of Governors shall make available to
3978 the department all data within the State University Database
3979 System to be integrated into the K-20 data warehouse. The
3980 commissioner shall have unlimited access to such data for the
3981 purposes of conducting studies, reporting annual and
3982 longitudinal student outcomes, and improving college readiness
3983 and articulation. All public educational institutions shall



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3984 annually provide data from the prior year to the K-20 data
3985 warehouse in a format based on data elements identified by the
3986 commissioner.

3987 (a) School districts and public postsecondary educational
3988 institutions shall maintain information systems that will
3989 provide the State Board of Education, the Board of Governors of
3990 the State University System, the State Board of Community
3991 Colleges of the Florida Community College System, and the
3992 Legislature with information and reports necessary to address
3993 the specifications of the accountability system. The level of
3994 comprehensiveness and quality must be no less than that which
3995 was available as of June 30, 2001.

3996 (c) The Commissioner of Education shall determine the
3997 standards for the required data, monitor data quality, and
3998 measure improvements. The commissioner shall report annually to
3999 the State Board of Education, the Board of Governors of the
4000 State University System, the State Board of Community Colleges
4001 of the Florida Community College System, the President of the
4002 Senate, and the Speaker of the House of Representatives data
4003 quality indicators and ratings for all school districts and
4004 public postsecondary educational institutions.

4005 Section 64. Section 1008.32, Florida Statutes, is amended
4006 to read:

4007 1008.32 State Board of Education oversight enforcement
4008 authority.—The State Board of Education shall oversee the
4009 performance of district school boards ~~and Florida College System~~
4010 ~~institution boards of trustees~~ in enforcement of all laws and
4011 rules. District school boards ~~and Florida College System~~
4012 ~~institution boards of trustees~~ shall be primarily responsible



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4013 for compliance with law and state board rule.

4014 (1) In order to ensure compliance with law or state board
4015 rule, the State Board of Education shall have the authority to
4016 request and receive information, data, and reports from school
4017 districts ~~and Florida College System institutions~~. District
4018 school superintendents ~~and Florida College System institution~~
4019 ~~presidents~~ are responsible for the accuracy of the information
4020 and data reported to the state board.

4021 (2) The Commissioner of Education may investigate
4022 allegations of noncompliance with law or state board rule and
4023 determine probable cause. The commissioner shall report
4024 determinations of probable cause to the State Board of Education
4025 which shall require the district school board ~~or Florida College~~
4026 ~~System institution board of trustees~~ to document compliance with
4027 law or state board rule.

4028 (3) If the district school board ~~or Florida College System~~
4029 ~~institution board of trustees~~ cannot satisfactorily document
4030 compliance, the State Board of Education may order compliance
4031 within a specified timeframe.

4032 (4) If the State Board of Education determines that a
4033 district school board ~~or Florida College System institution~~
4034 ~~board of trustees~~ is unwilling or unable to comply with law or
4035 state board rule within the specified time, the state board
4036 shall have the authority to initiate any of the following
4037 actions:

4038 (a) Report to the Legislature that the school district ~~or~~
4039 ~~Florida College System institution~~ is unwilling or unable to
4040 comply with law or state board rule and recommend action to be
4041 taken by the Legislature.



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4042 (b) Withhold the transfer of state funds, discretionary
4043 grant funds, discretionary lottery funds, or any other funds
4044 specified as eligible for this purpose by the Legislature until
4045 the school district ~~or Florida College System~~ institution
4046 complies with the law or state board rule.

4047 (c) Declare the school district ~~or Florida College System~~
4048 ~~institution~~ ineligible for competitive grants.

4049 (d) Require monthly or periodic reporting on the situation
4050 related to noncompliance until it is remedied.

4051 (5) Nothing in this section shall be construed to create a
4052 private cause of action or create any rights for individuals or
4053 entities in addition to those provided elsewhere in law or rule.

4054 Section 65. Paragraphs (e) and (f) of subsection (7) of
4055 section 1008.345, Florida Statutes, are amended to read:

4056 1008.345 Implementation of state system of school
4057 improvement and education accountability.—

4058 (7) As a part of the system of educational accountability,
4059 the Department of Education shall:

4060 (e) Maintain a listing of college-level communication and
4061 mathematics skills associated with successful student
4062 performance through the baccalaureate level and submit it to the
4063 State Board of Education, ~~and~~ the Board of Governors, and the
4064 State Board of Community Colleges for approval.

4065 (f) Perform any other functions that may be involved in
4066 educational planning, research, and evaluation or that may be
4067 required by the commissioner, the State Board of Education, the
4068 State Board of Community Colleges, the Board of Governors, or
4069 law.

4070 Section 66. Subsections (1) and (2) of section 1008.37,



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4071 Florida Statutes, are amended to read:

4072 1008.37 Postsecondary feedback of information to high
4073 schools.—

4074 (1) The Commissioner of Education shall report to the State
4075 Board of Education, the Board of Governors, the State Board of
4076 Community Colleges, the Legislature, and the district school
4077 boards on the performance of each first-time-in-postsecondary
4078 education student from each public high school in this state who
4079 is enrolled in a public postsecondary institution or public
4080 career center. Such reports must be based on information
4081 databases maintained by the Department of Education. In
4082 addition, the public postsecondary educational institutions and
4083 career centers shall provide district school boards access to
4084 information on student performance in regular and preparatory
4085 courses and shall indicate students referred for remediation
4086 pursuant to s. 1004.91 or s. 1008.30.

4087 (2) The Commissioner of Education shall report, by high
4088 school, to the State Board of Education, the Board of Governors,
4089 the State Board of Community Colleges, and the Legislature, no
4090 later than November 30 of each year, on the number of prior year
4091 Florida high school graduates who enrolled for the first time in
4092 public postsecondary education in this state during the previous
4093 summer, fall, or spring term, indicating the number of students
4094 whose scores on the common placement test indicated the need for
4095 developmental education under s. 1008.30 or for applied
4096 academics for adult education under s. 1004.91.

4097 Section 67. Section 1008.38, Florida Statutes, is amended
4098 to read:

4099 1008.38 Articulation accountability process.—The State



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4100 Board of Education, in conjunction with the Board of Governors
4101 and the State Board of Community Colleges, shall develop
4102 articulation accountability measures which assess the status of
4103 systemwide articulation processes authorized under s. 1007.23
4104 and establish an articulation accountability process which at a
4105 minimum shall address:

4106 (1) The impact of articulation processes on ensuring
4107 educational continuity and the orderly and unobstructed
4108 transition of students between public secondary and
4109 postsecondary education systems and facilitating the transition
4110 of students between the public and private sectors.

4111 (2) The adequacy of preparation of public secondary
4112 students to smoothly articulate to a public postsecondary
4113 institution.

4114 (3) The effectiveness of articulated acceleration
4115 mechanisms available to secondary students.

4116 (4) The smooth transfer of Florida Community College System
4117 associate degree graduates to a Florida Community College System
4118 institution or a state university.

4119 (5) An examination of degree requirements that exceed the
4120 parameters of 60 credit hours for an associate degree and 120
4121 hours for a baccalaureate degree in public postsecondary
4122 programs.

4123 (6) The relationship between student attainment of college-
4124 level academic skills and articulation to the upper division in
4125 public postsecondary institutions.

4126 Section 68. Section 1008.405, Florida Statutes, is amended
4127 to read:

4128 1008.405 Adult student information.—Each school district



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4129 and Florida Community College System institution shall maintain
4130 sufficient information for each student enrolled in workforce
4131 education to allow local and state administrators to locate such
4132 student upon the termination of instruction and to determine the
4133 appropriateness of student placement in specific instructional
4134 programs. The State Board of Education and the State Board of
4135 Community Colleges shall adopt, by rule, specific information
4136 that must be maintained and acceptable means of maintaining that
4137 information.

4138 Section 69. Subsection (2) of section 1008.44, Florida
4139 Statutes, is amended to read:

4140 1008.44 CAPE Industry Certification Funding List and CAPE
4141 Postsecondary Industry Certification Funding List.—

4142 (2) The State Board of Education, for school districts, and
4143 the State Board of Community Colleges, for Florida Community
4144 College System institutions, shall collaborate to approve, at
4145 least annually, the CAPE Postsecondary Industry Certification
4146 Funding List pursuant to this section. The Commissioner of
4147 Education and the Chancellor of the Florida Community College
4148 System shall recommend, at least annually, the CAPE
4149 Postsecondary Industry Certification Funding List to the State
4150 Board of Education and the State Board of Community Colleges,
4151 respectively, and may at any time recommend adding
4152 certifications. The Chancellor of the State University System,
4153 the Chancellor of the Florida Community College System, and the
4154 Chancellor of Career and Adult Education shall work with local
4155 workforce boards, other postsecondary institutions, businesses,
4156 and industry to identify, create, and recommend to the
4157 Commissioner of Education industry certifications to be placed



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4158 on the funding list. The list shall be used to determine annual
4159 performance funding distributions to school districts or Florida
4160 Community College System institutions as specified in ss.
4161 1011.80 and 1011.81, respectively. The chancellors shall review
4162 results of the economic security report of employment and
4163 earning outcomes produced annually pursuant to s. 445.07 when
4164 determining recommended certifications for the list, as well as
4165 other reports and indicators available regarding certification
4166 needs.

4167 Section 70. Section 1008.45, Florida Statutes, is amended
4168 to read:

4169 1008.45 Florida Community College System institution
4170 accountability process.—

4171 (1) It is the intent of the Legislature that a management
4172 and accountability process be implemented which provides for the
4173 systematic, ongoing improvement and assessment of the
4174 improvement of the quality and efficiency of the Florida
4175 Community College System institutions. Accordingly, the State
4176 Board of Community Colleges ~~Education~~ and the Florida Community
4177 College System institution boards of trustees shall develop and
4178 implement an accountability plan to improve and evaluate the
4179 instructional and administrative efficiency and effectiveness of
4180 the Florida Community College System. This plan shall be
4181 designed in consultation with staff of the Governor and the
4182 Legislature and must address the following issues:

4183 (a) Graduation rates of A.A. and A.S. degree-seeking
4184 students compared to first-time-enrolled students seeking the
4185 associate degree.

4186 (b) Minority student enrollment and retention rates.



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4187 (c) Student performance, including student performance in
4188 college-level academic skills, mean grade point averages for
4189 Florida Community College System institution A.A. transfer
4190 students, and Florida Community College System institution
4191 student performance on state licensure examinations.

4192 (d) Job placement rates of Florida Community College System
4193 institution career students.

4194 (e) Student progression by admission status and program.

4195 (f) Career accountability standards identified in s.
4196 1008.42.

4197 (g) Institutional assessment efforts related to the
4198 requirements of s. III in the Criteria for Accreditation of the
4199 Commission on Colleges of the Southern Association of Colleges
4200 and Schools.

4201 (h) Other measures approved by the State Board of Community
4202 Colleges Education.

4203 (2) The State Board of Community Colleges Education shall
4204 submit an annual report, to coincide with the submission of the
4205 state board's ~~agency~~ strategic plan required by law, providing
4206 the results of initiatives taken during the prior year and the
4207 initiatives and related objective performance measures proposed
4208 for the next year.

4209 (3) The State Board of Community Colleges Education shall
4210 address within the annual evaluation of the performance of the
4211 chancellor ~~executive director~~, and the Florida Community College
4212 System institution boards of trustees shall address within the
4213 annual evaluation of the presidents, the achievement of the
4214 performance goals established by the accountability process.

4215 Section 71. Section 1009.21, Florida Statutes, is amended



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4216 to read:

4217 1009.21 Determination of resident status for tuition
4218 purposes.—Students shall be classified as residents or
4219 nonresidents for the purpose of assessing tuition in
4220 postsecondary educational programs offered by charter technical
4221 career centers or career centers operated by school districts,
4222 in Florida Community College System institutions, and in state
4223 universities.

4224 (1) As used in this section, the term:

4225 (a) "Dependent child" means any person, whether or not
4226 living with his or her parent, who is eligible to be claimed by
4227 his or her parent as a dependent under the federal income tax
4228 code.

4229 (b) "Initial enrollment" means the first day of class at an
4230 institution of higher education.

4231 (c) "Institution of higher education" means any charter
4232 technical career center as defined in s. 1002.34, career center
4233 operated by a school district as defined in s. 1001.44, Florida
4234 Community College System institution as defined in s.

4235 1000.21(3), or state university as defined in s. 1000.21(6).

4236 (d) "Legal resident" or "resident" means a person who has
4237 maintained his or her residence in this state for the preceding
4238 year, has purchased a home which is occupied by him or her as
4239 his or her residence, or has established a domicile in this
4240 state pursuant to s. 222.17.

4241 (e) "Nonresident for tuition purposes" means a person who
4242 does not qualify for the in-state tuition rate.

4243 (f) "Parent" means either or both parents of a student, any
4244 guardian of a student, or any person in a parental relationship



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4245 to a student.

4246 (g) "Resident for tuition purposes" means a person who
4247 qualifies as provided in this section for the in-state tuition
4248 rate.

4249 (2) (a) To qualify as a resident for tuition purposes:

4250 1. A person or, if that person is a dependent child, his or
4251 her parent or parents must have established legal residence in
4252 this state and must have maintained legal residence in this
4253 state for at least 12 consecutive months immediately prior to
4254 his or her initial enrollment in an institution of higher
4255 education.

4256 2. Every applicant for admission to an institution of
4257 higher education shall be required to make a statement as to his
4258 or her length of residence in the state and, further, shall
4259 establish that his or her presence or, if the applicant is a
4260 dependent child, the presence of his or her parent or parents in
4261 the state currently is, and during the requisite 12-month
4262 qualifying period was, for the purpose of maintaining a bona
4263 fide domicile, rather than for the purpose of maintaining a mere
4264 temporary residence or abode incident to enrollment in an
4265 institution of higher education.

4266 (b) However, with respect to a dependent child living with
4267 an adult relative other than the child's parent, such child may
4268 qualify as a resident for tuition purposes if the adult relative
4269 is a legal resident who has maintained legal residence in this
4270 state for at least 12 consecutive months immediately before the
4271 child's initial enrollment in an institution of higher
4272 education, provided the child has resided continuously with such
4273 relative for the 3 years immediately before the child's initial



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4274 enrollment in an institution of higher education, during which
4275 time the adult relative has exercised day-to-day care,
4276 supervision, and control of the child.

4277 (c) The legal residence of a dependent child whose parents
4278 are divorced, separated, or otherwise living apart will be
4279 deemed to be this state if either parent is a legal resident of
4280 this state, regardless of which parent is entitled to claim, and
4281 does in fact claim, the minor as a dependent pursuant to federal
4282 individual income tax provisions.

4283 (d) A dependent child who is a United States citizen may
4284 not be denied classification as a resident for tuition purposes
4285 based solely upon the immigration status of his or her parent.

4286 (3) (a) An individual shall not be classified as a resident
4287 for tuition purposes and, thus, shall not be eligible to receive
4288 the in-state tuition rate until he or she has provided such
4289 evidence related to legal residence and its duration or, if that
4290 individual is a dependent child, evidence of his or her parent's
4291 legal residence and its duration, as may be required by law and
4292 by officials of the institution of higher education from which
4293 he or she seeks the in-state tuition rate.

4294 (b) Except as otherwise provided in this section, evidence
4295 of legal residence and its duration shall include clear and
4296 convincing documentation that residency in this state was for a
4297 minimum of 12 consecutive months prior to a student's initial
4298 enrollment in an institution of higher education.

4299 (c) Each institution of higher education shall
4300 affirmatively determine that an applicant who has been granted
4301 admission to that institution as a Florida resident meets the
4302 residency requirements of this section at the time of initial



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4303 enrollment. The residency determination must be documented by
4304 the submission of written or electronic verification that
4305 includes two or more of the documents identified in this
4306 paragraph. No single piece of evidence shall be conclusive.
4307 1. The documents must include at least one of the
4308 following:
4309 a. A Florida voter's registration card.
4310 b. A Florida driver license.
4311 c. A State of Florida identification card.
4312 d. A Florida vehicle registration.
4313 e. Proof of a permanent home in Florida which is occupied
4314 as a primary residence by the individual or by the individual's
4315 parent if the individual is a dependent child.
4316 f. Proof of a homestead exemption in Florida.
4317 g. Transcripts from a Florida high school for multiple
4318 years if the Florida high school diploma or high school
4319 equivalency diploma was earned within the last 12 months.
4320 h. Proof of permanent full-time employment in Florida for
4321 at least 30 hours per week for a 12-month period.
4322 2. The documents may include one or more of the following:
4323 a. A declaration of domicile in Florida.
4324 b. A Florida professional or occupational license.
4325 c. Florida incorporation.
4326 d. A document evidencing family ties in Florida.
4327 e. Proof of membership in a Florida-based charitable or
4328 professional organization.
4329 f. Any other documentation that supports the student's
4330 request for resident status, including, but not limited to,
4331 utility bills and proof of 12 consecutive months of payments; a



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4332 lease agreement and proof of 12 consecutive months of payments;
4333 or an official state, federal, or court document evidencing
4334 legal ties to Florida.

4335 (4) With respect to a dependent child, the legal residence
4336 of the dependent child's parent or parents is prima facie
4337 evidence of the dependent child's legal residence, which
4338 evidence may be reinforced or rebutted, relative to the age and
4339 general circumstances of the dependent child, by the other
4340 evidence of legal residence required of or presented by the
4341 dependent child. However, the legal residence of a dependent
4342 child's parent or parents who are domiciled outside this state
4343 is not prima facie evidence of the dependent child's legal
4344 residence if that dependent child has lived in this state for 5
4345 consecutive years prior to enrolling or reregistering at the
4346 institution of higher education at which resident status for
4347 tuition purposes is sought.

4348 (5) A person who physically resides in this state may be
4349 classified as a resident for tuition purposes if he or she
4350 marries a person who meets the 12-month residency requirement
4351 under subsection (2) and who is a legal resident of this state.

4352 (6) (a) Except as otherwise provided in this section, a
4353 person who is classified as a nonresident for tuition purposes
4354 may become eligible for reclassification as a resident for
4355 tuition purposes if that person or, if that person is a
4356 dependent child, his or her parent presents clear and convincing
4357 documentation that supports permanent legal residency in this
4358 state for at least 12 consecutive months rather than temporary
4359 residency for the purpose of pursuing an education, such as
4360 documentation of full-time permanent employment for the prior 12



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4361 months or the purchase of a home in this state and residence
4362 therein for the prior 12 months while not enrolled in an
4363 institution of higher education.

4364 (b) If a person who is a dependent child and his or her
4365 parent move to this state while such child is a high school
4366 student and the child graduates from a high school in this
4367 state, the child may become eligible for reclassification as a
4368 resident for tuition purposes when the parent submits evidence
4369 that the parent qualifies for permanent residency.

4370 (c) If a person who is a dependent child and his or her
4371 parent move to this state after such child graduates from high
4372 school, the child may become eligible for reclassification as a
4373 resident for tuition purposes after the parent submits evidence
4374 that he or she has established legal residence in the state and
4375 has maintained legal residence in the state for at least 12
4376 consecutive months.

4377 (d) A person who is classified as a nonresident for tuition
4378 purposes and who marries a legal resident of the state or
4379 marries a person who becomes a legal resident of the state may,
4380 upon becoming a legal resident of the state, become eligible for
4381 reclassification as a resident for tuition purposes upon
4382 submitting evidence of his or her own legal residency in the
4383 state, evidence of his or her marriage to a person who is a
4384 legal resident of the state, and evidence of the spouse's legal
4385 residence in the state for at least 12 consecutive months
4386 immediately preceding the application for reclassification.

4387 (7) A person shall not lose his or her resident status for
4388 tuition purposes solely by reason of serving, or, if such person
4389 is a dependent child, by reason of his or her parent's or



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4390 parents' serving, in the Armed Forces outside this state.

4391 (8) A person who has been properly classified as a resident
4392 for tuition purposes but who, while enrolled in an institution
4393 of higher education in this state, loses his or her resident
4394 tuition status because the person or, if he or she is a
4395 dependent child, the person's parent or parents establish
4396 domicile or legal residence elsewhere shall continue to enjoy
4397 the in-state tuition rate for a statutory grace period, which
4398 period shall be measured from the date on which the
4399 circumstances arose that culminated in the loss of resident
4400 tuition status and shall continue for 12 months. However, if the
4401 12-month grace period ends during a semester or academic term
4402 for which such former resident is enrolled, such grace period
4403 shall be extended to the end of that semester or academic term.

4404 (9) Any person who ceases to be enrolled at or who
4405 graduates from an institution of higher education while
4406 classified as a resident for tuition purposes and who
4407 subsequently abandons his or her domicile in this state shall be
4408 permitted to reenroll at an institution of higher education in
4409 this state as a resident for tuition purposes without the
4410 necessity of meeting the 12-month durational requirement of this
4411 section if that person has reestablished his or her domicile in
4412 this state within 12 months of such abandonment and continuously
4413 maintains the reestablished domicile during the period of
4414 enrollment. The benefit of this subsection shall not be accorded
4415 more than once to any one person.

4416 (10) The following persons shall be classified as residents
4417 for tuition purposes:

4418 (a) Active duty members of the Armed Services of the United



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4419 States residing or stationed in this state, their spouses, and
4420 dependent children, and active drilling members of the Florida
4421 National Guard.

4422 (b) Active duty members of the Armed Services of the United
4423 States and their spouses and dependents attending a Florida
4424 Community College System institution or state university within
4425 50 miles of the military establishment where they are stationed,
4426 if such military establishment is within a county contiguous to
4427 Florida.

4428 (c) United States citizens living on the Isthmus of Panama,
4429 who have completed 12 consecutive months of college work at the
4430 Florida State University Panama Canal Branch, and their spouses
4431 and dependent children.

4432 (d) Full-time instructional and administrative personnel
4433 employed by state public schools and institutions of higher
4434 education and their spouses and dependent children.

4435 (e) Students from Latin America and the Caribbean who
4436 receive scholarships from the federal or state government. Any
4437 student classified pursuant to this paragraph shall attend, on a
4438 full-time basis, a Florida institution of higher education.

4439 (f) Southern Regional Education Board's Academic Common
4440 Market graduate students attending Florida's state universities.

4441 (g) Full-time employees of state agencies or political
4442 subdivisions of the state when the student fees are paid by the
4443 state agency or political subdivision for the purpose of job-
4444 related law enforcement or corrections training.

4445 (h) McKnight Doctoral Fellows and Finalists who are United
4446 States citizens.

4447 (i) United States citizens living outside the United States



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4448 who are teaching at a Department of Defense Dependent School or
4449 in an American International School and who enroll in a graduate
4450 level education program which leads to a Florida teaching
4451 certificate.

4452 (j) Active duty members of the Canadian military residing
4453 or stationed in this state under the North American Air Defense
4454 (NORAD) agreement, and their spouses and dependent children,
4455 attending a Florida Community College System institution or
4456 state university within 50 miles of the military establishment
4457 where they are stationed.

4458 (k) Active duty members of a foreign nation's military who
4459 are serving as liaison officers and are residing or stationed in
4460 this state, and their spouses and dependent children, attending
4461 a Florida Community College System institution or state
4462 university within 50 miles of the military establishment where
4463 the foreign liaison officer is stationed.

4464 (11) Once a student has been classified as a resident for
4465 tuition purposes, an institution of higher education to which
4466 the student transfers is not required to reevaluate the
4467 classification unless inconsistent information suggests that an
4468 erroneous classification was made or the student's situation has
4469 changed. However, the student must have attended the institution
4470 making the initial classification within the prior 12 months,
4471 and the residency classification must be noted on the student's
4472 transcript. The Higher Education Coordinating Council shall
4473 consider issues related to residency determinations and make
4474 recommendations relating to efficiency and effectiveness of
4475 current law.

4476 (12) Each institution of higher education shall establish a



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4477 residency appeal committee comprised of at least three members
4478 to consider student appeals of residency determinations, in
4479 accordance with the institution's official appeal process. The
4480 residency appeal committee must render to the student the final
4481 residency determination in writing. The institution must advise
4482 the student of the reasons for the determination.

4483 (13) The State Board of Education, ~~and~~ the Board of
4484 Governors, and the State Board of Community Colleges shall adopt
4485 rules to implement this section.

4486 Section 72. Subsection (2) of section 1009.25, Florida
4487 Statutes, is amended to read:

4488 1009.25 Fee exemptions.—

4489 (2) Each Florida Community College System institution is
4490 authorized to grant student fee exemptions from all fees adopted
4491 by the State Board of Community Colleges ~~Education~~ and the
4492 Florida Community College System institution board of trustees
4493 for up to 54 full-time equivalent students or 1 percent of the
4494 institution's total full-time equivalent enrollment, whichever
4495 is greater, at each institution.

4496 Section 73. Paragraph (b) of subsection (12), paragraphs
4497 (c) and (d) of subsection (13), and paragraph (d) of subsection
4498 (14) of section 1009.26, Florida Statutes, are amended, to read:

4499 1009.26 Fee waivers.—

4500 (12)

4501 (b) Tuition and fees charged to a student who qualifies for
4502 the out-of-state fee waiver under this subsection may not exceed
4503 the tuition and fees charged to a resident student. The waiver
4504 is applicable for 110 percent of the required credit hours of
4505 the degree or certificate program for which the student is



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4506 enrolled. Each state university, Florida Community College
4507 System institution, career center operated by a school district
4508 under s. 1001.44, and charter technical career center shall
4509 report to the Board of Governors, the State Board of Community
4510 Colleges, and the State Board of Education, respectively, the
4511 number and value of all fee waivers granted annually under this
4512 subsection. By October 1 of each year, the Board of Governors,
4513 for the state universities; ~~and~~ the State Board of Community
4514 Colleges, ~~Education~~ for Florida Community College System
4515 institutions; ~~7~~ career centers operated by a school district
4516 under s. 1001.44; ~~7~~ and charter technical career centers shall
4517 annually report for the previous academic year the percentage of
4518 resident and nonresident students enrolled systemwide.

4519 (13)

4520 (c) Each state university, Florida Community College System
4521 institution, career center operated by a school district under
4522 s. 1001.44, and charter technical career center shall report to
4523 the Board of Governors, the State Board of Community, and the
4524 State Board of Education, respectively, the number and value of
4525 all fee waivers granted annually under this subsection.

4526 (d) The Board of Governors, the State Board of Community
4527 Colleges, and the State Board of Education shall respectively
4528 adopt regulations and rules to administer this subsection.

4529 (14)

4530 (d) The Board of Governors, the State Board of Community
4531 Colleges, and the State Board of Education shall respectively
4532 adopt regulations and rules to administer this subsection.

4533 Section 74. Section 1009.28, Florida Statutes, is amended
4534 to read:



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4535 1009.28 Fees for repeated enrollment in developmental
4536 education classes.—A student enrolled in the same developmental
4537 education class more than twice shall pay 100 percent of the
4538 full cost of instruction to support continuous enrollment of
4539 that student in the same class, and the student shall not be
4540 included in calculations of full-time equivalent enrollments for
4541 state funding purposes; however, students who withdraw or fail a
4542 class due to extenuating circumstances may be granted an
4543 exception only once for each class, provided approval is granted
4544 according to policy established by the board of trustees. Each
4545 Florida Community College System institution may review and
4546 reduce fees paid by students due to continued enrollment in a
4547 developmental education class on an individual basis contingent
4548 upon the student's financial hardship, pursuant to definitions
4549 and fee levels established by the State Board of Community
4550 Colleges Education.

4551 Section 75. Subsections (9) and (12) of section 1009.90,
4552 Florida Statutes, are amended to read:

4553 1009.90 Duties of the Department of Education.—The duties
4554 of the department shall include:

4555 (9) Development and submission of a report, annually, to
4556 the State Board of Education, the Board of Governors, the State
4557 Board of Community Colleges, the President of the Senate, and
4558 the Speaker of the House of Representatives, which shall
4559 include, but not be limited to, recommendations for the
4560 distribution of state financial aid funds.

4561 (12) Calculation of the amount of need-based student
4562 financial aid required to offset fee increases recommended by
4563 the State Board of Education, ~~and~~ the Board of Governors, and



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4564 the State Board of Community Colleges, and inclusion of such
4565 amount within the legislative budget request for student
4566 assistance grant programs.

4567 Section 76. Subsection (4) of section 1009.91, Florida
4568 Statutes, is amended to read:

4569 1009.91 Assistance programs and activities of the
4570 department.—

4571 (4) The department shall maintain records on the student
4572 loan default rate of each Florida postsecondary institution and
4573 report that information annually to both the institution and the
4574 State Board of Education. Information relating to state
4575 universities shall also be reported annually to the Board of
4576 Governors. Information relating to Florida Community College
4577 System institutions shall be reported annually to the State
4578 Board of Community Colleges.

4579 Section 77. Subsection (2) of section 1009.971, Florida
4580 Statutes, is amended to read:

4581 1009.971 Florida Prepaid College Board.—

4582 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
4583 shall consist of seven members to be composed of the Attorney
4584 General, the Chief Financial Officer, the Chancellor of the
4585 State University System, the Chancellor of the Florida Community
4586 College System ~~Division of Florida Colleges,~~ and three members
4587 appointed by the Governor and subject to confirmation by the
4588 Senate. Each member appointed by the Governor shall possess
4589 knowledge, skill, and experience in the areas of accounting,
4590 actuary, risk management, or investment management. Each member
4591 of the board not appointed by the Governor may name a designee
4592 to serve on the board on behalf of the member; however, any



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4593 designee so named shall meet the qualifications required of
4594 gubernatorial appointees to the board. Members appointed by the
4595 Governor shall serve terms of 3 years. Any person appointed to
4596 fill a vacancy on the board shall be appointed in a like manner
4597 and shall serve for only the unexpired term. Any member shall be
4598 eligible for reappointment and shall serve until a successor
4599 qualifies. Members of the board shall serve without compensation
4600 but shall be reimbursed for per diem and travel in accordance
4601 with s. 112.061. Each member of the board shall file a full and
4602 public disclosure of his or her financial interests pursuant to
4603 s. 8, Art. II of the State Constitution and corresponding
4604 statute.

4605 Section 78. Section 1010.01, Florida Statutes, is amended
4606 to read:

4607 1010.01 Uniform records and accounts.—

4608 (1) (a) The financial records and accounts of each school
4609 district, ~~Florida College System institution,~~ and other
4610 institution or agency under the supervision of the State Board
4611 of Education shall be prepared and maintained as prescribed by
4612 law and rules of the State Board of Education.

4613 (b) The financial records and accounts of each state
4614 university under the supervision of the Board of Governors shall
4615 be prepared and maintained as prescribed by law and rules of the
4616 Board of Governors.

4617 (c) The financial records and accounts of each Florida
4618 Community College System institution under the supervision of
4619 the State Board of Community Colleges shall be prepared and
4620 maintained as prescribed by law and rules of the State Board of
4621 Community Colleges.



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4622 (2) Rules of the State Board of Education, ~~and rules of the~~
4623 Board of Governors, and the State Board of Community Colleges
4624 shall incorporate the requirements of law and accounting
4625 principles generally accepted in the United States. Such rules
4626 shall include a uniform classification of accounts.

4627 (3) Each state university shall annually file with the
4628 Board of Governors financial statements prepared in conformity
4629 with accounting principles generally accepted by the United
4630 States and the uniform classification of accounts prescribed by
4631 the Board of Governors. The Board of Governors' rules shall
4632 prescribe the filing deadline for the financial statements.

4633 (4) Required financial accounts and reports shall include
4634 provisions that are unique to each of the following: K-12 school
4635 districts, Florida Community College System institutions, and
4636 state universities, and shall provide for the data to be
4637 reported to the National Center of Educational Statistics and
4638 other governmental and professional educational data information
4639 services as appropriate.

4640 (5) Each Florida Community College System institution shall
4641 annually file with the State Board of Community Colleges
4642 financial statements prepared in conformity with accounting
4643 principles generally accepted by the United States and the
4644 uniform classification of accounts prescribed by the State Board
4645 of Community Colleges. The State Board of Community Colleges'
4646 rules shall prescribe the filing deadline for the financial
4647 statements.

4648 Section 79. Subsection (1) of section 1010.02, Florida
4649 Statutes, is amended, and subsection (3) is added to that
4650 section, to read:



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4651 1010.02 Financial accounting and expenditures.-

4652 (1) All funds accruing to a school district ~~or a Florida~~
4653 ~~College System institution~~ must be received, accounted for, and
4654 expended in accordance with law and rules of the State Board of
4655 Education.

4656 (3) All funds accruing to a Florida Community College
4657 System institution must be received, accounted for, and expended
4658 in accordance with law and rules of the State Board of Community
4659 Colleges.

4660 Section 80. Section 1010.04, Florida Statutes, is amended
4661 to read:

4662 1010.04 Purchasing.-

4663 (1) (a) Purchases and leases by school districts must ~~and~~
4664 ~~Florida College System institutions~~ shall comply with the
4665 requirements of law and rules of the State Board of Education.

4666 (b) Before purchasing nonacademic commodities and
4667 contractual services, each district school board and Florida
4668 Community College System institution board of trustees shall
4669 review the purchasing agreements and state term contracts
4670 available under s. 287.056 to determine whether it is in the
4671 school board's or the board of trustees' economic advantage to
4672 use the agreements and contracts. Each bid specification for
4673 nonacademic commodities and contractual services must include a
4674 statement indicating that the purchasing agreements and state
4675 term contracts available under s. 287.056 have been reviewed.
4676 Each district school board may also use the cooperative state
4677 purchasing programs managed through the regional consortium
4678 service organizations pursuant to their authority under s.
4679 1001.451(3). This paragraph does not apply to services that are



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4680 eligible for reimbursement under the federal E-rate program
4681 administered by the Universal Service Administrative Company.

4682 (c) Purchases and leases by state universities must ~~shall~~
4683 comply with the requirements of law and regulations of the Board
4684 of Governors.

4685 (d) Purchases and leases by Florida Community College
4686 System institutions must comply with the requirements of law and
4687 rules of the State Board of Community Colleges.

4688 (2) Each district school board and Florida Community
4689 College System institution board of trustees shall adopt rules,
4690 and each university board of trustees shall adopt regulations,
4691 to be followed in making purchases. Purchases may be made
4692 through an online procurement system, an electronic auction
4693 service, or other efficient procurement tool.

4694 (3) In districts in which the county purchasing agent is
4695 authorized by law to make purchases for the benefit of other
4696 governmental agencies within the county, the district school
4697 board and Florida Community College System institution board of
4698 trustees shall have the option to purchase from the current
4699 county contracts at the unit price stated therein if such
4700 purchase is to the economic advantage of the district school
4701 board or the Florida Community College System institution board
4702 of trustees; subject to confirmation of the items of purchase to
4703 the standards and specifications prescribed by the school
4704 district or Florida Community College System institution.

4705 (4) (a) The State Board of Education may, by rule, provide
4706 for alternative procedures for school districts ~~and Florida~~
4707 ~~College System institutions~~ for bidding or purchasing in cases
4708 in which the character of the item requested renders competitive



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4709 bidding impractical.

4710 (b) The Board of Governors may, by regulation, provide for
4711 alternative procedures for state universities for bidding or
4712 purchasing in cases in which the character of the item requested
4713 renders competitive bidding impractical.

4714 (c) The State Board of Community Colleges may, by rule,
4715 provide for alternative procedures for Florida Community College
4716 System institutions for bidding or purchasing in cases in which
4717 the character of the item requested renders competitive bidding
4718 impractical.

4719 Section 81. Section 1010.07, Florida Statutes, is amended
4720 to read:

4721 1010.07 Bonds or insurance required.-

4722 (1) Each district school board, Florida Community College
4723 System institution board of trustees, and university board of
4724 trustees shall ensure that each official and employee
4725 responsible for handling, expending, or authorizing the
4726 expenditure of funds shall be appropriately bonded or insured to
4727 protect the board and the funds involved.

4728 (2) (a) Contractors paid from school district ~~or Florida~~
4729 ~~College System institution~~ funds shall give bond for the
4730 faithful performance of their contracts in such amount and for
4731 such purposes as prescribed by s. 255.05 or by rules of the
4732 State Board of Education relating to the type of contract
4733 involved. It shall be the duty of the district school board ~~or~~
4734 ~~Florida College System institution board of trustees~~ to require
4735 from construction contractors a bond adequate to protect the
4736 board and the board's funds involved.

4737 (b) Contractors paid from university funds shall give bond



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4738 for the faithful performance of their contracts in such amount
4739 and for such purposes as prescribed by s. 255.05 or by
4740 regulations of the Board of Governors relating to the type of
4741 contract involved. It shall be the duty of the university board
4742 of trustees to require from construction contractors a bond
4743 adequate to protect the board and the board's funds involved.

4744 (c) Contractors paid from Florida Community College System
4745 institution funds shall give bonds for the faithful performance
4746 of their contracts in such amount and for such purposes as
4747 prescribed by s. 255.05 or by rules of the State Board of
4748 Community Colleges relating to the type of contract involved. It
4749 is the duty of the Florida Community College System institution
4750 board of trustees to require construction contractors to provide
4751 a bond adequate to protect the board and the board's funds
4752 involved.

4753 Section 82. Section 1010.08, Florida Statutes, is amended
4754 to read:

4755 1010.08 Promotion and public relations; funding.—

4756 (1) Each district school board and Florida College System
4757 institution board of trustees may budget and use a portion of
4758 the funds accruing to it from auxiliary enterprises and
4759 undesignated gifts for promotion and public relations as
4760 prescribed by rules of the State Board of Education. Such funds
4761 may be used to provide hospitality to business guests in the
4762 district or elsewhere. However, such hospitality expenses may
4763 not exceed the amount authorized for such contingency funds as
4764 prescribed by rules of the State Board of Education.

4765 (2) Each Florida Community College System institution board
4766 of trustees may budget and use a portion of the funds accruing



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4767 to it from auxiliary enterprises and undesignated gifts for
4768 promotion and public relations as prescribed by rules of the
4769 State Board of Community Colleges. Such funds may be used to
4770 provide hospitality to business guests in the district or
4771 elsewhere. However, such hospitality expenses may not exceed the
4772 amount authorized for such contingency funds as prescribed by
4773 rules of the State Board of Community Colleges.

4774 Section 83. Subsection (1) of section 1010.09, Florida
4775 Statutes, is amended, and subsection (3) is added to that
4776 section, to read:

4777 1010.09 Direct-support organizations.—

4778 (1) ~~School district and Florida College System institution~~
4779 direct-support organizations shall be organized and conducted
4780 under the provisions of ss. 1001.453 and 1004.70 and rules of
4781 the State Board of Education, as applicable.

4782 (3) Florida Community College System institution direct-
4783 support organizations shall be organized and conducted under the
4784 provisions of s. 1004.70 and rules of the State Board of
4785 Community Colleges.

4786 Section 84. Section 1010.22, Florida Statutes, is amended
4787 to read:

4788 1010.22 Cost accounting and reporting for workforce
4789 education.—

4790 (1) (a) ~~Each school district and each Florida College System~~
4791 ~~institution~~ shall account for expenditures of all state, local,
4792 federal, and other funds in the manner prescribed by the State
4793 Board of Education.

4794 (b) Each Florida Community College System institution shall
4795 account for expenditures of all state, local, federal, and other



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4796 funds in the manner prescribed by the State Board of Community
4797 Colleges.

4798 (2) (a) Each school district and each Florida College System
4799 institution shall report expenditures for workforce education in
4800 accordance with requirements prescribed by the State Board of
4801 Education.

4802 (b) Each Florida Community College System institution shall
4803 report expenditures for workforce education in accordance with
4804 requirements prescribed by the State Board of Community
4805 Colleges.

4806 (3) The Department of Education, in cooperation with school
4807 districts and Florida Community College System institutions,
4808 shall develop and maintain a database of valid comparable
4809 information on workforce education which will meet both state
4810 and local needs.

4811 Section 85. Subsection (1) of section 1010.30, Florida
4812 Statutes, is amended to read:

4813 1010.30 Audits required.—

4814 (1) School districts, ~~Florida College System institutions,~~
4815 and other institutions and agencies under the supervision of the
4816 State Board of Education, Florida Community College System
4817 institutions under the supervision of the State Board of
4818 Community Colleges, and state universities under the supervision
4819 of the Board of Governors are subject to the audit provisions of
4820 ss. 11.45 and 218.39.

4821 Section 86. Section 1010.58, Florida Statutes, is amended
4822 to read:

4823 1010.58 Procedure for determining number of instruction
4824 units for Florida Community College System institutions.—The



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4825 number of instruction units for Florida Community College System
4826 institutions shall be determined from the full-time equivalent
4827 students in the Florida Community College System institution,
4828 provided that full-time equivalent students may not be counted
4829 more than once in determining instruction units. Instruction
4830 units for Florida Community College System institutions shall be
4831 computed as follows:

4832 (1) One unit for each 12 full-time equivalent students at a
4833 Florida Community College System institution for the first 420
4834 students and one unit for each 15 full-time equivalent students
4835 for all over 420 students, in other than career education
4836 programs as defined by rules of the State Board of Community
4837 Colleges Education, and one unit for each 10 full-time
4838 equivalent students in career education programs and
4839 compensatory education programs as defined by rules of the State
4840 Board of Community Colleges Education. Full-time equivalent
4841 students enrolled in a Florida Community College System
4842 institution shall be defined by rules of the State Board of
4843 Community Colleges Education.

4844 (2) For each 8 instruction units in a Florida Community
4845 College System institution, 1 instruction unit or proportionate
4846 fraction of a unit shall be allowed for administrative and
4847 special instructional services, and for each 20 instruction
4848 units, 1 instruction unit or proportionate fraction of a unit
4849 shall be allowed for student personnel services.

4850 Section 87. Section 1011.01, Florida Statutes, is amended
4851 to read:

4852 1011.01 Budget system established.—

4853 (1) The State Board of Education shall prepare and submit a



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4854 coordinated K-20 education annual legislative budget request to
4855 the Governor and the Legislature on or before the date provided
4856 by the Governor and the Legislature. The board's legislative
4857 budget request must clearly define the needs of school
4858 districts, Florida Community College System institutions,
4859 universities, other institutions, organizations, programs, and
4860 activities under the supervision of the board and that are
4861 assigned by law or the General Appropriations Act to the
4862 Department of Education.

4863 (2) (a) There is ~~shall be~~ established in each school
4864 district ~~and Florida College System institution~~ a budget system
4865 as prescribed by law and rules of the State Board of Education.

4866 (b) There is ~~shall be~~ established in each state university
4867 a budget system as prescribed by law and rules of the Board of
4868 Governors.

4869 (c) There is established in each Florida Community College
4870 System institution a budget system as prescribed by law and
4871 rules of the State Board of Community Colleges.

4872 (3) (a) Each district school board ~~and each Florida College~~
4873 ~~System institution board of trustees~~ shall prepare, adopt, and
4874 submit to the Commissioner of Education an annual operating
4875 budget. Operating budgets must ~~shall~~ be prepared and submitted
4876 in accordance with the provisions of law, rules of the State
4877 Board of Education, the General Appropriations Act, and for
4878 district school boards in accordance with the provisions of ss.
4879 200.065 and 1011.64.

4880 (b) Each state university board of trustees shall prepare,
4881 adopt, and submit to the Chancellor of the State University
4882 System for review an annual operating budget in accordance with



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4883 provisions of law, rules of the Board of Governors, and the
4884 General Appropriations Act.

4885 (c) Each Florida Community College System institution board
4886 of trustees shall prepare, adopt, and submit to the State Board
4887 of Community Colleges an annual operating budget in accordance
4888 with provisions of law, rules of the State Board of Community
4889 Colleges, and the General Appropriations Act.

4890 (4) The State Board of Education shall coordinate with the
4891 Board of Governors and the State Board of Community Colleges to
4892 facilitate the budget system requirements of this section. The
4893 State Board of Community College exclusively retains the review
4894 and approval powers of this section for Florida Community
4895 College System institutions. The Board of Governors exclusively
4896 retains the review and approval powers of this section for state
4897 universities.

4898 Section 88. Section 1011.011, Florida Statutes, is amended
4899 to read:

4900 1011.011 Legislative capital outlay budget request.—The
4901 State Board of Education shall submit an integrated,
4902 comprehensive budget request for educational facilities
4903 construction and fixed capital outlay needs for school
4904 districts, and, in conjunction with the State Board of Community
4905 Colleges for Florida Community College System institutions, ~~and,~~
4906 ~~in conjunction~~ with the Board of Governors for state,
4907 universities, pursuant to this section and s. 1013.46 and
4908 applicable provisions of chapter 216.

4909 Section 89. Section 1011.30, Florida Statutes, is amended
4910 to read:

4911 1011.30 Budgets for Florida Community College System



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4912 institutions.—Each Florida Community College System institution
4913 president shall recommend to the Florida Community College
4914 System institution board of trustees a budget of income and
4915 expenditures at such time and in such form as the State Board of
4916 Community Colleges ~~Education~~ may prescribe. Upon approval of a
4917 budget by the Florida Community College System institution board
4918 of trustees, such budget must ~~shall~~ be transmitted to the State
4919 Board of Community Colleges ~~Department of Education~~ for review.
4920 Rules of the State Board of Community Colleges ~~must~~ ~~Education~~
4921 ~~shall~~ prescribe procedures for effecting budget amendments
4922 subsequent to the final approval of a budget for a given year.

4923 Section 90. Section 1011.32, Florida Statutes, is amended
4924 to read:

4925 1011.32 Florida Community College System Institution
4926 Facility Enhancement Challenge Grant Program.—

4927 (1) The Legislature recognizes that ~~the~~ Florida Community
4928 College System institutions do not have sufficient physical
4929 facilities to meet the current demands of their instructional
4930 and community programs. It further recognizes that, to
4931 strengthen and enhance Florida Community College System
4932 institutions, it is necessary to provide facilities in addition
4933 to those currently available from existing revenue sources. It
4934 further recognizes that there are sources of private support
4935 that, if matched with state support, can assist in constructing
4936 much needed facilities and strengthen the commitment of citizens
4937 and organizations in promoting excellence at each Florida
4938 Community College System institution. Therefore, it is the
4939 intent of the Legislature to establish a program to provide the
4940 opportunity for each Florida Community College System



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4941 institution through its direct-support organization to receive
4942 and match challenge grants for instructional and community-
4943 related capital facilities within the Florida Community College
4944 System institution.

4945 (2) There is established the Florida Community College
4946 System Institution Facility Enhancement Challenge Grant Program
4947 for the purpose of assisting the Florida Community College
4948 System institutions in building high priority instructional and
4949 community-related capital facilities consistent with s. 1004.65,
4950 including common areas connecting such facilities. The direct-
4951 support organizations that serve the Florida Community College
4952 System institutions shall solicit gifts from private sources to
4953 provide matching funds for capital facilities. For the purposes
4954 of this section, private sources of funds shall not include any
4955 federal or state government funds that a Florida Community
4956 College System institution may receive.

4957 (3) The Florida Community College System Institution
4958 Capital Facilities Matching Program shall provide funds to match
4959 private contributions for the development of high priority
4960 instructional and community-related capital facilities,
4961 including common areas connecting such facilities, within the
4962 Florida Community College System institutions.

4963 (4) Within the direct-support organization of each Florida
4964 Community College System institution there must be established a
4965 separate capital facilities matching account for the purpose of
4966 providing matching funds from the direct-support organization's
4967 unrestricted donations or other private contributions for the
4968 development of high priority instructional and community-related
4969 capital facilities, including common areas connecting such



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4970 facilities. The Legislature shall appropriate funds for
4971 distribution to a Florida Community College System institution
4972 after matching funds are certified by the direct-support
4973 organization and Florida Community College System institution.
4974 The Public Education Capital Outlay and Debt Service Trust Fund
4975 shall not be used as the source of the state match for private
4976 contributions.

4977 (5) A project may not be initiated unless all private funds
4978 for planning, construction, and equipping the facility have been
4979 received and deposited in the direct-support organization's
4980 matching account for this purpose. However, this requirement
4981 does not preclude the Florida Community College System
4982 institution or direct-support organization from expending
4983 available funds from private sources to develop a prospectus,
4984 including preliminary architectural schematics or models, for
4985 use in its efforts to raise private funds for a facility and for
4986 site preparation, planning, and construction. The Legislature
4987 may appropriate the state's matching funds in one or more fiscal
4988 years for the planning, construction, and equipping of an
4989 eligible facility. Each Florida Community College System
4990 institution shall notify all donors of private funds of a
4991 substantial delay in the availability of state matching funds
4992 for this program.

4993 (6) To be eligible to participate in the Florida Community
4994 College System Institution Facility Enhancement Challenge Grant
4995 Program, a Florida Community College System institution, through
4996 its direct-support organization, shall raise a contribution
4997 equal to one-half of the total cost of a facilities construction
4998 project from private sources which shall be matched by a state



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4999 appropriation equal to the amount raised for a facilities
5000 construction project, subject to the General Appropriations Act.

5001 (7) If the state's share of the required match is
5002 insufficient to meet the requirements of subsection (6), the
5003 Florida Community College System institution shall renegotiate
5004 the terms of the contribution with the donors. If the project is
5005 terminated, each private donation, plus accrued interest,
5006 reverts to the direct-support organization for remittance to the
5007 donor.

5008 (8) By October 15 of each year, the State Board of
5009 Community Colleges ~~Education~~ shall transmit to the Governor and
5010 the Legislature a list of projects that meet all eligibility
5011 requirements to participate in the Florida Community College
5012 System Institution Facility Enhancement Challenge Grant Program
5013 and a budget request that includes the recommended schedule
5014 necessary to complete each project.

5015 (9) In order for a project to be eligible under this
5016 program, it must be survey recommended under the provisions of
5017 s. 1013.31 and included in the Florida Community College System
5018 institution's 5-year capital improvement plan, and it must
5019 receive approval from the State Board of Community Colleges
5020 ~~Education~~ or the Legislature.

5021 (10) A Florida Community College System institution project
5022 may not be removed from the approved 3-year PECO priority list
5023 because of its successful participation in this program until
5024 approved by the Legislature and provided for in the General
5025 Appropriations Act. When such a project is completed and removed
5026 from the list, all other projects shall move up on the 3-year
5027 PECO priority list.



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5028 (11) Any private matching funds for a project which are
5029 unexpended after the project is completed shall revert to the
5030 Florida Community College System institution's direct-support
5031 organization capital facilities matching account. The balance of
5032 any unexpended state matching funds shall be returned to the
5033 fund from which those funds were appropriated.

5034 (12) The surveys, architectural plans, facility, and
5035 equipment shall be the property of the participating Florida
5036 Community College System institution. A facility constructed
5037 under this section may be named in honor of a donor at the
5038 option of the Florida Community College System institution
5039 district board of trustees. A facility may not be named after a
5040 living person without prior approval by the State Board of
5041 Community Colleges Education.

5042 (13) Effective July 1, 2011, state matching funds are
5043 temporarily suspended for donations received for the program on
5044 or after June 30, 2011. Existing eligible donations remain
5045 eligible for future matching funds. The program may be restarted
5046 after \$200 million of the backlog for programs under this
5047 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

5048 Section 91. Subsection (2), paragraph (b) of subsection
5049 (5), and subsections (8), (9), and (11) of section 1011.80,
5050 Florida Statutes, are amended to read:

5051 1011.80 Funds for operation of workforce education
5052 programs.—

5053 (2) Any workforce education program may be conducted by a
5054 Florida Community College System institution or a school
5055 district, except that college credit in an associate in applied
5056 science or an associate in science degree may be awarded only by



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5057 a Florida Community College System institution. However, if an
5058 associate in applied science or an associate in science degree
5059 program contains within it an occupational completion point that
5060 confers a certificate or an applied technology diploma, that
5061 portion of the program may be conducted by a school district
5062 career center. Any instruction designed to articulate to a
5063 degree program is subject to guidelines and standards adopted by
5064 the State Board of Community Colleges ~~Education~~ pursuant to s.
5065 1007.25.

5066 (5) State funding and student fees for workforce education
5067 instruction shall be established as follows:

5068 (b) For all other workforce education programs, state
5069 funding shall equal 75 percent of the average cost of
5070 instruction with the remaining 25 percent made up from student
5071 fees. Fees for courses within a program shall not vary according
5072 to the cost of the individual program, but instead shall be
5073 based on a uniform fee calculated and set at the state level, as
5074 adopted by the State Board of Education, for school districts
5075 and the State Board of Community Colleges, for Florida Community
5076 College System institutions, unless otherwise specified in the
5077 General Appropriations Act.

5078 (8) The State Board of Education, the State Board of
5079 Community Colleges, and CareerSource Florida, Inc., shall
5080 provide the Legislature with recommended formulas, criteria,
5081 timeframes, and mechanisms for distributing performance funds.
5082 The commissioner shall consolidate the recommendations and
5083 develop a consensus proposal for funding. The Legislature shall
5084 adopt a formula and distribute the performance funds to the
5085 State Board of Community Colleges ~~Education~~ for Florida



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5086 Community College System institutions and to the State Board of
5087 Education for school districts through the General
5088 Appropriations Act. These recommendations shall be based on
5089 formulas that would discourage low-performing or low-demand
5090 programs and encourage through performance-funding awards:

5091 (a) Programs that prepare people to enter high-wage
5092 occupations identified by the Workforce Estimating Conference
5093 created by s. 216.136 and other programs as approved by
5094 CareerSource Florida, Inc. At a minimum, performance incentives
5095 shall be calculated for adults who reach completion points or
5096 complete programs that lead to specified high-wage employment
5097 and to their placement in that employment.

5098 (b) Programs that successfully prepare adults who are
5099 eligible for public assistance, economically disadvantaged,
5100 disabled, not proficient in English, or dislocated workers for
5101 high-wage occupations. At a minimum, performance incentives
5102 shall be calculated at an enhanced value for the completion of
5103 adults identified in this paragraph and job placement of such
5104 adults upon completion. In addition, adjustments may be made in
5105 payments for job placements for areas of high unemployment.

5106 (c) Programs that are specifically designed to be
5107 consistent with the workforce needs of private enterprise and
5108 regional economic development strategies, as defined in
5109 guidelines set by CareerSource Florida, Inc. CareerSource
5110 Florida, Inc., shall develop guidelines to identify such needs
5111 and strategies based on localized research of private employers
5112 and economic development practitioners.

5113 (d) Programs identified by CareerSource Florida, Inc., as
5114 increasing the effectiveness and cost efficiency of education.



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5115 (9) School districts shall report full-time equivalent
5116 students by discipline category for the programs specified in
5117 subsection (1). There shall be an annual cost analysis for the
5118 school district workforce education programs that reports cost
5119 by discipline category consistent with the reporting for full-
5120 time equivalent students. The annual financial reports submitted
5121 by the school districts must accurately report on the student
5122 fee revenues by fee type according to the programs specified in
5123 subsection (1). The Department of Education and the State Board
5124 of Community Colleges shall develop a plan for comparable
5125 reporting of program, student, facility, personnel, and
5126 financial data between the Florida Community College System
5127 institutions and the school district workforce education
5128 programs.

5129 (11) The State Board of Education and the State Board of
5130 Community Colleges may adopt rules to administer this section.

5131 Section 92. Section 1011.801, Florida Statutes, is amended
5132 to read:

5133 1011.801 Workforce Development Capitalization Incentive
5134 Grant Program.—The Legislature recognizes that the need for
5135 school districts and Florida Community College System
5136 institutions to be able to respond to emerging local or
5137 statewide economic development needs is critical to the
5138 workforce development system. The Workforce Development
5139 Capitalization Incentive Grant Program is created to provide
5140 grants to school districts and Florida Community College System
5141 institutions on a competitive basis to fund some or all of the
5142 costs associated with the creation or expansion of workforce
5143 development programs that serve specific employment workforce



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5144 needs.

5145 (1) Funds awarded for a workforce development
5146 capitalization incentive grant may be used for instructional
5147 equipment, laboratory equipment, supplies, personnel, student
5148 services, or other expenses associated with the creation or
5149 expansion of a workforce development program. Expansion of a
5150 program may include either the expansion of enrollments in a
5151 program or expansion into new areas of specialization within a
5152 program. No grant funds may be used for recurring instructional
5153 costs or for institutions' indirect costs.

5154 (2) The State Board of Education shall accept applications
5155 from school districts, and the State Board of Community Colleges
5156 shall accept applications from ~~or~~ Florida Community College
5157 System institutions, for workforce development capitalization
5158 incentive grants. Applications from school districts or Florida
5159 Community College System institutions must ~~shall~~ contain
5160 projected enrollments and projected costs for the new or
5161 expanded workforce development program. The State Board of
5162 Education or the State Board of Community Colleges, as
5163 appropriate, in consultation with CareerSource Florida, Inc.,
5164 shall review and rank each application for a grant according to
5165 subsection (3) and shall submit to the Legislature a list in
5166 priority order of applications recommended for a grant award.

5167 (3) The State Board of Education or the State Board of
5168 Community Colleges, as appropriate, shall give highest priority
5169 to programs that train people to enter high-skill, high-wage
5170 occupations identified by the Workforce Estimating Conference
5171 and other programs approved by CareerSource Florida, Inc. ;
5172 programs that train people to enter occupations under the



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5173 welfare transition program; or programs that train for the
5174 workforce adults who are eligible for public assistance,
5175 economically disadvantaged, disabled, not proficient in English,
5176 or dislocated workers. The State Board of Education or the State
5177 Board of Community Colleges, as appropriate, shall consider the
5178 statewide geographic dispersion of grant funds in ranking the
5179 applications and shall give priority to applications from
5180 education agencies that are making maximum use of their
5181 workforce development funding by offering high-performing, high-
5182 demand programs.

5183 Section 93. Section 1011.81, Florida Statutes, is amended
5184 to read:

5185 1011.81 Florida Community College System Program Fund.—

5186 (1) There is established a Florida Community College System
5187 Program Fund. This fund shall comprise all appropriations made
5188 by the Legislature for the support of the current operating
5189 program and shall be apportioned and distributed to the Florida
5190 Community College System institution districts of the state on
5191 the basis of procedures established by law and rules of the
5192 State Board of Education. The annual apportionment for each
5193 Florida Community College System institution district shall be
5194 distributed monthly in payments as nearly equal as possible.

5195 (2) Performance funding for industry certifications for
5196 Florida Community College System institutions is contingent upon
5197 specific appropriation in the General Appropriations Act and
5198 shall be determined as follows:

5199 (a) Occupational areas for which industry certifications
5200 may be earned, as established in the General Appropriations Act,
5201 are eligible for performance funding. Priority shall be given to



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5202 the occupational areas emphasized in state, national, or
5203 corporate grants provided to Florida educational institutions.

5204 (b) The Chancellor of the Florida Community College System,
5205 for the Florida Community College System institutions, shall
5206 identify the industry certifications eligible for funding on the
5207 CAPE Postsecondary Industry Certification Funding List approved
5208 by the State Board of Community Colleges Education pursuant to
5209 s. 1008.44, based on the occupational areas specified in the
5210 General Appropriations Act.

5211 (c) Each Florida Community College System institution shall
5212 be provided \$1,000 for each industry certification earned by a
5213 student. The maximum amount of funding appropriated for
5214 performance funding pursuant to this subsection shall be limited
5215 to \$15 million annually. If funds are insufficient to fully fund
5216 the calculated total award, such funds shall be prorated.

5217 (3) None of the funds made available in the Florida
5218 Community College System Program Fund, or funds made available
5219 to Florida Community College System institutions outside the
5220 Florida Community College System Program Fund, may be used to
5221 implement, organize, direct, coordinate, or administer, or to
5222 support the implementation, organization, direction,
5223 coordination, or administration of, activities related to, or
5224 involving, travel to a terrorist state. For purposes of this
5225 section, "terrorist state" is defined as any state, country, or
5226 nation designated by the United States Department of State as a
5227 state sponsor of terrorism.

5228 (4) State funds provided for the Florida Community College
5229 System Program Fund may not be expended for the education of
5230 state or federal inmates.



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5231 Section 94. Section 1011.82, Florida Statutes, is amended
5232 to read:

5233 1011.82 Requirements for participation in Florida Community
5234 College System Program Fund.—Each Florida Community College
5235 System institution district which participates in the state
5236 appropriations for the Florida Community College System Program
5237 Fund shall provide evidence of its effort to maintain an
5238 adequate Florida Community College System institution program
5239 which shall:

5240 (1) Meet the minimum standards prescribed by the State
5241 Board of Community Colleges Education in accordance with s.
5242 1001.602(5) ~~s. 1001.02(6)~~.

5243 (2) Effectively fulfill the mission of the Florida
5244 Community College System institutions in accordance with s.
5245 1004.65.

5246 Section 95. Section 1011.83, Florida Statutes, is amended
5247 to read:

5248 1011.83 Financial support of Florida Community College
5249 System institutions.—

5250 (1) Each Florida Community College System institution that
5251 ~~has been approved by the Department of Education and~~ meets the
5252 requirements of law and rules of the State Board of Community
5253 Colleges Education shall participate in the Florida Community
5254 College System Program Fund. However, funds to support workforce
5255 education programs conducted by Florida Community College System
5256 institutions shall be provided pursuant to s. 1011.80.

5257 (2) A student in a baccalaureate degree program approved
5258 pursuant to s. 1007.33 who is not classified as a resident for
5259 tuition purposes pursuant to s. 1009.21 may not be included in



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5260 calculations of full-time equivalent enrollments for state
5261 funding purposes.

5262 Section 96. Section 1011.84, Florida Statutes, is amended
5263 to read:

5264 1011.84 Procedure for determining state financial support
5265 and annual apportionment of state funds to each Florida
5266 Community College System institution district.—The procedure for
5267 determining state financial support and the annual apportionment
5268 to each Florida Community College System institution district
5269 authorized to operate a Florida Community College System
5270 institution under the provisions of s. 1001.61 shall be as
5271 follows:

5272 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
5273 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING
5274 PROGRAM.—

5275 (a) The State Board of Community Colleges ~~Department of~~
5276 ~~Education~~ shall determine annually, from an analysis of
5277 operating costs, ~~prepared in the manner prescribed by rules of~~
5278 ~~the State Board of Education,~~ the costs per full-time equivalent
5279 student served in courses and fields of study offered in Florida
5280 Community College System institutions. This information and
5281 current college operating budgets shall be submitted to the
5282 Executive Office of the Governor with the legislative budget
5283 request prior to each regular session of the Legislature.

5284 (b) The allocation of funds for Florida Community College
5285 System institutions must ~~shall~~ be based on advanced and
5286 professional disciplines, developmental education, and other
5287 programs for adults funded pursuant to s. 1011.80.

5288 (c) The category of lifelong learning is for students



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5289 enrolled pursuant to s. 1004.93. A student shall also be
5290 reported as a lifelong learning student for his or her
5291 enrollment in any course that he or she has previously taken,
5292 unless it is a credit course in which the student earned a grade
5293 of D or F.

5294 (d) If an adult student has been determined to be a
5295 disabled student eligible for an approved educational program
5296 for disabled adults provided pursuant to s. 1004.93 and rules of
5297 the State Board of Community Colleges ~~Education~~ and is enrolled
5298 in a class with curriculum frameworks developed for the program,
5299 state funding for that student shall be provided at a level
5300 double that of a student enrolled in a special adult general
5301 education program provided by a Florida Community College System
5302 institution.

5303 (e) All state inmate education provided by Florida
5304 Community College System institutions shall be reported by
5305 program, FTE expenditure, and revenue source. These enrollments,
5306 expenditures, and revenues shall be reported and projected
5307 separately. Instruction of state inmates may ~~shall~~ not be
5308 included in the full-time equivalent student enrollment for
5309 funding through the Florida Community College System Program
5310 Fund.

5311 (f) When a public educational institution has been fully
5312 funded by an external agency for direct instructional costs of
5313 any course or program, the FTE generated may ~~shall~~ not be
5314 reported for state funding.

5315 (g) The State Board of Education shall adopt rules to
5316 implement s. 9(d)(8)f., Art. XII of the State Constitution.
5317 These rules shall provide for the use of the funds available



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5318 under s. 9(d)(8)f., Art. XII by an individual Florida Community
5319 College System institution for operating expense in any fiscal
5320 year during which the State Board of Education has determined
5321 that all major capital outlay needs have been met. Highest
5322 priority for the use of these funds for purposes other than
5323 financing approved capital outlay projects shall be for the
5324 proper maintenance and repair of existing facilities for
5325 projects approved by the State Board of Education. However, in
5326 any fiscal year in which funds from this source are authorized
5327 for operating expense other than approved maintenance and repair
5328 projects, the allocation of Florida Community College System
5329 institution program funds shall be reduced by an amount equal to
5330 the sum used for such operating expense for that Florida
5331 Community College System institution that year, and that amount
5332 shall not be released or allocated among the other Florida
5333 Community College System institutions that year.

5334 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
5335 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay
5336 and debt service shall be as determined and provided in s. 18,
5337 Art. XII of the State Constitution of 1885, as adopted by s.
5338 9(d), Art. XII of the 1968 revised State Constitution and State
5339 Board of Education rules.

5340 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

5341 (a) By December 15 of each year, the State Board of
5342 Community Colleges ~~Department of Education~~ shall estimate the
5343 annual enrollment of each Florida Community College System
5344 institution for the current fiscal year and for the 3 subsequent
5345 fiscal years. These estimates shall be based upon prior years'
5346 enrollments, upon the initial fall term enrollments for the



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5347 current fiscal year for each college, and upon each college's
5348 estimated current enrollment and demographic changes in the
5349 respective Florida Community College System institution
5350 districts. Upper-division enrollment shall be estimated
5351 separately from lower-division enrollment.

5352 (b) The apportionment to each Florida Community College
5353 System institution from the Florida Community College System
5354 Program Fund shall be determined annually in the General
5355 Appropriations Act. In determining each college's apportionment,
5356 the Legislature shall consider the following components:

5357 1. Base budget, which includes the state appropriation to
5358 the Florida Community College System Program Fund in the current
5359 year plus the related student tuition and out-of-state fees
5360 assigned in the current General Appropriations Act.

5361 2. The cost-to-continue allocation, which consists of
5362 incremental changes to the base budget, including salaries,
5363 price levels, and other related costs allocated through a
5364 funding model approved by the Legislature which may recognize
5365 differing economic factors arising from the individual
5366 educational approaches of the various Florida Community College
5367 System institutions, including, but not limited to:

5368 a. Direct Instructional Funding, including class size,
5369 faculty productivity factors, average faculty salary, ratio of
5370 full-time to part-time faculty, costs of programs, and
5371 enrollment factors.

5372 b. Academic Support, including small colleges factor,
5373 multicampus factor, and enrollment factor.

5374 c. Student Services Support, including headcount of
5375 students as well as FTE count and enrollment factors.



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5376 d. Library Support, including volume and other
5377 materials/audiovisual requirements.
5378 e. Special Projects.
5379 f. Operations and Maintenance of Plant, including square
5380 footage and utilization factors.
5381 g. District Cost Differential.
5382 3. Students enrolled in a recreation and leisure program
5383 and students enrolled in a lifelong learning program who may not
5384 be counted as full-time equivalent enrollments for purposes of
5385 enrollment workload adjustments.
5386 4. Operating costs of new facilities adjustments, which
5387 shall be provided, from funds available, for each new facility
5388 that is owned by the college and is recommended in accordance
5389 with s. 1013.31.
5390 5. New and improved program enhancements, which shall be
5391 determined by the Legislature.
5392
5393 Student fees in the base budget plus student fee revenues
5394 generated by increases in fee rates shall be deducted from the
5395 sum of the components determined in subparagraphs 1.-5. The
5396 amount remaining shall be the net annual state apportionment to
5397 each college.
5398 (c) A ~~Ne~~ Florida Community College System institution may
5399 not shall commit funds for the employment of personnel or
5400 resources in excess of those required to continue the same level
5401 of support for either the previously approved enrollment or the
5402 revised enrollment, whichever is lower.
5403 (d) The apportionment to each Florida Community College
5404 System institution district for capital outlay and debt service



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5405 shall be the amount determined in accordance with subsection
5406 (2). This amount, less any amount determined as necessary for
5407 administrative expense by the State Board of Education and any
5408 amount necessary for debt service on bonds issued by the State
5409 Board of Education, shall be transmitted to the Florida
5410 Community College System institution board of trustees to be
5411 expended in a manner prescribed by rules of the State Board of
5412 Education.

5413 (e) If at any time the unencumbered balance in the general
5414 fund of the Florida Community College System institution board
5415 of trustees approved operating budget goes below 5 percent, the
5416 president shall provide written notification to the State Board
5417 of Education.

5418 (f) Expenditures for apprenticeship programs must ~~shall~~ be
5419 reported separately.

5420 (g) Expenditures for upper-division enrollment in a Florida
5421 Community College System institution that grants baccalaureate
5422 degrees must ~~shall~~ be reported separately from expenditures for
5423 lower-division enrollment, in accordance with law and State
5424 Board of Education rule.

5425 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
5426 herein to any Florida Community College System institution must
5427 ~~shall~~ be expended only for the purpose of supporting that
5428 Florida Community College System institution.

5429 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida
5430 Community College System institution board of trustees shall
5431 report, as a separate item in its annual cost accounting system,
5432 the volume and cost of developmental education options provided
5433 to help students attain the communication and computation skills



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5434 that are essential for college-level work pursuant to s.
5435 1008.30.

5436 Section 97. Section 1011.85, Florida Statutes, is amended
5437 to read:

5438 1011.85 Dr. Philip Benjamin Matching Grant Program for
5439 Florida Community College System Institutions.-

5440 (1) There is created the Dr. Philip Benjamin Matching Grant
5441 Program for Florida Community College System Institutions as a
5442 single matching gifts program that encompasses the goals
5443 originally set out in the Academic Improvement Program, the
5444 Scholarship Matching Program, and the Health Care Education
5445 Quality Enhancement Challenge Grant. The program shall be
5446 administered according to rules of the State Board of Community
5447 Colleges Education and used to encourage private support in
5448 enhancing Florida Community College System institutions by
5449 providing the Florida Community College System with the
5450 opportunity to receive and match challenge grants. Funds
5451 received prior to the effective date of this act for each of the
5452 three programs shall be retained in the separate account for
5453 which it was designated.

5454 (2) Each Florida Community College System institution board
5455 of trustees receiving state appropriations under this program
5456 shall approve each gift to ensure alignment with the unique
5457 mission of the Florida Community College System institution. The
5458 board of trustees must link all requests for a state match to
5459 the goals and mission statement. The Florida Community College
5460 System Institution Foundation Board receiving state
5461 appropriations under this program shall approve each gift to
5462 ensure alignment with its goals and mission statement. Funds



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5463 received from community events and festivals are not eligible
5464 for state matching funds under this program.

5465 (3) Upon approval by the Florida Community College System
5466 institution board of trustees and the State Board of Community
5467 Colleges ~~Education~~, the ordering of donations for priority
5468 listing of unmatched gifts should be determined by the
5469 submitting Florida Community College System institution.

5470 (4) Each year, eligible contributions received by a Florida
5471 Community College System institution's foundation or the State
5472 Board of Community Colleges ~~Education~~ by February 1 shall be
5473 eligible for state matching funds.

5474 (a) Each Florida Community College System institution board
5475 of trustees and, when applicable, the Florida Community College
5476 System Institution Foundation Board, receiving state
5477 appropriations under this program shall also certify in an
5478 annual report to the State Board of Community Colleges ~~Education~~
5479 the receipt of eligible cash contributions that were previously
5480 unmatched by the state. The State Board of Education shall adopt
5481 rules providing all Florida Community College System
5482 institutions with an opportunity to apply for excess funds
5483 before the awarding of such funds.

5484 (b) Florida Community College System institutions must
5485 submit to the State Board of Community Colleges ~~Education~~ an
5486 annual expenditure report tracking the use of all matching
5487 funds.

5488 (c) The audit of each foundation receiving state funds from
5489 this program must include a certification of accuracy in the
5490 amount reported for matching funds.

5491 (5) The matching ratio for donations that are specifically



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5492 designated to support scholarships, including scholarships for
5493 first-generation-in-college students, student loans, or need-
5494 based grants shall be \$1 of state funds to \$1 of local private
5495 funds.

5496 (6) Otherwise, funds must ~~shall~~ be proportionately
5497 allocated to the Florida Community College System institutions
5498 on the basis of matching each \$6 of local or private funds with
5499 \$4 of state funds. To be eligible, a minimum of \$4,500 must be
5500 raised from private sources.

5501 (7) The Florida Community College System institution board
5502 of trustees, in conjunction with the donor, shall determine ~~make~~
5503 ~~the determination of~~ whether scholarships established pursuant
5504 to this program are endowed.

5505 (8) (a) Funds sufficient to provide the match shall be
5506 transferred from the state appropriations to the local Florida
5507 Community College System institution foundation or the statewide
5508 Florida Community College System institution foundation upon
5509 notification that a proportionate amount has been received and
5510 deposited by a Florida Community College System institution in
5511 its own trust fund.

5512 (b) If state funds appropriated for the program are
5513 insufficient to match contributions, the amount allocated must
5514 ~~shall~~ be reduced in proportion to its share of the total
5515 eligible contributions. However, in making proportional
5516 reductions, every Florida Community College System institution
5517 shall receive a minimum of \$75,000 in state matching funds if
5518 its eligible contributions would have generated an amount at
5519 least equal to \$75,000. All unmet contributions must ~~shall~~ be
5520 eligible for state matching funds in subsequent fiscal years.



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5521 (9) Each Florida Community College System institution
5522 entity shall establish its own matching grant program fund as a
5523 depository for the private contributions and matching state
5524 funds provided under this section. Florida Community College
5525 System institution foundations are responsible for the
5526 maintenance, investment, and administration of their matching
5527 grant program funds.

5528 (10) The State Board of Community Colleges ~~Education~~ may
5529 receive submissions of requests for matching funds and
5530 documentation relating to those requests, may approve requests
5531 for matching funds, and may allocate such funds to the Florida
5532 Community College System institutions.

5533 (11) The board of trustees of the Florida Community College
5534 System institution and the State Board of Community Colleges
5535 ~~Education~~ are responsible for determining the uses for the
5536 proceeds of their respective trust funds. Such use of the
5537 proceeds shall include, but not be limited to, expenditure of
5538 the funds for:

5539 (a) Scientific and technical equipment.

5540 (b) Scholarships, loans, or need-based grants.

5541 (c) Other activities that will benefit future students as
5542 well as students currently enrolled at the Florida Community
5543 College System institution, will improve the quality of
5544 education at the Florida Community College System institution,
5545 or will enhance economic development in the community.

5546 (12) Each Florida Community College System institution
5547 shall notify all donors of private funds of a substantial delay
5548 in the availability of state matching funds for this program.

5549 (13) Effective July 1, 2011, state matching funds are



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5550 temporarily suspended for donations received for this program on
5551 or after June 30, 2011. Existing eligible donations remain
5552 eligible for future matching funds. The program may be restarted
5553 after \$200 million of the backlog for programs under this
5554 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

5555 Section 98. Subsection (1) of section 1012.01, Florida
5556 Statutes, is amended to read:

5557 1012.01 Definitions.—As used in this chapter, the following
5558 terms have the following meanings:

5559 (1) SCHOOL OFFICERS.—The officers of the state system of
5560 public K-12 ~~and Florida College System institution~~ education
5561 shall be the Commissioner of Education and the members of the
5562 State Board of Education; for the Florida Community College
5563 System, the officers shall be the Chancellor of the Florida
5564 Community College System and the members of the State Board of
5565 Community Colleges; for each district school system, the
5566 officers shall be the district school superintendent and members
5567 of the district school board; and for each Florida Community
5568 College System institution, the officers shall be the Florida
5569 Community College System institution president and members of
5570 the Florida Community College System institution board of
5571 trustees.

5572 Section 99. Paragraph (a) of subsection (1) of section
5573 1012.80, Florida Statutes, is amended to read:

5574 1012.80 Participation by employees in disruptive activities
5575 at public postsecondary educational institutions; penalties.—

5576 (1) (a) Any person who accepts the privilege extended by the
5577 laws of this state of employment at any Florida Community
5578 College System institution shall, by working at such



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5579 institution, be deemed to have given his or her consent to the
5580 policies of that institution, the policies of the State Board of
5581 Community Colleges Education, and the laws of this state. Such
5582 policies shall include prohibition against disruptive activities
5583 at Florida Community College System institutions.

5584 Section 100. Subsection (1) of section 1012.81, Florida
5585 Statutes, is amended to read:

5586 1012.81 Personnel records.—

5587 (1) The State Board of Community Colleges Education shall
5588 adopt rules prescribing the content and custody of limited-
5589 access records that a Florida Community College System
5590 institution may maintain on its employees. Limited-access
5591 employee records are confidential and exempt from ~~the provisions~~
5592 ~~of~~ s. 119.07(1). Limited-access records include only the
5593 following:

5594 (a) Records containing information reflecting academic
5595 evaluations of employee performance; however, the employee and
5596 officials of the institution responsible for supervision of the
5597 employee shall have access to such records.

5598 (b) Records maintained for the purposes of any
5599 investigation of employee misconduct, including, but not limited
5600 to, a complaint against an employee and all information obtained
5601 pursuant to the investigation of such complaint; however, these
5602 records become public after the investigation ceases to be
5603 active or when the institution provides written notice to the
5604 employee who is the subject of the complaint that the
5605 institution has either:

5606 1. Concluded the investigation with a finding not to
5607 proceed with disciplinary action;



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5608 2. Concluded the investigation with a finding to proceed
5609 with disciplinary action; or

5610 3. Issued a letter of discipline.

5611
5612 For the purpose of this paragraph, an investigation shall be
5613 considered active as long as it is continuing with a reasonable,
5614 good faith anticipation that a finding will be made in the
5615 foreseeable future. An investigation shall be presumed to be
5616 inactive if no finding is made within 90 days after the
5617 complaint is filed.

5618 (c) Records maintained for the purposes of any disciplinary
5619 proceeding brought against an employee; however, these records
5620 shall be open to inspection by the employee and shall become
5621 public after a final decision is made in the proceeding.

5622 (d) Records maintained for the purposes of any grievance
5623 proceeding brought by an employee for enforcement of a
5624 collective bargaining agreement or contract; however, these
5625 records shall be open to inspection by the employee and by
5626 officials of the institution conducting the grievance proceeding
5627 and shall become public after a final decision is made in the
5628 proceeding.

5629 Section 101. Subsection (1) of section 1012.83, Florida
5630 Statutes, is amended to read:

5631 1012.83 Contracts with administrative and instructional
5632 staff.—

5633 (1) Each person employed in an administrative or
5634 instructional capacity in a Florida Community College System
5635 institution shall be entitled to a contract as provided by rules
5636 of the State Board of Community Colleges ~~Education~~.



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5637 Section 102. Section 1012.855, Florida Statutes, is amended
5638 to read:

5639 1012.855 Employment of Florida Community College System
5640 institution personnel; discrimination in granting salary
5641 prohibited.—

5642 (1) (a) Employment of all personnel in each Florida
5643 Community College System institution shall be upon
5644 recommendation of the president, subject to rejection for cause
5645 by the Florida Community College System institution board of
5646 trustees; to the rules of the State Board of Community Colleges
5647 ~~Education~~ relative to certification, tenure, leaves of absence
5648 of all types, including sabbaticals, remuneration, and such
5649 other conditions of employment as the State Board of Community
5650 Colleges ~~Education~~ deems necessary and proper; and to policies
5651 of the Florida Community College System institution board of
5652 trustees not inconsistent with law.

5653 (b) Any internal auditor employed by a Florida Community
5654 College System institution shall be hired by the Florida
5655 Community College System institution board of trustees and shall
5656 report directly to the board.

5657 (2) Each Florida Community College System institution board
5658 of trustees shall undertake a program to eradicate any
5659 discrimination on the basis of gender, race, or physical
5660 handicap in the granting of salaries to employees.

5661 Section 103. Section 1012.86, Florida Statutes, is amended
5662 to read:

5663 1012.86 Florida Community College System institution
5664 employment equity accountability program.—

5665 (1) Each Florida Community College System institution shall



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5666 include in its annual equity update a plan for increasing the
5667 representation of women and minorities in senior-level
5668 administrative positions and in full-time faculty positions, and
5669 for increasing the representation of women and minorities who
5670 have attained continuing-contract status. Positions shall be
5671 defined in the personnel data element directory of the
5672 Department of Education. The plan must include specific
5673 measurable goals and objectives, specific strategies and
5674 timelines for accomplishing these goals and objectives, and
5675 comparable national standards as provided by the Department of
5676 Education. The goals and objectives shall be based on meeting or
5677 exceeding comparable national standards and shall be reviewed
5678 and recommended by the State Board of Community Colleges
5679 ~~Education~~ as appropriate. Such plans shall be maintained until
5680 appropriate representation has been achieved and maintained for
5681 at least 3 consecutive reporting years.

5682 (2) (a) On or before May 1 of each year, each Florida
5683 Community College System institution president shall submit an
5684 annual employment accountability plan to the Chancellor of the
5685 Florida Community College System and the State Board of
5686 Community Colleges ~~Commissioner of Education and the State Board~~
5687 ~~of Education~~. The accountability plan must show faculty and
5688 administrator employment data according to requirements
5689 specified on the federal Equal Employment Opportunity (EE0-6)
5690 report.

5691 (b) The plan must show the following information for those
5692 positions including, but not limited to:

- 5693 1. Job classification title.
5694 2. Gender.



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- 5695 3. Ethnicity.
- 5696 4. Appointment status.
- 5697 5. Salary information. At each Florida Community College
5698 System institution, salary information shall also include the
5699 salary ranges in which new hires were employed compared to the
5700 salary ranges for employees with comparable experience and
5701 qualifications.
- 5702 6. Other comparative information including, but not limited
5703 to, composite information regarding the total number of
5704 positions within the particular job title classification for the
5705 Florida Community College System institution by race, gender,
5706 and salary range compared to the number of new hires.
- 5707 7. A statement certifying diversity and balance in the
5708 gender and ethnic composition of the selection committee for
5709 each vacancy, including a brief description of guidelines used
5710 for ensuring balanced and diverse membership on selection and
5711 review committees.
- 5712 (c) The annual employment accountability plan shall also
5713 include an analysis and an assessment of the Florida Community
5714 College System institution's attainment of annual goals and of
5715 long-range goals for increasing the number of women and
5716 minorities in faculty and senior-level administrative positions,
5717 and a corrective action plan for addressing underrepresentation.
- 5718 (d) Each Florida Community College System institution's
5719 employment accountability plan must also include:
- 5720 1. The requirements for receiving a continuing contract.
- 5721 2. A brief description of the process used to grant
5722 continuing-contract status.
- 5723 3. A brief description of the process used to annually



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5724 apprise each eligible faculty member of progress toward
5725 attainment of continuing-contract status.

5726 (3) Florida Community College System institution presidents
5727 and the heads of each major administrative division shall be
5728 evaluated annually on the progress made toward meeting the goals
5729 and objectives of the Florida Community College System
5730 institution's employment accountability plan.

5731 (a) The Florida Community College System institution
5732 presidents, or the presidents' designees, shall annually
5733 evaluate each department chairperson, dean, provost, and vice
5734 president in achieving the annual and long-term goals and
5735 objectives. A summary of the results of such evaluations shall
5736 be reported annually by the Florida Community College System
5737 institution president to the Florida Community College System
5738 institution board of trustees. Annual budget allocations by the
5739 Florida Community College System institution board of trustees
5740 for positions and funding must take into consideration these
5741 evaluations.

5742 (b) Florida Community College System institution boards of
5743 trustees shall annually evaluate the performance of the Florida
5744 Community College System institution presidents in achieving the
5745 annual and long-term goals and objectives. A summary of the
5746 results of such evaluations shall be reported to the State Board
5747 of Community Colleges ~~Commissioner of Education and the State~~
5748 ~~Board of Education~~ as part of the Florida Community College
5749 System institution's annual employment accountability plan, and
5750 to the Legislature as part of the annual equity progress report
5751 submitted by the State Board of Community Colleges ~~Education~~.

5752 (4) The State Board of Community Colleges ~~Education~~ shall



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5753 submit an annual equity progress report to the President of the
5754 Senate and the Speaker of the House of Representatives on or
5755 before January 1 of each year.

5756 (5) Each Florida Community College System institution shall
5757 develop a budgetary incentive plan to support and ensure
5758 attainment of the goals developed pursuant to this section. The
5759 plan shall specify, at a minimum, how resources shall be
5760 allocated to support the achievement of goals and the
5761 implementation of strategies in a timely manner. After prior
5762 review and approval by the Florida Community College System
5763 institution president and the Florida Community College System
5764 institution board of trustees, the plan shall be submitted as
5765 part of the annual employment accountability plan submitted by
5766 each Florida Community College System institution to the State
5767 Board of Community Colleges Education.

5768 (6) Subject to available funding, the Legislature shall
5769 provide an annual appropriation to the State Board of Community
5770 Colleges Education to be allocated to Florida Community College
5771 System institution presidents, faculty, and administrative
5772 personnel to further enhance equity initiatives and related
5773 priorities that support the mission of colleges and departments
5774 in recognition of the attainment of the equity goals and
5775 objectives.

5776 Section 104. Subsection (3) of section 1013.01, Florida
5777 Statutes, is amended to read:

5778 1013.01 Definitions.—The following terms shall be defined
5779 as follows for the purpose of this chapter:

5780 (3) "Board," unless otherwise specified, means a district
5781 school board, a Florida Community College System institution



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5782 board of trustees, a university board of trustees, and the Board
5783 of Trustees for the Florida School for the Deaf and the Blind.
5784 The term "board" does not include the State Board of Education,
5785 ~~or the Board of Governors, or the State Board of Community~~
5786 Colleges.

5787 Section 105. Subsection (2) of section 1013.02, Florida
5788 Statutes, is amended to read:

5789 1013.02 Purpose; rules and regulations.—

5790 (2) (a) The State Board of Education shall adopt rules
5791 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
5792 ~~provisions of this chapter for school districts and Florida~~
5793 ~~College System institutions.~~

5794 (b) The Board of Governors shall adopt regulations pursuant
5795 to its regulation development procedure to implement ~~the~~
5796 ~~provisions of this chapter for state universities.~~

5797 (c) The State Board of Community Colleges shall adopt rules
5798 pursuant to ss. 120.536(1) and 120.54 to implement this chapter
5799 for Florida Community College System institutions.

5800 Section 106. Section 1013.03, Florida Statutes, is amended
5801 to read:

5802 1013.03 Functions of the department, the State Board of
5803 Community Colleges, and the Board of Governors.—The functions of
5804 the Department of Education as it pertains to educational
5805 facilities of school districts, of the State Board of Community
5806 Colleges as it pertains to educational facilities of ~~and~~ Florida
5807 Community College System institutions, and of the Board of
5808 Governors as it pertains to educational facilities of state
5809 universities shall include, but not be limited to, the
5810 following:



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5811 (1) Establish recommended minimum and maximum square
5812 footage standards for different functions and areas and
5813 procedures for determining the gross square footage for each
5814 educational facility to be funded in whole or in part by the
5815 state, including public broadcasting stations but excluding
5816 postsecondary special purpose laboratory space. The gross square
5817 footage determination standards may be exceeded when the core
5818 facility space of an educational facility is constructed or
5819 renovated to accommodate the future addition of classrooms to
5820 meet projected increases in student enrollment. The department,
5821 the State Board of Community Colleges, and the Board of
5822 Governors shall encourage multiple use of facilities and spaces
5823 in educational plants.

5824 (2) Establish, for the purpose of determining need,
5825 equitably uniform utilization standards for all types of like
5826 space, regardless of the level of education. These standards
5827 shall also establish, for postsecondary education classrooms, a
5828 minimum room utilization rate of 40 hours per week and a minimum
5829 station utilization rate of 60 percent. These rates shall be
5830 subject to increase based on national norms for utilization of
5831 postsecondary education classrooms.

5832 (3) Require boards to submit other educational plant
5833 inventories data and statistical data or information relevant to
5834 construction, capital improvements, and related costs.

5835 (4) Require each board and other appropriate agencies to
5836 submit complete and accurate financial data as to the amounts of
5837 funds from all sources that are available and spent for
5838 construction and capital improvements. The commissioner shall
5839 prescribe the format and the date for the submission of this



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5840 data and any other educational facilities data. If any district
5841 does not submit the required educational facilities fiscal data
5842 by the prescribed date, the Commissioner of Education shall
5843 notify the district school board of this fact and, if
5844 appropriate action is not taken to immediately submit the
5845 required report, the district school board shall be directed to
5846 proceed pursuant to s. 1001.42(13)(b). If any Florida Community
5847 College System institution or university does not submit the
5848 required educational facilities fiscal data by the prescribed
5849 date, the same policy prescribed in this subsection for school
5850 districts shall be implemented.

5851 (5) Administer, under the supervision of the Commissioner
5852 of Education, the Public Education Capital Outlay and Debt
5853 Service Trust Fund and the School District and Community College
5854 District Capital Outlay and Debt Service Trust Fund.

5855 (6) Develop, review, update, revise, and recommend a
5856 mandatory portion of the Florida Building Code for educational
5857 facilities construction and capital improvement by Florida
5858 Community College System institution boards and district school
5859 boards.

5860 (7) Provide training, technical assistance, and building
5861 code interpretation for requirements of the mandatory Florida
5862 Building Code for the educational facilities construction and
5863 capital improvement programs of ~~the Florida College System~~
5864 ~~institution boards and~~ district school boards and, upon request,
5865 approve phase III construction documents for remodeling,
5866 renovation, or new construction of educational plants or
5867 ancillary facilities, except that Florida Community College
5868 System institutions and university boards of trustees shall



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5869 approve specifications and construction documents for their
5870 respective institutions pursuant to guidelines of the Board of
5871 Governors or State Board of Community Colleges, as applicable.
5872 The Department of Management Services may, upon request, provide
5873 similar services for the Florida School for the Deaf and the
5874 Blind and shall use the Florida Building Code and the Florida
5875 Fire Prevention Code.

5876 (8) Provide minimum criteria, procedures, and training to
5877 boards to conduct educational plant surveys and document the
5878 determination of future needs.

5879 (9) Make available to boards technical assistance,
5880 awareness training, and research and technical publications
5881 relating to lifesafety, casualty, sanitation, environmental,
5882 maintenance, and custodial issues; and, as needed, technical
5883 assistance for survey, planning, design, construction,
5884 operation, and evaluation of educational and ancillary
5885 facilities and plants, facilities administrative procedures
5886 review, and training for new administrators.

5887 (10)(a) Review and validate surveys proposed or amended by
5888 the boards and recommend to the Commissioner of Education, the
5889 Chancellor of the Florida Community College System, or the
5890 Chancellor of the State University System, as appropriate, for
5891 approval, surveys that meet the requirements of this chapter.

5892 1. The term "validate" as applied to surveys by school
5893 districts means to review inventory data as submitted to the
5894 department by district school boards; provide for review and
5895 inspection, where required, of student stations and aggregate
5896 square feet of inventory changed from satisfactory to
5897 unsatisfactory or changed from unsatisfactory to satisfactory;



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5898 compare new school inventory to allocation limits provided by
5899 this chapter; review cost projections for conformity with cost
5900 limits set by s. 1013.64(6); compare total capital outlay full-
5901 time equivalent enrollment projections in the survey with the
5902 department's projections; review facilities lists to verify that
5903 student station and auxiliary facility space allocations do not
5904 exceed the limits provided by this chapter and related rules;
5905 review and confirm the application of uniform facility
5906 utilization factors, where provided by this chapter or related
5907 rules; use ~~utilize~~ the documentation of programs offered per
5908 site, as submitted by the board, to analyze facility needs;
5909 confirm that need projections for career and adult educational
5910 programs comply with needs documented by the Department of
5911 Education; and confirm the assignment of full-time student
5912 stations to all space except auxiliary facilities, which, for
5913 purposes of exemption from student station assignment, include
5914 the following:

- 5915 a. Cafeterias.
- 5916 b. Multipurpose dining areas.
- 5917 c. Media centers.
- 5918 d. Auditoriums.
- 5919 e. Administration.
- 5920 f. Elementary, middle, and high school resource rooms, up
5921 to the number of such rooms recommended for the applicable
5922 occupant and space design capacity of the educational plant in
5923 the State Requirements for Educational Facilities, beyond which
5924 student stations must be assigned.
- 5925 g. Elementary school skills labs, up to the number of such
5926 rooms recommended for the applicable occupant and space design



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5927 capacity of the educational plant in the State Requirements for
5928 Educational Facilities, beyond which student stations must be
5929 assigned.

5930 h. Elementary school art and music rooms.

5931
5932 The Commissioner of Education may grant a waiver from the
5933 requirements of this subparagraph if a district school board
5934 determines that such waiver will make possible a substantial
5935 savings of funds or will be advantageous to the welfare of the
5936 educational system. The district school board shall present a
5937 full statement to the commissioner which sets forth the facts
5938 that warrant the waiver. If the commissioner denies a request
5939 for a waiver, the district school board may appeal such decision
5940 to the State Board of Education.

5941 2. The term "validate" as applied to surveys by Florida
5942 Community College System institutions and universities means to
5943 review and document the approval of each new site and official
5944 designation, where applicable; review the inventory database as
5945 submitted by each board to the department, including noncareer,
5946 and total capital outlay full-time equivalent enrollment
5947 projections per site and per college; provide for the review and
5948 inspection, where required, of student stations and aggregate
5949 square feet of space changed from satisfactory to
5950 unsatisfactory; use ~~utilize~~ and review the documentation of
5951 programs offered per site submitted by the boards as accurate
5952 for analysis of space requirements and needs; confirm that needs
5953 projected for career and adult educational programs comply with
5954 needs documented by the Department of Education; compare new
5955 facility inventory to allocations limits as provided in this



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5956 chapter; review cost projections for conformity with state
5957 averages or limits designated by this chapter; compare student
5958 enrollment projections in the survey to the department's
5959 projections; review facilities lists to verify that area
5960 allocations and space factors for generating space needs do not
5961 exceed the limits as provided by this chapter and related rules;
5962 confirm the application of facility utilization factors as
5963 provided by this chapter and related rules; and review, as
5964 submitted, documentation of how survey recommendations will
5965 implement the detail of current campus master plans and
5966 integrate with local comprehensive plans and development
5967 regulations.

5968 (b) Recommend priority of projects to be funded.

5969 (11) Prepare the commissioner's comprehensive fixed capital
5970 outlay legislative budget request and provide annually an
5971 estimate of the funds available for developing required 3-year
5972 priority lists. This amount shall be based upon the average
5973 percentage for the 5 prior years of funds appropriated by the
5974 Legislature for fixed capital outlay to each level of public
5975 education: public schools, Florida Community College System
5976 institutions, and universities.

5977 (12) Perform any other functions that may be involved in
5978 educational facilities construction and capital improvement
5979 which shall ensure that the intent of the Legislature is
5980 implemented.

5981 Section 107. Section 1013.28, Florida Statutes, is amended
5982 to read:

5983 1013.28 Disposal of property.—

5984 (1) REAL PROPERTY.—



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5985 (a) Subject to rules of the State Board of Education, a
5986 district school board or, the Board of Trustees for the Florida
5987 School for the Deaf and the Blind, ~~or a Florida College System~~
5988 ~~institution board of trustees~~ may dispose of any land or real
5989 property to which the board holds title which is, by resolution
5990 of the board, determined to be unnecessary for educational
5991 purposes as recommended in an educational plant survey. A
5992 district school board or, the Board of Trustees for the Florida
5993 School for the Deaf and the Blind, ~~or a Florida College System~~
5994 ~~institution board of trustees~~ shall take diligent measures to
5995 dispose of educational property only in the best interests of
5996 the public. However, appraisals may be obtained by the district
5997 school board or, the Board of Trustees for the Florida School
5998 for the Deaf and the Blind before, ~~or the Florida College System~~
5999 ~~institution board of trustees~~ prior to or simultaneously with
6000 the receipt of bids.

6001 (b) Subject to regulations of the Board of Governors, a
6002 state university board of trustees may dispose of any land or
6003 real property to which it holds valid title which is, by
6004 resolution of the state university board of trustees, determined
6005 to be unnecessary for educational purposes as recommended in an
6006 educational plant survey. A state university board of trustees
6007 shall take diligent measures to dispose of educational property
6008 only in the best interests of the public. However, appraisals
6009 may be obtained by the state university board of trustees prior
6010 to or simultaneously with the receipt of bids.

6011 (c) Subject to rules of the State Board of Community
6012 Colleges, a Florida Community College System institution board
6013 of trustees may dispose of any land or real property to which it



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6014 holds valid title which is, by resolution of the Florida
6015 Community College System institution board of trustees,
6016 determined to be unnecessary for educational purposes as
6017 recommended in an educational plant survey. A Florida Community
6018 College System institution board of trustees shall take diligent
6019 measures to dispose of educational property only in the best
6020 interests of the public. However, appraisals may be obtained by
6021 the Florida Community College System institution board of
6022 trustees prior to or simultaneously with the receipt of bids.

6023 (2) TANGIBLE PERSONAL PROPERTY.—

6024 (a) Tangible personal property that has been properly
6025 classified as surplus by a district school board ~~or Florida~~
6026 ~~College System institution board of trustees~~ shall be disposed
6027 of in accordance with the procedure established by chapter 274.
6028 However, the provisions of chapter 274 shall not be applicable
6029 to a motor vehicle used in driver education to which title is
6030 obtained for a token amount from an automobile dealer or
6031 manufacturer. In such cases, the disposal of the vehicle shall
6032 be as prescribed in the contractual agreement between the
6033 automotive agency or manufacturer and the board.

6034 (b) Tangible personal property that has been properly
6035 classified as surplus by a state university board of trustees
6036 shall be disposed of in accordance with the procedure
6037 established by chapter 273.

6038 (c) Tangible personal property that has been properly
6039 classified as surplus by a Florida Community College System
6040 institution board of trustees shall be disposed of in accordance
6041 with the procedure established by chapter 274.

6042 Section 108. Subsection (1) of section 1013.31, Florida



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6043 Statutes, is amended to read:

6044 1013.31 Educational plant survey; localized need
6045 assessment; PECO project funding.—

6046 (1) At least every 5 years, each board shall arrange for an
6047 educational plant survey, to aid in formulating plans for
6048 housing the educational program and student population, faculty,
6049 administrators, staff, and auxiliary and ancillary services of
6050 the district or campus, including consideration of the local
6051 comprehensive plan. The Department of Education, for school
6052 districts, and the State Board of Community Colleges, for the
6053 Florida Community College System, shall document the need for
6054 additional career and adult education programs and the
6055 continuation of existing programs before facility construction
6056 or renovation related to career or adult education may be
6057 included in the educational plant survey of a school district or
6058 Florida Community College System institution that delivers
6059 career or adult education programs. Information used by the
6060 Department of Education or State Board of Community Colleges to
6061 establish facility needs must include, but need not be limited
6062 to, labor market data, needs analysis, and information submitted
6063 by the school district or Florida Community College System
6064 institution.

6065 (a) *Survey preparation and required data.*—Each survey shall
6066 be conducted by the board or an agency employed by the board.
6067 Surveys shall be reviewed and approved by the board, and a file
6068 copy shall be submitted to the Department of Education, the
6069 Chancellor of the Florida Community College System, or the
6070 Chancellor of the State University System, as appropriate. The
6071 survey report shall include at least an inventory of existing



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6072 educational and ancillary plants, including safe access
6073 facilities; recommendations for existing educational and
6074 ancillary plants; recommendations for new educational or
6075 ancillary plants, including the general location of each in
6076 coordination with the land use plan and safe access facilities;
6077 campus master plan update and detail for Florida Community
6078 College System institutions; the use ~~utilization~~ of school
6079 plants based on an extended school day or year-round operation;
6080 and such other information as may be required by the Department
6081 of Education. This report may be amended, if conditions warrant,
6082 at the request of the department or commissioner.

6083 (b) *Required need assessment criteria for district, Florida*
6084 *Community College System institution, state university, and*
6085 *Florida School for the Deaf and the Blind plant surveys.-*
6086 Educational plant surveys must use uniform data sources and
6087 criteria specified in this paragraph. Each revised educational
6088 plant survey and each new educational plant survey supersedes
6089 previous surveys.

6090 1. The school district's survey must be submitted as a part
6091 of the district educational facilities plan defined in s.
6092 1013.35. To ensure that the data reported to the Department of
6093 Education as required by this section is correct, the department
6094 shall annually conduct an onsite review of 5 percent of the
6095 facilities reported for each school district completing a new
6096 survey that year. If the department's review finds the data
6097 reported by a district is less than 95 percent accurate, within
6098 1 year from the time of notification by the department the
6099 district must submit revised reports correcting its data. If a
6100 district fails to correct its reports, the commissioner may



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6101 direct that future fixed capital outlay funds be withheld until
6102 such time as the district has corrected its reports so that they
6103 are not less than 95 percent accurate.

6104 2. Each survey of a special facility, joint-use facility,
6105 or cooperative career education facility must be based on
6106 capital outlay full-time equivalent student enrollment data
6107 prepared by the department for school districts and Florida
6108 Community College System institutions and by the Chancellor of
6109 the State University System for universities. A survey of space
6110 needs of a joint-use facility shall be based upon the respective
6111 space needs of the school districts, Florida Community College
6112 System institutions, and universities, as appropriate.
6113 Projections of a school district's facility space needs may not
6114 exceed the norm space and occupant design criteria established
6115 by the State Requirements for Educational Facilities.

6116 3. Each Florida Community College System institution's
6117 survey must reflect the capacity of existing facilities as
6118 specified in the inventory maintained and validated by the
6119 Chancellor of the Florida Community College System ~~by the~~
6120 ~~Department of Education~~. Projections of facility space needs
6121 must comply with standards for determining space needs as
6122 specified by rule of the State Board of Community Colleges
6123 ~~Education~~. The 5-year projection of capital outlay student
6124 enrollment must be consistent with the annual report of capital
6125 outlay full-time student enrollment prepared by the Department
6126 of Education.

6127 4. Each state university's survey must reflect the capacity
6128 of existing facilities as specified in the inventory maintained
6129 and validated by the Chancellor of the State University System.



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6130 Projections of facility space needs must be consistent with
6131 standards for determining space needs as specified by regulation
6132 of the Board of Governors. The projected capital outlay full-
6133 time equivalent student enrollment must be consistent with the
6134 5-year planned enrollment cycle for the State University System
6135 approved by the Board of Governors.

6136 5. The district educational facilities plan of a school
6137 district and the educational plant survey of a Florida Community
6138 College System institution, state university, or the Florida
6139 School for the Deaf and the Blind may include space needs that
6140 deviate from approved standards for determining space needs if
6141 the deviation is justified by the district or institution and
6142 approved by the department, the State Board of Community
6143 Colleges, or the Board of Governors, as appropriate, as
6144 necessary for the delivery of an approved educational program.

6145 (c) *Review and validation.*—The Department of Education
6146 shall review and validate the surveys of school districts, the
6147 Chancellor of the Florida Community College System shall review
6148 and validate the surveys of ~~and~~ Florida Community College System
6149 institutions, and the Chancellor of the State University System
6150 shall review and validate the surveys of universities, and any
6151 amendments thereto for compliance with the requirements of this
6152 chapter and shall recommend those in compliance for approval by
6153 the State Board of Education, the State Board of Community
6154 Colleges, or the Board of Governors, as appropriate. Annually,
6155 the department shall perform an in-depth analysis of a
6156 representative sample of each survey of recommended needs for
6157 five districts selected by the commissioner from among districts
6158 with the largest need-to-revenue ratio. For the purpose of this



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6159 subsection, the need-to-revenue ratio is determined by dividing
6160 the total 5-year cost of projects listed on the district survey
6161 by the total 5-year fixed capital outlay revenue projections
6162 from state and local sources as determined by the department.
6163 The commissioner may direct fixed capital outlay funds to be
6164 withheld from districts until such time as the survey accurately
6165 projects facilities needs.

6166 (d) *Periodic update of Florida Inventory of School Houses.*—
6167 School districts shall periodically update their inventory of
6168 educational facilities as new capacity becomes available and as
6169 unsatisfactory space is eliminated. The State Board of Education
6170 shall adopt rules to determine the timeframe in which districts
6171 must provide a periodic update.

6172 Section 109. Subsections (1) and (3) of section 1013.36,
6173 Florida Statutes, are amended to read:

6174 1013.36 Site planning and selection.—

6175 (1) Before acquiring property for sites, each district
6176 school board and Florida Community College System institution
6177 board of trustees shall determine the location of proposed
6178 educational centers or campuses. In making this determination,
6179 the board shall consider existing and anticipated site needs and
6180 the most economical and practicable locations of sites. The
6181 board shall coordinate with the long-range or comprehensive
6182 plans of local, regional, and state governmental agencies to
6183 assure the consistency of such plans. Boards are encouraged to
6184 locate district educational facilities proximate to urban
6185 residential areas to the extent possible, and shall seek to
6186 collocate district educational facilities with other public
6187 facilities, such as parks, libraries, and community centers, to



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6188 the extent possible and to encourage using elementary schools as
6189 focal points for neighborhoods.

6190 (3) Sites recommended for purchase or purchased must meet
6191 standards prescribed in law and such supplementary standards as
6192 the State Board of Education or State Board of Community
6193 Colleges, as appropriate, prescribes to promote the educational
6194 interests of the students. Each site must be well drained and
6195 suitable for outdoor educational purposes as appropriate for the
6196 educational program or collocated with facilities to serve this
6197 purpose. As provided in s. 333.03, the site must not be located
6198 within any path of flight approach of any airport. Insofar as is
6199 practicable, the site must not adjoin a right-of-way of any
6200 railroad or through highway and must not be adjacent to any
6201 factory or other property from which noise, odors, or other
6202 disturbances, or at which conditions, would be likely to
6203 interfere with the educational program. To the extent
6204 practicable, sites must be chosen which will provide safe access
6205 from neighborhoods to schools.

6206 Section 110. Subsections (3) and (4) of section 1013.37,
6207 Florida Statutes, are amended to read:

6208 1013.37 State uniform building code for public educational
6209 facilities construction.—

6210 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
6211 Chancellor of the Florida Community College System, as
6212 appropriate, shall cooperate with the Florida Building
6213 Commission in addressing all questions, disputes, or
6214 interpretations involving the provisions of the Florida Building
6215 Code which govern the construction of public educational and
6216 ancillary facilities, and any objections to decisions made by



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6217 the inspectors or the department must be submitted in writing.

6218 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
6219 department, for school districts, and the State Board of
6220 Community Colleges, for Florida Community College System
6221 institutions, shall biennially review and recommend to the
6222 Florida Building Commission updates and revisions to the
6223 provisions of the Florida Building Code which govern the
6224 construction of public educational and ancillary facilities. The
6225 department, for school districts, and the State Board of
6226 Community Colleges, for Florida Community College System
6227 institutions, shall publish and make available to each board at
6228 no cost copies of the State Requirements for Educational
6229 Facilities and each amendment and revision thereto. The
6230 department and state board shall make additional copies
6231 available to all interested persons at a price sufficient to
6232 recover costs.

6233 Section 111. Section 1013.40, Florida Statutes, is amended
6234 to read:

6235 1013.40 Planning and construction of Florida Community
6236 College System institution facilities; property acquisition.—

6237 (1) The need for Florida Community College System
6238 institution facilities shall be established by a survey
6239 conducted pursuant to this chapter. The facilities recommended
6240 by such survey must be approved by the State Board of Community
6241 Colleges Education, and the projects must be constructed
6242 according to the provisions of this chapter and State Board of
6243 Community Colleges Education rules.

6244 (2) A ~~NE~~ Florida Community College System institution may
6245 not expend public funds for the acquisition of additional



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6246 property without the specific approval of the Legislature.

6247 (3) A ~~No~~ facility may not be acquired or constructed by a
6248 Florida Community College System institution or its direct-
6249 support organization if such facility requires general revenue
6250 funds for operation or maintenance upon project completion or in
6251 subsequent years of operation, unless prior approval is received
6252 from the Legislature.

6253 (4) The campus of a Florida Community College System
6254 institution within a municipality designated as an area of
6255 critical state concern, as defined in s. 380.05, and having a
6256 comprehensive plan and land development regulations containing a
6257 building permit allocation system that limits annual growth, may
6258 construct dormitories for up to 300 beds for Florida Community
6259 College System institution students. Such dormitories are exempt
6260 from the building permit allocation system and may be
6261 constructed up to 45 feet in height if the dormitories are
6262 otherwise consistent with the comprehensive plan, the Florida
6263 Community College System institution has a hurricane evacuation
6264 plan that requires all dormitory occupants to be evacuated 48
6265 hours in advance of tropical force winds, and transportation is
6266 provided for dormitory occupants during an evacuation. State
6267 funds and tuition and fee revenues may not be used for
6268 construction, debt service payments, maintenance, or operation
6269 of such dormitories. Additional dormitory beds constructed after
6270 July 1, 2016, may not be financed through the issuance of a
6271 bond.

6272 Section 112. Section 1013.47, Florida Statutes, is amended
6273 to read:

6274 1013.47 Substance of contract; contractors to give bond;



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6275 penalties.—Each board shall develop contracts consistent with
6276 this chapter and statutes governing public facilities. Such a
6277 contract must contain the drawings and specifications of the
6278 work to be done and the material to be furnished, the time limit
6279 in which the construction is to be completed, the time and
6280 method by which payments are to be made upon the contract, and
6281 the penalty to be paid by the contractor for a failure to comply
6282 with the terms of the contract. The board may require the
6283 contractor to pay a penalty for any failure to comply with the
6284 terms of the contract and may provide an incentive for early
6285 completion. Upon accepting a satisfactory bid, the board shall
6286 enter into a contract with the party or parties whose bid has
6287 been accepted. The contractor shall furnish the board with a
6288 performance and payment bond as set forth in s. 255.05. A board
6289 or other public entity may not require a contractor to secure a
6290 surety bond under s. 255.05 from a specific agent or bonding
6291 company. A person, firm, or corporation that constructs any part
6292 of any educational plant, or addition thereto, on the basis of
6293 any unapproved plans or in violation of any plans approved in
6294 accordance with the provisions of this chapter and rules of the
6295 State Board of Education or State Board of Community Colleges or
6296 regulations of the Board of Governors relating to building
6297 standards or specifications is subject to forfeiture of the
6298 surety bond and unpaid compensation in an amount sufficient to
6299 reimburse the board for any costs that will need to be incurred
6300 in making any changes necessary to assure that all requirements
6301 are met and is also guilty of a misdemeanor of the second
6302 degree, punishable as provided in s. 775.082 or s. 775.083, for
6303 each separate violation.



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6304 Section 113. Section 1013.52, Florida Statutes, is amended
6305 to read:

6306 1013.52 Cooperative development and joint use of facilities
6307 by two or more boards.-

6308 (1) Two or more boards, including district school boards,
6309 Florida Community College System institution boards of trustees,
6310 the Board of Trustees for the Florida School for the Deaf and
6311 the Blind, and university boards of trustees, desiring to
6312 cooperatively establish a common educational facility to
6313 accommodate students shall:

6314 (a) Jointly request a formal assessment by the Commissioner
6315 of Education, ~~or~~ the Chancellor of the State University System,
6316 or the Chancellor of the State Board of Community Colleges, as
6317 appropriate, of the academic program need and the need to build
6318 new joint-use facilities to house approved programs. Completion
6319 of the assessment and approval of the project by the State Board
6320 of Education, the State Board of Community Colleges, the
6321 Chancellor of the Florida Community College System, the Board of
6322 Governors, the Chancellor of the State University System, or the
6323 Commissioner of Education, as appropriate, should be done prior
6324 to conducting an educational facilities survey.

6325 (b) Demonstrate the need for construction of new joint-use
6326 facilities involving postsecondary institutions by those
6327 institutions presenting evidence of the presence of sufficient
6328 actual full-time equivalent enrollments in the locale in leased,
6329 rented, or borrowed spaces to justify the requested facility for
6330 the programs identified in the formal assessment rather than
6331 using projected or anticipated future full-time equivalent
6332 enrollments as justification. If the decision is made to



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6333 construct new facilities to meet this demonstrated need, then
6334 building plans should consider full-time equivalent enrollment
6335 growth facilitated by this new construction and subsequent new
6336 program offerings made possible by the existence of the new
6337 facilities.

6338 (c) Adopt and submit to the Commissioner of Education, the
6339 Chancellor of the Florida Community College System, or ~~and~~ the
6340 Chancellor of the State University System, as appropriate, if
6341 the joint request involves a state university, a joint
6342 resolution of the participating boards indicating their
6343 commitment to the utilization of the requested facility and
6344 designating the locale of the proposed facility. The joint
6345 resolution shall contain a statement of determination by the
6346 participating boards that alternate options, including the use
6347 of leased, rented, or borrowed space, were considered and found
6348 less appropriate than construction of the proposed facility. The
6349 joint resolution shall contain assurance that the development of
6350 the proposed facility has been examined in conjunction with the
6351 programs offered by neighboring public educational facilities
6352 offering instruction at the same level. The joint resolution
6353 also shall contain assurance that each participating board shall
6354 provide for continuity of educational progression. All joint
6355 resolutions shall be submitted by August 1 for consideration of
6356 funding by the subsequent Legislature.

6357 (d) Submit requests for funding of joint-use facilities
6358 projects involving state universities and Florida Community
6359 College System institutions for approval by the Chancellor of
6360 the Florida Community College System ~~Commissioner of Education~~
6361 and the Chancellor of the State University System. The



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6362 Chancellor of the Florida Community College System ~~Commissioner~~
6363 ~~of Education~~ and the Chancellor of the State University System
6364 shall jointly determine the priority for funding these projects
6365 in relation to the priority of all other capital outlay projects
6366 under their consideration. To be eligible for funding from the
6367 Public Education Capital Outlay and Debt Service Trust Fund
6368 under the provisions of this section, projects involving both
6369 state universities and Florida Community College System
6370 institutions shall appear on the 3-year capital outlay priority
6371 lists of Florida Community College System institutions and of
6372 universities required by s. 1013.64. Projects involving a state
6373 university, a Florida Community College System institution, and
6374 a public school, and in which the larger share of the proposed
6375 facility is for the use of the state university or the Florida
6376 Community College System institution, shall appear on the 3-year
6377 capital outlay priority lists of the Florida Community College
6378 System institutions or of the universities, as applicable.

6379 (e) Include in their joint resolution for the joint-use
6380 facilities, comprehensive plans for the operation and management
6381 of the facility upon completion. Institutional responsibilities
6382 for specific functions shall be identified, including
6383 designation of one participating board as sole owner of the
6384 facility. Operational funding arrangements shall be clearly
6385 defined.

6386 (2) An educational plant survey must be conducted within 90
6387 days after submission of the joint resolution and substantiating
6388 data describing the benefits to be obtained, the programs to be
6389 offered, and the estimated cost of the proposed project. Upon
6390 completion of the educational plant survey, the participating



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6391 boards may include the recommended projects in their plan as
6392 provided in s. 1013.31. Upon approval of the project by the
6393 commissioner, the Chancellor of the Florida Community College
6394 System, or the Chancellor of the State University System, as
6395 appropriate, 25 percent of the total cost of the project, or the
6396 pro rata share based on space utilization of 25 percent of the
6397 cost, must be included in the department's legislative capital
6398 outlay budget request as provided in s. 1013.60 for educational
6399 plants. The participating boards must include in their joint
6400 resolution a commitment to finance the remaining funds necessary
6401 to complete the planning, construction, and equipping of the
6402 facility. Funds from the Public Education Capital Outlay and
6403 Debt Service Trust Fund may not be expended on any project
6404 unless specifically authorized by the Legislature.

6405 (3) Included in all proposals for joint-use facilities must
6406 be documentation that the proposed new campus or new joint-use
6407 facility has been reviewed by the State Board of Education, the
6408 State Board of Community Colleges, or the Board of Governors, as
6409 appropriate, and has been formally requested for authorization
6410 by the Legislature.

6411 (4) A ~~No~~ district school board, Florida Community College
6412 System institution, or state university may not ~~shall~~ receive
6413 funding for more than one approved joint-use facility per campus
6414 in any 3-year period.

6415 Section 114. Subsection (1) of section 1013.65, Florida
6416 Statutes, is amended to read:

6417 1013.65 Educational and ancillary plant construction funds;
6418 Public Education Capital Outlay and Debt Service Trust Fund;
6419 allocation of funds.—



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6420 (1) The commissioner, through the department, shall
6421 administer the Public Education Capital Outlay and Debt Service
6422 Trust Fund. The commissioner shall allocate or reallocate funds
6423 as authorized by the Legislature. Copies of each allocation or
6424 reallocation shall be provided to members of the State Board of
6425 Education, the State Board of Community Colleges, and the Board
6426 of Governors and to the chairs of the House of Representatives
6427 and Senate appropriations committees. The commissioner shall
6428 provide for timely encumbrances of funds for duly authorized
6429 projects. Encumbrances may include proceeds to be received under
6430 a resolution approved by the State Board of Education
6431 authorizing the issuance of public education capital outlay
6432 bonds pursuant to s. 9(a)(2), Art. XII of the State
6433 Constitution, s. 215.61, and other applicable law. The
6434 commissioner shall provide for the timely disbursement of moneys
6435 necessary to meet the encumbrance authorizations of the boards.
6436 Records shall be maintained by the department to identify
6437 legislative appropriations, allocations, encumbrance
6438 authorizations, disbursements, transfers, investments, sinking
6439 funds, and revenue receipts by source. The Department of
6440 Education shall pay the administrative costs of the Public
6441 Education Capital Outlay and Debt Service Trust Fund from the
6442 funds which comprise the trust fund.

6443 Section 115. The Board of Governors shall conduct a study
6444 of state investment allocation methodologies for the
6445 performance-based funding model. The study must include various
6446 options, including options in which each university may be
6447 eligible to receive some portion of the state investment based
6448 on benchmarks that reflect the institutional mission of each



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6449 university and irrespective of their performance-based funding
6450 model score relative to other university scores. The Board of
6451 Governors shall submit a report describing the study, and any
6452 action taken by the Board of Governors relative to the study, to
6453 the chairs of the House and Senate Education Appropriations
6454 Subcommittees by December 31, 2017.

6455 Section 116. The Division of Law Revision and Information
6456 is directed to prepare a reviser's bill for the 2018 Regular
6457 Session to substitute the term "Florida Community College
6458 System" for "Florida College System" and the term "Florida
6459 Community College System institution" for "Florida College
6460 System institution" where those terms appear in the Florida
6461 Statutes.

6462 Section 117. Effective July 1, 2017, section 1001.66,
6463 Florida Statutes, is amended to read:

6464 1001.66 Florida Community College System Performance-Based
6465 Incentive.-

6466 (1) The State Board of Community Colleges shall adopt the
6467 following performance-based metrics for use in awarding a
6468 Florida Community College System Performance-Based Incentive
6469 ~~shall be awarded to a Florida Community College System~~
6470 ~~institution: institutions using performance-based metrics~~

6471 (a) A student retention rate, as calculated by the State
6472 Board of Community Colleges;

6473 (b) A 100 percent-of-normal-time program completion and
6474 graduation rate for full-time, first-time-in-college students,
6475 as calculated by the State Board of Community Colleges using a
6476 cohort definition of "full-time" based on a student's majority
6477 enrollment in full-time terms. This paragraph does not apply to



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6478 non-degree seeking students;

6479 (c) A continuing education or postgraduation job placement
6480 rate for workforce education programs, including workforce
6481 baccalaureate degree programs, as reported by the Florida
6482 Education and Training Placement Information Program, with wage
6483 thresholds that reflect the added value of the applicable
6484 certificate or degree. This paragraph does not apply to
6485 associate in arts degrees;

6486 (d) A graduation rate for first-time-in-college students
6487 enrolled in an associate of arts degree program who graduate
6488 with a baccalaureate degree in 4 years after initially enrolling
6489 in an associates of arts degree program; and

6490 (e) One performance-based metric on college affordability
6491 adopted by the State Board of Education. The performance-based
6492 metrics must include retention rates; program completion and
6493 graduation rates; postgraduation employment, salaries, and
6494 continuing education for workforce education and baccalaureate
6495 programs, with wage thresholds that reflect the added value of
6496 the certificate or degree; and outcome measures appropriate for
6497 associate of arts degree recipients.

6498
6499 The state board shall adopt benchmarks to evaluate each
6500 institution's performance on the metrics to measure the
6501 institution's achievement of institutional excellence or need
6502 for improvement and ~~the~~ minimum requirements for eligibility to
6503 receive performance funding.

6504 (2) Each fiscal year, the amount of funds available for
6505 allocation to the Florida Community College System institutions
6506 based on the performance-based funding model shall consist of



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6507 the state's investment in performance funding plus institutional
6508 investments consisting of funds to be redistributed from the
6509 base funding of the Florida Community College System Program
6510 Fund as determined in the General Appropriations Act. The State
6511 Board of Community Colleges ~~Education~~ shall establish minimum
6512 performance funding eligibility thresholds for the state's
6513 investment and the institutional investments. An institution
6514 that meets the minimum institutional investment eligibility
6515 threshold, but fails to meet the minimum state investment
6516 eligibility threshold, shall have its institutional investment
6517 restored but is ineligible for a share of the state's investment
6518 in performance funding. The institutional investment shall be
6519 restored for all institutions eligible for the state's
6520 investment under the performance-based funding model.

6521 (3) (a) Each Florida Community College System institution's
6522 share of the performance funding shall be calculated based on
6523 its relative performance on the established metrics in
6524 conjunction with the institutional size and scope.

6525 (b) A Florida Community College System institution that
6526 fails to meet the State Board of Community Colleges' ~~Education's~~
6527 minimum institutional investment performance funding eligibility
6528 threshold shall have a portion of its institutional investment
6529 withheld by the state board and must submit an improvement plan
6530 to the state board which specifies the activities and strategies
6531 for improving the institution's performance. The state board
6532 must review and approve the improvement plan and, if the plan is
6533 approved, must monitor the institution's progress in
6534 implementing the activities and strategies specified in the
6535 improvement plan. The institution shall submit monitoring



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6536 reports to the state board by December 31 and May 31 of each
6537 year in which an improvement plan is in place. Beginning in the
6538 2017-2018 fiscal year, the ability of an institution to submit
6539 an improvement plan to the state board is limited to 1 fiscal
6540 year.

6541 (c) The Chancellor of the Florida Community College System
6542 ~~Commissioner of Education~~ shall withhold disbursement of the
6543 institutional investment until the monitoring report is approved
6544 by the State Board of Community Colleges Education. A Florida
6545 Community College System institution determined by the state
6546 board to be making satisfactory progress on implementing the
6547 improvement plan shall receive no more than one-half of the
6548 withheld institutional investment in January and the balance of
6549 the withheld institutional investment in June. An institution
6550 that fails to make satisfactory progress may not have its full
6551 institutional investment restored. Any institutional investment
6552 funds that are not restored shall be redistributed in accordance
6553 with the state board's performance-based metrics.

6554 (4) Distributions of performance funding, as provided in
6555 this section, shall be made to each of the Florida Community
6556 College System institutions listed in the Florida Community
6557 Colleges category in the General Appropriations Act.

6558 (5) By October 1 of each year, the State Board of Community
6559 Colleges Education shall submit to the Governor, the President
6560 of the Senate, and the Speaker of the House of Representatives a
6561 report on the previous fiscal year's performance funding
6562 allocation, which must reflect the rankings and award
6563 distributions.

6564 (6) The State Board of Community Colleges Education shall



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6565 adopt rules to administer this section.

6566 Section 118. Effective July 1, 2017, section 1001.67,
6567 Florida Statutes, is amended to read:

6568 1001.67 Distinguished Florida Community College System
6569 Institution Program.—A collaborative partnership is established
6570 between the State Board of Community Colleges ~~Education~~ and the
6571 Legislature to recognize the excellence of Florida's highest-
6572 performing Florida Community College System institutions.

6573 (1) EXCELLENCE STANDARDS.—The following excellence
6574 standards are established for the program:

6575 (a) A 100 ~~150~~ percent-of-normal-time completion rate for
6576 full-time, first-time-in-college students of 50 percent or
6577 higher, as calculated by the State Board of Community ~~Division~~
6578 ~~of Florida~~ Colleges.

6579 (b) A 100 ~~150~~ percent-of-normal-time completion rate for
6580 full-time, first-time-in-college Pell Grant recipients of 40
6581 percent or higher, as calculated by the State Board of Community
6582 ~~Division of Florida~~ Colleges.

6583 (c) A retention rate of 70 percent or higher, as calculated
6584 by the State Board of Community ~~Division of Florida~~ Colleges.

6585 (d) A continuing education, or transfer, rate of 72 percent
6586 or higher for students graduating with an associate of arts
6587 degree, as reported by the Florida Education and Training
6588 Placement Information Program (FETPIP).

6589 (e) A licensure passage rate on the National Council
6590 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
6591 percent or higher for first-time exam takers, as reported by the
6592 Board of Nursing.

6593 (f) A ~~job placement or~~ continuing education or job



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6594 placement rate of 88 percent or higher for workforce programs,
6595 as reported by FETPIP, with wage thresholds that reflect the
6596 added value of the applicable certificate or degree. This
6597 paragraph does not apply to associate of arts degrees.

6598 (g) An excess hours rate of 40 percent or lower for ~~A time-~~
6599 ~~to-degree for students graduating with an~~ associate of arts
6600 degree recipients who graduate with 72 or more credit hours, as
6601 calculated by the State Board of Community Colleges ~~of 2.25~~
6602 ~~years or less for first-time-in-college students with~~
6603 ~~accelerated college credits, as reported by the Southern~~
6604 ~~Regional Education Board.~~

6605 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
6606 Community Colleges ~~Education~~ shall designate each Florida
6607 Community College System institution that meets five of the
6608 seven standards identified in subsection (1) as a distinguished
6609 college.

6610 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community
6611 College System institution designated as a distinguished college
6612 by the State Board of Community Colleges ~~Education~~ is eligible
6613 for funding as specified in the General Appropriations Act.

6614 Section 119. Effective July 1, 2017, paragraph (b) of
6615 subsection (5) and subsection (9) of section 1001.706, Florida
6616 Statutes, are amended to read:

6617 1001.706 Powers and duties of the Board of Governors.—

6618 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

6619 (b) The Board of Governors shall develop a strategic plan
6620 specifying goals and objectives for the State University System
6621 and each constituent university, including each university's
6622 contribution to overall system goals and objectives. The



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6623 strategic plan must:

6624 1. Include performance metrics and standards common for all
6625 institutions and metrics and standards unique to institutions
6626 depending on institutional core missions, including, but not
6627 limited to, student admission requirements, retention,
6628 graduation, percentage of graduates who have attained
6629 employment, percentage of graduates enrolled in continued
6630 education, licensure passage, average wages of employed
6631 graduates, average cost per graduate, excess hours, student loan
6632 burden and default rates, faculty awards, total annual research
6633 expenditures, patents, licenses and royalties, intellectual
6634 property, startup companies, annual giving, endowments, and
6635 well-known, highly respected national rankings for institutional
6636 and program achievements.

6637 2. Consider reports and recommendations of the Higher
6638 Education Coordinating Council pursuant to s. 1004.015 and the
6639 Articulation Coordinating Committee pursuant to s. 1007.01.

6640 3. Include student enrollment and performance data
6641 delineated by method of instruction, including, but not limited
6642 to, traditional, online, and distance learning instruction.

6643 4. Include criteria for designating baccalaureate degree
6644 and master's degree programs at specified universities as high-
6645 demand programs of emphasis. Fifty percent of the criteria for
6646 designation as high-demand programs of emphasis must be based on
6647 achievement of performance outcome thresholds determined by the
6648 Board of Governors, and 50 percent of the criteria must be based
6649 on achievement of performance outcome thresholds specifically
6650 linked to:

6651 a. Job placement in employment of 36 hours or more per week



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6652 and average full-time wages of graduates of the degree programs
6653 1 year and 5 years after graduation, based in part on data
6654 provided in the economic security report of employment and
6655 earning outcomes produced annually pursuant to s. 445.07.

6656 b. Data-driven gap analyses, conducted by the Board of
6657 Governors, of the state's job market demands and the outlook for
6658 jobs that require a baccalaureate or higher degree. Each state
6659 university must use the gap analyses to identify internship
6660 opportunities for students to benefit from mentorship by
6661 industry experts, earn industry certifications, and become
6662 employed in high-demand fields.

6663 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
6664 shall implement a plan for working on a regular basis with the
6665 State Board of Education, the State Board of Community Colleges,
6666 the Commission for Independent Education, the Higher Education
6667 Coordinating Council, the Articulation Coordinating Committee,
6668 the university boards of trustees, representatives of the
6669 Florida Community College System institution boards of trustees,
6670 representatives of the private colleges and universities, and
6671 representatives of the district school boards to achieve a
6672 seamless education system.

6673 Section 120. Effective July 1, 2017, paragraph (d) of
6674 subsection (2), paragraph (c) of subsection (5), and subsections
6675 (6), (7), and (8) of section 1001.7065, Florida Statutes, are
6676 amended to read:

6677 1001.7065 Preeminent state research universities program.—

6678 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
6679 following academic and research excellence standards are
6680 established for the preeminent state research universities



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6681 program:

6682 (d) A 4-year graduation rate of 60 percent or higher for
6683 full-time, first-time-in-college students, as reported annually
6684 to the IPEDS. However, for the Board of Governor's 2017
6685 determination of preeminence status and the related distribution
6686 of 2017-2018 appropriation funding associated with preeminence
6687 and emerging preeminence, the metric and benchmark remains at a
6688 6-year graduation rate of 70 percent or higher for full-time,
6689 first-time-in-college students, as reported annually to the
6690 IPEDS.

6691 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
6692 SUPPORT.—

6693 (c) The award of funds under this subsection is contingent
6694 upon funding provided in the General Appropriations Act to
6695 support the preeminent state research universities program
6696 created under this section. Funding increases appropriated
6697 beyond the amounts funded in the previous fiscal year shall be
6698 distributed as follows:

6699 1. Each designated preeminent state research university
6700 that meets the criteria in paragraph (a) shall receive an equal
6701 amount of funding.

6702 2. Each designated emerging preeminent state research
6703 university that meets the criteria in paragraph (b) shall
6704 receive an amount of funding that is equal to one-fourth ~~one-~~
6705 ~~half~~ of the total increased amount awarded to each designated
6706 preeminent state research university.

6707 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~
6708 ~~REQUIREMENT AUTHORITY.—In order to provide a jointly shared~~
6709 ~~educational experience, a university that is designated a~~



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6710 ~~preeminent state research university may require its incoming~~
6711 ~~first time in college students to take a six credit set of~~
6712 ~~unique courses specifically determined by the university and~~
6713 ~~published on the university's website. The university may~~
6714 ~~stipulate that credit for such courses may not be earned through~~
6715 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~
6716 ~~or any other transfer credit. All accelerated credits earned up~~
6717 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~
6718 ~~applied toward graduation at the student's request.~~

6719 (6) ~~(7)~~ PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
6720 AUTHORITY.—The Board of Governors is encouraged to identify and
6721 grant all reasonable, feasible authority and flexibility to
6722 ensure that each designated preeminent state research university
6723 and each designated emerging preeminent state research
6724 university is free from unnecessary restrictions.

6725 (7) ~~(8)~~ PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE
6726 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~
6727 establish standards and measures whereby individual
6728 undergraduate, graduate, and professional degree programs in
6729 state universities which ~~that~~ objectively reflect national
6730 excellence can be identified and make recommendations to the
6731 Legislature by September 1, 2017, as to how any such programs
6732 could be enhanced and promoted.

6733 Section 121. Effective July 1, 2017, subsection (1) of
6734 section 1001.92, Florida Statutes, is amended to read:

6735 1001.92 State University System Performance-Based
6736 Incentive.—

6737 (1) A State University System Performance-Based Incentive
6738 shall be awarded to state universities using performance-based



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6739 metrics adopted by the Board of Governors of the State
6740 University System. The performance-based metrics must include 4-
6741 year graduation rates; retention rates; postgraduation education
6742 rates; degree production; affordability; postgraduation
6743 employment and salaries, including wage thresholds that reflect
6744 the added value of a baccalaureate degree; access, with
6745 benchmarks that reward institutions with access rates at or
6746 above 50 percent; and other metrics approved by the board in a
6747 formally noticed meeting. The board shall adopt benchmarks to
6748 evaluate each state university's performance on the metrics to
6749 measure the state university's achievement of institutional
6750 excellence or need for improvement and minimum requirements for
6751 eligibility to receive performance funding. However, for the
6752 Board of Governor's 2017 determination of each university's
6753 performance improvement and achievement ratings, and the related
6754 distribution of 2017-2018 appropriation funding associated with
6755 the state university system performance-based incentive, the
6756 Board of Governors shall apply the metrics and benchmarks in
6757 place on January 1, 2017.

6758 Section 122. Effective July 1, 2017, section 1004.6497,
6759 Florida Statutes, is created to read:

6760 1004.6497 World Class Faculty and Scholar Program.—

6761 (1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty
6762 and Scholar Program is established to fund and support the
6763 efforts of state universities to recruit and retain exemplary
6764 faculty and research scholars. It is the intent of the
6765 Legislature to elevate the national competitiveness of Florida's
6766 state universities through faculty and scholar recruitment and
6767 retention.



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6768 (2) INVESTMENTS.—Retention, recruitment, and recognition
6769 efforts, activities, and investments may include, but are not
6770 limited to, investments in research-centric cluster hires,
6771 faculty research and research commercialization efforts,
6772 instructional and research infrastructure, undergraduate student
6773 participation in research, professional development, awards for
6774 outstanding performance, and postdoctoral fellowships.

6775 (3) FUNDING AND USE.—Funding for the program shall be as
6776 provided in the General Appropriations Act. Each state
6777 university shall use the funds only for the purpose and
6778 investments authorized under this section. These funds may not
6779 be used for the construction of buildings.

6780 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of
6781 Governors shall provide to the Governor, the President of the
6782 Senate, and the Speaker of the House of Representatives a report
6783 summarizing information from the universities in the State
6784 University System, including, but not limited to:

6785 (a) Specific expenditure information as it relates to the
6786 investments identified in subsection (2).

6787 (b) The impact of those investments in elevating the
6788 national competitiveness of the universities, specifically
6789 relating to:

6790 1. The success in recruiting research faculty and the
6791 resulting research funding;

6792 2. The 4-year graduation rate;

6793 3. The number of undergraduate courses offered with fewer
6794 than 50 students; and

6795 4. The increased national academic standing of targeted
6796 programs, specifically advancement among top 50 universities in



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6797 the targeted programs in well-known and highly respected
6798 national public university rankings, including, but not limited
6799 to, the U.S. News and World Report rankings, which reflect
6800 national preeminence, using the most recent rankings.

6801 Section 123. Effective July 1, 2017, section 1004.6498,
6802 Florida Statutes, is created to read:

6803 1004.6498 State University Professional and Graduate Degree
6804 Excellence Program.—

6805 (1) PURPOSE.—The State University Professional and Graduate
6806 Degree Excellence Program is established to fund and support the
6807 efforts of state universities to enhance the quality and
6808 excellence of professional and graduate schools and degree
6809 programs in medicine, law, and business and expand the economic
6810 impact of state universities.

6811 (2) INVESTMENTS.—Quality improvement efforts may include,
6812 but are not limited to, targeted investments in faculty,
6813 students, research, infrastructure, and other strategic
6814 endeavors to elevate the national and global prominence of state
6815 university medicine, law, and graduate-level business programs.

6816 (3) FUNDING AND USE.—Funding for the program shall be as
6817 provided in the General Appropriations Act. Each state
6818 university shall use the funds only for the purpose and
6819 investments authorized under this section. These funds may not
6820 be used for the construction of buildings.

6821 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of
6822 Governors shall provide to the Governor, the President of the
6823 Senate, and the Speaker of the House of Representatives a report
6824 summarizing information from the universities in the State
6825 University System, including, but not limited to:



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6826 (a) Specific expenditure information as it relates to the
6827 investments identified in subsection (2).

6828 (b) The impact of those investments in elevating the
6829 national and global prominence of the state university medicine,
6830 law, and graduate-level business programs, specifically relating
6831 to:

6832 1. The first-time pass rate on the United States Medical
6833 Licensing Examination;

6834 2. The first-time pass rate on The Florida Bar Examination;

6835 3. The percentage of graduates enrolled or employed at a
6836 wage threshold that reflects the added value of a graduate-level
6837 business degree;

6838 4. The advancement in the rankings of the state university
6839 medicine, law, and graduate-level programs in well-known and
6840 highly respected national graduate-level university rankings,
6841 including, but not limited to, the U.S. News and World Report
6842 rankings, which reflect national preeminence, using the most
6843 recent rankings; and

6844 5. The added economic benefit of the universities to the
6845 state.

6846 Section 124. Effective July 1, 2017, subsections (2), (6),
6847 (7), and (8) of section 1007.27, Florida Statutes, are amended
6848 to read:

6849 1007.27 Articulated acceleration mechanisms.—

6850 (2) (a) The Department of Education shall annually identify
6851 and publish the minimum scores, maximum credit, and course or
6852 courses for which credit is to be awarded for each College Level
6853 Examination Program (CLEP) subject examination, College Board
6854 Advanced Placement Program examination, Advanced International



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6855 Certificate of Education examination, International
6856 Baccalaureate examination, Excelsior College subject
6857 examination, Defense Activity for Non-Traditional Education
6858 Support (DANTES) subject standardized test, and Defense Language
6859 Proficiency Test (DLPT). The department shall use student
6860 performance data in subsequent postsecondary courses to
6861 determine the appropriate examination scores and courses for
6862 which credit is to be granted. Minimum scores may vary by
6863 subject area based on available performance data. In addition,
6864 the department shall identify such courses in the general
6865 education core curriculum of each state university and Florida
6866 Community College System institution.

6867 (b) Each district school board shall notify students who
6868 enroll in articulated acceleration mechanism courses or take
6869 examinations pursuant to this section of the credit-by-
6870 examination equivalency list adopted by rule by the State Board
6871 of Education and the dual enrollment course and high school
6872 subject area equivalencies approved by the state board pursuant
6873 to s. 1007.271(9).

6874 (6) Credit by examination shall be the program through
6875 which secondary and postsecondary students generate
6876 postsecondary credit based on the receipt of a specified minimum
6877 score on nationally standardized general or subject-area
6878 examinations. For the purpose of statewide application, such
6879 examinations and the corresponding minimum scores required for
6880 an award of credit shall be delineated by the State Board of
6881 Education, ~~and~~ the Board of Governors, and the State Board of
6882 Community Colleges in the statewide articulation agreement
6883 required by s. 1007.23(1). The maximum credit generated by a



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6884 student pursuant to this subsection shall be mitigated by any
6885 related postsecondary credit earned by the student prior to the
6886 administration of the examination. This subsection shall not
6887 preclude Florida Community College System institutions and
6888 universities from awarding credit by examination based on
6889 student performance on examinations developed within and
6890 recognized by the individual postsecondary institutions.

6891 (7) The International Baccalaureate Program shall be the
6892 curriculum in which eligible secondary students are enrolled in
6893 a program of studies offered through the International
6894 Baccalaureate Program administered by the International
6895 Baccalaureate Office. The State Board of Community Colleges
6896 ~~Education~~ and the Board of Governors shall specify in the
6897 statewide articulation agreement required by s. 1007.23(1) the
6898 cutoff scores and International Baccalaureate Examinations which
6899 will be used to grant postsecondary credit at Florida Community
6900 College System institutions and universities. Any changes to the
6901 articulation agreement~~7~~ which have the effect of raising the
6902 required cutoff score or of changing the International
6903 Baccalaureate Examinations which will be used to grant
6904 postsecondary credit~~7~~ shall only apply to students taking
6905 International Baccalaureate Examinations after such changes are
6906 adopted by the State Board of Community Colleges ~~Education~~ and
6907 the Board of Governors. Students shall be awarded a maximum of
6908 30 semester credit hours pursuant to this subsection. The
6909 specific course for which a student may receive such credit
6910 shall be specified in the statewide articulation agreement
6911 required by s. 1007.23(1). Students enrolled pursuant to this
6912 subsection shall be exempt from the payment of any fees for



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6913 administration of the examinations regardless of whether or not
6914 the student achieves a passing score on the examination.

6915 (8) The Advanced International Certificate of Education
6916 Program and the International General Certificate of Secondary
6917 Education (pre-AICE) Program shall be the curricula in which
6918 eligible secondary students are enrolled in programs of study
6919 offered through the Advanced International Certificate of
6920 Education Program or the International General Certificate of
6921 Secondary Education (pre-AICE) Program administered by the
6922 University of Cambridge Local Examinations Syndicate. The State
6923 Board of Community Colleges Education and the Board of Governors
6924 shall specify in the statewide articulation agreement required
6925 by s. 1007.23(1) the cutoff scores and Advanced International
6926 Certificate of Education examinations which will be used to
6927 grant postsecondary credit at Florida Community College System
6928 institutions and universities. Any changes to the cutoff scores,
6929 which changes have the effect of raising the required cutoff
6930 score or of changing the Advanced International Certification of
6931 Education examinations which will be used to grant postsecondary
6932 credit, shall apply to students taking Advanced International
6933 Certificate of Education examinations after such changes are
6934 adopted by the State Board of Community Colleges Education and
6935 the Board of Governors. Students shall be awarded a maximum of
6936 30 semester credit hours pursuant to this subsection. The
6937 specific course for which a student may receive such credit
6938 shall be determined by the Florida Community College System
6939 institution or university that accepts the student for
6940 admission. Students enrolled in either program of study pursuant
6941 to this subsection shall be exempt from the payment of any fees



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6942 for administration of the examinations regardless of whether the
6943 student achieves a passing score on the examination.

6944 Section 125. Effective July 1, 2017, subsections (1), (3),
6945 (4), and (5) of section 1008.30, Florida Statutes, are amended
6946 to read:

6947 1008.30 Common placement testing for public postsecondary
6948 education.—

6949 (1) The State Board of Community Colleges ~~Education~~, in
6950 conjunction with the Board of Governors and the State Board of
6951 Education, shall develop and implement a common placement test
6952 for the purpose of assessing the basic computation and
6953 communication skills of students who intend to enter a degree
6954 program at any public postsecondary educational institution.
6955 Alternative assessments that may be accepted in lieu of the
6956 common placement test shall also be identified in rule. Public
6957 postsecondary educational institutions shall provide appropriate
6958 modifications of the test instruments or test procedures for
6959 students with disabilities.

6960 (3) ~~By October 31, 2013,~~ The State Board of Community
6961 Colleges, in conjunction with the Board of Governors and the
6962 State Board of Education, ~~Education~~ shall establish by rule the
6963 test scores a student must achieve to demonstrate readiness to
6964 perform college-level work, and the rules must specify the
6965 following:

6966 (a) A student who entered 9th grade in a Florida public
6967 school in the 2003-2004 school year, or any year thereafter, and
6968 earned a Florida standard high school diploma or a student who
6969 is serving as an active duty member of any branch of the United
6970 States Armed Services shall not be required to take the common



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6971 placement test and shall not be required to enroll in
6972 developmental education instruction in a Florida Community
6973 College System institution. However, a student who is not
6974 required to take the common placement test and is not required
6975 to enroll in developmental education under this paragraph may
6976 opt to be assessed and to enroll in developmental education
6977 instruction, and the college shall provide such assessment and
6978 instruction upon the student's request.

6979 (b) A student who takes the common placement test and whose
6980 score on the test indicates a need for developmental education
6981 must be advised of all the developmental education options
6982 offered at the institution and, after advisement, shall be
6983 allowed to enroll in the developmental education option of his
6984 or her choice.

6985 (c) A student who demonstrates readiness by achieving or
6986 exceeding the test scores established by the state board and
6987 enrolls in a Florida Community College System institution within
6988 2 years after achieving such scores shall not be required to
6989 retest or complete developmental education when admitted to any
6990 Florida Community College System institution.

6991 (4) ~~By December 31, 2013,~~ The State Board of Community
6992 Colleges Education, in consultation with the Board of Governors,
6993 shall approve a series of meta-majors and the academic pathways
6994 that identify the gateway courses associated with each meta-
6995 major. Florida Community College System institutions shall use
6996 placement test results to determine the extent to which each
6997 student demonstrates sufficient communication and computation
6998 skills to indicate readiness for his or her chosen meta-major.
6999 Florida Community College System institutions shall counsel



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7000 students into college credit courses as quickly as possible,
7001 with developmental education limited to that content needed for
7002 success in the meta-major.

7003 (5) (a) Each Florida Community College System institution
7004 board of trustees shall develop a plan to implement the
7005 developmental education strategies defined in s. 1008.02 and
7006 rules established by the State Board of Community Colleges
7007 Education. The plan must be submitted to the Chancellor of the
7008 Florida Community College System for approval no later than
7009 March 1, 2014, for implementation no later than the fall
7010 semester 2014. Each plan must include, at a minimum, local
7011 policies that outline:

7012 1. Documented student achievements such as grade point
7013 averages, work history, military experience, participation in
7014 juried competitions, career interests, degree major declaration,
7015 or any combination of such achievements that the institution may
7016 consider, in addition to common placement test scores, for
7017 advising students regarding enrollment options.

7018 2. Developmental education strategies available to
7019 students.

7020 3. A description of student costs and financial aid
7021 opportunities associated with each option.

7022 4. Provisions for the collection of student success data.

7023 5. A comprehensive plan for advising students into
7024 appropriate developmental education strategies based on student
7025 success data.

7026 (b) Beginning October 31, 2015, each Florida Community
7027 College System institution shall annually prepare an
7028 accountability report that includes student success data



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7029 relating to each developmental education strategy implemented by
7030 the institution. The report shall be submitted to the State
7031 Board of Community ~~Division of Florida~~ Colleges by October 31 in
7032 a format determined by the Chancellor of the Florida Community
7033 College System. By December 31, the chancellor shall compile and
7034 submit the institutional reports to the Governor, the President
7035 of the Senate, the Speaker of the House of Representatives, and
7036 the State Board of Community Colleges ~~and the State Board of~~
7037 ~~Education.~~

7038 (c) A university board of trustees may contract with a
7039 Florida Community College System institution board of trustees
7040 for the Florida Community College System institution to provide
7041 developmental education on the state university campus. Any
7042 state university in which the percentage of incoming students
7043 requiring developmental education equals or exceeds the average
7044 percentage of such students for the Florida Community College
7045 System may offer developmental education without contracting
7046 with a Florida Community College System institution; however,
7047 any state university offering college-preparatory instruction as
7048 of January 1, 1996, may continue to provide developmental
7049 education instruction pursuant to s. 1008.02(1) ~~such services.~~

7050 Section 126. Effective July 1, 2017, paragraph (e) of
7051 subsection (3) and subsection (7) of section 1009.22, Florida
7052 Statutes, are amended to read:

7053 1009.22 Workforce education postsecondary student fees.—

7054 (3)

7055 (e) The State Board of Education and the State Board of
7056 Community Colleges may adopt, by rule, the definitions and
7057 procedures that district school boards and Florida Community



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7058 College System institution boards of trustees shall use in the
7059 calculation of cost borne by students.

7060 (7) Each district school board and Florida Community
7061 College System institution board of trustees is authorized to
7062 establish a separate fee for technology, not to exceed 5 percent
7063 of tuition per credit hour or credit-hour equivalent for
7064 resident students and not to exceed 5 percent of tuition and the
7065 out-of-state fee per credit hour or credit-hour equivalent for
7066 nonresident students. Revenues generated from the technology fee
7067 shall be used to enhance instructional technology resources for
7068 students and faculty and may ~~shall~~ not be included in an any
7069 award under the Florida Bright Futures Scholarship Program,
7070 except as authorized for the Florida Academic Scholars award
7071 under s. 1009.534. Fifty percent of technology fee revenues may
7072 be pledged by a Florida Community College System institution
7073 board of trustees as a dedicated revenue source for the
7074 repayment of debt, including lease-purchase agreements, not to
7075 exceed the useful life of the asset being financed. Revenues
7076 generated from the technology fee may not be bonded.

7077 Section 127. Effective July 1, 2017, section 1009.23,
7078 Florida Statutes, is amended to read:

7079 1009.23 Florida Community College System institution
7080 student fees.—

7081 (1) Unless otherwise provided, this section applies only to
7082 fees charged for college credit instruction leading to an
7083 associate in arts degree, an associate in applied science
7084 degree, an associate in science degree, or a baccalaureate
7085 degree authorized pursuant to s. 1007.33, for noncollege credit
7086 developmental education defined in s. 1004.02, and for educator



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7087 preparation institute programs defined in s. 1004.85.

7088 (2) (a) All students shall be charged fees except students
7089 who are exempt from fees or students whose fees are waived.

7090 (b) Tuition and out-of-state fees for upper-division
7091 courses must reflect the fact that the Florida Community College
7092 System institution has a less expensive cost structure than that
7093 of a state university. Therefore, the board of trustees shall
7094 establish tuition and out-of-state fees for upper-division
7095 courses in baccalaureate degree programs approved pursuant to s.
7096 1007.33 consistent with law and proviso language in the General
7097 Appropriations Act. However, the board of trustees may vary
7098 tuition and out-of-state fees only as provided in subsection (6)
7099 and s. 1009.26(11).

7100 (3) (a) Effective July 1, 2014, for advanced and
7101 professional, postsecondary vocational, developmental education,
7102 and educator preparation institute programs, the standard
7103 tuition shall be \$71.98 per credit hour for residents and
7104 nonresidents, and the out-of-state fee shall be \$215.94 per
7105 credit hour.

7106 (b) Effective July 1, 2014, for baccalaureate degree
7107 programs, the following tuition and fee rates shall apply:

7108 1. The tuition shall be \$91.79 per credit hour for students
7109 who are residents for tuition purposes.

7110 2. The sum of the tuition and the out-of-state fee per
7111 credit hour for students who are nonresidents for tuition
7112 purposes shall be no more than 85 percent of the sum of the
7113 tuition and the out-of-state fee at the state university nearest
7114 the Florida Community College System institution.

7115 (4) Each Florida Community College System institution board



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7116 of trustees shall establish tuition and out-of-state fees, which
7117 may vary no more than 10 percent below and 15 percent above the
7118 combined total of the standard tuition and fees established in
7119 subsection (3).

7120 (5) Except as otherwise provided in law, the sum of
7121 nonresident student tuition and out-of-state fees must be
7122 sufficient to defray the full cost of each program.

7123 (6) (a) A Florida Community College System institution board
7124 of trustees that has a service area that borders another state
7125 may implement a plan for a differential out-of-state fee.

7126 (b) A Florida Community College System institution board of
7127 trustees may establish a differential out-of-state fee for a
7128 student who has been determined to be a nonresident for tuition
7129 purposes pursuant to s. 1009.21 and is enrolled in a distance
7130 learning course offered by the institution. A differential out-
7131 of-state fee established pursuant to this paragraph shall be
7132 applicable only to distance learning courses and must be
7133 established such that the sum of tuition and the differential
7134 out-of-state fee is sufficient to defray the full cost of
7135 instruction.

7136 (7) Each Florida Community College System institution board
7137 of trustees may establish a separate activity and service fee
7138 not to exceed 10 percent of the tuition fee, according to rules
7139 of the State Board of Community Colleges ~~Education~~. The student
7140 activity and service fee shall be collected as a component part
7141 of the tuition and fees. The student activity and service fees
7142 shall be paid into a student activity and service fund at the
7143 Florida Community College System institution and shall be
7144 expended for lawful purposes to benefit the student body in



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7145 general. These purposes include, but are not limited to, student
7146 publications and grants to duly recognized student
7147 organizations, the membership of which is open to all students
7148 at the Florida Community College System institution without
7149 regard to race, sex, or religion. No Florida Community College
7150 System institution shall be required to lower any activity and
7151 service fee approved by the board of trustees of the Florida
7152 Community College System institution and in effect prior to
7153 October 26, 2007, in order to comply with the provisions of this
7154 subsection.

7155 (8) (a) Each Florida Community College System institution
7156 board of trustees is authorized to establish a separate fee for
7157 financial aid purposes in an additional amount up to, but not to
7158 exceed, 5 percent of the total student tuition or out-of-state
7159 fees collected. Each Florida Community College System
7160 institution board of trustees may collect up to an additional 2
7161 percent if the amount generated by the total financial aid fee
7162 is less than \$500,000. If the amount generated is less than
7163 \$500,000, a Florida Community College System institution that
7164 charges tuition and out-of-state fees at least equal to the
7165 average fees established by rule may transfer from the general
7166 current fund to the scholarship fund an amount equal to the
7167 difference between \$500,000 and the amount generated by the
7168 total financial aid fee assessment. No other transfer from the
7169 general current fund to the loan, endowment, or scholarship
7170 fund, by whatever name known, is authorized.

7171 (b) All funds collected under this program shall be placed
7172 in the loan and endowment fund or scholarship fund of the
7173 college, by whatever name known. Such funds shall be disbursed



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7174 to students as quickly as possible. An amount not greater than
7175 40 percent of the fees collected in a fiscal year may be carried
7176 forward unexpended to the following fiscal year. However, funds
7177 collected prior to July 1, 1989, and placed in an endowment fund
7178 may not be considered part of the balance of funds carried
7179 forward unexpended to the following fiscal year.

7180 (c) Up to 25 percent or \$600,000, whichever is greater, of
7181 the financial aid fees collected may be used to assist students
7182 who demonstrate academic merit; who participate in athletics,
7183 public service, cultural arts, and other extracurricular
7184 programs as determined by the institution; or who are identified
7185 as members of a targeted gender or ethnic minority population.
7186 The financial aid fee revenues allocated for athletic
7187 scholarships and any fee exemptions provided to athletes
7188 pursuant to s. 1009.25(2) must be distributed equitably as
7189 required by s. 1000.05(3)(d). A minimum of 75 percent of the
7190 balance of these funds for new awards shall be used to provide
7191 financial aid based on absolute need, and the remainder of the
7192 funds shall be used for academic merit purposes and other
7193 purposes approved by the boards of trustees. Such other purposes
7194 shall include the payment of child care fees for students with
7195 financial need. The State Board of Education shall develop
7196 criteria for making financial aid awards. Each college shall
7197 report annually to the Department of Education on the revenue
7198 collected pursuant to this paragraph, the amount carried
7199 forward, the criteria used to make awards, the amount and number
7200 of awards for each criterion, and a delineation of the
7201 distribution of such awards. The report shall include an
7202 assessment by category of the financial need of every student



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7203 who receives an award, regardless of the purpose for which the
7204 award is received. Awards that are based on financial need shall
7205 be distributed in accordance with a nationally recognized system
7206 of need analysis approved by the State Board of Education. An
7207 award for academic merit requires a minimum overall grade point
7208 average of 3.0 on a 4.0 scale or the equivalent for both initial
7209 receipt of the award and renewal of the award.

7210 (d) These funds may not be used for direct or indirect
7211 administrative purposes or salaries.

7212 (9) Any Florida Community College System institution that
7213 reports students who have not paid fees in an approved manner in
7214 calculations of full-time equivalent enrollments for state
7215 funding purposes shall be penalized at a rate equal to two times
7216 the value of such enrollments. Such penalty shall be charged
7217 against the following year's allocation from the Florida
7218 Community College System Program Fund and shall revert to the
7219 General Revenue Fund.

7220 (10) Each Florida Community College System institution
7221 board of trustees is authorized to establish a separate fee for
7222 technology, which may not exceed 5 percent of tuition per credit
7223 hour or credit-hour equivalent for resident students and may not
7224 exceed 5 percent of tuition and the out-of-state fee per credit
7225 hour or credit-hour equivalent for nonresident students.
7226 Revenues generated from the technology fee shall be used to
7227 enhance instructional technology resources for students and
7228 faculty. The technology fee may apply to both college credit and
7229 developmental education and may ~~shall~~ not be included in an ~~any~~
7230 award under the Florida Bright Futures Scholarship Program,
7231 except as authorized for the Florida Academic Scholars award



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7232 under s. 1009.534. Fifty percent of technology fee revenues may
7233 be pledged by a Florida Community College System institution
7234 board of trustees as a dedicated revenue source for the
7235 repayment of debt, including lease-purchase agreements, not to
7236 exceed the useful life of the asset being financed. Revenues
7237 generated from the technology fee may not be bonded.

7238 (11) (a) Each Florida Community College System institution
7239 board of trustees may establish a separate fee for capital
7240 improvements, technology enhancements, equipping student
7241 buildings, or the acquisition of improved real property which
7242 may not exceed 20 percent of tuition for resident students or 20
7243 percent of the sum of tuition and out-of-state fees for
7244 nonresident students. The fee for resident students shall be
7245 limited to an increase of \$2 per credit hour over the prior
7246 year. Funds collected by Florida Community College System
7247 institutions through the fee may be bonded only as provided in
7248 this subsection for the purpose of financing or refinancing new
7249 construction and equipment, renovation, remodeling of
7250 educational facilities, or the acquisition and renovation or
7251 remodeling of improved real property for use as educational
7252 facilities. The fee shall be collected as a component part of
7253 the tuition and fees, paid into a separate account, and expended
7254 only to acquire improved real property or construct and equip,
7255 maintain, improve, or enhance the educational facilities of the
7256 Florida Community College System institution. Projects and
7257 acquisitions of improved real property funded through the use of
7258 the capital improvement fee shall meet the survey and
7259 construction requirements of chapter 1013. Pursuant to s.
7260 216.0158, each Florida Community College System institution



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7261 shall identify each project, including maintenance projects,
7262 proposed to be funded in whole or in part by such fee.

7263 (b) Capital improvement fee revenues may be pledged by a
7264 board of trustees as a dedicated revenue source to the repayment
7265 of debt, including lease-purchase agreements, with an overall
7266 term of not more than 7 years, including renewals, extensions,
7267 and refundings, and revenue bonds with a term not exceeding 20
7268 annual maturities and not exceeding the useful life of the asset
7269 being financed, only for financing or refinancing of the new
7270 construction and equipment, renovation, or remodeling of
7271 educational facilities. Bonds authorized pursuant to this
7272 subsection shall be requested by the Florida Community College
7273 System institution board of trustees and shall be issued by the
7274 Division of Bond Finance in compliance with s. 11(d), Art. VII
7275 of the State Constitution and the State Bond Act. The Division
7276 of Bond Finance may pledge fees collected by one or more Florida
7277 Community College System institutions to secure such bonds. Any
7278 project included in the approved educational plant survey
7279 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.
7280 VII of the State Constitution.

7281 (c) Bonds issued pursuant to this subsection may be
7282 validated in the manner provided by chapter 75. Only the initial
7283 series of bonds is required to be validated. The complaint for
7284 such validation shall be filed in the circuit court of the
7285 county where the seat of state government is situated, the
7286 notice required to be published by s. 75.06 shall be published
7287 only in the county where the complaint is filed, and the
7288 complaint and order of the circuit court shall be served only on
7289 the state attorney of the circuit in which the action is



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7290 pending.

7291 (d) A maximum of 15 percent may be allocated from the
7292 capital improvement fee for child care centers conducted by the
7293 Florida Community College System institution. The use of capital
7294 improvement fees for such purpose shall be subordinate to the
7295 payment of any bonds secured by the fees.

7296 (e) The state does hereby covenant with the holders of the
7297 bonds issued under this subsection that it will not take any
7298 action that will materially and adversely affect the rights of
7299 such holders so long as the bonds authorized by this subsection
7300 are outstanding.

7301 (12) (a) In addition to tuition, out-of-state, financial
7302 aid, capital improvement, student activity and service, and
7303 technology fees authorized in this section, each Florida
7304 Community College System institution board of trustees is
7305 authorized to establish fee schedules for the following user
7306 fees and fines: laboratory fees, which do not apply to a
7307 distance learning course; parking fees and fines; library fees
7308 and fines; fees and fines relating to facilities and equipment
7309 use or damage; access or identification card fees; duplicating,
7310 photocopying, binding, or microfilming fees; standardized
7311 testing fees; diploma replacement fees; transcript fees;
7312 application fees; graduation fees; and late fees related to
7313 registration and payment. Such user fees and fines shall not
7314 exceed the cost of the services provided and shall only be
7315 charged to persons receiving the service. A Florida Community
7316 College System institution may not charge any fee except as
7317 authorized by law. Parking fee revenues may be pledged by a
7318 Florida Community College System institution board of trustees



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7319 as a dedicated revenue source for the repayment of debt,
7320 including lease-purchase agreements, with an overall term of not
7321 more than 7 years, including renewals, extensions, and
7322 refundings, and revenue bonds with a term not exceeding 20 years
7323 and not exceeding the useful life of the asset being financed.
7324 Florida Community College System institutions shall use the
7325 services of the Division of Bond Finance of the State Board of
7326 Administration to issue any revenue bonds authorized by this
7327 subsection. Any such bonds issued by the Division of Bond
7328 Finance shall be in compliance with the provisions of the State
7329 Bond Act. Bonds issued pursuant to the State Bond Act may be
7330 validated in the manner established in chapter 75. The complaint
7331 for such validation shall be filed in the circuit court of the
7332 county where the seat of state government is situated, the
7333 notice required to be published by s. 75.06 shall be published
7334 only in the county where the complaint is filed, and the
7335 complaint and order of the circuit court shall be served only on
7336 the state attorney of the circuit in which the action is
7337 pending.

7338 (b) The State Board of Community Colleges ~~Education~~ may
7339 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
7340 this subsection.

7341 (13) The State Board of Community Colleges ~~Education~~ shall
7342 specify, as necessary, by rule, approved methods of student fee
7343 payment. Such methods shall include, but not be limited to,
7344 student fee payment; payment through federal, state, or
7345 institutional financial aid; and employer fee payments.

7346 (14) Each Florida Community College System institution
7347 board of trustees shall report only those students who have



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7348 actually enrolled in instruction provided or supervised by
7349 instructional personnel under contract with the Florida
7350 Community College System institution in calculations of actual
7351 full-time equivalent enrollments for state funding purposes. No
7352 student who has been exempted from taking a course or who has
7353 been granted academic or career credit through means other than
7354 actual coursework completed at the granting institution shall be
7355 calculated for enrollment in the course from which he or she has
7356 been exempted or granted credit. Florida Community College
7357 System institutions that report enrollments in violation of this
7358 subsection shall be penalized at a rate equal to two times the
7359 value of such enrollments. Such penalty shall be charged against
7360 the following year's allocation from the Florida Community
7361 College System Program Fund and shall revert to the General
7362 Revenue Fund.

7363 (15) Each Florida Community College System institution may
7364 assess a service charge for the payment of tuition and fees in
7365 installments and a convenience fee for the processing of
7366 automated or online credit card payments. However, the amount of
7367 the convenience fee may not exceed the total cost charged by the
7368 credit card company to the Florida Community College System
7369 institution. Such service charge or convenience fee must be
7370 approved by the Florida Community College System institution
7371 board of trustees.

7372 (16) (a) Each Florida Community College System institution
7373 may assess a student who enrolls in a course listed in the
7374 distance learning catalog, established pursuant to s. 1006.735,
7375 a per-credit-hour distance learning course user fee. For
7376 purposes of assessing this fee, a distance learning course is a



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7377 course in which at least 80 percent of the direct instruction of
7378 the course is delivered using some form of technology when the
7379 student and instructor are separated by time or space, or both.

7380 (b) The amount of the distance learning course user fee may
7381 not exceed the additional costs of the services provided which
7382 are attributable to the development and delivery of the distance
7383 learning course. If a Florida Community College System
7384 institution assesses the distance learning course user fee, the
7385 institution may not assess any other fees to cover the
7386 additional costs. By September 1 of each year, each board of
7387 trustees shall report to the State Board of Community Colleges
7388 ~~Division of Florida Colleges~~ the total amount of revenue
7389 generated by the distance learning course user fee for the prior
7390 fiscal year and how the revenue was expended.

7391 (c) If an institution assesses the distance learning fee,
7392 the institution must provide a link to the catalog within the
7393 advising and distance learning sections of the institution's
7394 website, using a graphic and description provided by the
7395 Complete Florida Plus Program, to inform students of the
7396 catalog.

7397 (17) Each Florida Community College System institution that
7398 accepts transient students, pursuant to s. 1006.735, may
7399 establish a transient student fee not to exceed \$5 per course
7400 for processing the transient student admissions application.

7401 (18) (a) The Board of Trustees of Santa Fe College may
7402 establish a transportation access fee. Revenue from the fee may
7403 be used only to provide or improve access to transportation
7404 services for students enrolled at Santa Fe College. The fee may
7405 not exceed \$6 per credit hour. An increase in the transportation



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7406 access fee may occur only once each fiscal year and must be
7407 implemented beginning with the fall term. A referendum must be
7408 held by the student government to approve the application of the
7409 fee.

7410 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
7411 the transportation access fee authorized under paragraph (a) may
7412 not be included in calculating the amount a student receives for
7413 a Florida Academic Scholars award, a Florida Medallion Scholars
7414 award, or a Florida Gold Seal Vocational Scholars award.

7415 (19) The State Board of Community Colleges ~~Education~~ shall
7416 adopt a rule specifying the definitions and procedures to be
7417 used in the calculation of the percentage of cost paid by
7418 students. The rule must provide for the calculation of the full
7419 cost of educational programs based on the allocation of all
7420 funds provided through the general current fund to programs of
7421 instruction, and other activities as provided in the annual
7422 expenditure analysis. The rule shall be developed in
7423 consultation with the Legislature.

7424 (20) Each Florida Community College System institution
7425 shall publicly notice and notify all enrolled students of any
7426 proposal to increase tuition or fees at least 28 days before its
7427 consideration at a board of trustees meeting. The notice must:

7428 (a) Include the date and time of the meeting at which the
7429 proposal will be considered.

7430 (b) Specifically outline the details of existing tuition
7431 and fees, the rationale for the proposed increase, and how the
7432 funds from the proposed increase will be used.

7433 (c) Be posted on the institution's website and issued in a
7434 press release.



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7435 Section 128. Effective July 1, 2017, subsection (13),
7436 paragraphs (a) and (b) of subsection (15), and paragraph (b) of
7437 subsection (16) of section 1009.24, Florida Statutes, are
7438 amended to read:

7439 1009.24 State university student fees.-

7440 (13) Each university board of trustees may establish a
7441 technology fee of up to 5 percent of the tuition per credit
7442 hour. The revenue from this fee shall be used to enhance
7443 instructional technology resources for students and faculty. The
7444 technology fee may not be included in an any award under the
7445 Florida Bright Futures Scholarship Program established pursuant
7446 to ss. 1009.53-1009.538, except as authorized for the Florida
7447 Academic Scholars award under s. 1009.534.

7448 (15) (a) The Board of Governors may approve:

7449 1. A proposal from a university board of trustees to
7450 establish a new student fee that is not specifically authorized
7451 by this section.

7452 2. A proposal from a university board of trustees to
7453 increase the current cap for an existing fee authorized pursuant
7454 to paragraphs (14) (a)-(g).

7455 3.a. A proposal from a university board of trustees to
7456 implement flexible tuition policies, such as undergraduate or
7457 graduate block tuition, block tuition differential, or market
7458 tuition rates for graduate-level online courses or graduate-
7459 level courses offered through a university's continuing
7460 education program. A block tuition policy for resident
7461 undergraduate students or undergraduate-level courses must ~~shall~~
7462 be based on the per-credit-hour undergraduate tuition
7463 established under subsection (4). A block tuition policy for



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7464 nonresident undergraduate students must ~~shall~~ be based on the
7465 per-credit-hour undergraduate tuition and out-of-state fee
7466 established under subsection (4). Flexible tuition policies,
7467 including block tuition, may not increase the state's fiscal
7468 liability or obligation.

7469 b. A block tuition policy must be adopted by each
7470 university board of trustees for implementation beginning in the
7471 fall 2018 academic semester. The policy must apply to the
7472 entering freshman class of full-time, first-time-in-college
7473 students and may be extended to include other enrolled students.
7474 The policy must meet the following criteria:

7475 (I) The policy must include block tuition and any required
7476 fees, including, but not limited to, activity and service fees,
7477 financial aid fees, capital improvement fees, health fees, and
7478 technology fees.

7479 (II) The policy must require the university to maximize the
7480 application of appropriate accelerated credits to minimize
7481 unnecessary credits and excess hours.

7482 (III) The policy must enable students to have the
7483 flexibility to earn credits across all terms of the entire
7484 academic year.

7485 (b) A proposal developed pursuant to paragraph (a) shall be
7486 submitted in accordance with the public notification
7487 requirements of subsection (20) and guidelines established by
7488 the Board of Governors. Approval by the Board of Governors of
7489 such proposals ~~proposal~~ must be made in accordance with the
7490 ~~provisions of~~ this subsection. By October 1, 2017, each state
7491 university board of trustees shall adopt a block tuition and fee
7492 policy, pursuant to subparagraph (a)3., for implementation by



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7493 the fall 2018 academic semester and submit the policy,
7494 including, but not limited to, information on the potential
7495 impact of the policy on students, to the Board of Governors. By
7496 December 1, 2017, the Chancellor of the State University System
7497 shall submit to the Governor, the President of the Senate, and
7498 the Speaker of the House of Representatives a summary report of
7499 such policies, the status of the board's review and approval of
7500 such policies, and the board's recommendations for improving
7501 block tuition and fee benefits for students.

7502 (16) Each university board of trustees may establish a
7503 tuition differential for undergraduate courses upon receipt of
7504 approval from the Board of Governors. However, beginning July 1,
7505 2014, the Board of Governors may only approve the establishment
7506 of or an increase in tuition differential for a state research
7507 university designated as a preeminent state research university
7508 pursuant to s. 1001.7065(3). The tuition differential shall
7509 promote improvements in the quality of undergraduate education
7510 and shall provide financial aid to undergraduate students who
7511 exhibit financial need.

7512 (b) Each tuition differential is subject to the following
7513 conditions:

7514 1. The tuition differential may be assessed on one or more
7515 undergraduate courses or on all undergraduate courses at a state
7516 university.

7517 2. The tuition differential may vary by course or courses,
7518 by campus or center location, and by institution. Each
7519 university board of trustees shall strive to maintain and
7520 increase enrollment in degree programs related to math, science,
7521 high technology, and other state or regional high-need fields



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7522 when establishing tuition differentials by course.

7523 3. For each state university that is designated as a
7524 preeminent state research university by the Board of Governors,
7525 pursuant to s. 1001.7065, the aggregate sum of tuition and the
7526 tuition differential may be increased by no more than 6 percent
7527 of the total charged for the aggregate sum of these fees in the
7528 preceding fiscal year. The tuition differential may be increased
7529 if the university meets or exceeds performance standard targets
7530 for that university established annually by the Board of
7531 Governors for the following performance standards, amounting to
7532 no more than a 2-percent increase in the tuition differential
7533 for each performance standard:

7534 a. An increase in the 4-year ~~6-year~~ graduation rate for
7535 full-time, first-time-in-college students, as calculated by the
7536 Board of Governors reported annually to the Integrated
7537 Postsecondary Education Data System.

7538 b. An increase in the total annual research expenditures.

7539 c. An increase in the total patents awarded by the United
7540 States Patent and Trademark Office for the most recent years.

7541 4. The aggregate sum of undergraduate tuition and fees per
7542 credit hour, including the tuition differential, may not exceed
7543 the national average of undergraduate tuition and fees at 4-year
7544 degree-granting public postsecondary educational institutions.

7545 5. The tuition differential shall not be included in an ~~any~~
7546 award under the Florida Bright Futures Scholarship Program
7547 established pursuant to ss. 1009.53-1009.538, except as
7548 authorized for the Florida Academic Scholars award under s.
7549 1009.534.

7550 6. Beneficiaries having prepaid tuition contracts pursuant



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7551 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and
7552 which remain in effect, are exempt from the payment of the
7553 tuition differential.

7554 7. The tuition differential may not be charged to any
7555 student who was in attendance at the university before July 1,
7556 2007, and who maintains continuous enrollment.

7557 8. The tuition differential may be waived by the university
7558 for students who meet the eligibility requirements for the
7559 Florida public student assistance grant established in s.
7560 1009.50.

7561 9. Subject to approval by the Board of Governors, the
7562 tuition differential authorized pursuant to this subsection may
7563 take effect with the 2009 fall term.

7564 Section 129. Effective July 1, 2017, subsection (9) of
7565 section 1009.53, Florida Statutes, is amended to read:

7566 1009.53 Florida Bright Futures Scholarship Program.—

7567 (9) A student may use an award for summer term enrollment
7568 if funds are available, including funds appropriated in the
7569 General Appropriations Act to support, at a minimum, summer term
7570 enrollment for a Florida Academic Scholars award.

7571 Section 130. Effective July 1, 2017, subsection (2) of
7572 section 1009.534, Florida Statutes, is amended to read:

7573 1009.534 Florida Academic Scholars award.—

7574 (2) A Florida Academic Scholar who is enrolled in a
7575 certificate, diploma, associate, or baccalaureate degree program
7576 at a public or nonpublic postsecondary education institution is
7577 eligible, beginning in the fall 2017 academic semester, for an
7578 award equal to the amount required to pay 100 percent of tuition
7579 and fees established under ss. 1009.22(3), (5), (6), and (7);



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7580 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
7581 (13), (14)(r), and (16), as applicable, and is eligible for an
7582 additional \$300 each fall and spring academic semester or the
7583 equivalent for textbooks and college-related ~~specified in the~~
7584 General Appropriations Act to assist with the payment of
7585 educational expenses.

7586 Section 131. Effective July 1, 2017, subsection (2) of
7587 section 1009.701, Florida Statutes, is amended to read:

7588 1009.701 First Generation Matching Grant Program.—

7589 (2) Funds appropriated by the Legislature for the program
7590 shall be allocated by the Office of Student Financial Assistance
7591 to match private contributions at ~~en~~ a ratio of \$2 of state
7592 funds to \$1 of private contributions ~~dollar-for-dollar basis.~~

7593 Contributions made to a state university and pledged for the
7594 purposes of this section are eligible for state matching funds
7595 appropriated for this program and are not eligible for any other
7596 state matching grant program. Pledged contributions are not
7597 eligible for matching prior to the actual collection of the
7598 total funds. The Office of Student Financial Assistance shall
7599 reserve a proportionate allocation of the total appropriated
7600 funds for each state university on the basis of full-time
7601 equivalent enrollment. Funds that remain unmatched as of
7602 December 1 shall be reallocated to state universities that have
7603 remaining unmatched private contributions for the program on the
7604 basis of full-time equivalent enrollment.

7605 Section 132. Effective July 1, 2017, section 1009.89,
7606 Florida Statutes, is amended to read:

7607 1009.89 The William L. Boyd, IV, Effective Access to
7608 Student Education ~~Florida resident access~~ grants.—



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7609 (1) The Legislature finds and declares that independent
7610 nonprofit colleges and universities eligible to participate in
7611 the William L. Boyd, IV, Effective Access to Student Education
7612 ~~Florida Resident Access~~ Grant Program are an integral part of
7613 the higher education system in this state and that a significant
7614 number of state residents choose this form of higher education.
7615 The Legislature further finds that a strong and viable system of
7616 independent nonprofit colleges and universities reduces the tax
7617 burden on the citizens of the state. Because the William L.
7618 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
7619 ~~Access~~ Grant Program is not related to a student's financial
7620 need or other criteria upon which financial aid programs are
7621 based, it is the intent of the Legislature that the William L.
7622 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
7623 ~~Access~~ Grant Program not be considered a financial aid program
7624 but rather a tuition assistance program for its citizens.

7625 (2) The William L. Boyd, IV, Effective Access to Student
7626 Education ~~Florida Resident Access~~ Grant Program shall be
7627 administered by the Department of Education. The State Board of
7628 Education shall adopt rules for the administration of the
7629 program.

7630 (3) The department shall issue through the program a
7631 William L. Boyd, IV, Effective Access to Student Education
7632 ~~Florida resident access~~ grant to any full-time degree-seeking
7633 undergraduate student registered at an independent nonprofit
7634 college or university which is located in and chartered by the
7635 state; which is accredited by the Commission on Colleges of the
7636 Southern Association of Colleges and Schools; which grants
7637 baccalaureate degrees; which is not a state university or



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7638 Florida Community College System institution; and which has a
7639 secular purpose, so long as the receipt of state aid by students
7640 at the institution would not have the primary effect of
7641 advancing or impeding religion or result in an excessive
7642 entanglement between the state and any religious sect. Any
7643 independent college or university that was eligible to receive
7644 tuition vouchers on January 1, 1989, and which continues to meet
7645 the criteria under which its eligibility was established, shall
7646 remain eligible to receive William L. Boyd, IV, Effective Access
7647 to Student Education ~~Florida resident access~~ grant payments.

7648 (4) A person is eligible to receive such William L. Boyd,
7649 IV, Effective Access to Student Education ~~Florida resident~~
7650 ~~access~~ grant if:

7651 (a) He or she meets the general requirements, including
7652 residency, for student eligibility as provided in s. 1009.40,
7653 except as otherwise provided in this section; and

7654 (b)1. He or she is enrolled as a full-time undergraduate
7655 student at an eligible college or university;

7656 2. He or she is not enrolled in a program of study leading
7657 to a degree in theology or divinity; and

7658 3. He or she is making satisfactory academic progress as
7659 defined by the college or university in which he or she is
7660 enrolled.

7661 (5) (a) Funding for the William L. Boyd, IV, Effective
7662 Access to Student Education ~~Florida Resident Access~~ Grant
7663 Program for eligible institutions shall be as provided in the
7664 General Appropriations Act. The William L. Boyd, IV, Effective
7665 Access to Student Education ~~Florida resident access~~ grant may be
7666 paid on a prorated basis in advance of the registration period.



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7667 The department shall make such payments to the college or
7668 university in which the student is enrolled for credit to the
7669 student's account for payment of tuition and fees. Institutions
7670 shall certify to the department the amount of funds disbursed to
7671 each student and shall remit to the department any undisbursed
7672 advances or refunds within 60 days of the end of regular
7673 registration. A student is not eligible to receive the award for
7674 more than 9 semesters or 14 quarters, except as otherwise
7675 provided in s. 1009.40(3).

7676 (b) If the combined amount of the William L. Boyd, IV,
7677 Effective Access to Student Education ~~Florida resident access~~
7678 grant issued pursuant to this act and all other scholarships and
7679 grants for tuition or fees exceeds the amount charged to the
7680 student for tuition and fees, the department shall reduce the
7681 William L. Boyd, IV, Effective Access to Student Education
7682 ~~Florida resident access~~ grant issued pursuant to this act by an
7683 amount equal to such excess.

7684 (6) If the number of eligible students exceeds the total
7685 authorized in the General Appropriations Act, an institution may
7686 use its own resources to assure that each eligible student
7687 receives the full benefit of the grant amount authorized.

7688 Section 133. Effective July 1, 2017, subsections (2), (4),
7689 and (5) of section 1009.893, Florida Statutes, are amended to
7690 read:

7691 1009.893 Benacquisto Scholarship Program.—

7692 (2) The Benacquisto Scholarship Program is created to
7693 reward a ~~any Florida~~ high school graduate who receives
7694 recognition as a National Merit Scholar or National Achievement
7695 Scholar and who initially enrolls in the 2014-2015 academic year



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7696 or, later, in a baccalaureate degree program at an eligible
7697 Florida public or independent postsecondary educational
7698 institution.

7699 (4) In order to be eligible for an award under the
7700 scholarship program, a student must meet the requirements of
7701 paragraph (a) or paragraph (b).÷

7702 (a) A student who is a resident of the state, ~~Be a state~~
7703 ~~resident~~ as determined in s. 1009.40 and rules of the State
7704 Board of Education, must:÷

7705 1.~~(b)~~ Earn a standard Florida high school diploma or its
7706 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
7707 or s. 1003.435 unless:

7708 a.~~1~~ The student completes a home education program
7709 according to s. 1002.41; or

7710 b.~~2~~ The student earns a high school diploma from a non-
7711 Florida school while living with a parent who is on military or
7712 public service assignment out of this state;

7713 2.~~(e)~~ Be accepted by and enroll in a Florida public or
7714 independent postsecondary educational institution that is
7715 regionally accredited; and

7716 3.~~(d)~~ Be enrolled full-time in a baccalaureate degree
7717 program at an eligible regionally accredited Florida public or
7718 independent postsecondary educational institution during the
7719 fall academic term following high school graduation.

7720 (b) A student who initially enrolls in a baccalaureate
7721 degree program in the 2017-2018 academic year or later and who
7722 is not a resident of this state, as determined pursuant to s.
7723 1009.40 and rules of the State Board of Education, must:

7724 1. Physically reside in this state on or near the campus of



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7725 the postsecondary educational institution in which the student
7726 is enrolled;

7727 2. Earn a high school diploma from a school outside Florida
7728 which is comparable to a standard Florida high school diploma or
7729 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.
7730 1003.4282, or s. 1003.435 or must complete a home education
7731 program in another state; and

7732 3. Be accepted by and enrolled full-time in a baccalaureate
7733 degree program at an eligible regionally accredited Florida
7734 public or independent postsecondary educational institution
7735 during the fall academic term following high school graduation.

7736 (5) (a) 1. An eligible student who meets the requirements of
7737 paragraph (4) (a), who is a National Merit Scholar or National
7738 Achievement Scholar, and who attends a Florida public
7739 postsecondary educational institution shall receive a
7740 scholarship award equal to the institutional cost of attendance
7741 minus the sum of the student's Florida Bright Futures
7742 Scholarship and National Merit Scholarship or National
7743 Achievement Scholarship.

7744 2. An eligible student who meets the requirements under
7745 paragraph (4) (b), who is a National Merit Scholar, and who
7746 attends a Florida public postsecondary educational institution
7747 shall receive a scholarship award equal to the institutional
7748 cost of attendance for a resident of this state less the
7749 student's National Merit Scholarship. Such student is exempt
7750 from the payment of out-of-state fees.

7751 (b) An eligible student who is a National Merit Scholar or
7752 National Achievement Scholar and who attends a Florida
7753 independent postsecondary educational institution shall receive



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7754 a scholarship award equal to the highest cost of attendance for
7755 a resident of this state enrolled at a Florida public
7756 university, as reported by the Board of Governors of the State
7757 University System, minus the sum of the student's Florida Bright
7758 Futures Scholarship and National Merit Scholarship or National
7759 Achievement Scholarship.

7760 Section 134. Effective July 1, 2017, section 1009.894,
7761 Florida Statutes, is created to read:

7762 1009.894 Florida Farmworker Student Scholarship Program.—
7763 The Legislature recognizes the vital contribution of farmworkers
7764 to the economy of this state. The Florida Farmworker Student
7765 Scholarship Program is created to provide scholarships for
7766 farmworkers, as defined in s. 420.503, and the children of such
7767 farmworkers.

7768 (1) The Department of Education shall administer the
7769 Florida Farmworker Student Scholarship Program according to
7770 rules and procedures established by the State Board of
7771 Education. Up to 50 scholarships shall be awarded annually
7772 according to the criteria established in subsection (2) and
7773 contingent upon an appropriation in the General Appropriations
7774 Act.

7775 (2) (a) To be eligible for an initial scholarship, a student
7776 must, at a minimum:

7777 1. Have a resident status as required by s. 1009.40 and
7778 rules of the State Board of Education;

7779 2. Earn a minimum cumulative 3.5 weighted grade point
7780 average for all high school courses creditable towards a
7781 diploma;

7782 3. Complete a minimum of 30 hours of community service; and



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7783 4. Have at least a 90 percent attendance rate and not have
7784 had any disciplinary action brought against him or her, as
7785 documented on the student's high school transcript.

7786
7787 For purposes of this section, undocumented immigrants are not
7788 eligible for an award.

7789 (b) The department shall rank eligible initial applicants
7790 for the purposes of awarding scholarships based on need, as
7791 determined by the department.

7792 (c) In order to renew a scholarship awarded pursuant to
7793 this section, a student must maintain at least a cumulative
7794 grade point average of 2.5 or higher on a 4.0 scale for college
7795 coursework.

7796 (3) A scholarship recipient must enroll in a minimum of 12
7797 credit hours per term, or the equivalent, at a public
7798 postsecondary educational institution in this state to receive
7799 funding.

7800 (4) A scholarship recipient may receive an award for a
7801 maximum of 100 percent of the number of credit hours required to
7802 complete an associate or baccalaureate degree program or receive
7803 an award for a maximum of 100 percent of the credit hours or
7804 clock hours required to complete up to 90 credit hours of a
7805 program that terminates in a career certificate. The scholarship
7806 recipient is eligible for an award equal to the amount required
7807 to pay the tuition and fees established under ss. 1009.22(3),
7808 (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11);
7809 and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a
7810 public postsecondary educational institution in this state.
7811 Renewal scholarships must take precedence over new awards in a



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7812 year in which funds are not sufficient to accommodate both
7813 initial and renewal awards. The scholarship must be prorated for
7814 any such year.

7815 (5) Subject to appropriation in the General Appropriations
7816 Act, the department shall annually issue awards from the
7817 scholarship program. Before the registration period each
7818 semester, the department shall transmit payment for each award
7819 to the president or director of the postsecondary educational
7820 institution, or his or her representative. However, the
7821 department may withhold payment if the receiving institution
7822 fails to submit the following reports or make the following
7823 refunds to the department:

7824 (a) Each institution shall certify to the department the
7825 eligibility status of each student to receive a disbursement
7826 within 30 days before the end of its regular registration
7827 period, inclusive of a drop and add period. An institution is
7828 not required to reevaluate the student eligibility after the end
7829 of the drop and add period.

7830 (b) An institution that receives funds from the scholarship
7831 program must certify to the department the amount of funds
7832 disbursed to each student and remit to the department any
7833 undisbursed advance within 60 days after the end of the regular
7834 registration period.

7835 (6) The department shall allocate funds to the appropriate
7836 institutions and collect and maintain data regarding the
7837 scholarship program within the student financial assistance
7838 database as specified in s. 1009.94.

7839 (7) Funding for this program shall be as provided in the
7840 General Appropriations Act.



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7841 Section 135. Effective July 1, 2017, present paragraphs (e)
7842 and (f) of subsection (10) of section 1009.98, Florida Statutes,
7843 are redesignated as paragraphs (f) and (g), respectively, and a
7844 new paragraph (e) is added to that subsection, to read:

7845 1009.98 Stanley G. Tate Florida Prepaid College Program.—

7846 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

7847 (e) Notwithstanding the number of credit hours used by a
7848 state university to assess the amount for registration fees, the
7849 tuition differential, or local fees, the amount paid by the
7850 board to any state university on behalf of a qualified
7851 beneficiary of an advance payment contract purchased before July
7852 1, 2024, may not exceed the number of credit hours taken by that
7853 qualified beneficiary at a state university.

7854 Section 136. Effective July 1, 2017, section 1013.79,
7855 Florida Statutes, is amended to read:

7856 1013.79 University Facility Enhancement Challenge Grant
7857 Program.—

7858 (1) The Legislature recognizes that the universities do not
7859 have sufficient physical facilities to meet the current demands
7860 of their instructional and research programs. It further
7861 recognizes that, to strengthen and enhance universities, it is
7862 necessary to provide facilities in addition to those currently
7863 available from existing revenue sources. It further recognizes
7864 that there are sources of private support that, if matched with
7865 state support, can assist in constructing much-needed facilities
7866 and strengthen the commitment of citizens and organizations in
7867 promoting excellence throughout the state universities.

7868 ~~Therefore, it is the intent of the Legislature to establish a~~
7869 ~~trust fund to provide the opportunity for each university to~~



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7870 ~~receive support for challenge grants for instructional and~~
7871 ~~research-related capital facilities within the university.~~

7872 (2) There is established the Alec P. Courtelis University
7873 Facility Enhancement Challenge Grant Program for the purpose of
7874 assisting universities build high priority instructional and
7875 research-related capital facilities, including common areas
7876 connecting such facilities. The associated foundations that
7877 serve the universities shall solicit gifts from private sources
7878 to provide matching funds for capital facilities. For the
7879 purposes of this act, private sources of funds may ~~shall~~ not
7880 include any federal, state, or local government funds that a
7881 university may receive.

7882 ~~(3) (a) There is established the Alec P. Courtelis Capital~~
7883 ~~Facilities Matching Trust Fund to facilitate the development of~~
7884 ~~high priority instructional and research-related capital~~
7885 ~~facilities, including common areas connecting such facilities,~~
7886 ~~within a university. All appropriated funds deposited into the~~
7887 ~~trust fund shall be invested pursuant to s. 17.61. Interest~~
7888 ~~income accruing to that portion of the trust fund shall increase~~
7889 ~~the total funds available for the challenge grant program.~~

7890 ~~(b) Effective July 1, 2009, the Alec P. Courtelis Capital~~
7891 ~~Facilities Matching Trust Fund is terminated.~~

7892 ~~(c) The State Board of Education shall pay any outstanding~~
7893 ~~debts and obligations of the terminated fund as soon as~~
7894 ~~practicable, and the Chief Financial Officer shall close out and~~
7895 ~~remove the terminated funds from various state accounting~~
7896 ~~systems using generally accepted accounting principles~~
7897 ~~concerning warrants outstanding, assets, and liabilities.~~

7898 ~~(d) By June 30, 2008, all private funds and associated~~



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7899 ~~interest earnings held in the Alee P. Courtelis Capital~~
7900 ~~Facilities Matching Trust Fund shall be transferred to the~~
7901 ~~originating university's individual program account.~~

7902 (3)~~(4)~~ Each university shall establish, pursuant to s.
7903 1011.42, a facilities matching grant program account as a
7904 depository for private contributions provided under this
7905 section. Once a project is under contract, funds appropriated as
7906 state matching funds may be transferred to the university's
7907 account once the Board of Governors certifies receipt of the
7908 private matching funds pursuant to subsection (4) ~~(5)~~. State
7909 funds that are not needed as matching funds for the project for
7910 which appropriated shall be transferred, together with any
7911 accrued interest, back to the state fund from which such funds
7912 were appropriated. The transfer of unneeded state funds must
7913 ~~shall~~ occur within 30 days after final completion of the project
7914 or within 30 days after a determination that the project will
7915 not be completed. The Public Education Capital Outlay and Debt
7916 Service Trust Fund or the Capital Improvement Trust Fund may
7917 ~~shall~~ not be used as the source of the state match for private
7918 contributions. Interest income accruing from the private
7919 donations shall be returned to the participating foundation upon
7920 completion of the project.

7921 (4)~~(5)~~ A project may not be initiated unless all private
7922 funds for planning, construction, and equipping the facility
7923 have been received and deposited in the separate university
7924 program account designated for this purpose. However, these
7925 requirements do not preclude the university from expending funds
7926 derived from private sources to develop a prospectus, including
7927 preliminary architectural schematics or models, for use in its



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7928 efforts to raise private funds for a facility, and for site
7929 preparation, planning, and construction. The Board of Governors
7930 shall establish a method for validating the receipt and deposit
7931 of private matching funds. The Legislature may appropriate the
7932 state's matching funds in one or more fiscal years for the
7933 planning, construction, and equipping of an eligible facility.
7934 Each university shall notify all donors of private funds of a
7935 substantial delay in the availability of state matching funds
7936 for this program.

7937 (5)~~(6)~~ To be eligible to participate in the Alec P.
7938 Courtelis University Facility Enhancement Challenge Grant
7939 Program, a university must ~~shall~~ raise a contribution equal to
7940 one-half of the total cost of a facilities construction project
7941 from private nongovernmental sources which must ~~shall~~ be matched
7942 by a state appropriation equal to the amount raised for a
7943 facilities construction project subject to the General
7944 Appropriations Act.

7945 (6)~~(7)~~ If the state's share of the required match is
7946 insufficient to meet the requirements of subsection (5) ~~(6)~~, the
7947 university must ~~shall~~ renegotiate the terms of the contribution
7948 with the donors. If the project is terminated, each private
7949 donation, plus accrued interest, reverts to the foundation for
7950 remittance to the donor.

7951 (7)~~(8)~~ By October 15 of each year, the Board of Governors
7952 shall transmit to the Legislature a list of projects that meet
7953 all eligibility requirements to participate in the Alec P.
7954 Courtelis University Facility Enhancement Challenge Grant
7955 Program and a budget request that includes the recommended
7956 schedule necessary to complete each project.



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7957 (8)~~(9)~~ In order for a project to be eligible under this
7958 program, it must be included in the university 5-year capital
7959 improvement plan and must receive approval from the Board of
7960 Governors or the Legislature.

7961 (9)~~(10)~~ A university's project may not be removed from the
7962 approved 3-year PECO priority list because of its successful
7963 participation in this program until approved by the Legislature
7964 and provided for in the General Appropriations Act. When such a
7965 project is completed and removed from the list, all other
7966 projects shall move up on the 3-year PECO priority list. A
7967 university may ~~shall~~ not use PECO funds, including the Capital
7968 Improvement Trust Fund fee and the building fee, to complete a
7969 project under this section.

7970 (10)~~(11)~~ The surveys, architectural plans, facility, and
7971 equipment are ~~shall be~~ the property of the State of Florida. A
7972 facility constructed pursuant to this section may be named in
7973 honor of a donor at the option of the university and the Board
7974 of Governors. A ~~No~~ facility may not ~~shall~~ be named after a
7975 living person without prior approval by the Legislature.

7976 (11)~~(12)~~ Effective July 1, 2011, state matching funds are
7977 temporarily suspended for donations received for this program on
7978 or after June 30, 2011. Existing eligible donations remain
7979 eligible for future matching funds. The program may be restarted
7980 after \$200 million of the backlog for programs under ss.
7981 1011.32, 1011.85, 1011.94, and this section have been matched.

7982 (12) Notwithstanding the suspension provision under
7983 subsection (11), for the 2017-2018 fiscal year and subject to
7984 the General Appropriations Act, the Legislature may choose to
7985 prioritize funding for those projects that have matching funds



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7986 available before June 30, 2011, and that have not yet been
7987 constructed.

7988 Section 137. Effective July 1, 2017, subsection (3) of
7989 section 267.062, Florida Statutes, is amended to read:

7990 267.062 Naming of state buildings and other facilities.—

7991 (3) Notwithstanding ~~the provisions of~~ subsection (1) or s.
7992 1013.79(10) ~~s. 1013.79(11)~~, any state building, road, bridge,
7993 park, recreational complex, or other similar facility of a state
7994 university may be named for a living person by the university
7995 board of trustees in accordance with regulations adopted by the
7996 Board of Governors of the State University System.

7997 Section 138. The Division of Law Revision and Information
7998 is directed to prepare a reviser's bill for the 2018 Regular
7999 Session to substitute the term "Effective Access to Student
8000 Education Grant Program" for "Florida Resident Access Grant
8001 Program" and the term "Effective Access to Student Education
8002 grant" for "Florida resident access grant" wherever those terms
8003 appear in the Florida Statutes.

8004 Section 139. Except as otherwise expressly provided in this
8005 act and except for this section, which shall take effect upon
8006 becoming a law, this act shall take effect October 1, 2017.

8007
8008 ===== T I T L E A M E N D M E N T =====

8009 And the title is amended as follows:

8010 Delete everything before the enacting clause
8011 and insert:

8012 A bill to be entitled
8013 An act relating to postsecondary education; providing
8014 a short title; creating s. 1001.6001, F.S.; renaming



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8015 the Florida College System as the Florida Community
8016 College System; creating the State Board of Community
8017 Colleges; requiring the Governor to appoint the
8018 membership of the board; providing that the
8019 appointments are subject to confirmation by the
8020 Senate; requiring the Division of Florida Colleges to
8021 provide administrative support to the board until a
8022 specified date; transferring the Florida College
8023 System and the Division of Florida Colleges to the
8024 State Board of Community Colleges by a specified date;
8025 requiring the State Board of Community Colleges to
8026 appoint a Chancellor of the Florida Community College
8027 System by a specified date; amending s. 20.15, F.S.;
8028 removing the Division of Florida Colleges from within
8029 the Department of Education; requiring the department
8030 to provide support to the State Board of Community
8031 Colleges; creating s. 20.156, F.S.; creating the State
8032 Board of Community Colleges and assigning and housing
8033 it for administrative purposes, only, within the
8034 department; providing the personnel for the state
8035 board; providing the powers and duties of the state
8036 board; requiring the state board to conduct an
8037 organizational meeting by a specified date; amending
8038 s. 112.313, F.S.; prohibiting citizen members of the
8039 State Board of Community Colleges or Florida Community
8040 College System institution boards of trustees from
8041 having an employment or contractual relationship as
8042 specified lobbyists; amending s. 112.3145, F.S.;
8043 revising the term "state officer" to include certain



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8044 Florida Community College System personnel; amending
8045 s. 1000.03, F.S.; revising the function and mission of
8046 the Florida K-20 education system; requiring the State
8047 Board of Community Colleges to oversee enforcement of
8048 Florida Community College System laws and rules;
8049 amending s. 1000.05, F.S.; requiring the State Board
8050 of Community Colleges, instead of the Commissioner of
8051 Education, to make certain determinations regarding
8052 equal opportunities at Florida Community College
8053 System institutions; requiring the State Board of
8054 Community Colleges to adopt rules; amending s.
8055 1001.02, F.S.; revising the general powers of the
8056 State Board of Education to exempt provisions relating
8057 to the Florida Community College System; amending s.
8058 1001.03, F.S.; revising certain articulation
8059 accountability and enforcement measures; requiring the
8060 State Board of Education to collect information in
8061 conjunction with the Board of Governors and the State
8062 Board of Community Colleges; deleting duties of the
8063 State Board of Education regarding the Florida
8064 Community College System; amending ss. 1001.10 and
8065 1001.11, F.S.; revising the general powers and duties
8066 of the Commissioner of Education to exempt certain
8067 powers and duties related to the Florida Community
8068 College System; amending s. 1001.20, F.S.; revising
8069 duties of the Office of Inspector General within the
8070 department regarding the Florida Community College
8071 System; amending s. 1001.28, F.S.; providing that the
8072 powers and duties of the State Board of Community



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8073 Colleges are not abrogated, superseded, altered, or
8074 amended by certain provisions relating to the
8075 department's duties for distance learning; amending s.
8076 1001.44, F.S.; providing the primary mission of a
8077 career center operated by a district school board;
8078 amending s. 1001.60, F.S.; conforming provisions to
8079 changes made by the act; creating s. 1001.601, F.S.;
8080 establishing the State Board of Community Colleges;
8081 providing the membership of the board; creating s.
8082 1001.602, F.S.; providing the responsibilities and
8083 duties of the State Board of Community Colleges;
8084 requiring the board to coordinate with the State Board
8085 of Education; amending ss. 1001.61, 1001.64, and
8086 1001.65, F.S.; conforming provisions to changes made
8087 by the act; amending s. 1002.34, F.S.; providing the
8088 primary mission of a charter technical career center;
8089 requiring the State Board of Education to adopt rules;
8090 amending s. 1003.491, F.S.; revising the Florida
8091 Career and Professional Education Act to require the
8092 State Board of Community Colleges to recommend,
8093 jointly with the Board of Governors and the
8094 Commissioner of Education, certain deadlines for new
8095 core courses; amending s. 1003.493, F.S.; revising
8096 department duties regarding articulation and the
8097 transfer of credits to postsecondary institutions to
8098 include consultation with the State Board of Community
8099 Colleges; amending s. 1004.015, F.S.; providing that
8100 the Higher Education Coordinating Council serves as an
8101 advisory board to, in addition to other bodies, the



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8102 State Board of Community Colleges; revising council
8103 reporting requirements to include a report to the
8104 State Board of Community Colleges; requiring the State
8105 Board of Community Colleges, in addition to other
8106 entities, to provide administrative support for the
8107 council; amending ss. 1004.02 and 1004.03, F.S.;
8108 conforming provisions to changes made by the act;
8109 amending s. 1004.04, F.S.; revising department
8110 reporting requirements regarding teacher preparation
8111 programs to require a report to the State Board of
8112 Community Colleges; amending s. 1004.07, F.S.;
8113 providing that the State Board of Community Colleges,
8114 instead of the State Board of Education, provide
8115 guidelines for Florida Community College System
8116 institution boards of trustees' policies; amending ss.
8117 1004.084, 1004.085, 1004.096, and 1004.0961, F.S.;
8118 conforming provisions to changes made by the act;
8119 amending s. 1004.28, F.S.; prohibiting a state
8120 university board of trustees from authorizing a
8121 university direct-support organization to use personal
8122 services or state funds for travel expenses;
8123 requiring, rather than authorizing, the chair of the
8124 board of trustees to appoint at least one
8125 representative to the board of directors and executive
8126 committee of a university direct-support organization;
8127 requiring the articles of incorporation or bylaws of a
8128 university direct-support organization to include
8129 certain requirements regarding appointments to the
8130 board of directors and executive committee; deleting



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8131 an exception to the prohibition on gifts to a
8132 political committee by a university direct-support
8133 organization; amending ss. 1004.35, and 1004.6495,
8134 F.S.; conforming provisions to changes made by the
8135 act; amending s. 1004.65, F.S.; revising Florida
8136 Community College System institution governance,
8137 mission, and responsibilities to provide authority and
8138 duties to the State Board of Community Colleges,
8139 instead of the State Board of Education; providing
8140 that offering upper-level instruction and awarding
8141 baccalaureate degrees are a secondary and not a
8142 primary role of a Florida Community College System
8143 institution; amending s. 1004.67, F.S.; conforming
8144 provisions to changes made by the act; amending s.
8145 1004.70, F.S.; prohibiting a community college board
8146 of trustees from authorizing a Florida Community
8147 College System institution direct-support organization
8148 to use personal services and state funds for travel
8149 expenses; deleting an exception to the prohibition on
8150 gifts to a political committee from a Florida
8151 Community College System institution direct-support
8152 organization; conforming provisions to changes made by
8153 the act; amending s. 1004.71, F.S.; conforming
8154 provisions to changes made by the act; amending s.
8155 1004.74, F.S.; requiring the Chancellor of the Florida
8156 Community College System, jointly with the
8157 Commissioner of Education, to appoint members of the
8158 Council for the Florida School for the Arts; amending
8159 ss. 1004.78 and 1004.80, F.S.; conforming provisions



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8160 to changes made by the act; amending s. 1004.91, F.S.;

8161 requiring the State Board of Community Colleges to

8162 collaborate with the State Board of Education to

8163 provide certain rules for Florida Community College

8164 System institutions regarding requirements for career

8165 education program basic skills; amending s. 1004.92,

8166 F.S.; providing accountability for career education

8167 for the State Board of Community Colleges; revising

8168 the department's accountability for career education;

8169 requiring the department and the State Board of

8170 Community Colleges to collaborate to develop certain

8171 standards and benchmarks; requiring the State Board of

8172 Education and the State Board of Community Colleges to

8173 collaborate to adopt rules; amending s. 1004.925,

8174 F.S.; revising industry certification requirements for

8175 automotive service technology education programs to

8176 include the State Board of Community Colleges;

8177 amending s. 1004.93, F.S.; conforming provisions to

8178 changes made by the act; amending s. 1006.60, F.S.;

8179 authorizing sanctions for violations of certain rules

8180 of the State Board of Community Colleges, instead of

8181 the State Board of Education; amending ss. 1006.61,

8182 1006.62, and 1006.71, F.S.; conforming provisions to

8183 changes made by the act; amending s. 1007.01, F.S.;

8184 revising the role of the State Board of Education and

8185 the Board of Governors in the statewide articulation

8186 system to include the State Board of Community

8187 Colleges and the Chancellor of the Florida Community

8188 College System; amending s. 1007.23, F.S.; requiring



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8189 each Florida Community College System institution to
8190 execute at least one "2+2" targeted pathway
8191 articulation agreement by a specified time; providing
8192 requirements and student eligibility for the
8193 agreements; requiring the State Board of Community
8194 Colleges and the Board of Governors to collaborate to
8195 eliminate barriers for the agreements; amending s.
8196 1007.24, F.S.; revising the statewide course numbering
8197 system to include participation by and input from the
8198 State Board of Community Colleges and the Chancellor
8199 of the Florida Community College System; amending ss.
8200 1007.25, 1007.262, 1007.263, 1007.264, and 1007.265,
8201 F.S.; conforming provisions to changes made by the
8202 act; amending s. 1007.271, F.S.; requiring the State
8203 Board of Education to collaborate with the State Board
8204 of Community Colleges regarding certain articulation
8205 agreements; amending s. 1007.273, F.S.; requiring the
8206 State Board of Community Colleges to enforce
8207 compliance with certain provisions relating to the
8208 collegiate high school program by a specified date
8209 each year; amending s. 1007.33, F.S.; prohibiting
8210 Florida Community College System institutions from
8211 offering bachelor of arts degree programs; deleting
8212 provisions relating to an authorization for the Board
8213 of Trustees of St. Petersburg College to establish
8214 certain baccalaureate degree programs; revising the
8215 approval process for baccalaureate degree programs
8216 proposed by Florida Community College System
8217 institutions; requiring a Florida Community College



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8218 System institution to annually report certain
8219 information to the State Board of Community Colleges,
8220 the Chancellor of the State University System, and the
8221 Legislature; revising the circumstances under which a
8222 baccalaureate degree program may be required to be
8223 modified or terminated; requiring the termination of a
8224 baccalaureate degree program under certain
8225 circumstances; restricting total upper-level,
8226 undergraduate full-time equivalent enrollment at
8227 Florida Community College System institutions under
8228 certain circumstances; amending s. 1008.31, F.S.;
8229 revising the legislative intent of Florida's K-20
8230 education performance and accountability system to
8231 include recommendations from and reports to the State
8232 Board of Community Colleges; amending s. 1008.32,
8233 F.S.; removing the oversight enforcement authority of
8234 the State Board of Education relating to the Florida
8235 Community College System; amending s. 1008.345, F.S.;
8236 removing provisions requiring the department to
8237 maintain a listing of certain skills associated with
8238 the system of educational accountability; amending s.
8239 1008.37, F.S.; revising certain student reporting
8240 requirements of the Commissioner of Education to also
8241 require a report to the State Board of Community
8242 Colleges; amending s. 1008.38, F.S.; revising the
8243 articulation accountability process to include
8244 participation by the State Board of Community
8245 Colleges; amending s. 1008.405, F.S.; requiring the
8246 State Board of Community Colleges to adopt rules for



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8247 the maintaining of specific information by Florida
8248 Community College System institutions; amending ss.
8249 1008.44, 1008.45, 1009.21, and 1009.25, F.S.;
8250 conforming provisions to changes made by the act;
8251 amending s. 1009.26, F.S.; requiring that certain
8252 information regarding fee waivers be reported to the
8253 State Board of Community Colleges; requiring the State
8254 Board of Community Colleges to adopt rules; amending
8255 s. 1009.28, F.S.; conforming provisions to changes
8256 made by the act; amending ss. 1009.90 and 1009.91,
8257 F.S.; revising the duties of the department to include
8258 reports to the State Board of Community Colleges;
8259 amending s. 1009.971, F.S.; conforming provisions to
8260 changes made by the act; amending s. 1010.01, F.S.;
8261 requiring the financial records and accounts of
8262 Florida Community College System institutions to
8263 follow rules of the State Board of Community Colleges,
8264 instead of the State Board of Education; requiring
8265 each Florida Community College System institution to
8266 annually file specified financial statements with the
8267 State Board of Community Colleges; amending ss.
8268 1010.02 and 1010.04, F.S.; requiring the funds
8269 accruing to and purchases and leases by Florida
8270 Community College System institutions to follow rules
8271 of the State Board of Community Colleges, instead of
8272 the State Board of Education; amending s. 1010.07,
8273 F.S.; requiring certain contractors to give bonds in
8274 an amount set by the State Board of Community
8275 Colleges; amending s. 1010.08, F.S.; authorizing



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8276 Florida Community College System board of trustees to
8277 budget for promotion and public relations from certain
8278 funds; amending ss. 1010.09, 1010.22, 1010.30, and
8279 1010.58, F.S.; conforming provisions to changes made
8280 by the act; amending s. 1011.01, F.S.; requiring each
8281 Florida Community College System institution board of
8282 trustees to submit an annual operating budget
8283 according to rules of the State Board of Community
8284 Colleges; amending s. 1011.011, F.S.; requiring the
8285 State Board of Education to collaborate with the State
8286 Board of Community Colleges for legislative budget
8287 requests relating to Florida Community College System
8288 institutions; amending ss. 1011.30 and 1011.32, F.S.;
8289 conforming provisions to changes made by the act;
8290 amending s. 1011.80, F.S.; conforming provisions to
8291 changes made by the act; authorizing the State Board
8292 of Community Colleges to adopt rules; amending s.
8293 1011.801, F.S.; specifying duties of the State Board
8294 of Community Colleges regarding funds for the
8295 operation of workforce education programs and the
8296 Workforce Development Capitalization Incentive Grant
8297 Program; amending ss. 1011.81, 1011.82, 1011.83,
8298 1011.84, and 1011.85, F.S.; conforming provisions to
8299 changes made by the act; amending s. 1012.01, F.S.;
8300 redefining the term "school officers"; amending ss.
8301 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,
8302 F.S.; conforming provisions to changes made by the
8303 act; amending s. 1013.01, F.S.; providing that the
8304 term "board" does not include the State Board of



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8305 Community Colleges when used in the context of certain
8306 educational facilities provisions; amending ss.
8307 1013.02 and 1013.03, F.S.; requiring the State Board
8308 of Community Colleges to adopt rules for and provide
8309 functions relating to educational facilities; amending
8310 s. 1013.28, F.S.; authorizing Florida Community
8311 College System institution boards of trustees to
8312 dispose of land or real property subject to rules of
8313 the State Board of Community Colleges; amending s.
8314 1013.31, F.S.; specifying the role of the State Board
8315 of Community Colleges in educational plant surveys for
8316 Florida Community College System institutions;
8317 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
8318 conforming provisions to changes made by the act;
8319 amending s. 1013.47, F.S.; providing that certain
8320 contractors are subject to rules of the State Board of
8321 Community Colleges; amending s. 1013.52, F.S.;
8322 specifying duties of the State Board of Community
8323 Colleges with regard to the cooperative development
8324 and joint use of facilities; amending s. 1013.65,
8325 F.S.; requiring the State Board of Community Colleges
8326 to be provided with copies of authorized allocations
8327 or reallocations for the Public Education Capital
8328 Outlay and Debt Service Trust Fund; requiring the
8329 Board of Governors to conduct a study of state
8330 investment allocation methodologies for the
8331 performance-based funding model; prescribing study and
8332 reporting requirements; providing a directive to the
8333 Division of Law Revision and Information; amending s.



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8334 1001.66, F.S.; revising requirements for the
8335 performance-based metrics used to award Florida
8336 Community College System institutions with
8337 performance-based incentives; amending s. 1001.67,
8338 F.S.; revising the Distinguished Florida Community
8339 College System Institution Program excellence
8340 standards requirements; amending s. 1001.706, F.S.;
8341 requiring state universities to use gap analyses to
8342 identify internship opportunities in high-demand
8343 fields; revising cooperation duties of the Board of
8344 Governors to include requirements for working with the
8345 State Board of Community Colleges; amending s.
8346 1001.7065, F.S.; revising the preeminent state
8347 research universities program graduation rate
8348 requirements and funding distributions; deleting the
8349 authority for such universities to stipulate a special
8350 course requirement for incoming students; requiring
8351 the Board of Governors to establish certain standards
8352 by a specified date; amending s. 1001.92, F.S.;
8353 requiring certain performance-based metrics to include
8354 specified graduation rates and access benchmarks;
8355 creating s. 1004.6497, F.S.; establishing the World
8356 Class Faculty and Scholar Program; providing the
8357 purpose and intent of the program; authorizing
8358 investments in certain faculty retention, recruitment,
8359 and recognition activities; specifying funding as
8360 provided in the General Appropriations Act; requiring
8361 the funds to be used only for authorized purposes and
8362 investments; requiring the Board of Governors to



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8363 submit an annual report to the Governor and the
8364 Legislature by a specified date; creating s.
8365 1004.6498, F.S.; establishing the State University
8366 Professional and Graduate Degree Excellence Program;
8367 providing the purpose of the program; listing the
8368 quality improvement efforts that may be used to
8369 elevate the prominence of state university medicine,
8370 law, and graduate-level business programs; specifying
8371 funding as provided in the General Appropriations Act;
8372 requiring the funds to be used only for authorized
8373 purposes and investments; requiring the Board of
8374 Governors to submit an annual report to the Governor
8375 and the Legislature by a specified date; amending s.
8376 1007.27, F.S.; requiring school districts to notify
8377 students about certain lists and equivalencies;
8378 amending s. 1008.30, F.S.; providing that certain
8379 state universities may continue to provide
8380 developmental education instruction; requiring the
8381 State Board of Community Colleges, rather than the
8382 State Board of Education, to develop and implement a
8383 specified common placement test and approve a
8384 specified series of meta-majors and academic pathways
8385 with the Board of Governors; amending ss. 1009.22 and
8386 1009.23, F.S.; revising the prohibition on the
8387 inclusion of a technology fee in the Florida Bright
8388 Futures Scholarship Program award; amending s.
8389 1009.24, F.S.; revising the prohibition on the
8390 inclusion of a technology fee in the Florida Bright
8391 Futures Scholarship Program award; requiring a state



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8392 university board of trustees to implement a block
8393 tuition policy for certain students by a specified
8394 time; prescribing criteria for such block tuition
8395 policies; requiring the Chancellor of the State
8396 University System to submit a report to the Governor
8397 and the Legislature by a specified date; revising the
8398 conditions for differential tuition; amending s.
8399 1009.53, F.S.; authorizing a student to use funds
8400 appropriated in the General Appropriations Act for
8401 summer term enrollment for Florida Academic Scholars
8402 awards; amending s. 1009.534, F.S.; specifying Florida
8403 Academic Scholars award amounts to cover tuition,
8404 fees, textbooks, and other college-related expenses;
8405 amending s. 1009.701, F.S.; revising the state-to-
8406 private match requirement for contributions to the
8407 First Generation Matching Grant Program; amending s.
8408 1009.89, F.S.; renaming the Florida Resident Access
8409 Grant Program; amending s. 1009.893, F.S.; extending
8410 coverage of Benacquisto Scholarships to include
8411 tuition and fees for qualified nonresident students;
8412 creating s. 1009.894, F.S.; creating the Florida
8413 Farmworker Student Scholarship Program; providing a
8414 purpose; requiring the Department of Education to
8415 administer the scholarship program; providing initial
8416 and renewal scholarship student eligibility criteria;
8417 specifying award amounts and distributions; requiring
8418 the department to issue the awards annually; requiring
8419 institutions to certify certain information and remit
8420 any remaining funds to the department by a specified



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8421 timeframe; requiring the department to maintain
8422 program data; providing for funding as specified in
8423 the General Appropriations Act; amending s. 1009.98,
8424 F.S.; providing that certain payments from the Florida
8425 Prepaid College Board to a state university on behalf
8426 of a qualified beneficiary may not exceed a specified
8427 amount; amending s. 1013.79, F.S.; revising the intent
8428 of the Alec P. Courtelis University Facility
8429 Enhancement Challenge Grant Program; deleting the Alec
8430 P. Courtelis Capital Facilities Matching Trust Fund;
8431 authorizing the Legislature to prioritize certain
8432 funds for the 2017-2018 fiscal year; amending s.
8433 267.062, F.S.; conforming a cross-reference; providing
8434 a directive to the Division of Law Revision and
8435 Information; providing effective dates.