



294156

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/25/2018	.	
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The Committee on Appropriations (Hukill) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act shall be cited as the "College
Competitiveness Act of 2018."

Section 2. Effective July 1, 2018, section 1001.6001,
Florida Statutes, is created to read:

1001.6001 Florida College System governance.—

(1) The State Board of Colleges is created pursuant to s.



11 20.156 to oversee and coordinate the Florida College System. The
12 Governor shall appoint the membership of the State Board of
13 Colleges, subject to confirmation by the Senate, in time for the
14 members to convene for the board's organizational meeting
15 pursuant to s. 20.156(5).

16 (2) The Division of Florida Colleges shall provide
17 administrative support to the State Board of Colleges until
18 September 30, 2018.

19 (3) On October 1, 2018, all powers, duties, functions,
20 records, offices, personnel, property, pending issues and
21 existing contracts, administrative authority, administrative
22 rules, and unexpended balances of appropriations, allocations,
23 and other funds related to the Florida College System and the
24 Division of Florida Colleges are transferred by a type two
25 transfer, as defined in s. 20.06(2), from the State Board of
26 Education to the State Board of Colleges.

27 (4) The State Board of Colleges shall appoint a Chancellor
28 of the Florida College System by November 1, 2018, to aid the
29 board in the implementation of its responsibilities.

30 (5) Any State Board of Education approval, policy,
31 guidance, and appointment in effect on October 1, 2018, remains
32 effective unless acted upon by the State Board of Colleges.

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

35 20.15 Department of Education.—There is created a
36 Department of Education.

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

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



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40 ~~(a)~~ ~~(b)~~ Division of Public Schools.
41 ~~(b)~~ ~~(e)~~ Division of Career and Adult Education.
42 ~~(c)~~ ~~(d)~~ Division of Vocational Rehabilitation.
43 ~~(d)~~ ~~(e)~~ Division of Blind Services.
44 ~~(e)~~ ~~(f)~~ Division of Accountability, Research, and
45 Measurement.
46 ~~(f)~~ ~~(g)~~ Division of Finance and Operations.
47 ~~(g)~~ ~~(h)~~ Office of K-20 Articulation.
48 ~~(h)~~ ~~(i)~~ The Office of Independent Education and Parental
49 Choice, which must include the following offices:
50 1. The Office of Early Learning, which shall be
51 administered by an executive director who is fully accountable
52 to the Commissioner of Education. The executive director shall,
53 pursuant to s. 1001.213, administer the early learning programs,
54 including the school readiness program and the Voluntary
55 Prekindergarten Education Program at the state level.
56 2. The Office of K-12 School Choice, which shall be
57 administered by an executive director who is fully accountable
58 to the Commissioner of Education.
59 (8) SUPPORT SERVICES.—The Department of Education shall
60 continue to provide support to the Board of Governors of the
61 State University System and to the State Board of Colleges of
62 the Florida College System. At a minimum, support services
63 provided to the Board of Governors and the State Board of
64 Colleges shall include accounting, printing, computer and
65 Internet support, personnel and human resources support, support
66 for accountability initiatives, and administrative support as
67 needed for trust funds under the jurisdiction of the Board of
68 Governors and the State Board of Colleges.



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69 Section 4. Effective July 1, 2018, section 20.156, Florida
70 Statutes, is created to read:

71 20.156 State Board of Colleges.—

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

81 (2) HEAD OF THE FLORIDA COLLEGE SYSTEM.—The state board is
82 the head of the Florida College System. The Governor shall
83 appoint the board members, subject to confirmation by the
84 Senate.

85 (3) PERSONNEL.—The state board shall appoint a Chancellor
86 of the Florida College System by November 1, 2018, to aid in
87 carrying out the state board's duties. The chancellor is the
88 chief executive officer and secretary to the state board and
89 directs the activities of the staff of the state board. The
90 Chancellor of the Division of Florida Colleges shall serve as
91 the Chancellor of the Florida College System until the state
92 board selects a chancellor.

93 (4) POWERS AND DUTIES.—Effective October 1, 2018, the state
94 board shall regulate, control, and be responsible for the
95 management of the Florida College System.

96 (5) ORGANIZATION.—The state board shall, by September 30,
97 2018, conduct an organizational meeting to adopt bylaws, elect a



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98 chair and vice chair from the membership, and fix dates and
99 places for regular meetings.

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

102 112.313 Standards of conduct for public officers, employees
103 of agencies, and local government attorneys.—

104 (18) STATE BOARD OF COLLEGES AND BOARDS OF TRUSTEES.—A
105 citizen member of the State Board of Colleges or a citizen
106 member of a Florida College System institution board of trustees
107 may not have or hold an employment or contractual relationship
108 as a legislative lobbyist requiring annual registration and
109 reporting pursuant to s. 11.045.

110 Section 6. Paragraph (c) of subsection (1) of section
111 112.3145, Florida Statutes, is amended to read:

112 112.3145 Disclosure of financial interests and clients
113 represented before agencies.—

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

116 (c) "State officer" means:

117 1. Any elected public officer, excluding those elected to
118 the United States Senate and House of Representatives, not
119 covered elsewhere in this part and any person who is appointed
120 to fill a vacancy for an unexpired term in such an elective
121 office.

122 2. An appointed member of each board, commission,
123 authority, or council having statewide jurisdiction, excluding a
124 member of an advisory body.

125 3. A member of the Board of Governors of the State
126 University System or a state university board of trustees, the



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127 Chancellor and Vice Chancellors of the State University System,
128 and the president of a state university; or a member of the
129 State Board of Colleges and the Chancellor of the Florida
130 College System.

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

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

135 1000.03 Function, mission, and goals of the Florida K-20
136 education system.—

137 (2) (a) The Legislature shall establish education policy,
138 enact education laws, and appropriate and allocate education
139 resources.

140 (b) With the exception of matters relating to the State
141 University System and the Florida College System, the State
142 Board of Education shall oversee the enforcement of all laws and
143 rules, and the timely provision of direction, resources,
144 assistance, intervention when needed, and strong incentives and
145 disincentives to force accountability for results.

146 (c) The Board of Governors shall oversee the enforcement of
147 all state university laws and rules and regulations and the
148 timely provision of direction, resources, assistance,
149 intervention when needed, and strong incentives and
150 disincentives to force accountability for results.

151 (d) The State Board of Colleges shall oversee the
152 enforcement of all Florida College System laws and rules and the
153 timely provision of direction, resources, assistance,
154 intervention when needed, and strong incentives and
155 disincentives to force accountability for results.



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156 (4) The mission of Florida's K-20 education system is to
157 allow its students to increase their proficiency by allowing
158 them the opportunity to expand their knowledge and skills
159 through rigorous and relevant learning opportunities, in
160 accordance with the mission of the applicable career center or
161 system ~~statement~~ and the accountability requirements of s.
162 1008.31, and to avoid wasteful duplication of programs offered
163 by state universities, Florida College System institutions, and
164 career centers and charter technical career centers that are
165 operated by a district school board or a Florida College System
166 institution board of trustees.

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

170 1000.05 Discrimination against students and employees in
171 the Florida K-20 public education system prohibited; equality of
172 access required.—

173 (3)

174 (d) A public K-20 educational institution which operates or
175 sponsors interscholastic, intercollegiate, club, or intramural
176 athletics shall provide equal athletic opportunity for members
177 of both genders.

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

180 2. The Commissioner of Education, for school districts, and
181 the Chancellor of the Florida College System, for Florida
182 College System institutions, shall determine whether equal
183 opportunities are available in school districts and Florida
184 College System institutions, respectively. In determining



185 whether equal opportunities are available in school districts
186 and Florida College System institutions, the Commissioner of
187 Education and the Chancellor of the Florida College System shall
188 consider, among other factors:

- 189 a. Whether the selection of sports and levels of
190 competition effectively accommodate the interests and abilities
191 of members of both genders.
- 192 b. The provision of equipment and supplies.
- 193 c. Scheduling of games and practice times.
- 194 d. Travel and per diem allowances.
- 195 e. Opportunities to receive coaching and academic tutoring.
- 196 f. Assignment and compensation of coaches and tutors.
- 197 g. Provision of locker room, practice, and competitive
198 facilities.
- 199 h. Provision of medical and training facilities and
200 services.
- 201 i. Provision of housing and dining facilities and services.
- 202 j. Publicity.

203
204 Unequal aggregate expenditures for members of each gender or
205 unequal expenditures for male and female teams if a public
206 school or Florida College System institution operates or
207 sponsors separate teams do not constitute nonimplementation of
208 this subsection, but the Commissioner of Education shall
209 consider the failure to provide necessary funds for teams for
210 one gender in assessing equality of opportunity for members of
211 each gender.

212 (5) (a) The State Board of Education shall adopt rules to
213 implement this section as it relates to school districts ~~and~~



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214 ~~Florida College System institutions.~~

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

217 (c) The State Board of Colleges shall adopt rules to
218 implement this section as it relates to Florida College System
219 institutions.

220 (6) The functions of the State Board of Colleges for
221 Florida College System institutions and the Office of Equal
222 Educational Opportunity of the Department of Education shall
223 include, but are not limited to:

224 (a) Requiring all district school boards and Florida
225 College System institution boards of trustees to develop and
226 submit plans for the implementation of this section to the
227 Department of Education.

228 (b) Conducting periodic reviews of school districts and
229 Florida College System institutions to determine compliance with
230 this section and, after a finding that a school district or a
231 Florida College System institution is not in compliance with
232 this section, notifying the entity of the steps that it must
233 take to attain compliance and performing followup monitoring.

234 (c) Providing technical assistance, including assisting
235 school districts or Florida College System institutions in
236 identifying unlawful discrimination and instructing them in
237 remedies for correction and prevention of such discrimination
238 and performing followup monitoring.

239 (d) Conducting studies of the effectiveness of methods and
240 strategies designed to increase the participation of students in
241 programs and courses in which students of a particular race,
242 ethnicity, national origin, gender, disability, or marital



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243 status have been traditionally underrepresented and monitoring
244 the success of students in such programs or courses, including
245 performing followup monitoring.

246 (e) Requiring all district school boards and Florida
247 College System institution boards of trustees to submit data and
248 information necessary to determine compliance with this section.
249 The Commissioner of Education, for school districts, and the
250 Chancellor of the Florida College System, for Florida College
251 System institutions, shall prescribe the format and the date for
252 submission of such data and any other educational equity data.
253 If any board does not submit the required compliance data or
254 other required educational equity data by the prescribed date,
255 the commissioner or the chancellor, as applicable, shall notify
256 the board of this fact and, if the board does not take
257 appropriate action to immediately submit the required report,
258 the State Board of Education or the State Board of Colleges, as
259 applicable, shall impose monetary sanctions.

260 (f) Based upon rules of the State Board of Education, for
261 school districts, and the State Board of Colleges, for Florida
262 College System institutions, developing and implementing
263 enforcement mechanisms with appropriate penalties to ensure that
264 public K-12 schools and Florida College System institutions
265 comply with Title IX of the Education Amendments of 1972 and
266 subsection (3) of this section. However, the State Board of
267 Education may not force a public school and the State Board of
268 Colleges may not force a ~~or~~ Florida College System institution
269 to conduct, nor penalize such entity for not conducting, a
270 program of athletic activity or athletic scholarship for female
271 athletes unless it is an athletic activity approved for women by



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272 a recognized association whose purpose is to promote athletics
273 and a conference or league exists to promote interscholastic or
274 intercollegiate competition for women in that athletic activity.

275 (g) Reporting to the Commissioner of Education, for school
276 districts, or to the Chancellor of the Florida College System,
277 for Florida College System institutions, any district school
278 board or Florida College System institution board of trustees
279 found to be out of compliance with rules of the State Board of
280 Education or the State Board of Colleges adopted as required by
281 paragraph (f) or paragraph (3) (d). To penalize the respective
282 board, the State Board of Education or the State Board of
283 Colleges, as applicable, shall:

284 1. Declare the school district or Florida College System
285 institution ineligible for competitive state grants.

286 2. Notwithstanding the provisions of s. 216.192, direct the
287 Chief Financial Officer to withhold general revenue funds
288 sufficient to obtain compliance from the school district or
289 Florida College System institution.

290
291 The school district or Florida College System institution shall
292 remain ineligible and the funds may ~~shall~~ not be paid until the
293 institution comes into compliance or the State Board of
294 Education or the State Board of Colleges, as applicable,
295 approves a plan for compliance.

296 Section 9. Section 1001.02, Florida Statutes, is amended to
297 read:

298 1001.02 General powers of State Board of Education.—

299 (1) The State Board of Education is the chief implementing
300 and coordinating body of public education in Florida except for



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301 the State University System and the Florida College System, and
302 it shall focus on high-level policy decisions. It has authority
303 to adopt rules pursuant to ss. 120.536(1) and 120.54 to
304 implement the provisions of law conferring duties upon it for
305 the improvement of the state system of K-20 public education
306 except for the State University System and the Florida College
307 System. Except as otherwise provided herein, it may, as it finds
308 appropriate, delegate its general powers to the Commissioner of
309 Education or the directors of the divisions of the department.

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

311 (a) To adopt comprehensive educational objectives for
312 public education except for the State University System and the
313 Florida College System.

314 (b) To adopt comprehensive long-range plans and short-range
315 programs for the development of the state system of public
316 education except for the State University System and the Florida
317 College System.

318 (c) To exercise general supervision over the divisions of
319 the Department of Education as necessary to ensure coordination
320 of educational plans and programs and resolve controversies and
321 to minimize problems of articulation and student transfers, to
322 ensure that students moving from one level of education to the
323 next have acquired competencies necessary for satisfactory
324 performance at that level, and to ensure maximum utilization of
325 facilities.

326 (d) To adopt, in consultation with the Board of Governors
327 and the State Board of Colleges, and from time to time modify,
328 minimum and uniform standards of college-level communication and
329 computation skills generally associated with successful



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330 performance and progression through the baccalaureate level and
331 to identify college-preparatory high school coursework and
332 postsecondary-level coursework that prepares students with the
333 academic skills necessary to succeed in postsecondary education.

334 (e) To adopt and submit to the Governor and Legislature, as
335 provided in s. 216.023, a coordinated K-20 education budget that
336 estimates the expenditure requirements for the Board of
337 Governors, as provided in s. 1001.706, the State Board of
338 Education, including the Department of Education and the
339 Commissioner of Education, and all of the boards, institutions,
340 agencies, and services under the general supervision of the
341 Board of Governors, as provided in s. 1001.706, the State Board
342 of Colleges, as provided in s. 1001.602, or the State Board of
343 Education for the ensuing fiscal year. The State Board of
344 Education may not amend the budget request submitted by the
345 Board of Governors or the State Board of Colleges. Any program
346 recommended by the Board of Governors, the State Board of
347 Colleges, or the State Board of Education which will require
348 increases in state funding for more than 1 year must be
349 presented in a multiyear budget plan.

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

354 (g) To approve plans for cooperating with the Federal
355 Government.

356 (h) To approve plans for cooperating with other public
357 agencies in the development of rules and in the enforcement of
358 laws for which the state board and such agencies are jointly



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359 responsible.

360 (i) To review plans for cooperating with appropriate
361 nonpublic agencies for the improvement of conditions relating to
362 the welfare of schools.

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

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

368 (l) To assist in the economic development of the state by
369 developing a state-level planning process to identify future
370 training needs for industry, especially high-technology
371 industry.

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

375 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
376 120.54, within statutory authority.

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

379 (p) To contract with independent institutions accredited by
380 an agency whose standards are comparable to the minimum
381 standards required to operate a postsecondary career center
382 ~~educational institution at that level in the state.~~ The purpose
383 of the contract is to provide those educational programs and
384 facilities which will meet needs unfulfilled by the state system
385 of public postsecondary education.

386 (q) To recommend that a district school board take action
387 consistent with the state board's decision relating to an appeal



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388 of a charter school application.

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

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

394 (t) To establish accountability standards for existing
395 legislative performance goals, standards, and measures, and
396 order the development of mechanisms to implement new legislative
397 goals, standards, and measures.

398 (u) To adopt criteria and implementation plans for future
399 growth issues, ~~such as new Florida College System institutions~~
400 ~~and Florida College System institution campus mergers,~~ and to
401 provide for cooperative agreements between and within public and
402 private education sectors.

403 (v) To develop, in conjunction with the Board of Governors
404 and the State Board of Colleges, and periodically review for
405 adjustment, a coordinated 5-year plan for postsecondary
406 enrollment, identifying enrollment and graduation expectations
407 by baccalaureate degree program, and annually submit the plan to
408 the Legislature as part of its legislative budget request.

409 ~~(w) Beginning in the 2014-2015 academic year and annually~~
410 ~~thereafter, to require each Florida College System institution~~
411 ~~prior to registration to provide each enrolled student~~
412 ~~electronic access to the economic security report of employment~~
413 ~~and earning outcomes prepared by the Department of Economic~~
414 ~~Opportunity pursuant to s. 445.07.~~

415 (3) (a) The State Board of Education shall adopt a strategic
416 plan that specifies goals and objectives for the state's public



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417 ~~schools and Florida College System institutions.~~ The plan shall
418 be formulated in conjunction with plans of the Board of
419 Governors and the State Board of Colleges in order to provide
420 for the roles of the universities and Florida College System
421 institutions to be coordinated to best meet state needs and
422 reflect cost-effective use of state resources. The strategic
423 plan must clarify the mission statements of each Florida College
424 System institution and the system as a whole and identify degree
425 programs, including baccalaureate degree programs, to be offered
426 at each Florida College System institution in accordance with
427 the objectives provided in this subsection and the coordinated
428 5-year plan pursuant to paragraph (2) (v). The strategic plan
429 must cover a period of 5 years, with modification of the program
430 lists after 2 years. Development of each 5-year plan must be
431 coordinated with and initiated after completion of the master
432 plan. The strategic plans must specifically include programs and
433 procedures for responding to the educational needs of teachers
434 and students in the public schools of this state and consider
435 reports and recommendations of the Higher Education Coordinating
436 Council pursuant to s. 1004.015 and the Articulation
437 Coordinating Committee pursuant to s. 1007.01. The state board
438 shall submit a report to the President of the Senate and the
439 Speaker of the House of Representatives upon modification of the
440 plan and as part of its legislative budget request.

441 (b) The State Board of Education, ~~and~~ the Board of
442 Governors, and the State Board of Colleges shall jointly develop
443 long-range plans and annual reports for financial aid in this
444 state. The long-range plans shall establish goals and objectives
445 for a comprehensive program of financial aid for Florida



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446 students and shall be updated every 5 years. The annual report
447 shall include programs administered by the department as well as
448 awards made from financial aid fee revenues, any other funds
449 appropriated by the Legislature for financial assistance, and
450 the value of tuition and fees waived for students enrolled in a
451 dual enrollment course at a public postsecondary educational
452 institution. The annual report shall include an assessment of
453 progress made in achieving goals and objectives established in
454 the long-range plans and recommendations for repealing or
455 modifying existing financial aid programs or establishing new
456 programs. A long-range plan shall be submitted by January 1,
457 2004, and every 5 years thereafter. An annual report shall be
458 submitted on January 1, 2004, and in each successive year that a
459 long-range plan is not submitted, to the President of the Senate
460 and the Speaker of the House of Representatives.

461 (4) The State Board of Education shall:

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

465 ~~(b) Specify, by rule, procedures to be used by the Florida~~
466 ~~College System institution boards of trustees in the annual~~
467 ~~evaluations of presidents and review the evaluations of~~
468 ~~presidents by the boards of trustees, including the extent to~~
469 ~~which presidents serve both institutional and system goals.~~

470 ~~(c) Establish, in conjunction with the Board of Governors,~~
471 ~~an effective information system that will provide composite data~~
472 ~~concerning the Florida College System institutions and state~~
473 ~~universities and ensure that special analyses and studies~~
474 ~~concerning the institutions are conducted, as necessary, for~~



475 ~~provision of accurate and cost-effective information concerning~~
476 ~~the institutions.~~

477 ~~(d) Establish criteria for making recommendations for~~
478 ~~modifying district boundary lines for Florida College System~~
479 ~~institutions, including criteria for service delivery areas of~~
480 ~~Florida College System institutions authorized to grant~~
481 ~~baccalaureate degrees.~~

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

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

487 ~~(g) adopt and submit to the Legislature a 3-year list of~~
488 ~~priorities for fixed-capital-outlay projects. The State Board of~~
489 ~~Education may not amend the 3-year list of priorities of the~~
490 ~~Board of Governors or the State Board of Colleges.~~

491 ~~(5) The State Board of Education is responsible for~~
492 ~~reviewing and administering the state program of support for the~~
493 ~~Florida College System institutions and, subject to existing~~
494 ~~law, shall establish the tuition and out-of-state fees for~~
495 ~~developmental education and for credit instruction that may be~~
496 ~~counted toward an associate in arts degree, an associate in~~
497 ~~applied science degree, or an associate in science degree.~~

498 ~~(6) The State Board of Education shall prescribe minimum~~
499 ~~standards, definitions, and guidelines for Florida College~~
500 ~~System institutions that will ensure the quality of education,~~
501 ~~coordination among the Florida College System institutions and~~
502 ~~state universities, and efficient progress toward accomplishing~~
503 ~~the Florida College System institution mission. At a minimum,~~



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504 ~~these rules must address:~~

505 ~~(a) Personnel.~~

506 ~~(b) Contracting.~~

507 ~~(c) Program offerings and classification, including~~
508 ~~college-level communication and computation skills associated~~
509 ~~with successful performance in college and with tests and other~~
510 ~~assessment procedures that measure student achievement of those~~
511 ~~skills. The performance measures must provide that students~~
512 ~~moving from one level of education to the next acquire the~~
513 ~~necessary competencies for that level.~~

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

517 ~~1. Provide for the award of an associate in arts degree to~~
518 ~~a student who successfully completes 60 semester credit hours at~~
519 ~~the Florida College System institution.~~

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

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

527
528 ~~The rules should encourage Florida College System institutions~~
529 ~~to enter into agreements with state universities that allow~~
530 ~~Florida College System institution students to complete upper-~~
531 ~~division-level courses at a Florida College System institution.~~
532 ~~An agreement may provide for concurrent enrollment at the~~



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533 ~~Florida College System institution and the state university and~~
534 ~~may authorize the Florida College System institution to offer an~~
535 ~~upper division level course or distance learning.~~

536 ~~(e) Student admissions, conduct and discipline,~~
537 ~~nonclassroom activities, and fees.~~

538 ~~(f) Budgeting.~~

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

540 ~~(h) Student services.~~

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

543 Section 10. Subsections (7) through (17) of section
544 1001.03, Florida Statutes, are amended to read:

545 1001.03 Specific powers of State Board of Education.—

546 (7) ARTICULATION ACCOUNTABILITY.—The State Board of
547 Education shall develop articulation accountability measures
548 that assess the status of systemwide articulation processes, in
549 conjunction with the Board of Governors regarding the State
550 University System and the State Board of Colleges regarding the
551 Florida College System, and shall establish an articulation
552 accountability process in accordance with the provisions of
553 chapter 1008, in conjunction with the Board of Governors
554 regarding the State University System and the State Board of
555 Colleges regarding the Florida College System.

556 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
557 shall enforce compliance with law and state board rule by all
558 school districts and public postsecondary educational
559 institutions, except for institutions within the State
560 University System and the Florida College System, in accordance
561 with the provisions of s. 1008.32.



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562 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
563 Education, in conjunction with the Board of Governors regarding
564 the State University System and the State Board of Colleges
565 regarding the Florida College System, shall continue to collect
566 and maintain, at a minimum, the management information databases
567 for state universities, Florida College System institutions, and
568 all other components of the public K-20 education system as such
569 databases existed on June 30, 2002.

570 ~~(10) COMMON PLACEMENT TESTING FOR PUBLIC POSTSECONDARY~~
571 ~~EDUCATION.~~ The State Board of Education, in conjunction with the
572 Board of Governors, shall develop and implement a common
573 placement test to assess the basic computation and communication
574 skills of students who intend to enter a degree program at any
575 Florida College System institution or state university.

576 (10)~~(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY
577 EDUCATION.—The State Board of Education shall adopt minimum
578 standards relating to nonpublic postsecondary education and
579 institutions, in accordance with the provisions of chapter 1005.

580 ~~(12) COMMON POSTSECONDARY DEFINITIONS.~~ The State Board of
581 Education shall adopt, by rule, common definitions for associate
582 in science degrees and for certificates.

583 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS.~~ The
584 State Board of Education shall provide for the cyclic review of
585 all academic programs in Florida College System institutions at
586 least every 7 years. Program reviews shall document how
587 individual academic programs are achieving stated student
588 learning and program objectives within the context of the
589 institution's mission. The results of the program reviews shall
590 inform strategic planning, program development, and budgeting



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591 ~~decisions at the institutional level.~~

592 ~~(11)(14) UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT~~
593 ~~ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of~~
594 ~~Education shall maintain a uniform classification system for~~
595 ~~school district administrative and management personnel that~~
596 ~~will facilitate the uniform coding of administrative and~~
597 ~~management personnel to total district employees.~~

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

609 ~~(16) PLAN SPECIFYING GOALS AND OBJECTIVES.—By July 1, 2013,~~
610 ~~the State Board of Education shall identify performance metrics~~
611 ~~for the Florida College System and develop a plan that specifies~~
612 ~~goals and objectives for each Florida College System~~
613 ~~institution. The plan must include:~~

614 ~~(a) Performance metrics and standards common for all~~
615 ~~institutions and metrics and standards unique to institutions~~
616 ~~depending on institutional core missions, including, but not~~
617 ~~limited to, remediation success, retention, graduation,~~
618 ~~employment, transfer rates, licensure passage, excess hours,~~
619 ~~student loan burden and default rates, job placement, faculty~~



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620 ~~awards, and highly respected rankings for institution and~~
621 ~~program achievements.~~

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

625 (12) ~~(17)~~ UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,
626 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of
627 Education, in consultation with the Board of Governors, the
628 State Board of Colleges, and the Department of Economic
629 Opportunity, shall adopt a unified state plan to improve K-20
630 STEM education and prepare students for high-skill, high-wage,
631 and high-demand employment in STEM and STEM-related fields.

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

635 1001.10 Commissioner of Education; general powers and
636 duties.—

637 (1) The Commissioner of Education is the chief educational
638 officer of the state and the sole custodian of the K-20 data
639 warehouse, and is responsible for giving full assistance to the
640 State Board of Education in enforcing compliance with the
641 mission and goals of the K-20 education system except for the
642 State University System and the Florida College System.

643 (6) Additionally, the commissioner has the following
644 general powers and duties:

645 (g) To submit to the State Board of Education, on or before
646 October 1 of each year, recommendations for a coordinated K-20
647 education budget that estimates the expenditures for the Board
648 of Governors, the State Board of Colleges, the State Board of



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649 Education, including the Department of Education and the
650 Commissioner of Education, and all of the boards, institutions,
651 agencies, and services under the general supervision of the
652 Board of Governors, the State Board of Colleges, or the State
653 Board of Education for the ensuing fiscal year. Any program
654 recommended to the State Board of Education that will require
655 increases in state funding for more than 1 year must be
656 presented in a multiyear budget plan.

657 (j) To implement a program of school improvement and
658 education accountability designed to provide all students the
659 opportunity to make adequate learning gains in each year of
660 school as provided by statute and State Board of Education rule
661 based upon the achievement of the state education goals,
662 recognizing the following:

663 1. The district school board is responsible for school and
664 student performance.

665 2. The individual school is the unit for education
666 accountability.

667 ~~3. The Florida College System institution board of trustees~~
668 ~~is responsible for Florida College System institution~~
669 ~~performance and student performance.~~

670 ~~(7) The commissioner, or the commissioner's designee, may~~
671 ~~conduct a review or investigation of practices, procedures, or~~
672 ~~actions at any Florida College System institution which appear~~
673 ~~to be inconsistent with sound financial, management, or academic~~
674 ~~practice.~~

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



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678 1001.11 Commissioner of Education; other duties.—

679 (1) The Commissioner of Education must independently
680 perform the following duties:

681 (c) In cooperation with the Board of Governors and the
682 State Board of Colleges, develop and implement a process for
683 receiving and processing requests, in conjunction with the
684 Legislature, for the allocation of PECO funds for qualified
685 postsecondary education projects.

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

688 (d) ~~(e)~~ Monitor the activities of the State Board of
689 Education and provide information related to current and pending
690 policies to the members of the boards of trustees of the Florida
691 College System institutions and state universities.

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

695 (3) Notwithstanding any other provision of law to the
696 contrary, the Commissioner of Education, in conjunction with the
697 Legislature, ~~and~~ the Board of Governors regarding the State
698 University System, and the State Board of Colleges regarding the
699 Florida College System, must recommend funding priorities for
700 the distribution of capital outlay funds for public
701 postsecondary educational institutions, based on priorities that
702 include, but are not limited to, the following criteria:

703 (a) Growth at the institutions.

704 (b) Need for specific skills statewide.

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

706 Section 13. Paragraph (e) of subsection (4) of section



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707 1001.20, Florida Statutes, is amended to read:

708 1001.20 Department under direction of state board.—

709 (4) The Department of Education shall establish the
710 following offices within the Office of the Commissioner of
711 Education which shall coordinate their activities with all other
712 divisions and offices:

713 (e) *Office of Inspector General.*—Organized using existing
714 resources and funds and responsible for promoting
715 accountability, efficiency, and effectiveness and detecting
716 fraud and abuse within school districts and~~7~~ the Florida School
717 for the Deaf and the Blind,~~7~~ ~~and Florida College System~~
718 ~~institutions in Florida.~~ If the Commissioner of Education
719 determines that a district school board or~~7~~ the Board of
720 Trustees for the Florida School for the Deaf and the Blind,~~7~~ ~~or a~~
721 ~~Florida College System institution board of trustees is~~
722 unwilling or unable to address substantiated allegations made by
723 any person relating to waste, fraud, or financial mismanagement
724 within the school district or~~7~~ the Florida School for the Deaf
725 and the Blind,~~7~~ ~~or the Florida College System institution,~~ the
726 office shall conduct, coordinate, or request investigations into
727 such substantiated allegations. The office shall have access to
728 all information and personnel necessary to perform its duties
729 and shall have all of its current powers, duties, and
730 responsibilities authorized in s. 20.055.

731 Section 14. Section 1001.28, Florida Statutes, is amended
732 to read:

733 1001.28 Distance learning duties.—The duties of the
734 Department of Education concerning distance learning include,
735 but are not limited to, the duty to:



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736 (1) Facilitate the implementation of a statewide
737 coordinated system and resource system for cost-efficient
738 advanced telecommunications services and distance education
739 which will increase overall student access to education.

740 (2) Coordinate the use of existing resources, including,
741 but not limited to, the state's satellite transponders, the
742 Florida Information Resource Network (FIRN), and distance
743 learning initiatives.

744 (3) Assist in the coordination of the utilization of the
745 production and uplink capabilities available through Florida's
746 public television stations, eligible facilities, independent
747 colleges and universities, private firms, and others as needed.

748 (4) Seek the assistance and cooperation of Florida's cable
749 television providers in the implementation of the statewide
750 advanced telecommunications services and distance learning
751 network.

752 (5) Seek the assistance and cooperation of Florida's
753 telecommunications carriers to provide affordable student access
754 to advanced telecommunications services and to distance
755 learning.

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

758 (7) Secure and administer funding for programs and
759 activities for distance learning from federal, state, local, and
760 private sources and from fees derived from services and
761 materials.

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



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765
766 Nothing in this section shall be construed to abrogate,
767 supersede, alter, or amend the powers and duties of any state
768 agency, district school board, Florida College System
769 institution board of trustees, university board of trustees, the
770 Board of Governors, the State Board of Colleges, or the State
771 Board of Education.

772 Section 15. Effective July 1, 2018, subsection (26) of
773 section 1001.42, Florida Statutes, is amended to read:

774 1001.42 Powers and duties of district school board.—The
775 district school board, acting as a board, shall exercise all
776 powers and perform all duties listed below:

777 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a
778 governing board for a school district technical center or a
779 system of technical centers for the purpose of aligning the
780 educational programs of the technical center with the needs of
781 local businesses and responding quickly to the needs of local
782 businesses for employees holding industry certifications. A
783 technical center governing board shall be comprised of seven
784 members, three of whom must be members of the district school
785 board or their designees and four of whom must be local business
786 leaders. The district school board shall delegate to the
787 technical center governing board decisions regarding entrance
788 requirements for students, curriculum, program development,
789 budget and funding allocations, and the development with local
790 businesses of partnership agreements and appropriate industry
791 certifications in order to meet local and regional economic
792 needs. A technical center governing board may approve only
793 courses and programs that contain industry certifications. A



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794 course may be continued if at least 25 percent of the students
795 enrolled in the course attain an industry certification. If
796 fewer than 25 percent of the students enrolled in a course
797 attain an industry certification, the course must be
798 discontinued the following year. However, notwithstanding the
799 authority to approve courses and programs under this subsection,
800 a technical center governing board may not approve a college
801 credit course or college credit certificate or an associate
802 degree or baccalaureate degree program.

803 Section 16. Effective July 1, 2018, section 1001.44,
804 Florida Statutes, is amended to read:

805 1001.44 Career centers; governance, mission, and
806 responsibilities.—

807 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
808 CENTERS.—Any district school board, after first obtaining the
809 approval of the Department of Education, may, as a part of the
810 district school system, organize, establish and operate a career
811 center, or acquire and operate a career center previously
812 established.

813 (a) The primary mission of a career center that is operated
814 by a district school board is to promote advances and
815 innovations in workforce preparation and economic development. A
816 career center may provide a learning environment that serves the
817 needs of a specific population group or group of occupations,
818 thus promoting diversity and choices within the public technical
819 education community in this state.

820 (b) A career center that is operated by a district school
821 board may not offer a college credit course or college credit
822 certificate or an associate degree or baccalaureate degree



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823 program.

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

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

832 (a) A career center established or acquired under
833 provisions of law and minimum standards prescribed by the
834 commissioner shall comprise a part of the district school system
835 and shall mean an educational institution offering terminal
836 courses of a technical nature which are not for college credit,
837 and courses for out-of-school youth and adults; shall be subject
838 to all applicable provisions of this code; shall be under the
839 control of the district school board of the school district in
840 which it is located; and shall be directed by a director
841 responsible through the district school superintendent to the
842 district school board of the school district in which the center
843 is located.

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

850 Section 17. Effective July 1, 2018, paragraph (b) of
851 subsection (2) of section 1001.60, Florida Statutes, is amended



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852 to read:

853 1001.60 Florida College System.—

854 (2) FLORIDA COLLEGE SYSTEM.—There shall be a single Florida
855 College System comprised of the Florida College System
856 institutions identified in s. 1000.21(3). A Florida College
857 System institution may not offer graduate degree programs.

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

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

874 a. Maintain as its primary mission responsibility for
875 responding to community needs for postsecondary academic
876 education and career degree education as prescribed in s.
877 1004.65(5).

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

880 c. Continue to provide outreach to underserved populations.



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- 881 d. Continue to provide remedial education.
- 882 e. Comply with all provisions of the statewide articulation
- 883 agreement that relate to 2-year and 4-year public degree-
- 884 granting institutions as adopted by the State Board of Colleges
- 885 ~~Education~~ pursuant to s. 1007.23.

886 Section 18. Effective July 1, 2018, section 1001.601,

887 Florida Statutes, is created to read:

888 1001.601 State Board of Colleges of the Florida College

889 System.—

890 (1) The State Board of Colleges is established as a body

891 corporate consisting of 13 members, which shall consist of the

892 Commissioner of Education and 12 citizen members who are

893 appointed by the Governor in a manner that provides equitable

894 geographical representation.

895 (a) The 12 appointed citizen members must include a student

896 enrolled in a Florida College System institution and a faculty

897 member employed at a Florida College System institution.

898 (b) Each citizen member must reside and be registered to

899 vote in this state.

900 (c) Except for the student member, who shall serve a 1-year

901 term, appointed citizen members shall serve staggered 4-year

902 terms. In order to achieve staggered terms, beginning September

903 1, 2018, of the initial appointments, 3 members shall serve 2-

904 year terms, 4 members shall serve 3-year terms, and 4 members

905 shall serve 4-year terms.

906 (d) Except for the student member, each citizen member must

907 be confirmed by the Senate.

908 (2) Members of the State Board of Colleges may not receive

909 compensation but may be reimbursed for per diem and travel



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910 expenses as provided in s. 112.061.

911 Section 19. Section 1001.602, Florida Statutes, is created
912 to read:

913 1001.602 Powers and duties of the State Board of Colleges.-

914 (1) RESPONSIBILITIES.-The State Board of Colleges is
915 responsible for the efficient and effective operation and
916 maintenance of the Florida College System, as established in s.
917 1001.60. The State Board of Colleges may adopt rules pursuant to
918 ss. 120.536(1) and 120.54 to implement provisions of law for the
919 Florida College System. For the purposes of this section, the
920 State Board of Colleges is referred to as the "state board."

921 (2) DUTIES.-The state board has the following duties:

922 (a) Ensure that Florida College System institutions operate
923 consistent with the mission of the system, pursuant to s.
924 1004.65.

925 (b) Oversee the Florida College System and coordinate with
926 the State Board of Education and the Board of Governors to avoid
927 wasteful duplication of facilities or programs.

928 (c) Provide for each Florida College System institution to
929 offer educational training and service programs designed to meet
930 the needs of both students and the communities served.

931 (d) Hold meetings, transact business, keep records, and,
932 except as otherwise provided by law, perform such other duties
933 as may be necessary for the enforcement of laws and rules
934 relating to the Florida College System.

935 (e) Provide for the coordination of educational plans and
936 programs to resolve controversies, minimize problems of
937 articulation and student transfers, ensure that students moving
938 from one level of education to the next have acquired



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939 competencies necessary for satisfactory performance at that
940 level, and ensure maximum utilization of facilities.

941 (f) Establish and review, in consultation with the State
942 Board of Education and the Board of Governors, minimum and
943 uniform standards of college-level communication and computation
944 skills generally associated with successful performance and
945 progression through the baccalaureate level, to identify
946 college-preparatory high school coursework and postsecondary-
947 level coursework that prepares students with the academic skills
948 necessary to succeed in postsecondary education.

949 (g) Approve plans for cooperating with the Federal
950 Government.

951 (h) Approve plans for cooperating with other public
952 agencies in the development of rules and in the enforcement of
953 laws for which the state board and the agencies are jointly
954 responsible.

955 (i) Create subordinate advisory bodies if required by law
956 or as necessary for the improvement of the Florida College
957 System.

958 (j) Coordinate with the State Board of Education and the
959 Board of Governors to collect and maintain data for the Florida
960 College System.

961 (k) Establish, in conjunction with the State Board of
962 Education and the Board of Governors, an effective information
963 system that will provide composite data concerning the Florida
964 College System institutions and state universities and that will
965 ensure that special analyses and studies concerning the
966 institutions are conducted, as necessary, for provision of
967 accurate and cost-effective information concerning the



968 institutions.

969 (l) Establish accountability standards for existing
970 legislative performance goals, standards, and measures, and
971 order the development of mechanisms to implement new legislative
972 goals, standards, and measures.

973 (m) Require each Florida College System institution, before
974 registration, to provide each enrolled student electronic access
975 to the economic security report of employment and earning
976 outcomes prepared by the Department of Economic Opportunity
977 pursuant to s. 445.07.

978 (n) Specify, by rule, procedures to be used by Florida
979 College System institution boards of trustees in the annual
980 evaluation of presidents, and review the evaluations of
981 presidents by the boards of trustees, including the extent to
982 which presidents serve both institutional and system goals.

983 (o) Establish, subject to existing law, the tuition and
984 out-of-state fees for developmental education and for credit
985 instruction that may be counted toward an associate in arts
986 degree, an associate in applied science degree, or an associate
987 in science degree.

988 (p) Develop, in conjunction with the State Board of
989 Education and the Board of Governors, and implement a common
990 placement test to assess the basic communication and computation
991 skills of students who intend to enter a degree program at a
992 Florida College System institution or state university.

993 (q) May direct the Chancellor of the Florida College System
994 to conduct investigations of practices, procedures, or actions
995 at a Florida College System institution which appear to be
996 inconsistent with sound financial, management, or academic



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997 practice.

998 (r) Examine the annual administrative review of each
999 Florida College System institution.

1000 (s) Through the Chancellor of the Florida College System,
1001 integrally work with the Florida College System institution
1002 boards of trustees.

1003 (t) Establish criteria for making recommendations
1004 concerning all proposals to establish additional centers or
1005 campuses for a Florida College System institution.

1006 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
1007 the requirements under subsection (4) and the performance
1008 metrics and standards adopted under ss. 1001.66 and 1001.67, the
1009 state board shall identify performance metrics for the Florida
1010 College System and develop a plan that specifies goals and
1011 objectives for each Florida College System institution. The plan
1012 must include:

1013 (a) Performance metrics and standards common for all
1014 institutions and metrics and standards unique to institutions
1015 depending on institutional core missions, including, but not
1016 limited to, remediation success, retention, graduation,
1017 employment, transfer rates, licensure passage, excess hours,
1018 student loan burden and default rates, job placement, faculty
1019 awards, and highly respected rankings for institution and
1020 program achievements.

1021 (b) Student enrollment and performance data delineated by
1022 method of instruction, including, but not limited to,
1023 traditional, online, and distance learning instruction.

1024 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1025 (a) The state board shall adopt a strategic plan that



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1026 specifies goals and objectives for the Florida College System.
1027 The plan must be formulated in conjunction with plans of the
1028 State Board of Education and the Board of Governors in order to
1029 coordinate the roles of the school districts and state
1030 universities to best meet state needs and reflect cost-effective
1031 use of state resources. The strategic plan must clarify the
1032 mission statements of the Florida College System and each
1033 Florida College System institution and identify degree programs,
1034 including baccalaureate degree programs, to be offered at each
1035 Florida College System institution in accordance with the
1036 objectives provided in this subsection and the coordinated 5-
1037 year plan pursuant to s. 1001.02 (2) (v). The strategic plan must
1038 cover a period of 5 years, with modification of the program
1039 lists after 2 years. Development of each 5-year plan must be
1040 coordinated with and initiated after completion of the master
1041 plan. The strategic plan must consider reports and
1042 recommendations of the Higher Education Coordinating Council
1043 pursuant to s. 1004.015 and the Articulation Coordinating
1044 Committee pursuant to s. 1007.01. Upon modification of the plan,
1045 the state board shall submit a report to the President of the
1046 Senate and the Speaker of the House of Representatives as part
1047 of its legislative budget request.

1048 (b) The state board, the State Board of Education, and the
1049 Board of Governors shall jointly develop long-range plans and
1050 annual reports for financial aid in this state. The long-range
1051 plans must establish goals and objectives for a comprehensive
1052 program of financial aid for students and shall be updated every
1053 5 years. The annual report must include programs administered by
1054 the department as well as awards made from financial aid fee



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1055 revenues, other funds appropriated by the Legislature for
1056 financial assistance, and the value of tuition and fees waived
1057 for students enrolled in a dual enrollment course at a public
1058 postsecondary educational institution. The annual report must
1059 include an assessment of the progress made in achieving goals
1060 and objectives established in the long-range plans and must
1061 include recommendations for repealing or modifying existing
1062 financial aid programs or establishing new programs. The state
1063 board, the State Board of Education, and the Board of Governors
1064 shall submit their long-range plans by July 1, 2018, and every 5
1065 years thereafter and shall submit their annual reports on July
1066 1, 2018, and in each successive year that a long-range plan is
1067 not submitted, to the President of the Senate and the Speaker of
1068 the House of Representatives.

1069 (c) The state board shall also:

1070 1. Adopt comprehensive long-range plans and short-range
1071 programs for the development of the Florida College System.

1072 2. Assist in the economic development of the state by
1073 developing a state-level planning process to identify future
1074 training needs for industry, especially high-technology
1075 industry.

1076 3. Adopt criteria and implementation plans for future
1077 growth issues, such as new Florida College System institutions
1078 and Florida College System institution campus mergers, and
1079 provide for cooperative agreements between and within public and
1080 private education sectors.

1081 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
1082 prescribe minimum standards, definitions, and guidelines for
1083 Florida College System institutions which will ensure the



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1084 quality of education, coordination among the Florida College
1085 System institutions and state universities, and efficient
1086 progress toward accomplishing the Florida College System
1087 institution's mission. At a minimum, these rules must address
1088 all of the following:
1089 (a) Personnel.
1090 (b) Contracting.
1091 (c) Program offerings and classification, including
1092 college-level communication and computation skills associated
1093 with successful performance in college and with tests and other
1094 assessment procedures that measure student achievement of those
1095 skills. The performance measures must provide that students
1096 moving from one level of education to the next acquire the
1097 necessary competencies for that level.
1098 (d) Provisions for curriculum development, graduation
1099 requirements, college calendars, and program service areas.
1100 These provisions must include rules that:
1101 1. Provide for the award of an associate in arts degree to
1102 a student who successfully completes 60 semester credit hours at
1103 the Florida College System institution.
1104 2. Require all of the credits accepted for the associate in
1105 arts degree to be in the statewide course numbering system as
1106 credits toward a baccalaureate degree offered by a state
1107 university or a Florida College System institution.
1108 3. Require no more than 36 semester credit hours in general
1109 education courses in the subject areas of communication,
1110 mathematics, social sciences, humanities, and natural sciences.
1111
1112 The rules under this paragraph should encourage Florida College



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1113 System institutions to enter into agreements with state
1114 universities which allow a Florida College System institution
1115 student to complete upper-division-level courses at a Florida
1116 College System institution. An agreement may provide for
1117 concurrent enrollment at the Florida College System institution
1118 and the state university and may authorize the Florida College
1119 System institution to offer an upper-division-level course or
1120 distance learning.

1121 (e) Student admissions, conduct, and discipline;
1122 nonclassroom activities; and fees.

1123 (f) Budgeting.

1124 (g) Business and financial matters.

1125 (h) Student services.

1126 (i) Reports, surveys, and information systems, including
1127 forms and dates of submission.

1128 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
1129 shall provide for the cyclic review of all academic programs in
1130 Florida College System institutions at least every 7 years.
1131 Program reviews must document how individual academic programs
1132 are achieving stated student learning and program objectives
1133 within the context of the institution's mission. The results of
1134 the program reviews must inform strategic planning, program
1135 development, and budgeting decisions at the institutional level.

1136 (7) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE DEGREE
1137 PROGRAMS.—The state board shall provide for the review and
1138 approval of proposals by Florida College System institutions to
1139 offer baccalaureate degree programs pursuant to s. 1007.33. A
1140 Florida College System institution, as defined in s. 1000.21,
1141 which is approved to offer baccalaureate degrees pursuant to s.



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1142 1007.33 remains under the authority of the state board and the
1143 Florida College System institution's board of trustees.

1144 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall
1145 establish criteria for making recommendations for modifying
1146 district boundary lines for a Florida College System
1147 institution, including criteria for service delivery areas of a
1148 Florida College System institution authorized to grant
1149 baccalaureate degrees.

1150 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee
1151 the performance of Florida College System institution boards of
1152 trustees in enforcement of all laws and rules. Florida College
1153 System institution boards of trustees are primarily responsible
1154 for compliance with law and state board rule.

1155 (a) In order to ensure compliance with law or state board
1156 rule, the state board has the authority to request and receive
1157 information, data, and reports from Florida College System
1158 institutions. The Florida College System institution president
1159 is responsible for the accuracy of the information and data
1160 reported to the state board.

1161 (b) The Chancellor of the Florida College System may
1162 investigate allegations of noncompliance with law or state board
1163 rule and determine probable cause. The chancellor shall report
1164 determinations of probable cause to the State Board of Colleges,
1165 which shall require the Florida College System institution board
1166 of trustees to document compliance with law or state board rule.

1167 (c) If the Florida College System institution board of
1168 trustees cannot satisfactorily document compliance, the state
1169 board may order compliance within a specified timeframe.

1170 (d) If the state board determines that a Florida College



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1171 System institution board of trustees is unwilling or unable to
1172 comply with law or state board rule within the specified time,
1173 the state board has the authority to initiate any of the
1174 following actions:

1175 1. Report to the Legislature that the Florida College
1176 System institution is unwilling or unable to comply with law or
1177 state board rule and recommend that the Legislature take action
1178 against the institution;

1179 2. Withhold the transfer of state funds, discretionary
1180 grant funds, discretionary lottery funds, or any other funds
1181 specified as eligible for this purpose by the Legislature until
1182 the Florida College System institution complies with the law or
1183 state board rule;

1184 3. Declare the Florida College System institution
1185 ineligible for competitive grants; or

1186 4. Require monthly or periodic reporting on the situation
1187 related to noncompliance until it is remedied.

1188 (e) This section may not be construed to create a private
1189 cause of action or create any rights for individuals or entities
1190 in addition to those provided elsewhere in law or rule.

1191 (10) INSPECTOR GENERAL.—The inspector general is
1192 responsible for promoting accountability, efficiency, and
1193 effectiveness and detecting fraud and abuse within Florida
1194 College System institutions. If the Chancellor of the Florida
1195 College System determines that a Florida College System
1196 institution board of trustees is unwilling or unable to address
1197 substantiated allegations made by any person relating to waste,
1198 fraud, or financial mismanagement within the Florida College
1199 System institution, the inspector general shall conduct,



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1200 coordinate, or request investigations into such substantiated
1201 allegations. The inspector general shall have access to all
1202 information and personnel necessary to perform its duties and
1203 shall have all of his or her current powers, duties, and
1204 responsibilities authorized in s. 20.055.

1205 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
1206 state board shall coordinate with the State Board of Education:

1207 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
1208 education budget.

1209 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
1210 the Legislature a 3-year list of priorities for fixed capital
1211 outlay projects.

1212 (12) COMMON POSTSECONDARY DEFINITIONS.—The state board
1213 shall, in collaboration with the State Board of Education, adopt
1214 by rule definitions for associate in science degrees and for
1215 certificates offered by Florida College System institutions.

1216 Section 20. Subsection (1) of section 1001.61, Florida
1217 Statutes, is amended to read:

1218 1001.61 Florida College System institution boards of
1219 trustees; membership.—

1220 (1) Florida College System institution boards of trustees
1221 shall be comprised of five members when a Florida College System
1222 institution district is confined to one school board district;
1223 seven members when a Florida College System institution district
1224 is confined to one school board district and the board of
1225 trustees so elects; and not more than nine members when the
1226 district contains two or more school board districts, as
1227 provided by rules of the State Board of Colleges Education.

1228 However, Florida State College at Jacksonville shall have an odd



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1229 number of trustees, and St. Johns River State College shall have
1230 seven trustees from the three-county area that the college
1231 serves.

1232 Section 21. Subsections (1) through (4), paragraphs (a) and
1233 (g) of subsection (8), and subsections (11), (12), (14), (18),
1234 (19), and (42) of section 1001.64, Florida Statutes, are amended
1235 to read:

1236 1001.64 Florida College System institution boards of
1237 trustees; powers and duties.—

1238 (1) The boards of trustees shall be responsible for cost-
1239 effective policy decisions appropriate to the Florida College
1240 System institution's mission, the implementation and maintenance
1241 of high-quality education programs within law and rules of the
1242 State Board of Colleges Education, the measurement of
1243 performance, the reporting of information, and the provision of
1244 input regarding state policy, budgeting, and education
1245 standards.

1246 (2) Each board of trustees is vested with the
1247 responsibility to govern its respective Florida College System
1248 institution and with such necessary authority as is needed for
1249 the proper operation and improvement thereof in accordance with
1250 rules of the State Board of Colleges Education.

1251 (3) A board of trustees shall have the power to take action
1252 without a recommendation from the president and shall have the
1253 power to require the president to deliver to the board of
1254 trustees all data and information required by the board of
1255 trustees in the performance of its duties. A board of trustees
1256 shall ask the Chancellor of the Florida College System
1257 ~~Commissioner of Education~~ to authorize an investigation of the



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1258 president's actions by the State Board of Colleges' ~~department's~~
1259 inspector general if the board considers such investigation
1260 necessary. The inspector general shall provide a report
1261 detailing each issue under investigation and shall recommend
1262 corrective action. If the inspector general identifies potential
1263 legal violations, he or she shall refer the potential legal
1264 violations to the Commission on Ethics, the Department of Law
1265 Enforcement, the Attorney General, or another appropriate
1266 authority.

1267 (4) (a) The board of trustees, after considering
1268 recommendations submitted by the Florida College System
1269 institution president, may adopt rules pursuant to ss.
1270 120.536(1) and 120.54 to implement the provisions of law
1271 conferring duties upon it. These rules may supplement those
1272 prescribed by the State Board of Colleges ~~Education~~ if they will
1273 contribute to the more orderly and efficient operation of
1274 Florida College System institutions.

1275 (b) Each board of trustees is specifically authorized to
1276 adopt rules, procedures, and policies, consistent with law and
1277 rules of the State Board of Colleges ~~Education~~, related to its
1278 mission and responsibilities as set forth in s. 1004.65, its
1279 governance, personnel, budget and finance, administration,
1280 programs, curriculum and instruction, buildings and grounds,
1281 travel and purchasing, technology, students, contracts and
1282 grants, or college property.

1283 (8) Each board of trustees has authority for policies
1284 related to students, enrollment of students, student records,
1285 student activities, financial assistance, and other student
1286 services.



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1287 (a) Each board of trustees shall govern admission of
1288 students pursuant to s. 1007.263 and rules of the State Board of
1289 Colleges Education. A board of trustees may establish additional
1290 admissions criteria, which shall be included in the dual
1291 enrollment articulation agreement developed according to s.
1292 1007.271(21), to ensure student readiness for postsecondary
1293 instruction. Each board of trustees may consider the past
1294 actions of any person applying for admission or enrollment and
1295 may deny admission or enrollment to an applicant because of
1296 misconduct if determined to be in the best interest of the
1297 Florida College System institution.

1298 (g) Each board of trustees pursuant to s. 1006.53 shall
1299 adopt a policy in accordance with rules of the State Board of
1300 Colleges Education that reasonably accommodates the religious
1301 observance, practice, and belief of individual students in
1302 regard to admissions, class attendance, and the scheduling of
1303 examinations and work assignments.

1304 (11) Each board of trustees shall submit an institutional
1305 budget request, including a request for fixed capital outlay,
1306 and an operating budget to the State Board of Colleges Education
1307 for review in accordance with guidelines established by the
1308 State Board of Colleges Education.

1309 (12) Each board of trustees shall account for expenditures
1310 of all state, local, federal, and other funds in the manner
1311 described by the State Board of Colleges Department of
1312 Education.

1313 (14) Each board of trustees shall develop a strategic plan
1314 specifying institutional goals and objectives for the Florida
1315 College System institution for recommendation to the State Board



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1316 of Colleges Education.

1317 (18) Each board of trustees shall establish the personnel
1318 program for all employees of the Florida College System
1319 institution, including the president, pursuant to the provisions
1320 of chapter 1012 and rules and guidelines of the State Board of
1321 Colleges Education, including: compensation and other conditions
1322 of employment; recruitment and selection; nonreappointment;
1323 standards for performance and conduct; evaluation; benefits and
1324 hours of work; leave policies; recognition; inventions and work
1325 products; travel; learning opportunities; exchange programs;
1326 academic freedom and responsibility; promotion; assignment;
1327 demotion; transfer; ethical obligations and conflict of
1328 interest; restrictive covenants; disciplinary actions;
1329 complaints; appeals and grievance procedures; and separation and
1330 termination from employment.

1331 (19) Each board of trustees shall appoint, suspend, or
1332 remove the president of the Florida College System institution.
1333 The board of trustees may appoint a search committee. The board
1334 of trustees shall conduct annual evaluations of the president in
1335 accordance with rules of the State Board of Colleges Education
1336 and submit such evaluations to the State Board of Colleges
1337 Education for review. The evaluation must address the
1338 achievement of the performance goals established by the
1339 accountability process implemented pursuant to s. 1008.45 and
1340 the performance of the president in achieving the annual and
1341 long-term goals and objectives established in the Florida
1342 College System institution's employment accountability program
1343 implemented pursuant to s. 1012.86.

1344 (42) Each board of trustees shall implement a plan, in



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1345 accordance with guidelines of the State Board of Colleges
1346 ~~Education~~, for working on a regular basis with the other Florida
1347 College System institution boards of trustees, representatives
1348 of the university boards of trustees, and representatives of the
1349 district school boards to achieve the goals of the seamless
1350 education system.

1351 Section 22. Subsections (1) through (5), (7), (11), (13),
1352 (18), (21), and (22) of section 1001.65, Florida Statutes, are
1353 amended to read:

1354 1001.65 Florida College System institution presidents;
1355 powers and duties.—The president is the chief executive officer
1356 of the Florida College System institution, shall be corporate
1357 secretary of the Florida College System institution board of
1358 trustees, and is responsible for the operation and
1359 administration of the Florida College System institution. Each
1360 Florida College System institution president shall:

1361 (1) Recommend the adoption of rules, as appropriate, to the
1362 Florida College System institution board of trustees to
1363 implement provisions of law governing the operation and
1364 administration of the Florida College System institution, which
1365 shall include the specific powers and duties enumerated in this
1366 section. Such rules shall be consistent with law, the mission of
1367 the Florida College System institution, and the rules and
1368 policies of the State Board of Colleges ~~Education~~.

1369 (2) Prepare a budget request and an operating budget
1370 pursuant to s. 1011.30 for approval by the Florida College
1371 System institution board of trustees at such time and in such
1372 format as the State Board of Colleges ~~Education~~ may prescribe.

1373 (3) Establish and implement policies and procedures to



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1374 recruit, appoint, transfer, promote, compensate, evaluate,
1375 reward, demote, discipline, and remove personnel, within law and
1376 rules of the State Board of Colleges Education and in accordance
1377 with rules or policies approved by the Florida College System
1378 institution board of trustees.

1379 (4) Govern admissions, subject to law and rules or policies
1380 of the Florida College System institution board of trustees and
1381 the State Board of Colleges Education.

1382 (5) Approve, execute, and administer contracts for and on
1383 behalf of the Florida College System institution board of
1384 trustees for licenses; the acquisition or provision of
1385 commodities, goods, equipment, and services; leases of real and
1386 personal property; and planning and construction to be rendered
1387 to or by the Florida College System institution, provided such
1388 contracts are within law and guidelines of the State Board of
1389 Colleges Education and in conformance with policies of the
1390 Florida College System institution board of trustees, and are
1391 for the implementation of approved programs of the Florida
1392 College System institution.

1393 (7) Establish the internal academic calendar of the Florida
1394 College System institution within general guidelines of the
1395 State Board of Colleges Education.

1396 (11) Recommend to the board of trustees a schedule of
1397 tuition and fees to be charged by the Florida College System
1398 institution, within law and rules of the State Board of Colleges
1399 Education.

1400 (13) Review periodically the operations of the Florida
1401 College System institution in order to determine how effectively
1402 and efficiently the Florida College System institution is being



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1403 administered and whether it is meeting the goals of its
1404 strategic plan adopted by the State Board of Colleges Education.

1405 (18) Certify to the department a project's compliance with
1406 the requirements for expenditure of PECO funds prior to release
1407 of funds pursuant to ~~the provisions of~~ chapter 1013.

1408 (21) Have authority, after notice to the student of the
1409 charges and after a hearing thereon, to expel, suspend, or
1410 otherwise discipline any student who is found to have violated
1411 any law, ordinance, or rule or regulation of the State Board of
1412 Colleges Education or of the board of trustees of the Florida
1413 College System institution pursuant to the provisions of s.
1414 1006.62.

1415 (22) Submit an annual employment accountability plan to the
1416 State Board of Colleges Department of Education pursuant to the
1417 provisions of s. 1012.86.

1418 Section 23. Effective July 1, 2018, section 1001.66,
1419 Florida Statutes, is amended to read:

1420 1001.66 Florida College System Performance-Based
1421 Incentive.—

1422 (1) The State Board of Colleges shall adopt the following
1423 performance-based metrics for use in awarding a Florida College
1424 System Performance-Based Incentive shall be awarded to a Florida
1425 College System institution: institutions using performance-based
1426 metrics

1427 (a) A student retention rate, as calculated by the State
1428 Board of Colleges;

1429 (b) A 100 percent-of-normal-time program completion and
1430 graduation rate for full-time, first-time-in-college students,
1431 as calculated by the State Board of Colleges using a cohort



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1432 definition of "full-time" based on a student's majority
1433 enrollment in full-time terms. This paragraph does not apply to
1434 nondegree-seeking students;

1435 (c) A continuing education or postgraduation job placement
1436 rate for workforce education programs, including workforce
1437 baccalaureate degree programs, as reported by the Florida
1438 Education and Training Placement Information Program, with wage
1439 thresholds that reflect the added value of the applicable
1440 certificate or degree. This paragraph does not apply to
1441 associate in arts degrees;

1442 (d) A graduation rate for full-time, first-time-in-college
1443 students enrolled in an associate of arts degree program who
1444 graduate with a baccalaureate degree in 4 years after initially
1445 enrolling in an associates of arts degree program; and

1446 (e) One performance-based metric on college affordability
1447 adopted by the State Board of Education. The performance-based
1448 metrics must include retention rates; program completion and
1449 graduation rates; postgraduation employment, salaries, and
1450 continuing education for workforce education and baccalaureate
1451 programs, with wage thresholds that reflect the added value of
1452 the certificate or degree; and outcome measures appropriate for
1453 associate of arts degree recipients.

1454
1455 The state board shall adopt benchmarks to evaluate each
1456 institution's performance on the metrics to measure the
1457 institution's achievement of institutional excellence or need
1458 for improvement and ~~the~~ minimum requirements for eligibility to
1459 receive performance funding.

1460 (2) Each fiscal year, the amount of funds available for



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1461 allocation to the Florida College System institutions based on
1462 the performance-based funding model shall consist of the state's
1463 investment in performance funding plus institutional investments
1464 consisting of funds to be redistributed from the base funding of
1465 the Florida College System Program Fund as determined in the
1466 General Appropriations Act. The State Board of Colleges
1467 ~~Education~~ shall establish minimum performance funding
1468 eligibility thresholds for the state's investment and the
1469 institutional investments. An institution that meets the minimum
1470 institutional investment eligibility threshold, but fails to
1471 meet the minimum state investment eligibility threshold, shall
1472 have its institutional investment restored but is ineligible for
1473 a share of the state's investment in performance funding. The
1474 institutional investment shall be restored for all institutions
1475 eligible for the state's investment under the performance-based
1476 funding model.

1477 (3) (a) Each Florida College System institution's share of
1478 the performance funding shall be calculated based on its
1479 relative performance on the established metrics in conjunction
1480 with the institutional size and scope.

1481 (b) A Florida College System institution that fails to meet
1482 the State Board of Colleges' ~~Education's~~ minimum institutional
1483 investment performance funding eligibility threshold shall have
1484 a portion of its institutional investment withheld by the state
1485 board and must submit an improvement plan to the state board
1486 which specifies the activities and strategies for improving the
1487 institution's performance. The state board must review and
1488 approve the improvement plan and, if the plan is approved, must
1489 monitor the institution's progress in implementing the



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1490 activities and strategies specified in the improvement plan. The
1491 institution shall submit monitoring reports to the state board
1492 by December 31 and May 31 of each year in which an improvement
1493 plan is in place. Beginning in the 2017-2018 fiscal year, the
1494 ability of an institution to submit an improvement plan to the
1495 state board is limited to 1 fiscal year.

1496 (c) The Chancellor of the Florida College System
1497 ~~Commissioner of Education~~ shall withhold disbursement of the
1498 institutional investment until the monitoring report is approved
1499 by the State Board of Colleges Education. A Florida College
1500 System institution determined by the state board to be making
1501 satisfactory progress on implementing the improvement plan shall
1502 receive no more than one-half of the withheld institutional
1503 investment in January and the balance of the withheld
1504 institutional investment in June. An institution that fails to
1505 make satisfactory progress may not have its full institutional
1506 investment restored. Any institutional investment funds that are
1507 not restored shall be redistributed in accordance with the state
1508 board's performance-based metrics.

1509 (4) Distributions of performance funding, as provided in
1510 this section, shall be made to each of the Florida College
1511 System institutions listed in the Florida Colleges category in
1512 the General Appropriations Act.

1513 (5) By October 1 of each year, the State Board of Colleges
1514 ~~Education~~ shall submit to the Governor, the President of the
1515 Senate, and the Speaker of the House of Representatives a report
1516 on the previous fiscal year's performance funding allocation,
1517 which must reflect the rankings and award distributions.

1518 (6) The State Board of Colleges Education shall adopt rules



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1519 to administer this section.

1520 Section 24. Effective July 1, 2018, section 1001.67,
1521 Florida Statutes, is amended to read:

1522 1001.67 Distinguished Florida College System Institution
1523 Program.—A collaborative partnership is established between the
1524 State Board of Colleges Education and the Legislature to
1525 recognize the excellence of Florida's highest-performing Florida
1526 College System institutions.

1527 (1) EXCELLENCE STANDARDS.—The following excellence
1528 standards are established for the program:

1529 (a) A 100 ~~150~~ percent-of-normal-time completion rate for
1530 full-time, first-time-in-college students of 50 percent or
1531 higher, as calculated by the State Board of ~~Division of Florida~~
1532 Colleges.

1533 (b) A 100 ~~150~~ percent-of-normal-time completion rate for
1534 full-time, first-time-in-college Pell Grant recipients of 40
1535 percent or higher, as calculated by the State Board of ~~Division~~
1536 ~~of Florida~~ Colleges.

1537 (c) A retention rate of 70 percent or higher, as calculated
1538 by the State Board of ~~Division of Florida~~ Colleges.

1539 (d) A continuing education, or transfer, rate of 72 percent
1540 or higher for students graduating with an associate of arts
1541 degree, as reported by the Florida Education and Training
1542 Placement Information Program (FETPIP).

1543 (e) A licensure passage rate on the National Council
1544 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
1545 percent or higher for first-time exam takers, as reported by the
1546 Board of Nursing.

1547 (f) A ~~job placement or~~ continuing education or job



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1548 placement rate of 88 percent or higher for workforce programs,
1549 as reported by FETPIP, with wage thresholds that reflect the
1550 added value of the applicable certificate or degree. This
1551 paragraph does not apply to associate of arts degrees.

1552 (g) An excess hours rate of 40 percent or lower for A-time-
1553 to-degree for students graduating with an associate of arts
1554 degree recipients who graduate with 72 or more credit hours, as
1555 calculated by the State Board of Colleges of 2.25 years or less
1556 for first-time-in-college students with accelerated college
1557 credits, as reported by the Southern Regional Education Board.

1558 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
1559 Colleges Education shall designate each Florida College System
1560 institution that meets five of the seven standards identified in
1561 subsection (1) as a distinguished college.

1562 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System
1563 institution designated as a distinguished college by the State
1564 Board of Colleges Education is eligible for funding as specified
1565 in the General Appropriations Act.

1566 Section 25. Effective July 1, 2018, subsection (9) of
1567 section 1001.706, Florida Statutes, is amended to read:

1568 1001.706 Powers and duties of the Board of Governors.—

1569 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
1570 shall implement a plan for working on a regular basis with the
1571 State Board of Education, the State Board of Colleges, the
1572 Commission for Independent Education, the Higher Education
1573 Coordinating Council, the Articulation Coordinating Committee,
1574 the university boards of trustees, representatives of the
1575 Florida College System institution boards of trustees,
1576 representatives of the private colleges and universities, and



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1577 representatives of the district school boards to achieve a
1578 seamless education system.

1579 Section 26. Section 1002.34, Florida Statutes, is amended
1580 to read:

1581 1002.34 Charter technical career centers; governance,
1582 mission, and responsibilities.—

1583 (1) MISSION AND AUTHORIZATION.—

1584 (a) The primary mission of a charter technical career
1585 center is to promote ~~The Legislature finds that the~~
1586 ~~establishment of charter technical career centers can assist in~~
1587 ~~promoting~~ advances and innovations in workforce preparation and
1588 economic development. A charter technical career center may
1589 provide a learning environment that ~~better~~ serves the needs of a
1590 specific population group or a group of occupations, thus
1591 promoting diversity and choices within the public education and
1592 public postsecondary technical education community in this
1593 state. Therefore, the creation of such centers is authorized as
1594 part of the state's program of public education. A charter
1595 technical career center may be formed by creating a new school
1596 or converting an existing school district or Florida College
1597 System institution program to charter technical status.

1598 (b) A charter technical career center that is operated by a
1599 district school board may not offer a college credit course or
1600 college credit certificate or an associate degree or
1601 baccalaureate degree program.

1602 (2) PURPOSE.—The purpose of a charter technical career
1603 center is to:

1604 (a) Develop a competitive workforce to support local
1605 business and industry and economic development.



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1606 (b) Create a training and education model that is
1607 reflective of marketplace realities.

1608 (c) Offer a continuum of career educational opportunities
1609 using a school-to-work, tech-prep, technical, academy, and
1610 magnet school model.

1611 (d) Provide career pathways for lifelong learning and
1612 career mobility.

1613 (e) Enhance career and technical training.

1614 (3) DEFINITIONS.—As used in this section, the term:

1615 (a) "Charter technical career center" or "center" means a
1616 public school or a public technical center operated under a
1617 charter granted by a district school board or Florida College
1618 System institution board of trustees or a consortium, including
1619 one or more district school boards and Florida College System
1620 institution boards of trustees, that includes the district in
1621 which the facility is located, that is nonsectarian in its
1622 programs, admission policies, employment practices, and
1623 operations, and is managed by a board of directors.

1624 (b) "Sponsor" means a district school board, a Florida
1625 College System institution board of trustees, or a consortium of
1626 one or more of each.

1627 (4) CHARTER.—A sponsor may designate centers as provided in
1628 this section. An application to establish a center may be
1629 submitted by a sponsor or another organization that is
1630 determined, by rule of the State Board of Education, to be
1631 appropriate. However, an independent school is not eligible for
1632 status as a center. The charter must be signed by the governing
1633 body of the center and the sponsor and must be approved by the
1634 district school board and Florida College System institution



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1635 board of trustees in whose geographic region the facility is
1636 located. If a charter technical career center is established by
1637 the conversion to charter status of a public technical center
1638 formerly governed by a district school board, the charter status
1639 of that center takes precedence in any question of governance.
1640 The governance of the center or of any program within the center
1641 remains with its board of directors unless the board agrees to a
1642 change in governance or its charter is revoked as provided in
1643 subsection (15). Such a conversion charter technical career
1644 center is not affected by a change in the governance of public
1645 technical centers or of programs within other centers that are
1646 or have been governed by district school boards. A charter
1647 technical career center, or any program within such a center,
1648 that was governed by a district school board and transferred to
1649 a Florida College System institution prior to the effective date
1650 of this act is not affected by this provision. An applicant who
1651 wishes to establish a center must submit to the district school
1652 board or Florida College System institution board of trustees,
1653 or a consortium of one or more of each, an application on a form
1654 developed by the Department of Education which includes:

- 1655 (a) The name of the proposed center.
- 1656 (b) The proposed structure of the center, including a list
1657 of proposed members of the board of directors or a description
1658 of the qualifications for and method of their appointment or
1659 election.
- 1660 (c) The workforce development goals of the center, the
1661 curriculum to be offered, and the outcomes and the methods of
1662 assessing the extent to which the outcomes are met.
- 1663 (d) The admissions policy and criteria for evaluating the



1664 admission of students.

1665 (e) A description of the staff responsibilities and the
1666 proposed qualifications of the teaching staff.

1667 (f) A description of the procedures to be implemented to
1668 ensure significant involvement of representatives of business
1669 and industry in the operation of the center.

1670 (g) A method for determining whether a student has
1671 satisfied the requirements for graduation specified in s.
1672 1002.3105(5), s. 1003.4281, or s. 1003.4282 and for completion
1673 of a postsecondary certificate or degree.

1674 (h) A method for granting secondary and postsecondary
1675 diplomas, certificates, and degrees.

1676 (i) A description of and address for the physical facility
1677 in which the center will be located.

1678 (j) A method for resolving conflicts between the governing
1679 body of the center and the sponsor and between consortium
1680 members, if applicable.

1681 (k) A method for reporting student data as required by law
1682 and rule.

1683 (l) A statement that the applicant has participated in the
1684 training provided by the Department of Education.

1685 (m) The identity of all relatives employed by the charter
1686 technical career center who are related to the center owner,
1687 president, chairperson of the governing board of directors,
1688 superintendent, governing board member, principal, assistant
1689 principal, or any other person employed by the center who has
1690 equivalent decisionmaking authority. As used in this paragraph,
1691 the term "relative" means father, mother, son, daughter,
1692 brother, sister, uncle, aunt, first cousin, nephew, niece,



1693 husband, wife, father-in-law, mother-in-law, son-in-law,
1694 daughter-in-law, brother-in-law, sister-in-law, stepfather,
1695 stepmother, stepson, stepdaughter, stepbrother, stepsister, half
1696 brother, or half sister.

1697 (n) Other information required by the district school board
1698 or Florida College System institution board of trustees.

1699

1700 Students at a center must meet the same testing and academic
1701 performance standards as those established by law and rule for
1702 students at public schools and public technical centers. The
1703 students must also meet any additional assessment indicators
1704 that are included within the charter approved by the district
1705 school board or Florida College System institution board of
1706 trustees.

1707 (5) APPLICATION.—An application to establish a center must
1708 be submitted by February 1 of the year preceding the school year
1709 in which the center will begin operation. The sponsor must
1710 review the application using an evaluation instrument developed
1711 by the Department of Education and make a final decision on
1712 whether to approve the application and grant the charter by
1713 March 1, and may condition the granting of a charter on the
1714 center's taking certain actions or maintaining certain
1715 conditions. Such actions and conditions must be provided to the
1716 applicant in writing. The district school board or Florida
1717 College System institution board of trustees is not required to
1718 issue a charter to any person.

1719 (6) SPONSOR.—A district school board or Florida College
1720 System institution board of trustees or a consortium of one or
1721 more of each may sponsor a center in the county in which the



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1722 board has jurisdiction.

1723 (a) A sponsor must review all applications for centers
1724 received through at least February 1 of each calendar year for
1725 centers to be opened at the beginning of the sponsor's next
1726 school year. A sponsor may receive applications later than this
1727 date if it so chooses. To facilitate an accurate budget
1728 projection process, a sponsor shall be held harmless for FTE
1729 students who are not included in the FTE projection due to
1730 approval of applications after the FTE projection deadline. A
1731 sponsor must, by a majority vote, approve or deny an application
1732 no later than 60 days after the application is received. If an
1733 application is denied, the sponsor must, within 10 days, notify
1734 the applicant in writing of the specific reasons for denial,
1735 which must be based upon good cause. Upon approval of a charter
1736 application, the initial startup must be consistent with the
1737 beginning of the public school or Florida College System
1738 institution calendar for the district in which the charter is
1739 granted, unless the sponsor allows a waiver of this provision
1740 for good cause.

1741 (b) An applicant may appeal any denial of its application
1742 to the State Board of Education within 30 days after the
1743 sponsor's denial and shall notify the sponsor of its appeal. Any
1744 response of the sponsor must be submitted to the state board
1745 within 30 days after notification of the appeal. The State Board
1746 of Education must, by majority vote, accept or reject the
1747 decision of the sponsor no later than 60 days after an appeal is
1748 filed, pursuant to State Board of Education rule. The State
1749 Board of Education may reject an appeal for failure to comply
1750 with procedural rules governing the appeals process, and the



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1751 rejection must describe the submission errors. The appellant may
1752 have up to 15 days after notice of rejection to resubmit an
1753 appeal. An application for appeal submitted after a rejection is
1754 timely if the original appeal was filed within 30 days after the
1755 sponsor's denial. The State Board of Education shall remand the
1756 application to the sponsor with a written recommendation that
1757 the sponsor approve or deny the application, consistent with the
1758 state board's decision. The decision of the State Board of
1759 Education is not subject to the provisions of chapter 120.

1760 (c) The sponsor must act upon the recommendation of the
1761 State Board of Education within 30 days after it is received,
1762 unless the sponsor determines by competent substantial evidence
1763 that approving the state board's recommendation would be
1764 contrary to law or the best interests of the students or the
1765 community. The sponsor must notify the applicant in writing
1766 concerning the specific reasons for its failure to follow the
1767 state board's recommendation. The sponsor's action on the state
1768 board's recommendation is a final action, subject to judicial
1769 review.

1770 (d)1. The Department of Education shall offer or arrange
1771 for training and technical assistance to centers which must
1772 include developing and amending business plans, estimating and
1773 accounting for costs and income, complying with state and
1774 federal grant and student performance accountability reporting
1775 requirements, implementing good business practices, and
1776 identifying state and federal financial aid the center may be
1777 eligible to receive.

1778 2. An applicant must participate in the training provided
1779 by the department after approval of its application but at least



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1780 30 days before the first day of classes at the center. The
1781 department may provide technical assistance to an applicant upon
1782 written request.

1783 (e) The terms and conditions for the operation of a center
1784 must be agreed to by the sponsor and the applicant in a written
1785 contract. The sponsor may not impose unreasonable requirements
1786 that violate the intent of giving centers greater flexibility to
1787 meet educational goals. The applicant and sponsor must reach an
1788 agreement on the provisions of the contract or the application
1789 is deemed denied.

1790 (f) The sponsor shall monitor and review the center's
1791 progress toward charter goals and shall monitor the center's
1792 revenues and expenditures. The sponsor shall perform the duties
1793 provided in s. 1002.345.

1794 (7) LEGAL ENTITY.—A center must organize as a nonprofit
1795 organization and adopt a name and corporate seal. A center is a
1796 body corporate and politic, with all powers to implement its
1797 charter program. The center may:

1798 (a) Be a private or a public employer.

1799 (b) Sue and be sued, but only to the same extent and upon
1800 the same conditions that a public entity can be sued.

1801 (c) Acquire real property by purchase, lease, lease with an
1802 option to purchase, or gift, to use as a center facility.

1803 (d) Receive and disburse funds.

1804 (e) Enter into contracts or leases for services, equipment,
1805 or supplies.

1806 (f) Incur temporary debts in anticipation of the receipt of
1807 funds.

1808 (g) Solicit and accept gifts or grants for career center



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1809 purposes.

1810 (h) Take any other action that is not inconsistent with
1811 this section and rules adopted under this section.

1812 (8) ELIGIBLE STUDENTS.—A center must be open to all
1813 students as space is available and may not discriminate in
1814 admissions policies or practices on the basis of an individual's
1815 physical disability or proficiency in English or on any other
1816 basis that would be unlawful if practiced by a public school or
1817 a Florida College System institution. A center may establish
1818 reasonable criteria by which to evaluate prospective students,
1819 which criteria must be outlined in the charter.

1820 (9) FACILITIES.—A center may be located in any suitable
1821 location, including part of an existing public school or Florida
1822 College System institution building, space provided on a public
1823 worksite, or a public building. A center's facilities must
1824 comply with the State Uniform Building Code for Public
1825 Educational Facilities Construction adopted pursuant to s.
1826 1013.37, or with applicable state minimum building codes
1827 pursuant to chapter 553, and state minimum fire protection codes
1828 pursuant to s. 633.208, adopted by the authority in whose
1829 jurisdiction the facility is located. If K-12 public school
1830 funds are used for construction, the facility must remain on the
1831 local school district's Florida Inventory of School Houses
1832 (FISH) school building inventory of the district school board
1833 and must revert to the district school board if the consortium
1834 dissolves and the program is discontinued. If Florida College
1835 System institution public school funds are used for
1836 construction, the facility must remain on the local Florida
1837 College System institution's facilities inventory and must



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1838 revert to the local Florida College System institution board of
1839 trustees if the consortium dissolves and the program is
1840 discontinued. The additional student capacity created by the
1841 addition of the center to the local school district's FISH may
1842 not be calculated in the permanent student capacity for the
1843 purpose of determining need or eligibility for state capital
1844 outlay funds while the facility is used as a center. If the
1845 construction of the center is funded jointly by K-12 public
1846 school funds and Florida College System institution funds, the
1847 sponsoring entities must agree, before granting the charter, on
1848 the appropriate owner and terms of transfer of the facility if
1849 the charter is dissolved.

1850 (10) EXEMPTION FROM STATUTES.—

1851 (a) A center must operate pursuant to its charter and is
1852 exempt from all statutes of the Florida School Code except
1853 provisions pertaining to civil rights and to student health,
1854 safety, and welfare, or as otherwise required by law.

1855 (b) A center must comply with the Florida K-20 Education
1856 Code with respect to providing services to students with
1857 disabilities.

1858 (c) A center must comply with the antidiscrimination
1859 provisions in s. 1000.05 and the provisions in s. 1002.33(24)
1860 which relate to the employment of relatives.

1861 (11) FUNDING.—

1862 (a) Notwithstanding any other provision of law, a charter
1863 technical career center's student membership enrollment must be
1864 calculated pursuant to this section.

1865 (b) Each district school board and Florida College System
1866 institution that sponsors a charter technical career center



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1867 shall pay directly to the center an amount stated in the
1868 charter. State funding shall be generated for the center for its
1869 student enrollment and program outcomes as provided in law. A
1870 center is eligible for funding from workforce education funds,
1871 the Florida Education Finance Program, and the Florida College
1872 System Program Fund, depending upon the programs conducted by
1873 the center.

1874 (c) A center may receive other state and federal aid,
1875 grants, and revenue through the district school board or Florida
1876 College System institution board of trustees.

1877 (d) A center may receive gifts and grants from private
1878 sources.

1879 (e) A center may not levy taxes or issue bonds, but it may
1880 charge a student tuition fee consistent with authority granted
1881 in its charter and permitted by law.

1882 (f) A center shall provide for an annual financial audit in
1883 accordance with s. 218.39. A center shall provide a monthly
1884 financial statement to the sponsor. The monthly financial
1885 statement shall be in a form prescribed by the Department of
1886 Education.

1887 (g) A center must define in the charter agreement the
1888 delivery system in which the instructional offering of
1889 educational services will be placed. The rules governing this
1890 delivery system must be applied to all of the center's students
1891 and must authorize all other sponsoring educational systems to
1892 report required enrollment and student data based solely on the
1893 rules of the offering institution. Each sponsor shall earn full-
1894 time equivalent membership for each student for funding and
1895 reporting purposes.



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- 1896 (12) EMPLOYEES OF A CENTER.—
- 1897 (a) A center may select its own employees.
- 1898 (b) A center may contract for services with an individual,
1899 partnership, or a cooperative. Such persons contracted with are
1900 not public employees.
- 1901 (c) If a center contracts with a public educational agency
1902 for services, the terms of employment must follow existing state
1903 law and rule and local policies and procedures.
- 1904 (d) The employees of a center may bargain collectively, as
1905 a separate unit or as part of the existing district collective
1906 bargaining unit, as determined by the structure of the center.
- 1907 (e) As a public employer, a center may participate in:
- 1908 1. The Florida Retirement System upon application and
1909 approval as a "covered group" under s. 121.021(34). If a center
1910 participates in the Florida Retirement System, its employees are
1911 compulsory members of the Florida Retirement System.
- 1912 2. The State Community College System Optional Retirement
1913 Program pursuant to s. 1012.875(2), if the charter is granted by
1914 a Florida College System institution that participates in the
1915 optional retirement program and meets the eligibility criteria
1916 of s. 121.051(2)(c).
- 1917 (f) Teachers who are considered qualified by the career
1918 center are exempt from state certification requirements.
- 1919 (g) A public school or Florida College System institution
1920 teacher or administrator may take a leave of absence to accept
1921 employment in a charter technical career center upon the
1922 approval of the school district or Florida College System
1923 institution.
- 1924 (h) An employee who is on a leave of absence under this



1925 section may retain seniority accrued in that school district or
1926 Florida College System institution and may continue to be
1927 covered by the benefit programs of that district or Florida
1928 College System institution if the center and the district school
1929 board or Florida College System institution board of trustees
1930 agree to this arrangement and its financing.

1931 (13) BOARD OF DIRECTORS AUTHORITY.—The board of directors
1932 of a center may decide matters relating to the operation of the
1933 school, including budgeting, curriculum, and operating
1934 procedures, subject to the center's charter. The board of
1935 directors is responsible for performing the duties provided in
1936 s. 1002.345, including monitoring the corrective action plan.
1937 The board of directors must comply with s. 1002.33(26).

1938 (14) ACCOUNTABILITY.—Each center must submit a report to
1939 the participating district school board or Florida College
1940 System institution board of trustees by August 1 of each year.
1941 The report must be in such form as the sponsor prescribes and
1942 must include:

1943 (a) A discussion of progress made toward the achievement of
1944 the goals outlined in the center's charter.

1945 (b) A financial statement setting forth by appropriate
1946 categories the revenue and expenditures for the previous school
1947 year.

1948 (15) TERMS OF THE CHARTER.—The term of an initial charter
1949 may not exceed 5 years. Thereafter, the sponsor may renew a
1950 charter for a period up to 5 years. The sponsor may refuse to
1951 renew a charter or may revoke a charter if the center has not
1952 fulfilled a condition imposed under the charter or if the center
1953 has violated any provision of the charter. The sponsor may place



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1954 the center on probationary status to allow the implementation of
1955 a remedial plan, after which, if the plan is unsuccessful, the
1956 charter may be summarily revoked. The sponsor shall develop
1957 procedures and guidelines for the revocation and renewal of a
1958 center's charter. The sponsor must give written notice of its
1959 intent not to renew the charter at least 12 months before the
1960 charter expires. If the sponsor revokes a charter before the
1961 scheduled expiration date, the sponsor must provide written
1962 notice to the governing board of the center at least 60 days
1963 before the date of termination, stating the grounds for the
1964 proposed revocation. The governing board of the center may
1965 request in writing an informal hearing before the sponsor within
1966 14 days after receiving the notice of revocation. A revocation
1967 takes effect at the conclusion of a school year, unless the
1968 sponsor determines that earlier revocation is necessary to
1969 protect the health, safety, and welfare of students. The sponsor
1970 shall monitor and review the center in its progress toward the
1971 goals established in the charter and shall monitor the revenues
1972 and expenditures of the center.

1973 (16) TRANSPORTATION.—The center may provide transportation,
1974 pursuant to chapter 1006, through a contract with the district
1975 school board or the Florida College System institution board of
1976 trustees, a private provider, or parents of students. The center
1977 must ensure that transportation is not a barrier to equal access
1978 for all students in grades K-12 residing within a reasonable
1979 distance of the facility.

1980 (17) IMMUNITY.—For the purposes of tort liability, the
1981 governing body and employees of a center are governed by s.
1982 768.28.



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1983 (18) RULES.—The State Board of Education, for technical
1984 centers operated by school districts, and the State Board of
1985 Colleges, for technical centers operated by Florida College
1986 System institutions, shall adopt rules, pursuant to ss.
1987 120.536(1) and 120.54, relating to the implementation of charter
1988 technical career centers, including rules to implement a charter
1989 model application form and an evaluation instrument in
1990 accordance with this section.

1991 (19) EVALUATION; REPORT.—The Commissioner of Education
1992 shall provide for an annual comparative evaluation of charter
1993 technical career centers and public technical centers. The
1994 evaluation may be conducted in cooperation with the sponsor,
1995 through private contracts, or by department staff. At a minimum,
1996 the comparative evaluation must address the demographic and
1997 socioeconomic characteristics of the students served, the types
1998 and costs of services provided, and the outcomes achieved. By
1999 December 30 of each year, the Commissioner of Education shall
2000 submit to the Governor, the President of the Senate, the Speaker
2001 of the House of Representatives, and the Senate and House
2002 committees that have responsibility for secondary and
2003 postsecondary career and technical education a report of the
2004 comparative evaluation completed for the previous school year.

2005 Section 27. Paragraph (b) of subsection (4) of section
2006 1003.491, Florida Statutes, is amended to read:

2007 1003.491 Florida Career and Professional Education Act.—The
2008 Florida Career and Professional Education Act is created to
2009 provide a statewide planning partnership between the business
2010 and education communities in order to attract, expand, and
2011 retain targeted, high-value industry and to sustain a strong,



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2012 knowledge-based economy.

2013 (4) The State Board of Education shall establish a process
2014 for the continual and uninterrupted review of newly proposed
2015 core secondary courses and existing courses requested to be
2016 considered as core courses to ensure that sufficient rigor and
2017 relevance is provided for workforce skills and postsecondary
2018 education and aligned to state curriculum standards.

2019 (b) The curriculum review committee shall review newly
2020 proposed core courses electronically. Each proposed core course
2021 shall be approved or denied within 30 days after submission by a
2022 district school board or local workforce development board. All
2023 courses approved as core courses for purposes of middle school
2024 promotion and high school graduation shall be immediately added
2025 to the Course Code Directory. Approved core courses shall also
2026 be reviewed and considered for approval for dual enrollment
2027 credit. The Board of Governors, the State Board of Colleges, and
2028 the Commissioner of Education shall jointly recommend an annual
2029 deadline for approval of new core courses to be included for
2030 purposes of postsecondary admissions and dual enrollment credit
2031 the following academic year. The State Board of Education shall
2032 establish an appeals process in the event that a proposed course
2033 is denied which shall require a consensus ruling by the
2034 Department of Economic Opportunity and the Commissioner of
2035 Education within 15 days.

2036 Section 28. Paragraph (b) of subsection (4) of section
2037 1003.493, Florida Statutes, is amended to read:

2038 1003.493 Career and professional academies and career-
2039 themed courses.—

2040 (4) Each career and professional academy and secondary



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2041 school providing a career-themed course must:

2042 (b) Include one or more partnerships with postsecondary
2043 institutions, businesses, industry, employers, economic
2044 development organizations, or other appropriate partners from
2045 the local community. Such partnerships with postsecondary
2046 institutions shall be delineated in articulation agreements and
2047 include any career and professional academy courses or career-
2048 themed courses that earn postsecondary credit. Such agreements
2049 may include articulation between the secondary school and public
2050 or private 2-year and 4-year postsecondary institutions and
2051 technical centers. The Department of Education, in consultation
2052 with the Board of Governors and the State Board of Colleges,
2053 shall establish a mechanism to ensure articulation and transfer
2054 of credits to postsecondary institutions in this state. Such
2055 partnerships must provide opportunities for:

2056 1. Instruction from highly skilled professionals who
2057 possess industry-certification credentials for courses they are
2058 teaching.

2059 2. Internships, externships, and on-the-job training.

2060 3. A postsecondary degree, diploma, or certificate.

2061 4. The highest available level of industry certification.

2062 5. Maximum articulation of credits pursuant to s. 1007.23
2063 upon program completion.

2064 Section 29. Subsections (4), (5), and (6) of section
2065 1004.015, Florida Statutes, are amended to read:

2066 1004.015 Higher Education Coordinating Council.—

2067 (4) The council shall serve as an advisory board to the
2068 Legislature, the State Board of Education, ~~and~~ the Board of
2069 Governors, and the State Board of Colleges. Recommendations of



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2070 the council shall be consistent with the following guiding
2071 principles:

2072 (a) To achieve within existing resources a seamless
2073 academic educational system that fosters an integrated continuum
2074 of kindergarten through graduate school education for Florida's
2075 students.

2076 (b) To promote consistent education policy across all
2077 educational delivery systems, focusing on students.

2078 (c) To promote substantially improved articulation across
2079 all educational delivery systems.

2080 (d) To promote a system that maximizes educational access
2081 and allows the opportunity for a high-quality education for all
2082 Floridians.

2083 (e) To promote a system of coordinated and consistent
2084 transfer of credit and data collection for improved
2085 accountability purposes between the educational delivery
2086 systems.

2087 (5) The council shall annually by December 31 submit to the
2088 Governor, the President of the Senate, the Speaker of the House
2089 of Representatives, the Board of Governors, the State Board of
2090 Colleges, and the State Board of Education a report outlining
2091 its recommendations relating to:

2092 (a) The primary core mission of public and nonpublic
2093 postsecondary education institutions in the context of state
2094 access demands and economic development goals.

2095 (b) Performance outputs and outcomes designed to meet
2096 annual and long-term state goals, including, but not limited to,
2097 increased student access, preparedness, retention, transfer, and
2098 completion. Performance measures must be consistent across



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2099 sectors and allow for a comparison of the state's performance to
2100 that of other states.

2101 (c) The state's articulation policies and practices to
2102 ensure that cost benefits to the state are maximized without
2103 jeopardizing quality. The recommendations shall consider return
2104 on investment for both the state and students and propose
2105 systems to facilitate and ensure institutional compliance with
2106 state articulation policies.

2107 (d) Workforce development education, specifically
2108 recommending improvements to the consistency of workforce
2109 education data collected and reported by Florida College System
2110 institutions and school districts, including the establishment
2111 of common elements and definitions for any data that is used for
2112 state and federal funding and program accountability.

2113 (6) The Office of K-20 Articulation, in collaboration with
2114 the Board of Governors and the State Board of ~~Division of~~
2115 ~~Florida~~ Colleges, shall provide administrative support for the
2116 council.

2117 Section 30. Subsection (7) of section 1004.02, Florida
2118 Statutes, is amended to read:

2119 1004.02 Definitions.—As used in this chapter:

2120 (7) "Applied technology diploma program" means a course of
2121 study that is part of a technical degree program, is less than
2122 60 credit hours, and leads to employment in a specific
2123 occupation. An applied technology diploma program may consist of
2124 either technical credit or college credit. A public school
2125 district may offer an applied technology diploma program only as
2126 technical credit, with college credit awarded to a student upon
2127 articulation to a Florida College System institution. Statewide



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2128 articulation among public schools and Florida College System
2129 institutions is guaranteed by s. 1007.23, and is subject to
2130 guidelines and standards adopted by the State Board of Colleges
2131 ~~Education~~ pursuant to ss. 1007.24 and 1007.25.

2132 Section 31. Subsection (2) of section 1004.03, Florida
2133 Statutes, is amended to read:

2134 1004.03 Program approval.—

2135 (2) The State Board of Colleges ~~Education~~ shall establish
2136 criteria for the approval of new programs at Florida College
2137 System institutions, which criteria include, but are not limited
2138 to, the following:

2139 (a) New programs may not be approved unless the same
2140 objectives cannot be met through use of educational technology.

2141 (b) Unnecessary duplication of programs offered by
2142 independent institutions shall be avoided.

2143 (c) Cooperative programs, particularly within regions,
2144 should be encouraged.

2145 (d) New programs may be approved only if they are
2146 consistent with the ~~state master~~ plan adopted by the State Board
2147 of Colleges ~~Education~~.

2148 Section 32. Paragraph (f) of subsection (4) of section
2149 1004.04, Florida Statutes, is amended to read:

2150 1004.04 Public accountability and state approval for
2151 teacher preparation programs.—

2152 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
2153 teacher preparation program shall be based upon evidence that
2154 the program continues to implement the requirements for initial
2155 approval and upon significant, objective, and quantifiable
2156 measures of the program and the performance of the program



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2157 completers.

2158 (f) By January 1 of each year, the Department of Education
2159 shall report the results of each approved program's annual
2160 progress on the performance measures in paragraph (a) as well as
2161 the current approval status of each program to:

- 2162 1. The Governor.
- 2163 2. The President of the Senate.
- 2164 3. The Speaker of the House of Representatives.
- 2165 4. The State Board of Education.
- 2166 5. The Board of Governors.
- 2167 6. The State Board of Colleges.
- 2168 7. The Commissioner of Education.
- 2169 ~~8.7.~~ Each Florida postsecondary teacher preparation
2170 program.
- 2171 ~~9.8.~~ Each district school superintendent.
- 2172 ~~10.9.~~ The public.

2173

2174 This report may include the results of other continued approval
2175 requirements provided by State Board of Education rule and
2176 recommendations for improving teacher preparation programs in
2177 the state.

2178 Section 33. Subsections (2), (3), and (4) of section
2179 1004.07, Florida Statutes, are amended, and subsection (5) is
2180 added to that section, to read:

2181 1004.07 Student withdrawal from courses due to military
2182 service; effect.—

2183 (2) Such policies must ~~shall~~ provide that any student
2184 enrolled in a postsecondary course or courses at a career
2185 center, a Florida College System institution, or a state



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2186 university may ~~shall~~ not incur academic or financial penalties
2187 by virtue of performing military service on behalf of our
2188 country. Such student shall be permitted the option of either
2189 completing the course or courses at a later date without penalty
2190 or withdrawing from the course or courses with a full refund of
2191 fees paid. If the student chooses to withdraw, the student's
2192 record shall reflect that the withdrawal is due to active
2193 military service.

2194 (3) Policies of district school boards must ~~and Florida~~
2195 ~~College System institution boards of trustees~~ shall be
2196 established by rule and pursuant to guidelines of the State
2197 Board of Education.

2198 (4) Policies of state university boards of trustees must
2199 ~~shall~~ be established by regulation and pursuant to guidelines of
2200 the Board of Governors.

2201 (5) Policies of Florida College System institution boards
2202 of trustees must be established by rule and pursuant to
2203 guidelines of the State Board of Colleges.

2204 Section 34. Section 1004.084, Florida Statutes, is amended
2205 to read:

2206 1004.084 College affordability.—

2207 (1) The Board of Governors and the State Board of Colleges
2208 ~~Education~~ shall annually identify strategies to promote college
2209 affordability for all Floridians by evaluating, at a minimum,
2210 the impact of:

2211 (a) Tuition and fees on undergraduate, graduate, and
2212 professional students at public colleges and universities and
2213 graduate assistants employed by public universities.

2214 (b) Federal, state, and institutional financial aid



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2215 policies on the actual cost of attendance for students and their
2216 families.

2217 (c) The costs of textbooks and instructional materials.

2218 (2) By December 31 of each year, ~~beginning in 2016~~, the
2219 Board of Governors and the State Board of Colleges Education~~Education~~
2220 shall submit a report on their respective college affordability
2221 initiatives to the Governor, the President of the Senate, and
2222 the Speaker of the House of Representatives.

2223 Section 35. Paragraph (d) of subsection (3) and subsections
2224 (6), (7), and (8) of section 1004.085, Florida Statutes, are
2225 amended to read:

2226 1004.085 Textbook and instructional materials
2227 affordability.—

2228 (3) An employee may receive:

2229 (d) Fees associated with activities such as reviewing,
2230 critiquing, or preparing support materials for textbooks or
2231 instructional materials pursuant to guidelines adopted by the
2232 State Board of Colleges Education~~Education~~ or the Board of Governors.

2233 (6) Each Florida College System institution and state
2234 university shall post prominently in the course registration
2235 system and on its website, as early as is feasible, but at least
2236 45 days before the first day of class for each term, a hyperlink
2237 to lists of required and recommended textbooks and instructional
2238 materials for at least 95 percent of all courses and course
2239 sections offered at the institution during the upcoming term.
2240 The lists must include the International Standard Book Number
2241 (ISBN) for each required and recommended textbook and
2242 instructional material or other identifying information, which
2243 must include, at a minimum, all of the following: the title, all



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2244 authors listed, publishers, edition number, copyright date,
2245 published date, and other relevant information necessary to
2246 identify the specific textbooks or instructional materials
2247 required and recommended for each course. The State Board of
2248 Colleges Education and the Board of Governors shall include in
2249 the policies, procedures, and guidelines adopted under
2250 subsection (7) certain limited exceptions to this notification
2251 requirement for classes added after the notification deadline.

2252 (7) After receiving input from students, faculty,
2253 bookstores, and publishers, the State Board of Colleges
2254 ~~Education~~ and the Board of Governors each shall adopt textbook
2255 and instructional materials affordability policies, procedures,
2256 and guidelines for implementation by Florida College System
2257 institutions and state universities, respectively, that further
2258 efforts to minimize the cost of textbooks and instructional
2259 materials for students attending such institutions while
2260 maintaining the quality of education and academic freedom. The
2261 policies, procedures, and guidelines shall address:

2262 (a) The establishment of deadlines for an instructor or
2263 department to notify the bookstore of required and recommended
2264 textbooks and instructional materials so that the bookstore may
2265 verify availability, source lower cost options when practicable,
2266 explore alternatives with faculty when academically appropriate,
2267 and maximize the availability of used textbooks and
2268 instructional materials.

2269 (b) Confirmation by the course instructor or academic
2270 department offering the course, before the textbook or
2271 instructional materials adoption is finalized, of the intent to
2272 use all items ordered, particularly each individual item sold as



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2273 part of a bundled package.

2274 (c) Determination by a course instructor or the academic
2275 department offering the course, before a textbook or
2276 instructional material is adopted, of the extent to which a new
2277 edition differs significantly and substantively from earlier
2278 versions and the value to the student of changing to a new
2279 edition or the extent to which an open-access textbook or
2280 instructional material is available.

2281 (d) The availability of required and recommended textbooks
2282 and instructional materials to students otherwise unable to
2283 afford the cost, including consideration of the extent to which
2284 an open-access textbook or instructional material may be used.

2285 (e) Participation by course instructors and academic
2286 departments in the development, adaptation, and review of open-
2287 access textbooks and instructional materials and, in particular,
2288 open-access textbooks and instructional materials for high-
2289 demand general education courses.

2290 (f) Consultation with school districts to identify
2291 practices that impact the cost of dual enrollment textbooks and
2292 instructional materials to school districts, including, but not
2293 limited to, the length of time that textbooks and instructional
2294 materials remain in use.

2295 (g) Selection of textbooks and instructional materials
2296 through cost-benefit analyses that enable students to obtain the
2297 highest-quality product at the lowest available price, by
2298 considering:

2299 1. Purchasing digital textbooks in bulk.

2300 2. Expanding the use of open-access textbooks and
2301 instructional materials.



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2302 3. Providing rental options for textbooks and instructional
2303 materials.

2304 4. Increasing the availability and use of affordable
2305 digital textbooks and learning objects.

2306 5. Developing mechanisms to assist in buying, renting,
2307 selling, and sharing textbooks and instructional materials.

2308 6. The length of time that textbooks and instructional
2309 materials remain in use.

2310 7. An evaluation of cost savings for textbooks and
2311 instructional materials which a student may realize if
2312 individual students are able to exercise opt-in provisions for
2313 the purchase of the materials.

2314 (8) The board of trustees of each Florida College System
2315 institution and state university shall report, by September 30
2316 of each year, beginning in 2016, to the Chancellor of the
2317 Florida College System or the Chancellor of the State University
2318 System, as applicable, the textbook and instructional materials
2319 selection process for general education courses with a wide cost
2320 variance identified pursuant to subsection (4) and high-
2321 enrollment courses; specific initiatives of the institution
2322 designed to reduce the costs of textbooks and instructional
2323 materials; policies implemented in accordance with subsection
2324 (6); the number of courses and course sections that were not
2325 able to meet the textbook and instructional materials posting
2326 deadline for the previous academic year; and any additional
2327 information determined by the chancellors. By November 1 of each
2328 year, ~~beginning in 2016,~~ each chancellor shall provide a summary
2329 of the information provided by institutions to the State Board
2330 of Colleges Education and the Board of Governors, as applicable.



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2331 Section 36. Section 1004.096, Florida Statutes, is amended
2332 to read:

2333 1004.096 College credit for military training and education
2334 courses.—The Board of Governors shall adopt regulations and the
2335 State Board of Colleges Education shall adopt rules that enable
2336 eligible servicemembers or veterans of the United States Armed
2337 Forces to earn academic college credit at public postsecondary
2338 educational institutions for college-level training and
2339 education acquired in the military. The regulations and rules
2340 shall include procedures for credential evaluation and the award
2341 of academic college credit, including, but not limited to,
2342 equivalency and alignment of military coursework with
2343 appropriate college courses, course descriptions, type and
2344 amount of college credit that may be awarded, and transfer of
2345 credit.

2346 Section 37. Section 1004.0961, Florida Statutes, is amended
2347 to read:

2348 1004.0961 Credit for online courses.—~~Beginning in the 2015-~~
2349 ~~2016 school year,~~ The State Board of Colleges Education shall
2350 adopt rules and the Board of Governors shall adopt regulations
2351 that enable students to earn academic credit for online courses,
2352 including massive open online courses, before initial enrollment
2353 at a postsecondary institution. The rules of the State Board of
2354 Colleges Education and regulations of the Board of Governors
2355 must include procedures for credential evaluation and the award
2356 of credit, including, but not limited to, recommendations for
2357 credit by the American Council on Education; equivalency and
2358 alignment of coursework with appropriate courses; course
2359 descriptions; type and amount of credit that may be awarded; and



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2360 transfer of credit.

2361 Section 38. Section 1004.35, Florida Statutes, is amended
2362 to read:

2363 1004.35 Broward County campuses of Florida Atlantic
2364 University; coordination with other institutions.—The State
2365 Board of Colleges Education, the Board of Governors, and Florida
2366 Atlantic University shall consult with Broward College and
2367 Florida International University in coordinating course
2368 offerings at the postsecondary level in Broward County. Florida
2369 Atlantic University may contract with the Board of Trustees of
2370 Broward College and with Florida International University to
2371 provide instruction in courses offered at the Southeast Campus.
2372 Florida Atlantic University shall increase course offerings at
2373 the Southeast Campus as facilities become available.

2374 Section 39. Paragraphs (c) and (d) of subsection (5) and
2375 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2376 are amended to read:

2377 1004.6495 Florida Postsecondary Comprehensive Transition
2378 Program and Florida Center for Students with Unique Abilities.—

2379 (5) CENTER RESPONSIBILITIES.—The Florida Center for
2380 Students with Unique Abilities is established within the
2381 University of Central Florida. At a minimum, the center shall:

2382 (c) Create the application for the initial approval and
2383 renewal of approval as an FPCTP for use by an eligible
2384 institution which, at a minimum, must align with the federal
2385 comprehensive transition and postsecondary program application
2386 requirements. Notwithstanding the program approval requirements
2387 of s. 1004.03, the director shall review applications for the
2388 initial approval of an application for, or renewal of approval



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2389 of, an FPCTP.

2390 1. Within 30 days after receipt of an application, the
2391 director shall issue his or her recommendation regarding
2392 approval to the Chancellor of the State University System, ~~or~~
2393 the Chancellor of the Florida College System, or the
2394 Commissioner of Education, as applicable, or shall give written
2395 notice to the applicant of any deficiencies in the application,
2396 which the eligible institution must be given an opportunity to
2397 correct. Within 15 days after receipt of a notice of
2398 deficiencies, an eligible institution that chooses to continue
2399 to seek program approval shall correct the application
2400 deficiencies and return the application to the center. Within 30
2401 days after receipt of a revised application, the director shall
2402 recommend approval or disapproval of the revised application to
2403 the applicable chancellor or the commissioner, as applicable.
2404 Within 15 days after receipt of the director's recommendation,
2405 the applicable chancellor or the commissioner shall approve or
2406 disapprove the recommendation. If the applicable chancellor or
2407 the commissioner does not act on the director's recommendation
2408 within 15 days after receipt of such recommendation, the
2409 comprehensive transition program proposed by the institution
2410 shall be considered approved.

2411 2. Initial approval of an application for an FPCTP that
2412 meets the requirements of this section is valid for the 3
2413 academic years immediately following the academic year during
2414 which the approval is granted. An eligible institution may
2415 submit an application to the center requesting that the initial
2416 approval be renewed. If the approval is granted and the FPCTP
2417 continues to meet the requirements of this section, including,



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2418 but not limited to, program and student performance outcomes,
2419 and federal requirements, a renewal is valid for the 5 academic
2420 years immediately following the academic year during which the
2421 renewal is granted.

2422 3. An application must, at a minimum:

2423 a. Identify a credential associated with the proposed
2424 program which will be awarded to eligible students upon
2425 completion of the FPCTP.

2426 b. Outline the program length and design, including, at a
2427 minimum, inclusive and successful experiential education
2428 practices relating to curricular, assessment, and advising
2429 structure and internship and employment opportunities, which
2430 must support students with intellectual disabilities who are
2431 seeking to continue academic, career and technical, and
2432 independent living instruction at an eligible institution,
2433 including, but not limited to, opportunities to earn industry
2434 certifications, to prepare students for gainful employment. If
2435 an eligible institution offers a credit-bearing degree program,
2436 the institution is responsible for maintaining the rigor and
2437 effectiveness of a comprehensive transition degree program at
2438 the same level as other comparable degree programs offered by
2439 the institution pursuant to applicable accreditation standards.

2440 c. Outline a plan for students with intellectual
2441 disabilities to be integrated socially and academically with
2442 nondisabled students, to the maximum extent possible, and to
2443 participate on not less than a half-time basis, as determined by
2444 the eligible institution, with such participation focusing on
2445 academic components and occurring through one or more of the
2446 following activities with nondisabled students:



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2447 (I) Regular enrollment in credit-bearing courses offered by
2448 the institution.

2449 (II) Auditing or participating in courses offered by the
2450 institution for which the student does not receive academic
2451 credit.

2452 (III) Enrollment in noncredit-bearing, nondegree courses.

2453 (IV) Participation in internships or work-based training.

2454 d. Outline a plan for partnerships with businesses to
2455 promote experiential training and employment opportunities for
2456 students with intellectual disabilities.

2457 e. Identify performance indicators pursuant to subsection
2458 (8) and other requirements identified by the center.

2459 f. Outline a 5-year plan incorporating enrollment and
2460 operational expectations for the program.

2461 (d) Provide technical assistance regarding programs and
2462 services for students with intellectual disabilities to
2463 administrators, instructors, staff, and others, as applicable,
2464 at eligible institutions by:

2465 1. Holding meetings and annual workshops to share
2466 successful practices and to address issues or concerns.

2467 2. Facilitating collaboration between eligible institutions
2468 and school districts, private schools operating pursuant to s.
2469 1002.42, and parents of students enrolled in home education
2470 programs operating pursuant to s. 1002.41 in assisting students
2471 with intellectual disabilities and their parents to plan for the
2472 transition of such students into an FPCTP or another program at
2473 an eligible institution.

2474 3. Assisting eligible institutions with FPCTP and federal
2475 comprehensive transition and postsecondary program applications.



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2476 4. Assisting eligible institutions with the identification
2477 of funding sources for an FPCTP and for student financial
2478 assistance for students enrolled in an FPCTP.

2479 5. Monitoring federal and state law relating to the
2480 comprehensive transition program and notifying the Legislature,
2481 the Governor, the Board of Governors, the State Board of
2482 Colleges, and the State Board of Education of any change in law
2483 which may impact the implementation of this section.

2484 (8) ACCOUNTABILITY.—

2485 (a) The center, in collaboration with the Board of
2486 Governors, the State Board of Colleges, and the State Board of
2487 Education, shall identify indicators for the satisfactory
2488 progress of a student in an FPCTP and for the performance of
2489 such programs. Each eligible institution must address the
2490 indicators identified by the center in its application for the
2491 approval of a proposed program and for the renewal of an FPCTP
2492 and in the annual report that the institution submits to the
2493 center.

2494 (b) By October 1 of each year, the center shall provide to
2495 the Governor, the President of the Senate, the Speaker of the
2496 House of Representatives, the Chancellor of the State University
2497 System, the Chancellor of the Florida College System, and the
2498 Commissioner of Education a report summarizing information
2499 including, but not limited to:

2500 1. The status of the statewide coordination of FPCTPs and
2501 the implementation of FPCTPs at eligible institutions including,
2502 but not limited to:

2503 a. The number of applications approved and disapproved and
2504 the reasons for each disapproval and no action taken by the



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2505 chancellor or the commissioner.

2506 b. The number and value of all scholarships awarded to
2507 students and undisbursed advances remitted to the center
2508 pursuant to subsection (7).

2509 2. Indicators identified by the center pursuant to
2510 paragraph (a) and the performance of each eligible institution
2511 based on the indicators identified in paragraph (6)(c).

2512 3. The projected number of students with intellectual
2513 disabilities who may be eligible to enroll in the FPCTPs within
2514 the next academic year.

2515 4. Education programs and services for students with
2516 intellectual disabilities which are available at eligible
2517 institutions.

2518 (c) ~~Beginning in the 2016-2017 fiscal year,~~ The center, in
2519 collaboration with the Board of Governors, State Board of
2520 Colleges, State Board of Education, Higher Education
2521 Coordinating Council, and other stakeholders, by December 1 of
2522 each year, shall submit to the Governor, the President of the
2523 Senate, and the Speaker of the House of Representatives
2524 statutory and budget recommendations for improving the
2525 implementation and delivery of FPCTPs and other education
2526 programs and services for students with disabilities.

2527 (9) RULES.—The Board of Governors, the State Board of
2528 Colleges, and the State Board of Education, in consultation with
2529 the center, shall expeditiously adopt any necessary regulations
2530 and rules, as applicable, to allow the center to perform its
2531 responsibilities pursuant to this section ~~beginning in the 2016-~~
2532 ~~2017 fiscal year.~~

2533 Section 40. Section 1004.65, Florida Statutes, is amended



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2534 to read:

2535 1004.65 Florida College System institutions; governance,
2536 mission, and responsibilities.—

2537 (1) Each Florida College System institution shall be
2538 governed by a district board of trustees under statutory
2539 authority and rules of the State Board of Colleges ~~Education~~.

2540 (2) Each Florida College System institution district shall:

2541 (a) Consist of the county or counties served by the Florida
2542 College System institution pursuant to s. 1000.21(3).

2543 (b) Be an independent, separate, legal entity created for
2544 the operation of a Florida College System institution.

2545 (3) Florida College System institutions are locally based
2546 and governed entities with statutory and funding ties to state
2547 government. As such, the mission for Florida College System
2548 institutions reflects a commitment to be responsive to local
2549 educational needs and challenges. In achieving this mission,
2550 Florida College System institutions strive to maintain
2551 sufficient local authority and flexibility while preserving
2552 appropriate legal accountability to the state.

2553 (4) As comprehensive institutions, Florida College System
2554 institutions shall provide high-quality, affordable education
2555 and training opportunities, shall foster a climate of
2556 excellence, and shall provide opportunities to all while
2557 combining high standards with an open-door admission policy for
2558 lower-division programs. Florida College System institutions
2559 shall, as open-access institutions, serve all who can benefit,
2560 without regard to age, race, gender, creed, or ethnic or
2561 economic background, while emphasizing the achievement of social
2562 and educational equity so that all can be prepared for full



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2563 participation in society.

2564 (5) The primary mission and responsibility of Florida
2565 College System institutions is responding to community needs for
2566 postsecondary academic education and career degree education.
2567 This mission and responsibility includes being responsible for:

2568 (a) Providing lower-level ~~lower-level~~ undergraduate
2569 instruction and awarding associate degrees.

2570 (b) Preparing students directly for careers requiring less
2571 than baccalaureate degrees. This may include preparing for job
2572 entry, supplementing of skills and knowledge, and responding to
2573 needs in new areas of technology. Career education in a Florida
2574 College System institution consists ~~shall consist~~ of career
2575 certificates, nationally recognized industry certifications,
2576 credit courses leading to associate in science degrees and
2577 associate in applied science degrees, and other programs in
2578 fields requiring substantial academic work, background, or
2579 qualifications. A Florida College System institution may offer
2580 career education programs in fields having lesser academic or
2581 technical requirements.

2582 (c) Providing student development services, including
2583 assessment, student tracking, support for disabled students,
2584 advisement, counseling, financial aid, career development, and
2585 remedial and tutorial services, to ensure student success.

2586 (d) Promoting economic development for the state within
2587 each Florida College System institution district through the
2588 provision of special programs, including, but not limited to,
2589 the:

- 2590 1. Enterprise Florida-related programs.
2591 2. Technology transfer centers.



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- 2592 3. Economic development centers.
- 2593 4. Workforce literacy programs.
- 2594 (e) Providing dual enrollment instruction.
- 2595 ~~(f) Providing upper level instruction and awarding~~
- 2596 ~~baccalaureate degrees as specifically authorized by law.~~
- 2597 (6) A separate and secondary role for Florida College
- 2598 System institutions includes ~~the offering of programs in:~~
- 2599 (a) Programs in community services that are not directly
- 2600 related to academic or occupational advancement.
- 2601 (b) Programs in adult education services, including adult
- 2602 basic education, adult general education, adult secondary
- 2603 education, and high school equivalency examination instruction.
- 2604 (c) Programs in recreational and leisure services.
- 2605 (d) Upper-level instruction and awarding baccalaureate
- 2606 degrees as specifically authorized by law.
- 2607 (7) Funding for Florida College System institutions must
- 2608 ~~shall~~ reflect their mission as follows:
- 2609 (a) Postsecondary academic and career education programs
- 2610 and adult general education programs must ~~shall~~ have first
- 2611 priority in Florida College System institution funding.
- 2612 (b) Community service programs shall be presented to the
- 2613 Legislature with rationale for state funding. The Legislature
- 2614 may identify priority areas for use of these funds.
- 2615 (c) The resources of a Florida College System institution,
- 2616 including staff, faculty, land, and facilities, may ~~shall~~ not be
- 2617 used to support the establishment of a new independent nonpublic
- 2618 educational institution. If any institution uses resources for
- 2619 such purpose, the State Board of ~~Division of Florida Colleges~~
- 2620 shall notify the President of the Senate and the Speaker of the



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2621 House of Representatives.

2622 (8) Florida College System institutions are authorized to:

2623 (a) Offer such programs and courses as are necessary to
2624 fulfill their mission.

2625 (b) Grant associate in arts degrees, associate in science
2626 degrees, associate in applied science degrees, certificates,
2627 awards, and diplomas.

2628 (c) Make provisions for the high school equivalency
2629 examination.

2630 (d) Provide access to and award baccalaureate degrees in
2631 accordance with law.

2632

2633 Authority to offer one or more baccalaureate degree programs
2634 does not alter the governance relationship of the Florida
2635 College System institution with its district board of trustees
2636 or the State Board of Colleges Education.

2637 Section 41. Section 1004.67, Florida Statutes, is amended
2638 to read:

2639 1004.67 Florida College System institutions; legislative
2640 intent.—It is The legislative intent that Florida College System
2641 institutions, constituted as political subdivisions of the
2642 state, continue to be operated by Florida College System
2643 institution boards of trustees as provided in s. 1001.63 and
2644 that no department, bureau, division, agency, or subdivision of
2645 the state exercise any responsibility and authority to operate
2646 any Florida College System institution of the state except as
2647 specifically provided by law or rules of the State Board of
2648 Colleges Education.

2649 Section 42. Subsections (2), (3), (4), and (6) of section



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2650 1004.70, Florida Statutes, are amended to read:

2651 1004.70 Florida College System institution direct-support
2652 organizations.—

2653 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
2654 shall appoint at least one ~~a~~ representative to the board of
2655 directors and the executive committee of each direct-support
2656 organization established under this section, including those
2657 established before July 1, 1998. The president of the Florida
2658 College System institution for which the direct-support
2659 organization is established, or the president's designee, shall
2660 also serve on the board of directors and the executive committee
2661 of the direct-support organization, including any direct-support
2662 organization established before July 1, 1998.

2663 (3) USE OF PROPERTY.—

2664 (a) The board of trustees is authorized to permit the use
2665 of property, facilities, and personal services at any Florida
2666 College System institution by any Florida College System
2667 institution direct-support organization, subject to the
2668 provisions of this section. Beginning July 1, 2022, a Florida
2669 College System institution board of trustees may not permit any
2670 Florida College System institution direct-support organization
2671 to use personal services.

2672 (b) The board of trustees is authorized to prescribe by
2673 rule any condition with which a Florida College System
2674 institution direct-support organization must comply in order to
2675 use property, facilities, or personal services at any Florida
2676 College System institution.

2677 (c) The board of trustees may not permit the use of
2678 property, facilities, or personal services at any Florida



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2679 College System institution by any Florida College System
2680 institution direct-support organization that does not provide
2681 equal employment opportunities to all persons regardless of
2682 race, color, national origin, gender, age, or religion.

2683 (d) The board of trustees may not permit the use of state
2684 funds for travel expenses by any Florida College System
2685 institution direct-support organization.

2686 (4) ACTIVITIES; RESTRICTIONS.—

2687 (a) A direct-support organization may, at the request of
2688 the board of trustees, provide residency opportunities on or
2689 near campus for students.

2690 (b) A direct-support organization that constructs
2691 facilities for use by a Florida College System institution or
2692 its students must comply with all requirements of law relating
2693 to the construction of facilities by a Florida College System
2694 institution, including requirements for competitive bidding.

2695 (c) Any transaction or agreement between one direct-support
2696 organization and another direct-support organization must be
2697 approved by the board of trustees.

2698 (d) A Florida College System institution direct-support
2699 organization is prohibited from giving, either directly or
2700 indirectly, any gift to a political committee as defined in s.
2701 106.011 for any purpose ~~other than those certified by a majority~~
2702 ~~roll call vote of the governing board of the direct-support~~
2703 ~~organization at a regularly scheduled meeting as being directly~~
2704 ~~related to the educational mission of the Florida College System~~
2705 ~~institution.~~

2706 (e) A Florida College System institution board of trustees
2707 must authorize all debt, including lease-purchase agreements,



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2708 incurred by a direct-support organization. Authorization for
2709 approval of short-term loans and lease-purchase agreements for a
2710 term of not more than 5 years, including renewals, extensions,
2711 and refundings, for goods, materials, equipment, and services
2712 may be delegated by the board of trustees to the board of
2713 directors of the direct-support organization. Trustees shall
2714 evaluate proposals for debt according to guidelines issued by
2715 the State Board of ~~Division of Florida~~ Colleges. Revenues of the
2716 Florida College System institution may not be pledged to debt
2717 issued by direct-support organizations.

2718 (6) ANNUAL AUDIT.—Each direct-support organization shall
2719 provide for an annual financial audit in accordance with rules
2720 adopted by the Auditor General pursuant to s. 11.45(8). The
2721 annual audit report must be submitted, within 9 months after the
2722 end of the fiscal year, to the Auditor General, the State Board
2723 of Colleges ~~Education~~, and the board of trustees for review. The
2724 board of trustees, the Auditor General, and the Office of
2725 Program Policy Analysis and Government Accountability may
2726 require and receive from the organization or from its
2727 independent auditor any detail or supplemental data relative to
2728 the operation of the organization. The identity of donors who
2729 desire to remain anonymous shall be protected, and that
2730 anonymity shall be maintained in the auditor's report. All
2731 records of the organization, other than the auditor's report,
2732 any information necessary for the auditor's report, any
2733 information related to the expenditure of funds, and any
2734 supplemental data requested by the board of trustees, the
2735 Auditor General, and the Office of Program Policy Analysis and
2736 Government Accountability, shall be confidential and exempt from



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2737 the provisions of s. 119.07(1).

2738 Section 43. Subsections (1), (2), (4), and (5) of section
2739 1004.71, Florida Statutes, are amended to read:

2740 1004.71 Statewide Florida College System institution
2741 direct-support organizations.—

2742 (1) DEFINITIONS.—For the purposes of this section:

2743 (a) "Statewide Florida College System institution direct-
2744 support organization" means an organization that is:

2745 1. A Florida corporation not for profit, incorporated under
2746 the provisions of chapter 617 and approved by the Department of
2747 State.

2748 2. Organized and operated exclusively to receive, hold,
2749 invest, and administer property and to make expenditures to, or
2750 for the benefit of, the Florida College System institutions in
2751 this state.

2752 3. An organization that the State Board of Colleges
2753 ~~Education~~, after review, has certified to be operating in a
2754 manner consistent with the goals of the Florida College System
2755 institutions and in the best interest of the state.

2756 (b) "Personal services" includes full-time or part-time
2757 personnel as well as payroll processing.

2758 (2) BOARD OF DIRECTORS.—The chair of the State Board of
2759 Colleges ~~Education~~ may appoint a representative to the board of
2760 directors and the executive committee of any statewide, direct-
2761 support organization established under this section or s.
2762 1004.70. The chair of the State Board of Colleges ~~Education~~, or
2763 the chair's designee, shall also serve on the board of directors
2764 and the executive committee of any direct-support organization
2765 established to benefit Florida College System institutions.



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2766 (4) RESTRICTIONS.—

2767 (a) A statewide, direct-support organization may not use
2768 public funds to acquire, construct, maintain, or operate any
2769 facilities.

2770 (b) Any transaction or agreement between a statewide,
2771 direct-support organization and any other direct-support
2772 organization must be approved by the State Board of Colleges
2773 ~~Education~~.

2774 (c) A statewide Florida College System institution direct-
2775 support organization is prohibited from giving, either directly
2776 or indirectly, any gift to a political committee as defined in
2777 s. 106.011 for any purpose other than those certified by a
2778 majority roll call vote of the governing board of the direct-
2779 support organization at a regularly scheduled meeting as being
2780 directly related to the educational mission of the State Board
2781 of Colleges ~~Education~~.

2782 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
2783 organization shall submit to the State Board of Colleges
2784 ~~Education~~ its federal Internal Revenue Service Application for
2785 Recognition of Exemption form (Form 1023) and its federal
2786 Internal Revenue Service Return of Organization Exempt from
2787 Income Tax form (Form 990).

2788 Section 44. Subsection (4) of section 1004.74, Florida
2789 Statutes, is amended to read:

2790 1004.74 Florida School of the Arts.—

2791 (4) The Council for the Florida School of the Arts shall be
2792 established to advise the Florida College System institution
2793 district board of trustees on matters pertaining to the
2794 operation of the school. The council shall consist of nine



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2795 members, appointed jointly by the Chancellor of the Florida
2796 College System and the Commissioner of Education for 4-year
2797 terms. A member may serve three terms and may serve until
2798 replaced.

2799 Section 45. Subsection (10) of section 1004.78, Florida
2800 Statutes, is amended to read:

2801 1004.78 Technology transfer centers at Florida College
2802 System institutions.—

2803 (10) The State Board of Colleges ~~Education~~ may award grants
2804 to Florida College System institutions, or consortia of public
2805 and private colleges and universities and other public and
2806 private entities, for the purpose of supporting the objectives
2807 of this section. Grants awarded pursuant to this subsection
2808 shall be in accordance with rules of the State Board of Colleges
2809 ~~Education~~. Such rules shall include the following provisions:

2810 (a) The number of centers established with state funds
2811 provided expressly for the purpose of technology transfer shall
2812 be limited, but shall be geographically located to maximize
2813 public access to center resources and services.

2814 (b) Grants to centers funded with state revenues
2815 appropriated specifically for technology transfer activities
2816 shall be reviewed and approved by the State Board of Colleges
2817 ~~Education~~ using proposal solicitation, evaluation, and selection
2818 procedures established by the state board in consultation with
2819 Enterprise Florida, Inc. Such procedures may include designation
2820 of specific areas or applications of technology as priorities
2821 for the receipt of funding.

2822 (c) Priority for the receipt of state funds appropriated
2823 specifically for the purpose of technology transfer shall be



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2824 given to grant proposals developed jointly by Florida College
2825 System institutions and public and private colleges and
2826 universities.

2827 Section 46. Subsection (4) of section 1004.80, Florida
2828 Statutes, is amended to read:

2829 1004.80 Economic development centers.—

2830 (4) The State Board of Colleges Education may award grants
2831 to economic development centers for the purposes of this
2832 section. Grants awarded pursuant to this subsection shall be in
2833 accordance with rules established by the State Board of Colleges
2834 Education.

2835 Section 47. Section 1004.91, Florida Statutes, is amended
2836 to read:

2837 1004.91 Requirements for career education program basic
2838 skills.—

2839 (1) The State Board of Education, for career centers
2840 operated by district school boards, and the State Board of
2841 Colleges, for charter technical career centers operated by
2842 Florida College System institutions, shall collaborate to adopt,
2843 by rule, standards of basic skill mastery for completion of
2844 certificate career education programs. Each school district and
2845 Florida College System institution that conducts programs that
2846 confer career and technical certificates shall provide applied
2847 academics instruction through which students receive the basic
2848 skills instruction required pursuant to this section.

2849 (2) Students who enroll in a program offered for career
2850 credit of 450 hours or more shall complete an entry-level
2851 examination within the first 6 weeks after admission into the
2852 program. The State Board of Education and the State Board of



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2853 Colleges shall collaborate to designate examinations that are
2854 currently in existence, the results of which are comparable
2855 across institutions, to assess student mastery of basic skills.
2856 Any student found to lack the required level of basic skills for
2857 such program shall be referred to applied academics instruction
2858 or another adult general education program for a structured
2859 program of basic skills instruction. Such instruction may
2860 include English for speakers of other languages. A student may
2861 not receive a career or technical certificate of completion
2862 without first demonstrating the basic skills required in the
2863 state curriculum frameworks for the career education program.

2864 (3) (a) An adult student with a disability may be exempted
2865 from this section.

2866 (b) The following students are exempt from this section:

2867 1. A student who possesses a college degree at the
2868 associate in applied science level or higher.

2869 2. A student who demonstrates readiness for public
2870 postsecondary education pursuant to s. 1008.30 and applicable
2871 rules adopted by the State Board of Education and State Board of
2872 Colleges.

2873 3. A student who passes a state or national industry
2874 certification or licensure examination that is identified in
2875 State Board of Education or State Board of Colleges rules and
2876 aligned to the career education program in which the student is
2877 enrolled.

2878 4. An adult student who is enrolled in an apprenticeship
2879 program that is registered with the Department of Education in
2880 accordance with chapter 446.

2881 Section 48. Paragraph (b) of subsection (2) of section



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2882 1004.92, Florida Statutes, is amended, and subsection (4) is
2883 added to that section, to read:

2884 1004.92 Purpose and responsibilities for career education.—

2885 (2)

2886 (b) The Department of Education, for school districts, and
2887 the State Board of Colleges, for Florida College System
2888 institutions, have the following responsibilities related to
2889 accountability for career education ~~includes, but is not limited~~
2890 to:

2891 1. The provision of timely, accurate technical assistance
2892 to school districts and Florida College System institutions.

2893 2. The provision of timely, accurate information to the
2894 State Board of Education, the Legislature, and the public.

2895 3. The development of policies, rules, and procedures that
2896 facilitate institutional attainment of the accountability
2897 standards and coordinate the efforts of all divisions within the
2898 department.

2899 4. The development of program standards and industry-driven
2900 benchmarks for career, adult, and community education programs,
2901 which must be updated every 3 years. The standards must include
2902 career, academic, and workplace skills; viability of distance
2903 learning for instruction; ~~and~~ work/learn cycles that are
2904 responsive to business and industry; and provisions that reflect
2905 the quality components of career and technical education
2906 programs. The Department of Education and the State Board of
2907 Colleges shall collaborate to develop a common set of standards
2908 and benchmarks as specified under this subparagraph for the
2909 programs that are offered by both the school districts and
2910 Florida College System institutions.



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2911 5. Overseeing school district and Florida College System
2912 institution compliance with ~~the provisions of~~ this chapter.

2913 6. Ensuring that the educational outcomes for the technical
2914 component of career programs are uniform and designed to provide
2915 a graduate who is capable of entering the workforce on an
2916 equally competitive basis regardless of the institution of
2917 choice.

2918 (4) The State Board of Education, for career education
2919 provided by school districts, and the State Board of Colleges,
2920 for career education provided by Florida College System
2921 institutions, shall collaborate to adopt rules to administer
2922 this section.

2923 Section 49. Subsection (1) of section 1004.925, Florida
2924 Statutes, is amended to read:

2925 1004.925 Automotive service technology education programs;
2926 certification.—

2927 (1) All automotive service technology education programs
2928 shall be industry certified in accordance with rules adopted by
2929 the State Board of Education and the State Board of Colleges.

2930 Section 50. Paragraphs (c) and (d) of subsection (4) and
2931 subsections (6) and (9) of section 1004.93, Florida Statutes,
2932 are amended to read:

2933 1004.93 Adult general education.—

2934 (4)

2935 (c) The State Board of Colleges Education shall define, by
2936 rule, the levels and courses of instruction to be funded through
2937 the developmental education program. The State Board of Colleges
2938 shall coordinate the establishment of costs for developmental
2939 education courses, the establishment of statewide standards that



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2940 define required levels of competence, acceptable rates of
2941 student progress, and the maximum amount of time to be allowed
2942 for completion of developmental education. Developmental
2943 education is part of an associate in arts degree program and may
2944 not be funded as an adult career education program.

2945 (d) Expenditures for developmental education and lifelong
2946 learning students shall be reported separately. Allocations for
2947 developmental education shall be based on proportional full-time
2948 equivalent enrollment. Program review results shall be included
2949 in the determination of subsequent allocations. A student shall
2950 be funded to enroll in the same developmental education class
2951 within a skill area only twice, after which time the student
2952 shall pay 100 percent of the full cost of instruction to support
2953 the continuous enrollment of that student in the same class;
2954 however, students who withdraw or fail a class due to
2955 extenuating circumstances may be granted an exception only once
2956 for each class, provided approval is granted according to policy
2957 established by the board of trustees. Each Florida College
2958 System institution shall have the authority to review and reduce
2959 payment for increased fees due to continued enrollment in a
2960 developmental education class on an individual basis contingent
2961 upon the student's financial hardship, pursuant to definitions
2962 and fee levels established by the State Board of Colleges
2963 Education. Developmental education and lifelong learning courses
2964 do not generate credit toward an associate or baccalaureate
2965 degree.

2966 (6) The commissioner, for school districts, and the
2967 Chancellor of the Florida College System, for Florida College
2968 System institutions, shall recommend the level of funding for



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2969 public school and Florida College System institution adult
2970 education within the legislative budget request and make other
2971 recommendations and reports considered necessary or required by
2972 rules of the State Board of Education.

2973 (9) The State Board of Education and the State Board of
2974 Colleges may adopt rules necessary for the implementation of
2975 this section.

2976 Section 51. Subsection (3) of section 1006.60, Florida
2977 Statutes, is amended to read:

2978 1006.60 Codes of conduct; disciplinary measures; authority
2979 to adopt rules or regulations.—

2980 (3) Sanctions authorized by such codes of conduct may be
2981 imposed only for acts or omissions in violation of rules or
2982 regulations adopted by the institution, including rules or
2983 regulations adopted under this section, rules of the State Board
2984 of Colleges regarding the Florida College System Education,
2985 rules or regulations of the Board of Governors regarding the
2986 State University System, county and municipal ordinances, and
2987 the laws of this state, the United States, or any other state.

2988 Section 52. Subsection (1) of section 1006.61, Florida
2989 Statutes, is amended to read:

2990 1006.61 Participation by students in disruptive activities
2991 at public postsecondary educational institution; penalties.—

2992 (1) Any person who accepts the privilege extended by the
2993 laws of this state of attendance at any public postsecondary
2994 educational institution shall, by attending such institution, be
2995 deemed to have given his or her consent to the policies of that
2996 institution, the State Board of Colleges regarding the Florida
2997 College System Education, and the Board of Governors regarding



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2998 the State University System, and the laws of this state. Such
2999 policies shall include prohibition against disruptive activities
3000 at public postsecondary educational institutions.

3001 Section 53. Section 1006.62, Florida Statutes, is amended
3002 to read:

3003 1006.62 Expulsion and discipline of students of Florida
3004 College System institutions and state universities.—

3005 (1) Each student in a Florida College System institution or
3006 state university is subject to federal and state law, respective
3007 county and municipal ordinances, and all rules and regulations
3008 of the State Board of Colleges regarding the Florida College
3009 System Education, the Board of Governors regarding the State
3010 University System, or the board of trustees of the institution.

3011 (2) Violation of these published laws, ordinances, or rules
3012 and regulations may subject the violator to appropriate action
3013 by the institution's authorities.

3014 (3) Each president of a Florida College System institution
3015 or state university may, after notice to the student of the
3016 charges and after a hearing thereon, expel, suspend, or
3017 otherwise discipline any student who is found to have violated
3018 any law, ordinance, or rule or regulation of the State Board of
3019 Colleges regarding the Florida College System Education, the
3020 Board of Governors regarding the State University System, or the
3021 board of trustees of the institution. A student may be entitled
3022 to waiver of expulsion:

3023 (a) If the student provides substantial assistance in the
3024 identification, arrest, or conviction of any of his or her
3025 accomplices, accessories, coconspirators, or principals or of
3026 any other person engaged in violations of chapter 893 within a



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3027 state university or Florida College System institution;
3028 (b) If the student voluntarily discloses his or her
3029 violations of chapter 893 prior to his or her arrest; or
3030 (c) If the student commits himself or herself, or is
3031 referred by the court in lieu of sentence, to a state-licensed
3032 drug abuse program and successfully completes the program.
3033 Section 54. Paragraphs (c) and (g) of subsection (1),
3034 paragraph (b) of subsection (2), and subsection (3) of section
3035 1006.71, Florida Statutes, are amended to read:
3036 1006.71 Gender equity in intercollegiate athletics.—
3037 (1) GENDER EQUITY PLAN.—
3038 (c) The Chancellor of the Florida College System
3039 ~~Commissioner of Education~~ shall annually assess the progress of
3040 each Florida College System institution's plan and advise the
3041 State Board of Colleges ~~Education~~ and the Legislature regarding
3042 compliance.
3043 (g)1. If a Florida College System institution is not in
3044 compliance with Title IX of the Education Amendments of 1972 and
3045 the Florida Educational Equity Act, the State Board of Colleges
3046 ~~Education~~ shall:
3047 a. Declare the Florida College System institution
3048 ineligible for competitive state grants.
3049 b. Withhold funds sufficient to obtain compliance.
3050
3051 The Florida College System institution shall remain ineligible
3052 and the funds may ~~shall~~ not be paid until the Florida College
3053 System institution comes into compliance or the Chancellor of
3054 the Florida College System ~~Commissioner of Education~~ approves a
3055 plan for compliance.



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3056 2. If a state university is not in compliance with Title IX
3057 of the Education Amendments of 1972 and the Florida Educational
3058 Equity Act, the Board of Governors shall:

3059 a. Declare the state university ineligible for competitive
3060 state grants.

3061 b. Withhold funds sufficient to obtain compliance.

3062

3063 The state university shall remain ineligible and the funds may
3064 ~~shall~~ not be paid until the state university comes into
3065 compliance or the Board of Governors approves a plan for
3066 compliance.

3067 (2) FUNDING.—

3068 (b) The level of funding and percentage share of support
3069 for women's intercollegiate athletics for Florida College System
3070 institutions shall be determined by the State Board of Colleges
3071 ~~Education~~. The level of funding and percentage share of support
3072 for women's intercollegiate athletics for state universities
3073 shall be determined by the Board of Governors. The level of
3074 funding and percentage share attained in the 1980-1981 fiscal
3075 year shall be the minimum level and percentage maintained by
3076 each institution, except as the State Board of Colleges
3077 ~~Education~~ or the Board of Governors otherwise directs its
3078 respective institutions for the purpose of assuring equity.
3079 Consideration shall be given by the State Board of Colleges
3080 ~~Education~~ or the Board of Governors to emerging athletic
3081 programs at institutions which may not have the resources to
3082 secure external funds to provide athletic opportunities for
3083 women. It is the intent that the effect of any redistribution of
3084 funds among institutions may ~~shall~~ not negate the requirements



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3085 as set forth in this section.

3086 (3) STATE BOARD OF COLLEGES EDUCATION.—The State Board of
3087 Colleges Education shall assure equal opportunity for female
3088 athletes at Florida College System institutions and establish:

3089 (a) In conjunction with the State Board of Education,
3090 guidelines for reporting of intercollegiate athletics data
3091 concerning financial, program, and facilities information for
3092 review by the State Board of Colleges Education annually.

3093 (b) Systematic audits for the evaluation of such data.

3094 (c) Criteria for determining and assuring equity.

3095 Section 55. Section 1007.01, Florida Statutes, is amended
3096 to read:

3097 1007.01 Articulation; legislative intent; purpose; role of
3098 the State Board of Education, the State Board of Colleges, and
3099 the Board of Governors; Articulation Coordinating Committee.—

3100 (1) It is the intent of the Legislature to facilitate
3101 articulation and seamless integration of the K-20 education
3102 system by building, sustaining, and strengthening relationships
3103 among K-20 public organizations, between public and private
3104 organizations, and between the education system as a whole and
3105 Florida's communities. The purpose of building, sustaining, and
3106 strengthening these relationships is to provide for the
3107 efficient and effective progression and transfer of students
3108 within the education system and to allow students to proceed
3109 toward their educational objectives as rapidly as their
3110 circumstances permit. The Legislature further intends that
3111 articulation policies and budget actions be implemented
3112 consistently in the practices of the Department of Education and
3113 postsecondary educational institutions and expressed in the



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3114 collaborative policy efforts of the State Board of Education,
3115 ~~and~~ the Board of Governors, and the State Board of Colleges.

3116 (2) To preserve Florida's "2+2" system of articulation and
3117 improve and facilitate articulation systemwide, the State Board
3118 of Education, ~~and~~ the Board of Governors, and the State Board of
3119 Colleges shall collaboratively establish and adopt policies with
3120 input from statewide K-20 advisory groups established by the
3121 Commissioner of Education, the Chancellor of the Florida College
3122 System, and the Chancellor of the State University System and
3123 shall recommend the policies to the Legislature. The policies
3124 shall relate to:

3125 (a) The alignment between the exit requirements of one
3126 education system and the admissions requirements of another
3127 education system into which students typically transfer.

3128 (b) The identification of common courses, the level of
3129 courses, institutional participation in a statewide course
3130 numbering system, and the transferability of credits among such
3131 institutions.

3132 (c) Identification of courses that meet general education
3133 or common degree program prerequisite requirements at public
3134 postsecondary educational institutions.

3135 (d) Dual enrollment course equivalencies.

3136 (e) Articulation agreements.

3137 (3) The Commissioner of Education, in consultation with the
3138 Chancellor of the Florida College System and the Chancellor of
3139 the State University System, shall establish the Articulation
3140 Coordinating Committee, which shall make recommendations related
3141 to statewide articulation policies and issues regarding access,
3142 quality, and reporting of data maintained by the K-20 data



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3143 warehouse, established pursuant to ss. 1001.10 and 1008.31, to
3144 the Higher Education Coordination Council, the State Board of
3145 Education, ~~and~~ the Board of Governors, and the State Board of
3146 Colleges. The committee shall consist of two members each
3147 representing the State University System, the Florida College
3148 System, public career and technical education, K-12 education,
3149 and nonpublic postsecondary education and one member
3150 representing students. The chair shall be elected from the
3151 membership. The Office of K-20 Articulation shall provide
3152 administrative support for the committee. The committee shall:

3153 (a) Monitor the alignment between the exit requirements of
3154 one education system and the admissions requirements of another
3155 education system into which students typically transfer and make
3156 recommendations for improvement.

3157 (b) Propose guidelines for interinstitutional agreements
3158 between and among public schools, career and technical education
3159 centers, Florida College System institutions, state
3160 universities, and nonpublic postsecondary institutions.

3161 (c) Annually recommend dual enrollment course and high
3162 school subject area equivalencies for approval by the State
3163 Board of Education, ~~and~~ the Board of Governors, and the State
3164 Board of Colleges.

3165 (d) Annually review the statewide articulation agreement
3166 pursuant to s. 1007.23 and make recommendations for revisions.

3167 (e) Annually review the statewide course numbering system,
3168 the levels of courses, and the application of transfer credit
3169 requirements among public and nonpublic institutions
3170 participating in the statewide course numbering system and
3171 identify instances of student transfer and admissions



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3172 difficulties.

3173 (f) Annually publish a list of courses that meet common
3174 general education and common degree program prerequisite
3175 requirements at public postsecondary institutions identified
3176 pursuant to s. 1007.25.

3177 (g) Foster timely collection and reporting of statewide
3178 education data to improve the K-20 education performance
3179 accountability system pursuant to ss. 1001.10 and 1008.31,
3180 including, but not limited to, data quality, accessibility, and
3181 protection of student records.

3182 (h) Recommend roles and responsibilities of public
3183 education entities in interfacing with the single, statewide
3184 computer-assisted student advising system established pursuant
3185 to s. 1006.735.

3186 (i) Make recommendations regarding the cost and
3187 requirements to develop and implement an online system for
3188 collecting and analyzing data regarding requests for transfer of
3189 credit by postsecondary education students. The online system,
3190 at a minimum, must collect information regarding the total
3191 number of credit transfer requests denied and the reason for
3192 each denial. Recommendations shall be reported to the President
3193 of the Senate and the Speaker of the House of Representatives on
3194 or before January 31, 2015.

3195 Section 56. Subsections (1) and (6) of section 1007.23,
3196 Florida Statutes, are amended, and subsection (7) is added to
3197 that section, to read:

3198 1007.23 Statewide articulation agreement.—

3199 (1) The State Board of Education, ~~and~~ the Board of
3200 Governors, and the State Board of Colleges shall enter into a



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3201 statewide articulation agreement which the State Board of
3202 Education and the State Board of Colleges shall adopt by rule.
3203 The agreement must preserve Florida's "2+2" system of
3204 articulation, facilitate the seamless articulation of student
3205 credit across and among Florida's educational entities, and
3206 reinforce the provisions of this chapter by governing:
3207 (a) Articulation between secondary and postsecondary
3208 education;
3209 (b) Admission of associate in arts degree graduates from
3210 Florida College System institutions and state universities;
3211 (c) Admission of applied technology diploma program
3212 graduates from Florida College System institutions or career
3213 centers;
3214 (d) Admission of associate in science degree and associate
3215 in applied science degree graduates from Florida College System
3216 institutions;
3217 (e) The use of acceleration mechanisms, including
3218 nationally standardized examinations through which students may
3219 earn credit;
3220 (f) General education requirements and statewide course
3221 numbers as provided for in ss. 1007.24 and 1007.25; and
3222 (g) Articulation among programs in nursing.
3223 (6) The articulation agreement must guarantee the
3224 articulation of 9 credit hours toward a postsecondary degree in
3225 early childhood education for programs approved by the State
3226 Board of Colleges ~~Education~~ and the Board of Governors which:
3227 (a) Award a child development associate credential issued
3228 by the National Credentialing Program of the Council for
3229 Professional Recognition or award a credential approved under s.



3230 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
3231 child development associate credential; and

3232 (b) Include training in emergent literacy which meets or
3233 exceeds the minimum standards for training courses for
3234 prekindergarten instructors of the Voluntary Prekindergarten
3235 Education Program in s. 1002.59.

3236 (7) To strengthen Florida's "2+2" system of articulation
3237 and improve student retention and on-time graduation, by the
3238 2018-2019 academic year, each Florida College System institution
3239 shall execute at least one "2+2" targeted pathway articulation
3240 agreement with one or more state universities and each state
3241 university shall execute at least one such agreement with one or
3242 more Florida College System institutions to establish "2+2"
3243 targeted pathway programs. The agreement must provide students
3244 who graduate with an associate in arts degree and who meet
3245 specified requirements guaranteed access to the state university
3246 and a degree program at that university, in accordance with the
3247 terms of the "2+2" targeted pathway articulation agreement.

3248 (a) To participate in a "2+2" targeted pathway program, a
3249 student must:

3250 1. Enroll in the program before completing 30 credit hours,
3251 including, but not limited to, college credits earned through
3252 articulated acceleration mechanisms pursuant to s. 1007.27;

3253 2. Complete an associate in arts degree; and

3254 3. Meet the university's transfer requirements.

3255 (b) A state university that executes a "2+2" targeted
3256 pathway articulation agreement must meet the following
3257 requirements in order to implement a "2+2" targeted pathway
3258 program in collaboration with its partner Florida College System



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3259 institution:

3260 1. Establish a 4-year on-time graduation plan for a
3261 baccalaureate degree program, including, but not limited to, a
3262 plan for students to complete associate in arts degree programs,
3263 general education courses, common prerequisite courses, and
3264 elective courses;

3265 2. Advise students enrolled in the program about the
3266 university's transfer and degree program requirements; and

3267 3. Provide students who meet the requirements under this
3268 paragraph with access to academic advisors and campus events and
3269 with guaranteed admittance to the state university and a degree
3270 program of the state university, in accordance with the terms of
3271 the agreement.

3272 (c) To assist the state universities and Florida College
3273 System institutions with implementing the "2+2" targeted pathway
3274 programs effectively, the State Board of Colleges and the Board
3275 of Governors shall collaborate to eliminate barriers in
3276 executing "2+2" targeted pathway articulation agreements.

3277 Section 57. Subsections (1), (2), and (3) of section
3278 1007.24, Florida Statutes, are amended to read:

3279 1007.24 Statewide course numbering system.—

3280 (1) The Department of Education, in conjunction with the
3281 Board of Governors and the State Board of Colleges, shall
3282 develop, coordinate, and maintain a statewide course numbering
3283 system for postsecondary and dual enrollment education in school
3284 districts, public postsecondary educational institutions, and
3285 participating nonpublic postsecondary educational institutions
3286 that will improve program planning, increase communication among
3287 all delivery systems, and facilitate student acceleration and



3288 the transfer of students and credits between public school
3289 districts, public postsecondary educational institutions, and
3290 participating nonpublic educational institutions. The continuing
3291 maintenance of the system shall be accomplished with the
3292 assistance of appropriate faculty committees representing public
3293 and participating nonpublic educational institutions.

3294 (2) The Commissioner of Education, in conjunction with the
3295 Chancellor of the Florida College System and the Chancellor of
3296 the State University System, shall appoint faculty committees
3297 representing faculties of participating institutions to
3298 recommend a single level for each course, including
3299 postsecondary career education courses, included in the
3300 statewide course numbering system.

3301 (a) Any course designated as an upper-division-level course
3302 must be characterized by a need for advanced academic
3303 preparation and skills that a student would be unlikely to
3304 achieve without significant prior coursework.

3305 (b) A course that is offered as part of an associate in
3306 science degree program and as an upper-division course for a
3307 baccalaureate degree shall be designated for both the lower and
3308 upper division.

3309 (c) A course designated as lower-division may be offered by
3310 any Florida College System institution.

3311 (3) The Commissioner of Education shall recommend to the
3312 State Board of Education the levels for the courses. The State
3313 Board of Education, with input from the Board of Governors and
3314 the State Board of Colleges, shall approve the levels for the
3315 courses.

3316 Section 58. Subsections (3), (6), and (9) through (12) of



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3317 section 1007.25, Florida Statutes, are amended to read:
3318 1007.25 General education courses; common prerequisites;
3319 other degree requirements.—
3320 (3) The chair of the State Board of Colleges ~~Education~~ and
3321 the chair of the Board of Governors, or their designees, shall
3322 jointly appoint faculty committees to identify statewide general
3323 education core course options. General education core course
3324 options shall consist of a maximum of five courses within each
3325 of the subject areas of communication, mathematics, social
3326 sciences, humanities, and natural sciences. The core courses may
3327 be revised, or the five-course maximum within each subject area
3328 may be exceeded, if approved by the State Board of Colleges
3329 ~~Education~~ and the Board of Governors, as recommended by the
3330 subject area faculty committee and approved by the Articulation
3331 Coordinating Committee as necessary for a subject area. Each
3332 general education core course option must contain high-level
3333 academic and critical thinking skills and common competencies
3334 that students must demonstrate to successfully complete the
3335 course. Beginning with students initially entering a Florida
3336 College System institution or state university in 2015-2016 and
3337 thereafter, each student must complete at least one identified
3338 core course in each subject area as part of the general
3339 education course requirements. All public postsecondary
3340 educational institutions shall accept these courses as meeting
3341 general education core course requirements. The remaining
3342 general education course requirements shall be identified by
3343 each institution and reported to the department by their
3344 statewide course number. The general education core course
3345 options shall be adopted in rule by the State Board of Colleges



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3346 ~~Education~~ and in regulation by the Board of Governors.

3347 (6) The department shall identify common prerequisite
3348 courses and course substitutions for degree programs across all
3349 institutions. Common degree program prerequisites shall be
3350 offered and accepted by all state universities and Florida
3351 College System institutions, except in cases approved by the
3352 State Board of Colleges, Education for Florida College System
3353 institutions, and the Board of Governors, for state
3354 universities. The department shall develop a centralized
3355 database containing the list of courses and course substitutions
3356 that meet the prerequisite requirements for each baccalaureate
3357 degree program.

3358 (9) A baccalaureate degree program shall require no more
3359 than 120 semester hours of college credit and include 36
3360 semester hours of general education coursework, unless prior
3361 approval has been granted by the Board of Governors for
3362 baccalaureate degree programs offered by state universities and
3363 by the State Board of Colleges Education for baccalaureate
3364 degree programs offered by Florida College System institutions.

3365 (10) A student who received an associate in arts degree for
3366 successfully completing 60 semester credit hours may continue to
3367 earn ~~additional~~ credits at a Florida College System institution.
3368 The university must provide credit toward the student's
3369 baccalaureate degree for a ~~an additional~~ Florida College System
3370 institution course if, according to the statewide course
3371 numbering, the Florida College System institution course is a
3372 course listed in the university catalog as required for the
3373 degree or as prerequisite to a course required for the degree.
3374 Of the courses required for the degree, at least half of the



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3375 credit hours required for the degree shall be achievable through
3376 courses designated as lower division, except in degree programs
3377 approved by the State Board of Colleges Education for programs
3378 offered by Florida College System institutions and by the Board
3379 of Governors for programs offered by state universities.

3380 (11) Students at state universities may request associate
3381 in arts certificates if they have successfully completed the
3382 minimum requirements for the degree of associate in arts (A.A.).
3383 The university must grant the student an associate in arts
3384 degree if the student has successfully completed minimum
3385 requirements for college-level communication and computation
3386 skills adopted by the State Board of Colleges Education and 60
3387 academic semester hours or the equivalent within a degree
3388 program area, including 36 semester hours in general education
3389 courses in the subject areas of communication, mathematics,
3390 social sciences, humanities, and natural sciences, consistent
3391 with the general education requirements specified in the
3392 articulation agreement pursuant to s. 1007.23.

3393 (12) The Commissioner of Education and the Chancellor of
3394 the Florida College System shall jointly appoint faculty
3395 committees representing both Florida College System institution
3396 and public school faculties to recommend to the commissioner, or
3397 the Chancellor of the Florida College System, as applicable, for
3398 approval by the State Board of Education and the State Board of
3399 Colleges, as applicable, a standard program length and
3400 appropriate occupational completion points for each
3401 postsecondary career certificate program, diploma, and degree
3402 offered by a school district or a Florida College System
3403 institution.



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3404 Section 59. Section 1007.262, Florida Statutes, is amended
3405 to read:

3406 1007.262 Foreign language competence; equivalence
3407 determinations.—The Department of Education shall identify the
3408 competencies demonstrated by students upon the successful
3409 completion of 2 credits of sequential high school foreign
3410 language instruction. For the purpose of determining
3411 postsecondary equivalence, the State Board of Colleges
3412 ~~department~~ shall develop rules through which Florida College
3413 System institutions correlate such competencies to the
3414 competencies required of students in the colleges' respective
3415 courses. Based on this correlation, each Florida College System
3416 institution shall identify the minimum number of postsecondary
3417 credits that students must earn in order to demonstrate a level
3418 of competence in a foreign language at least equivalent to that
3419 of students who have completed 2 credits of such instruction in
3420 high school. The department may also specify alternative means
3421 by which students can demonstrate equivalent foreign language
3422 competence, including means by which a student whose native
3423 language is not English may demonstrate proficiency in the
3424 native language. A student who demonstrates proficiency in a
3425 native language other than English is exempt from a requirement
3426 of completing foreign language courses at the secondary or
3427 Florida College System level.

3428 Section 60. Section 1007.263, Florida Statutes, is amended
3429 to read:

3430 1007.263 Florida College System institutions; admissions of
3431 students.—Each Florida College System institution board of
3432 trustees is authorized to adopt rules governing admissions of



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3433 students subject to this section and rules of the State Board of
3434 Colleges Education. These rules shall include the following:

3435 (1) Admissions counseling shall be provided to all students
3436 entering college or career credit programs. For students who are
3437 not otherwise exempt from testing under s. 1008.30, counseling
3438 must use tests to measure achievement of college-level
3439 communication and computation competencies by students entering
3440 college credit programs or tests to measure achievement of basic
3441 skills for career education programs as prescribed in s.
3442 1004.91. Counseling includes providing developmental education
3443 options for students whose assessment results, determined under
3444 s. 1008.30, indicate that they need to improve communication or
3445 computation skills that are essential to perform college-level
3446 work.

3447 (2) Admission to associate degree programs is subject to
3448 minimum standards adopted by the State Board of Colleges
3449 ~~Education~~ and shall require:

3450 (a) A standard high school diploma, a high school
3451 equivalency diploma as prescribed in s. 1003.435, previously
3452 demonstrated competency in college credit postsecondary
3453 coursework, or, in the case of a student who is home educated, a
3454 signed affidavit submitted by the student's parent or legal
3455 guardian attesting that the student has completed a home
3456 education program pursuant to the requirements of s. 1002.41.
3457 Students who are enrolled in a dual enrollment or early
3458 admission program pursuant to s. 1007.271 are exempt from this
3459 requirement.

3460 (b) A demonstrated level of achievement of college-level
3461 communication and computation skills.



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3462 (c) Any other requirements established by the board of
3463 trustees.

3464 (3) Admission to other programs within the Florida College
3465 System institution shall include education requirements as
3466 established by the board of trustees.

3467 (4) A student who has been awarded a certificate of
3468 completion under s. 1003.4282 is eligible to enroll in
3469 certificate career education programs.

3470 (5) A student with a documented disability may be eligible
3471 for reasonable substitutions, as prescribed in ss. 1007.264 and
3472 1007.265.

3473
3474 Each board of trustees shall establish policies that notify
3475 students about developmental education options for improving
3476 their communication or computation skills that are essential to
3477 performing college-level work, including tutoring, extended time
3478 in gateway courses, free online courses, adult basic education,
3479 adult secondary education, or private provider instruction.

3480 Section 61. Subsection (2) of section 1007.264, Florida
3481 Statutes, is amended to read:

3482 1007.264 Persons with disabilities; admission to
3483 postsecondary educational institutions; substitute requirements;
3484 rules and regulations.—

3485 (2) The State Board of Colleges Education, in consultation
3486 with the Board of Governors, shall adopt rules to implement this
3487 section for Florida College System institutions and shall
3488 develop substitute admission requirements where appropriate.

3489 Section 62. Subsections (2) and (3) of section 1007.265,
3490 Florida Statutes, are amended to read:



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3491 1007.265 Persons with disabilities; graduation, study
3492 program admission, and upper-division entry; substitute
3493 requirements; rules and regulations.—

3494 (2) The State Board of Colleges ~~Education~~, in consultation
3495 with the Board of Governors, shall adopt rules to implement this
3496 section for Florida College System institutions and shall
3497 develop substitute requirements where appropriate.

3498 (3) The Board of Governors, in consultation with the State
3499 Board of Colleges ~~Education~~, shall adopt regulations to
3500 implement this section for state universities and shall develop
3501 substitute requirements where appropriate.

3502 Section 63. Effective July 1, 2018, subsections (2), (6),
3503 (7), and (8) of section 1007.27, Florida Statutes, are amended
3504 to read:

3505 1007.27 Articulated acceleration mechanisms.—

3506 (2) (a) The Department of Education shall annually identify
3507 and publish the minimum scores, maximum credit, and course or
3508 courses for which credit is to be awarded for each College Level
3509 Examination Program (CLEP) subject examination, College Board
3510 Advanced Placement Program examination, Advanced International
3511 Certificate of Education examination, International
3512 Baccalaureate examination, Excelsior College subject
3513 examination, Defense Activity for Non-Traditional Education
3514 Support (DANTES) subject standardized test, and Defense Language
3515 Proficiency Test (DLPT). The department shall use student
3516 performance data in subsequent postsecondary courses to
3517 determine the appropriate examination scores and courses for
3518 which credit is to be granted. Minimum scores may vary by
3519 subject area based on available performance data. In addition,



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3520 the department shall identify such courses in the general
3521 education core curriculum of each state university and Florida
3522 College System institution.

3523 (b) Each district school board shall notify students who
3524 enroll in articulated acceleration mechanism courses or take
3525 examinations pursuant to this section of the credit-by-
3526 examination equivalency list adopted by rule by the State Board
3527 of Education and the dual enrollment course and high school
3528 subject area equivalencies approved by the state board pursuant
3529 to s. 1007.271(9).

3530 (6) Credit by examination shall be the program through
3531 which secondary and postsecondary students generate
3532 postsecondary credit based on the receipt of a specified minimum
3533 score on nationally standardized general or subject-area
3534 examinations. For the purpose of statewide application, such
3535 examinations and the corresponding minimum scores required for
3536 an award of credit shall be delineated by the State Board of
3537 Education, ~~and~~ the Board of Governors, and the State Board of
3538 Colleges in the statewide articulation agreement required by s.
3539 1007.23(1). The maximum credit generated by a student pursuant
3540 to this subsection shall be mitigated by any related
3541 postsecondary credit earned by the student prior to the
3542 administration of the examination. This subsection shall not
3543 preclude Florida College System institutions and universities
3544 from awarding credit by examination based on student performance
3545 on examinations developed within and recognized by the
3546 individual postsecondary institutions.

3547 (7) The International Baccalaureate Program shall be the
3548 curriculum in which eligible secondary students are enrolled in



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3549 a program of studies offered through the International
3550 Baccalaureate Program administered by the International
3551 Baccalaureate Office. The State Board of Colleges Education and
3552 the Board of Governors shall specify in the statewide
3553 articulation agreement required by s. 1007.23(1) the cutoff
3554 scores and International Baccalaureate Examinations which will
3555 be used to grant postsecondary credit at Florida College System
3556 institutions and universities. Any changes to the articulation
3557 agreement, which have the effect of raising the required cutoff
3558 score or of changing the International Baccalaureate
3559 Examinations which will be used to grant postsecondary credit,
3560 shall only apply to students taking International Baccalaureate
3561 Examinations after such changes are adopted by the State Board
3562 of Colleges Education and the Board of Governors. Students shall
3563 be awarded a maximum of 30 semester credit hours pursuant to
3564 this subsection. The specific course for which a student may
3565 receive such credit shall be specified in the statewide
3566 articulation agreement required by s. 1007.23(1). Students
3567 enrolled pursuant to this subsection shall be exempt from the
3568 payment of any fees for administration of the examinations
3569 regardless of whether or not the student achieves a passing
3570 score on the examination.

3571 (8) The Advanced International Certificate of Education
3572 Program and the International General Certificate of Secondary
3573 Education (pre-AICE) Program shall be the curricula in which
3574 eligible secondary students are enrolled in programs of study
3575 offered through the Advanced International Certificate of
3576 Education Program or the International General Certificate of
3577 Secondary Education (pre-AICE) Program administered by the



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3578 University of Cambridge Local Examinations Syndicate. The State
3579 Board of Colleges Education and the Board of Governors shall
3580 specify in the statewide articulation agreement required by s.
3581 1007.23(1) the cutoff scores and Advanced International
3582 Certificate of Education examinations which will be used to
3583 grant postsecondary credit at Florida College System
3584 institutions and universities. Any changes to the cutoff scores,
3585 which changes have the effect of raising the required cutoff
3586 score or of changing the Advanced International Certification of
3587 Education examinations which will be used to grant postsecondary
3588 credit, shall apply to students taking Advanced International
3589 Certificate of Education examinations after such changes are
3590 adopted by the State Board of Colleges Education and the Board
3591 of Governors. Students shall be awarded a maximum of 30 semester
3592 credit hours pursuant to this subsection. The specific course
3593 for which a student may receive such credit shall be determined
3594 by the Florida College System institution or university that
3595 accepts the student for admission. Students enrolled in either
3596 program of study pursuant to this subsection shall be exempt
3597 from the payment of any fees for administration of the
3598 examinations regardless of whether the student achieves a
3599 passing score on the examination.

3600 Section 64. Subsection (22) of section 1007.271, Florida
3601 Statutes, is amended to read:

3602 1007.271 Dual enrollment programs.—

3603 (22) The Department of Education shall develop an
3604 electronic submission system for dual enrollment articulation
3605 agreements and shall review, for compliance, each dual
3606 enrollment articulation agreement submitted pursuant to



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3607 subsections (13), (21), and (24). The Commissioner of Education
3608 shall notify the district school superintendent and the Florida
3609 College System institution president if the dual enrollment
3610 articulation agreement does not comply with statutory
3611 requirements and shall submit any dual enrollment articulation
3612 agreement with unresolved issues of noncompliance to the State
3613 Board of Education. The State Board of Education shall
3614 collaborate with the State Board of Colleges to settle
3615 unresolved issues of noncompliance.

3616 Section 65. Subsection (6) of section 1007.273, Florida
3617 Statutes, is amended to read:

3618 1007.273 Collegiate high school program.—

3619 (6) The collegiate high school program shall be funded
3620 pursuant to ss. 1007.271 and 1011.62. The State Board of
3621 Education shall enforce compliance with this section by
3622 withholding the transfer of funds for the school districts ~~and~~
3623 ~~the Florida College System institutions~~ in accordance with s.
3624 1008.32. Annually, by December 31, the State Board of Colleges
3625 shall enforce compliance with this section by withholding the
3626 transfer of funds for the Florida College System institutions in
3627 accordance with s. 1001.602.

3628 Section 66. Section 1007.33, Florida Statutes, is amended
3629 to read:

3630 1007.33 Site-determined baccalaureate degree access.—

3631 (1) (a) The Legislature recognizes that public and private
3632 postsecondary educational institutions play an essential role in
3633 improving the quality of life and economic well-being of the
3634 state and its residents. The Legislature also recognizes that
3635 economic development needs and the educational needs of place-



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3636 bound, nontraditional students have increased the demand for
3637 local access to baccalaureate degree programs. It is therefore
3638 the intent of the Legislature to further expand access to
3639 baccalaureate degree programs through the use of Florida College
3640 System institutions.

3641 (b) For purposes of this section, the term "district"
3642 refers to the county or counties served by a Florida College
3643 System institution pursuant to s. 1000.21(3).

3644 (2) Any Florida College System institution that offers one
3645 or more baccalaureate degree programs must:

3646 (a) Maintain as its primary mission:

3647 1. Responsibility for responding to community needs for
3648 postsecondary academic education and career degree education as
3649 prescribed in s. 1004.65(5).

3650 2. The provision of associate degrees that provide access
3651 to a university.

3652 (b) Maintain an open-door admission policy for associate-
3653 level degree programs and workforce education programs.

3654 (c) Continue to provide outreach to underserved
3655 populations.

3656 (d) Continue to provide remedial education pursuant to s.
3657 1008.30.

3658 (e) Comply with all provisions of the statewide
3659 articulation agreement which relate to 2-year and 4-year public
3660 degree-granting institutions as adopted by the State Board of
3661 Education or the State Board of Colleges, as applicable,
3662 pursuant to s. 1007.23.

3663 (f) Not award graduate credit.

3664 (g) Not participate in intercollegiate athletics beyond the



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3665 2-year level.

3666 (3) A Florida College System institution may not terminate
3667 its associate in arts or associate in science degree programs as
3668 a result of being authorized to offer one or more baccalaureate
3669 degree programs. The Legislature intends that the primary
3670 responsibility of a Florida College System institution,
3671 including a Florida College System institution that offers
3672 baccalaureate degree programs, continues to be the provision of
3673 associate degrees that provide access to a university.

3674 (4) A Florida College System institution may:

3675 (a) Offer specified baccalaureate degree programs through
3676 formal agreements between the Florida College System institution
3677 and other regionally accredited postsecondary educational
3678 institutions pursuant to s. 1007.22.

3679 (b) Offer baccalaureate degree programs that are ~~were~~
3680 authorized by law ~~prior to July 1, 2009.~~

3681 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~
3682 ~~baccalaureate degree program~~ for purposes of meeting district,
3683 regional, or statewide workforce needs if approved by the State
3684 Board of Colleges Education under this section. However, a
3685 Florida College System institution may not offer a bachelor of
3686 arts degree program.

3687
3688 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
3689 ~~College is authorized to establish one or more bachelor of~~
3690 ~~applied science degree programs based on an analysis of~~
3691 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
3692 ~~other counties approved by the Department of Education. For each~~
3693 ~~program selected, St. Petersburg College must offer a related~~



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3694 ~~associate in science or associate in applied science degree~~
3695 ~~program, and the baccalaureate degree level program must be~~
3696 ~~designed to articulate fully with at least one associate in~~
3697 ~~science degree program. The college is encouraged to develop~~
3698 ~~articulation agreements for enrollment of graduates of related~~
3699 ~~associate in applied science degree programs. The Board of~~
3700 ~~Trustees of St. Petersburg College is authorized to establish~~
3701 ~~additional baccalaureate degree programs if it determines a~~
3702 ~~program is warranted and feasible based on each of the factors~~
3703 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~
3704 ~~Petersburg College may not establish any new baccalaureate~~
3705 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~
3706 ~~to developing or proposing a new baccalaureate degree program,~~
3707 ~~St. Petersburg College shall engage in need, demand, and impact~~
3708 ~~discussions with the state university in its service district~~
3709 ~~and other local and regional, accredited postsecondary providers~~
3710 ~~in its region. Documentation, data, and other information from~~
3711 ~~inter-institutional discussions regarding program need, demand,~~
3712 ~~and impact shall be provided to the college's board of trustees~~
3713 ~~to inform the program approval process. Employment at St.~~
3714 ~~Petersburg College is governed by the same laws that govern~~
3715 ~~Florida College System institutions, except that upper division~~
3716 ~~faculty are eligible for continuing contracts upon the~~
3717 ~~completion of the fifth year of teaching. Employee records for~~
3718 ~~all personnel shall be maintained as required by s. 1012.81.~~

3719 (5) The approval process for baccalaureate degree programs
3720 requires ~~shall require~~:

3721 (a) Each Florida College System institution to submit a
3722 notice of interest at least 180 days before submitting a notice



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3723 ~~of its~~ intent to propose a baccalaureate degree program ~~to the~~
3724 ~~Division of Florida Colleges at least 100 days before the~~
3725 ~~submission of its proposal under paragraph (d).~~ The notice of
3726 interest must be submitted into a shared postsecondary database
3727 that allows other postsecondary institutions to preview and
3728 provide feedback on the notice of interest. A written notice of
3729 intent must be submitted to the Chancellor of the Florida
3730 College System at least 100 days before the submission of a
3731 baccalaureate degree program proposal under paragraph (c). The
3732 notice of intent must include a brief description of the
3733 program, the workforce demand and unmet need for graduates of
3734 the program to include evidence from entities independent of the
3735 institution, the geographic region to be served, and an
3736 estimated timeframe for implementation. Notices of interest and
3737 intent may be submitted by a Florida College System institution
3738 at any time throughout the year. The notice of intent must also
3739 include evidence that the Florida College System institution
3740 engaged in need, demand, and impact discussions with the state
3741 university and other regionally accredited postsecondary
3742 education providers in its service district.

3743 (b) The Chancellor of the Florida College System ~~Division~~
3744 ~~of Florida Colleges~~ to forward the notice of intent submitted
3745 pursuant to paragraph (a) and the justification for the proposed
3746 baccalaureate degree program required under paragraph (c) within
3747 10 business days after receiving such notice and justification
3748 to the Chancellor of the State University System, the president
3749 of the Independent Colleges and Universities of Florida, and the
3750 Executive Director of the Commission for Independent Education.
3751 State universities ~~shall~~ have 60 days following receipt of the



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3752 notice of intent and justification by the Chancellor of the
3753 State University System to submit an objection and a reason for
3754 the objection to the proposed baccalaureate degree program which
3755 may include objections to the proposed new program or submit an
3756 alternative proposal to offer the baccalaureate degree program.
3757 The Chancellor of the State University System shall review the
3758 objection raised by a state university and inform the Board of
3759 Governors of the objection before a state university submits its
3760 objection to the Chancellor of the Florida College System. The
3761 Chancellor of the Florida College System must consult with the
3762 Chancellor of the State University System to consider the
3763 objection raised by the state university before the State Board
3764 of Colleges approves or denies a Florida College System
3765 institution's proposal submitted pursuant to paragraph (c). ~~If a~~
3766 ~~proposal from a state university is not received within the 60-~~
3767 ~~day period,~~ The Chancellor of the Florida College System State
3768 ~~Board of Education~~ shall also provide regionally accredited
3769 private colleges and universities 60 ~~30~~ days to submit an
3770 objection and a reason for the objection to the proposed
3771 baccalaureate degree program which may include an alternative
3772 proposal to offer a baccalaureate degree program ~~objections to~~
3773 ~~the proposed new program or submit an alternative proposal.~~
3774 Objections by a regionally accredited private college or
3775 university ~~or alternative proposals~~ shall be submitted to the
3776 Chancellor of the Florida College System, and the state board
3777 must consider such objections before ~~Division of Florida~~
3778 ~~Colleges and must be considered by the State Board of Education~~
3779 ~~in~~ making its decision to approve or deny a Florida College
3780 System institution's proposal submitted pursuant to paragraph



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3781 (c).

3782 ~~(c) An alternative proposal submitted by a state university~~
3783 ~~or private college or university to adequately address:~~

3784 ~~1. The extent to which the workforce demand and unmet need~~
3785 ~~described in the notice of intent will be met.~~

3786 ~~2. The extent to which students will be able to complete~~
3787 ~~the degree in the geographic region proposed to be served by the~~
3788 ~~Florida College System institution.~~

3789 ~~3. The level of financial commitment of the college or~~
3790 ~~university to the development, implementation, and maintenance~~
3791 ~~of the specified degree program, including timelines.~~

3792 ~~4. The extent to which faculty at both the Florida College~~
3793 ~~System institution and the college or university will~~
3794 ~~collaborate in the development and offering of the curriculum.~~

3795 ~~5. The ability of the Florida College System institution~~
3796 ~~and the college or university to develop and approve the~~
3797 ~~curriculum for the specified degree program within 6 months~~
3798 ~~after an agreement between the Florida College System~~
3799 ~~institution and the college or university is signed.~~

3800 ~~6. The extent to which the student may incur additional~~
3801 ~~costs above what the student would expect to incur if the~~
3802 ~~program were offered by the Florida College System institution.~~

3803 (c)(d) Each Florida College System institution to submit a
3804 baccalaureate degree program proposal at least 100 days after
3805 submitting the notice of intent. Each proposal must submitted by
3806 a Florida College System institution to, at a minimum, include:

3807 1. A description of the planning process and timeline for
3808 implementation.

3809 2. A justification for the proposed baccalaureate degree



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3810 program, including, at a minimum, a data-driven ~~An~~ analysis of
3811 workforce demand and unmet need for graduates of the program on
3812 a district, regional, or statewide basis, as appropriate, and
3813 the extent to which the proposed program will meet the workforce
3814 demand and unmet need. The analysis must include workforce and
3815 employment data for the most recent years and projections by the
3816 Department of Economic Opportunity for future years, and a
3817 summary of degree programs similar to the proposed degree
3818 program which are currently offered by state universities or by
3819 independent nonprofit colleges or universities that are eligible
3820 to participate in a grant program pursuant to s. 1009.89 and
3821 which are located in the Florida College System institution's
3822 regional service area. The analysis and evidence must be
3823 verified by the Chancellor of the Florida College System
3824 ~~including evidence from entities independent of the institution.~~

3825 3. Identification of the facilities, equipment, and library
3826 and academic resources that will be used to deliver the program.

3827 4. The program cost analysis of creating a new
3828 baccalaureate degree when compared to ~~alternative proposals~~ and
3829 other program delivery options.

3830 5. The program's admission requirements, academic content,
3831 curriculum, faculty credentials, student-to-teacher ratios, and
3832 accreditation plan.

3833 6. The program's student enrollment ~~projections~~ and funding
3834 requirements, including:

3835 a. The impact of the program's enrollment projections on
3836 compliance with the upper-level enrollment provisions under
3837 subsection (6); and

3838 b. The institution's efforts to sustain the program at the



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3839 cost of tuition and fees for students who are classified as
3840 residents for tuition purposes under s. 1009.21, not to exceed
3841 \$10,000 for the entire degree program, including flexible
3842 tuition and fee rates, and the use of waivers pursuant to s.
3843 1009.26(11).

3844 7. A plan of action if the program is terminated.

3845 (d)-(e) The State Board of Division of Florida Colleges to
3846 review the proposal, notify the Florida College System
3847 institution of any deficiencies in writing within 30 days
3848 following receipt of the proposal, and provide the Florida
3849 College System institution with an opportunity to correct the
3850 deficiencies. Within 45 days following receipt of a completed
3851 proposal by the State Board of Division of Florida Colleges, the
3852 Chancellor of the Florida College System ~~Commissioner of~~
3853 ~~Education~~ shall recommend approval or disapproval of the
3854 proposal to the State Board of Colleges ~~Education~~. The State
3855 Board of Colleges ~~Education~~ shall consider such recommendation,
3856 the proposal, input from the Chancellor of the State University
3857 System and the president of the Independent Colleges and
3858 Universities of Florida, and any objections or alternative
3859 proposals at its next meeting. If the State Board of Colleges
3860 ~~Education~~ disapproves the Florida College System institution's
3861 proposal, it shall provide the Florida College System
3862 institution with written reasons for that determination.

3863 (e)-(f) The Florida College System institution to obtain
3864 from the Commission on Colleges of the Southern Association of
3865 Colleges and Schools accreditation as a baccalaureate-degree-
3866 granting institution if approved by the State Board of Colleges
3867 ~~Education~~ to offer its first baccalaureate degree program.



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3868 ~~(f)-(g)~~ The Florida College System institution to notify the
3869 Commission on Colleges of the Southern Association of Colleges
3870 and Schools of subsequent degree programs that are approved by
3871 the State Board of Colleges Education and to comply with the
3872 association's required substantive change protocols for
3873 accreditation purposes.

3874 ~~(g)-(h)~~ The Florida College System institution to annually
3875 report to the State Board of Colleges, the Chancellor of the
3876 State University System, and upon request of the State Board of
3877 Education, the Commissioner of Education, the Chancellor of the
3878 Florida College System, or the Legislature, report its status
3879 using the following performance and compliance indicators:

- 3880 1. Obtaining and maintaining appropriate Southern
3881 Association of Colleges and Schools accreditation;
- 3882 2. Maintaining qualified faculty and institutional
3883 resources;
- 3884 3. Maintaining student enrollment in previously approved
3885 programs;
- 3886 4. Managing fiscal resources appropriately;
- 3887 5. Complying with the primary mission and responsibility
3888 requirements in subsections (2) and (3); ~~and~~
- 3889 6. Incorporating other indicators of success, including
3890 program completions, employment and earnings outcomes, student
3891 acceptance into and performance in graduate programs placements,
3892 and surveys of graduates and employers;
- 3893 7. Continuing to meet workforce demand, as provided in
3894 subparagraph (c)2., as demonstrated through a data-driven needs
3895 assessment by the Florida College System institution which is
3896 verified by more than one third-party professional entity that



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3897 is independent of the institution; and

3898 8. Complying with the upper-level enrollment provisions
3899 under subsection (6).

3900

3901 The State Board of Colleges Education, upon annual review of the
3902 baccalaureate degree program performance and compliance
3903 indicators and needs assessment, may require a Florida College
3904 System institution's board of trustees to modify or terminate a
3905 baccalaureate degree program authorized under this section. If
3906 the annual review indicates negative program performance and
3907 compliance results, and if the needs assessment fails to
3908 demonstrate a need for the program, the State Board of Colleges
3909 must require a Florida College System institution's board of
3910 trustees to terminate that baccalaureate degree program.

3911 (6) (a) The upper-level, undergraduate full-time equivalent
3912 enrollment at a Florida College System institution may not
3913 exceed 20 percent of the total full-time equivalent enrollment
3914 at that institution.

3915 (b) The upper-level, undergraduate full-time equivalent
3916 enrollment in the Florida College System may not exceed 10
3917 percent of the total full-time equivalent enrollment of the
3918 Florida College System.

3919 (c) For any planned and purposeful expansion of existing
3920 baccalaureate degree programs or creation of a new baccalaureate
3921 program, a Florida College System institution must demonstrate
3922 satisfactory performance in fulfilling its primary mission
3923 pursuant to s. 1004.65, executing at least one "2+2" targeted
3924 pathway articulation agreement pursuant to s. 1007.23, and
3925 meeting or exceeding the performance standards related to on-



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3926 time completion and graduation rates under s. 1001.66 for
3927 students earning associate in arts or baccalaureate degrees. The
3928 State Board of Colleges may not approve a new baccalaureate
3929 degree program proposal for a Florida College System institution
3930 that does not meet the conditions specified in this subsection
3931 in addition to the other requirements for approval under this
3932 section. Each Florida College System institution that offers a
3933 baccalaureate degree must annually review each baccalaureate
3934 degree program and annually report to the State Board of
3935 Colleges, in a format prescribed by the state board, current and
3936 projected student enrollment for such program, justification for
3937 continuation of each baccalaureate degree program, and a plan to
3938 comply with the upper-level enrollment provisions of this
3939 subsection. A Florida College System institution that does not
3940 comply with the requirements of this section is subject to s.
3941 1001.602(9) and may not report for funding the upper-level,
3942 undergraduate full-time equivalent enrollment that exceeds the
3943 upper-level enrollment percent provision of this subsection.

3944 (7)-(6) The State Board of Colleges Education shall adopt
3945 rules to prescribe format and content requirements and
3946 submission procedures for notices of interest and intent,
3947 baccalaureate degree program proposals, objections alternative
3948 proposals, and compliance reviews under subsection (5).

3949 Section 67. Effective July 1, 2018, subsections (1), (3),
3950 (4), and (5) of section 1008.30, Florida Statutes, are amended
3951 and subsection (7) is added to that section, to read:

3952 1008.30 Common placement testing for public postsecondary
3953 education.—

3954 (1) The State Board of Colleges Education, in conjunction



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3955 with the Board of Governors and the State Board of Education,
3956 shall develop and implement a common placement test for the
3957 purpose of assessing the basic computation and communication
3958 skills of students who intend to enter a degree program at any
3959 public postsecondary educational institution. Alternative
3960 assessments that may be accepted in lieu of the common placement
3961 test shall also be identified in rule. Public postsecondary
3962 educational institutions shall provide appropriate modifications
3963 of the test instruments or test procedures for students with
3964 disabilities.

3965 (3) ~~By October 31, 2013,~~ The State Board of Colleges, in
3966 conjunction with the Board of Governors and the State Board of
3967 Education, Education shall establish by rule the test scores a
3968 student must achieve to demonstrate readiness to perform
3969 college-level work, and the rules must specify the following:

3970 (a) A student who entered 9th grade in a Florida public
3971 school in the 2003-2004 school year, or any year thereafter, and
3972 earned a Florida standard high school diploma or a student who
3973 is serving as an active duty member of any branch of the United
3974 States Armed Services shall not be required to take the common
3975 placement test and shall not be required to enroll in
3976 developmental education instruction in a Florida College System
3977 institution. However, a student who is not required to take the
3978 common placement test and is not required to enroll in
3979 developmental education under this paragraph may opt to be
3980 assessed and to enroll in developmental education instruction,
3981 and the college shall provide such assessment and instruction
3982 upon the student's request.

3983 (b) A student who takes the common placement test and whose



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3984 score on the test indicates a need for developmental education
3985 must be advised of all the developmental education options
3986 offered at the institution and, after advisement, shall be
3987 allowed to enroll in the developmental education option of his
3988 or her choice.

3989 (c) A student who demonstrates readiness by achieving or
3990 exceeding the test scores established by the state board and
3991 enrolls in a Florida College System institution within 2 years
3992 after achieving such scores shall not be required to retest or
3993 complete developmental education when admitted to any Florida
3994 College System institution.

3995 (4) ~~By December 31, 2013,~~ The State Board of Colleges
3996 ~~Education~~, in consultation with the Board of Governors, shall
3997 approve a series of meta-majors and the academic pathways that
3998 identify the gateway courses associated with each meta-major.
3999 Florida College System institutions shall use placement test
4000 results to determine the extent to which each student
4001 demonstrates sufficient communication and computation skills to
4002 indicate readiness for his or her chosen meta-major. Florida
4003 College System institutions shall counsel students into college
4004 credit courses as quickly as possible, with developmental
4005 education limited to that content needed for success in the
4006 meta-major.

4007 (5) (a) Each Florida College System institution board of
4008 trustees shall develop a plan to implement the developmental
4009 education strategies defined in s. 1008.02 and rules established
4010 by the State Board of Colleges ~~Education~~. The plan must be
4011 submitted to the Chancellor of the Florida College System for
4012 approval no later than March 1, 2014, for implementation no



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4013 later than the fall semester 2014. Each plan must include, at a
4014 minimum, local policies that outline:

4015 1. Documented student achievements such as grade point
4016 averages, work history, military experience, participation in
4017 juried competitions, career interests, degree major declaration,
4018 or any combination of such achievements that the institution may
4019 consider, in addition to common placement test scores, for
4020 advising students regarding enrollment options.

4021 2. Developmental education strategies available to
4022 students.

4023 3. A description of student costs and financial aid
4024 opportunities associated with each option.

4025 4. Provisions for the collection of student success data.

4026 5. A comprehensive plan for advising students into
4027 appropriate developmental education strategies based on student
4028 success data.

4029 (b) Beginning October 31, 2015, each Florida College System
4030 institution shall annually prepare an accountability report that
4031 includes student success data relating to each developmental
4032 education strategy implemented by the institution. The report
4033 shall be submitted to the State Board of ~~Division of Florida~~
4034 ~~Colleges~~ by October 31 in a format determined by the Chancellor
4035 of the Florida College System. By December 31, the chancellor
4036 shall compile and submit the institutional reports to the
4037 Governor, the President of the Senate, the Speaker of the House
4038 of Representatives, and the State Board of Colleges ~~and the~~
4039 ~~State Board of Education~~.

4040 (c) A university board of trustees may contract with a
4041 Florida College System institution board of trustees for the



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4042 Florida College System institution to provide developmental
4043 education on the state university campus. Any state university
4044 in which the percentage of incoming students requiring
4045 developmental education equals or exceeds the average percentage
4046 of such students for the Florida College System may offer
4047 developmental education without contracting with a Florida
4048 College System institution; however, any state university
4049 offering college-preparatory instruction as of January 1, 1996,
4050 may continue to provide developmental education instruction
4051 pursuant to s. 1008.02(1) such services.

4052 (7) The Supporting Students for Academic Success Program is
4053 established to fund the efforts of Florida College System
4054 institutions in assisting students enrolled in an associate in
4055 arts degree program with successfully completing college credit
4056 courses, graduating with an associate in arts degree, and
4057 transferring to a baccalaureate degree program. It is the intent
4058 of the Legislature to boost student achievement through
4059 investments in effective and purposeful outcome-based strategies
4060 and efforts to increase student access to relevant supports and
4061 services. Such investments shall be used to boost the
4062 achievement of students, including, but not limited to,
4063 nontraditional students and underprepared students participating
4064 in developmental education.

4065 (a) A Florida College institution's efforts must include
4066 the implementation of the developmental education instructional
4067 strategies under s. 1008.02 and other effective approaches to
4068 improve student completion and graduation outcomes. Such
4069 approaches may relate to direct instruction, academic support,
4070 and student services.



4071 (b) Funding for the Supporting Students for Academic
4072 Success Program shall be as provided in the General
4073 Appropriations Act. Each Florida College System institution
4074 shall use the funds only for the purpose and investments
4075 authorized under this subsection.

4076 (c) The Chancellor of the Florida College System must
4077 include in the accountability report required under subsection
4078 (5) a summary of information from each Florida College System
4079 institution which includes, but is not limited to, the number
4080 and percentage of students enrolled at Florida College System
4081 institutions who:

4082 1. Successfully complete a gateway course in mathematics
4083 within the first academic year after initial enrollment;

4084 2. Successfully complete at least 24 credit hours at a
4085 Florida College System institution within the first academic
4086 year after initial enrollment and who remain enrolled at that
4087 institution in the academic year immediately following the first
4088 academic year;

4089 3. Graduate with an associate in arts degree; and

4090 4. Transfer to a baccalaureate degree program offered by an
4091 institution of higher education in Florida within one year after
4092 earning an associate in arts degree.

4093 Section 68. Paragraphs (d) and (e) of subsection (1) and
4094 paragraphs (a) and (c) of subsection (3) of section 1008.31,
4095 Florida Statutes, are amended to read:

4096 1008.31 Florida's K-20 education performance accountability
4097 system; legislative intent; mission, goals, and systemwide
4098 measures; data quality improvements.—

4099 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature



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4100 that:

4101 (d) The State Board of Education, ~~and~~ the Board of
4102 Governors of the State University System, and the State Board of
4103 Colleges of the Florida College System recommend to the
4104 Legislature systemwide performance standards; the Legislature
4105 establish systemwide performance measures and standards; and the
4106 systemwide measures and standards provide Floridians with
4107 information on what the public is receiving in return for the
4108 funds it invests in education and how well the K-20 system
4109 educates its students.

4110 (e)1. The State Board of Education establish performance
4111 measures and set performance standards for individual public
4112 schools ~~and Florida College System institutions~~, with measures
4113 and standards based primarily on student achievement.

4114 2. The Board of Governors of the State University System
4115 establish performance measures and set performance standards for
4116 individual state universities, including actual completion
4117 rates.

4118 3. The State Board of Colleges establish performance
4119 measures and set performance standards for individual Florida
4120 College System institutions.

4121 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4122 data required to implement education performance accountability
4123 measures in state and federal law, the Commissioner of Education
4124 shall initiate and maintain strategies to improve data quality
4125 and timeliness. The Board of Governors shall make available to
4126 the department all data within the State University Database
4127 System to be integrated into the K-20 data warehouse. The
4128 commissioner shall have unlimited access to such data for the



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4129 purposes of conducting studies, reporting annual and
4130 longitudinal student outcomes, and improving college readiness
4131 and articulation. All public educational institutions shall
4132 annually provide data from the prior year to the K-20 data
4133 warehouse in a format based on data elements identified by the
4134 commissioner.

4135 (a) School districts and public postsecondary educational
4136 institutions shall maintain information systems that will
4137 provide the State Board of Education, the Board of Governors of
4138 the State University System, the State Board of Colleges of the
4139 Florida College System, and the Legislature with information and
4140 reports necessary to address the specifications of the
4141 accountability system. The level of comprehensiveness and
4142 quality must be no less than that which was available as of June
4143 30, 2001.

4144 (c) The Commissioner of Education shall determine the
4145 standards for the required data, monitor data quality, and
4146 measure improvements. The commissioner shall report annually to
4147 the State Board of Education, the Board of Governors of the
4148 State University System, the State Board of Colleges of the
4149 Florida College System, the President of the Senate, and the
4150 Speaker of the House of Representatives data quality indicators
4151 and ratings for all school districts and public postsecondary
4152 educational institutions.

4153 Section 69. Section 1008.32, Florida Statutes, is amended
4154 to read:

4155 1008.32 State Board of Education oversight enforcement
4156 authority.—The State Board of Education shall oversee the
4157 performance of district school boards ~~and Florida College System~~



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4158 ~~institution boards of trustees~~ in enforcement of all laws and
4159 rules. District school boards and ~~Florida College System~~
4160 ~~institution boards of trustees~~ shall be primarily responsible
4161 for compliance with law and state board rule.

4162 (1) In order to ensure compliance with law or state board
4163 rule, the State Board of Education shall have the authority to
4164 request and receive information, data, and reports from school
4165 districts and ~~Florida College System institutions~~. District
4166 school superintendents and ~~Florida College System institution~~
4167 ~~presidents~~ are responsible for the accuracy of the information
4168 and data reported to the state board.

4169 (2) The Commissioner of Education may investigate
4170 allegations of noncompliance with law or state board rule and
4171 determine probable cause. The commissioner shall report
4172 determinations of probable cause to the State Board of Education
4173 which shall require the district school board ~~or Florida College~~
4174 ~~System institution board of trustees~~ to document compliance with
4175 law or state board rule.

4176 (3) If the district school board ~~or Florida College System~~
4177 ~~institution board of trustees~~ cannot satisfactorily document
4178 compliance, the State Board of Education may order compliance
4179 within a specified timeframe.

4180 (4) If the State Board of Education determines that a
4181 district school board ~~or Florida College System institution~~
4182 ~~board of trustees~~ is unwilling or unable to comply with law or
4183 state board rule within the specified time, the state board
4184 shall have the authority to initiate any of the following
4185 actions:

4186 (a) Report to the Legislature that the school district ~~or~~



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4187 ~~Florida College System institution~~ is unwilling or unable to
4188 comply with law or state board rule and recommend action to be
4189 taken by the Legislature.

4190 (b) Withhold the transfer of state funds, discretionary
4191 grant funds, discretionary lottery funds, or any other funds
4192 specified as eligible for this purpose by the Legislature until
4193 the school district ~~or Florida College System institution~~
4194 complies with the law or state board rule.

4195 (c) Declare the school district ~~or Florida College System~~
4196 ~~institution~~ ineligible for competitive grants.

4197 (d) Require monthly or periodic reporting on the situation
4198 related to noncompliance until it is remedied.

4199 (5) Nothing in this section shall be construed to create a
4200 private cause of action or create any rights for individuals or
4201 entities in addition to those provided elsewhere in law or rule.

4202 Section 70. Paragraphs (e) and (f) of subsection (7) of
4203 section 1008.345, Florida Statutes, are amended to read:

4204 1008.345 Implementation of state system of school
4205 improvement and education accountability.-

4206 (7) As a part of the system of educational accountability,
4207 the Department of Education shall:

4208 (e) Maintain a listing of college-level communication and
4209 mathematics skills associated with successful student
4210 performance through the baccalaureate level and submit it to the
4211 State Board of Education, ~~and~~ the Board of Governors, and the
4212 State Board of Colleges for approval.

4213 (f) Perform any other functions that may be involved in
4214 educational planning, research, and evaluation or that may be
4215 required by the commissioner, the State Board of Education, the



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4216 State Board of Colleges, the Board of Governors, or law.
4217 Section 71. Subsections (1) and (2) of section 1008.37,
4218 Florida Statutes, are amended to read:
4219 1008.37 Postsecondary feedback of information to high
4220 schools.-
4221 (1) The Commissioner of Education shall report to the State
4222 Board of Education, the Board of Governors, the State Board of
4223 Colleges, the Legislature, and the district school boards on the
4224 performance of each first-time-in-postsecondary education
4225 student from each public high school in this state who is
4226 enrolled in a public postsecondary institution or public career
4227 center. Such reports must be based on information databases
4228 maintained by the Department of Education. In addition, the
4229 public postsecondary educational institutions and career centers
4230 shall provide district school boards access to information on
4231 student performance in regular and preparatory courses and shall
4232 indicate students referred for remediation pursuant to s.
4233 1004.91 or s. 1008.30.
4234 (2) The Commissioner of Education shall report, by high
4235 school, to the State Board of Education, the Board of Governors,
4236 the State Board of Colleges, and the Legislature, no later than
4237 November 30 of each year, on the number of prior year Florida
4238 high school graduates who enrolled for the first time in public
4239 postsecondary education in this state during the previous
4240 summer, fall, or spring term, indicating the number of students
4241 whose scores on the common placement test indicated the need for
4242 developmental education under s. 1008.30 or for applied
4243 academics for adult education under s. 1004.91.
4244 Section 72. Section 1008.38, Florida Statutes, is amended



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4245 to read:

4246 1008.38 Articulation accountability process.—The State
4247 Board of Education, in conjunction with the Board of Governors
4248 and the State Board of Colleges, shall develop articulation
4249 accountability measures which assess the status of systemwide
4250 articulation processes authorized under s. 1007.23 and establish
4251 an articulation accountability process which at a minimum shall
4252 address:

4253 (1) The impact of articulation processes on ensuring
4254 educational continuity and the orderly and unobstructed
4255 transition of students between public secondary and
4256 postsecondary education systems and facilitating the transition
4257 of students between the public and private sectors.

4258 (2) The adequacy of preparation of public secondary
4259 students to smoothly articulate to a public postsecondary
4260 institution.

4261 (3) The effectiveness of articulated acceleration
4262 mechanisms available to secondary students.

4263 (4) The smooth transfer of Florida College System associate
4264 degree graduates to a Florida College System institution or a
4265 state university.

4266 (5) An examination of degree requirements that exceed the
4267 parameters of 60 credit hours for an associate degree and 120
4268 hours for a baccalaureate degree in public postsecondary
4269 programs.

4270 (6) The relationship between student attainment of college-
4271 level academic skills and articulation to the upper division in
4272 public postsecondary institutions.

4273 Section 73. Section 1008.405, Florida Statutes, is amended



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4274 to read:

4275 1008.405 Adult student information.—Each school district
4276 and Florida College System institution shall maintain sufficient
4277 information for each student enrolled in workforce education to
4278 allow local and state administrators to locate such student upon
4279 the termination of instruction and to determine the
4280 appropriateness of student placement in specific instructional
4281 programs. The State Board of Education and the State Board of
4282 Colleges shall adopt, by rule, specific information that must be
4283 maintained and acceptable means of maintaining that information.

4284 Section 74. Subsection (2) of section 1008.44, Florida
4285 Statutes, is amended to read:

4286 1008.44 CAPE Industry Certification Funding List and CAPE
4287 Postsecondary Industry Certification Funding List.—

4288 (2) The State Board of Education, for school districts, and
4289 the State Board of Colleges, for Florida College System
4290 institutions, shall collaborate to approve, at least annually,
4291 the CAPE Postsecondary Industry Certification Funding List
4292 pursuant to this section. The Commissioner of Education and the
4293 Chancellor of the Florida College System shall recommend, at
4294 least annually, the CAPE Postsecondary Industry Certification
4295 Funding List to the State Board of Education and the State Board
4296 of Colleges, respectively, and may at any time recommend adding
4297 certifications. The Chancellor of the State University System,
4298 the Chancellor of the Florida College System, and the Chancellor
4299 of Career and Adult Education shall work with local workforce
4300 boards, other postsecondary institutions, businesses, and
4301 industry to identify, create, and recommend to the Commissioner
4302 of Education industry certifications to be placed on the funding



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4303 list. The list shall be used to determine annual performance
4304 funding distributions to school districts or Florida College
4305 System institutions as specified in ss. 1011.80 and 1011.81,
4306 respectively. The chancellors shall review results of the
4307 economic security report of employment and earning outcomes
4308 produced annually pursuant to s. 445.07 when determining
4309 recommended certifications for the list, as well as other
4310 reports and indicators available regarding certification needs.

4311 Section 75. Section 1008.45, Florida Statutes, is amended
4312 to read:

4313 1008.45 Florida College System institution accountability
4314 process.—

4315 (1) It is the intent of the Legislature that a management
4316 and accountability process be implemented which provides for the
4317 systematic, ongoing improvement and assessment of the
4318 improvement of the quality and efficiency of the Florida College
4319 System institutions. Accordingly, the State Board of Colleges
4320 ~~Education~~ and the Florida College System institution boards of
4321 trustees shall develop and implement an accountability plan to
4322 improve and evaluate the instructional and administrative
4323 efficiency and effectiveness of the Florida College System. This
4324 plan shall be designed in consultation with staff of the
4325 Governor and the Legislature and must address the following
4326 issues:

4327 (a) Graduation rates of A.A. and A.S. degree-seeking
4328 students compared to first-time-enrolled students seeking the
4329 associate degree.

4330 (b) Minority student enrollment and retention rates.

4331 (c) Student performance, including student performance in



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4332 college-level academic skills, mean grade point averages for
4333 Florida College System institution A.A. transfer students, and
4334 Florida College System institution student performance on state
4335 licensure examinations.

4336 (d) Job placement rates of Florida College System
4337 institution career students.

4338 (e) Student progression by admission status and program.

4339 (f) Career accountability standards identified in s.
4340 1008.42.

4341 (g) Institutional assessment efforts related to the
4342 requirements of s. III in the Criteria for Accreditation of the
4343 Commission on Colleges of the Southern Association of Colleges
4344 and Schools.

4345 (h) Other measures approved by the State Board of Colleges
4346 Education.

4347 (2) The State Board of Colleges ~~Education~~ shall submit an
4348 annual report, to coincide with the submission of the state
4349 board's ~~agency~~ strategic plan required by law, providing the
4350 results of initiatives taken during the prior year and the
4351 initiatives and related objective performance measures proposed
4352 for the next year.

4353 (3) The State Board of Colleges ~~Education~~ shall address
4354 within the annual evaluation of the performance of the
4355 chancellor ~~executive director~~, and the Florida College System
4356 institution boards of trustees shall address within the annual
4357 evaluation of the presidents, the achievement of the performance
4358 goals established by the accountability process.

4359 Section 76. Subsection (13) of section 1009.21, Florida
4360 Statutes, is amended to read:



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4361 1009.21 Determination of resident status for tuition
4362 purposes.—Students shall be classified as residents or
4363 nonresidents for the purpose of assessing tuition in
4364 postsecondary educational programs offered by charter technical
4365 career centers or career centers operated by school districts,
4366 in Florida College System institutions, and in state
4367 universities.

4368 (13) The State Board of Education, ~~and~~ the Board of
4369 Governors, and the State Board of Colleges shall adopt rules to
4370 implement this section.

4371 Section 77. Effective July 1, 2018, paragraph (e) of
4372 subsection (3) of section 1009.22, Florida Statutes, is amended
4373 to read:

4374 1009.22 Workforce education postsecondary student fees.—

4375 (3)

4376 (e) The State Board of Education and the State Board of
4377 Colleges may adopt, by rule, the definitions and procedures that
4378 district school boards and Florida College System institution
4379 boards of trustees shall use in the calculation of cost borne by
4380 students.

4381 Section 78. Subsection (7), paragraph (b) of subsection
4382 (12), subsection (13), paragraph (b) of subsection (16), and
4383 subsection (19) of section 1009.23, Florida Statutes, are
4384 amended to read:

4385 1009.23 Florida College System institution student fees.—

4386 (7) Each Florida College System institution board of
4387 trustees may establish a separate activity and service fee not
4388 to exceed 10 percent of the tuition fee, according to rules of
4389 the State Board of Colleges Education. The student activity and



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4390 service fee shall be collected as a component part of the
4391 tuition and fees. The student activity and service fees shall be
4392 paid into a student activity and service fund at the Florida
4393 College System institution and shall be expended for lawful
4394 purposes to benefit the student body in general. These purposes
4395 include, but are not limited to, student publications and grants
4396 to duly recognized student organizations, the membership of
4397 which is open to all students at the Florida College System
4398 institution without regard to race, sex, or religion. No Florida
4399 College System institution shall be required to lower any
4400 activity and service fee approved by the board of trustees of
4401 the Florida College System institution and in effect prior to
4402 October 26, 2007, in order to comply with the provisions of this
4403 subsection.

4404 (12)

4405 (b) The State Board of Colleges ~~Education~~ may adopt rules
4406 pursuant to ss. 120.536(1) and 120.54 to administer this
4407 subsection.

4408 (13) The State Board of Colleges ~~Education~~ shall specify,
4409 as necessary, by rule, approved methods of student fee payment.
4410 Such methods shall include, but not be limited to, student fee
4411 payment; payment through federal, state, or institutional
4412 financial aid; and employer fee payments.

4413 (16)

4414 (b) The amount of the distance learning course user fee may
4415 not exceed the additional costs of the services provided which
4416 are attributable to the development and delivery of the distance
4417 learning course. If a Florida College System institution
4418 assesses the distance learning course user fee, the institution



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4419 may not assess any other fees to cover the additional costs. By
4420 September 1 of each year, each board of trustees shall report to
4421 the State Board of Colleges ~~Division of Florida Colleges~~ the
4422 total amount of revenue generated by the distance learning
4423 course user fee for the prior fiscal year and how the revenue
4424 was expended.

4425 (19) The State Board of Colleges ~~Education~~ shall adopt a
4426 rule specifying the definitions and procedures to be used in the
4427 calculation of the percentage of cost paid by students. The rule
4428 must provide for the calculation of the full cost of educational
4429 programs based on the allocation of all funds provided through
4430 the general current fund to programs of instruction, and other
4431 activities as provided in the annual expenditure analysis. The
4432 rule shall be developed in consultation with the Legislature.

4433 Section 79. Subsection (2) of section 1009.25, Florida
4434 Statutes, is amended to read:

4435 1009.25 Fee exemptions.—

4436 (2) Each Florida College System institution is authorized
4437 to grant student fee exemptions from all fees adopted by the
4438 State Board of Colleges ~~Education~~ and the Florida College System
4439 institution board of trustees for up to 54 full-time equivalent
4440 students or 1 percent of the institution's total full-time
4441 equivalent enrollment, whichever is greater, at each
4442 institution.

4443 Section 80. Paragraph (b) of subsection (12), paragraphs
4444 (c) and (d) of subsection (13), and paragraph (d) of subsection
4445 (14) of section 1009.26, Florida Statutes, are amended to read:

4446 1009.26 Fee waivers.—

4447 (12)



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4448 (b) Tuition and fees charged to a student who qualifies for
4449 the out-of-state fee waiver under this subsection may not exceed
4450 the tuition and fees charged to a resident student. The waiver
4451 is applicable for 110 percent of the required credit hours of
4452 the degree or certificate program for which the student is
4453 enrolled. Each state university, Florida College System
4454 institution, career center operated by a school district under
4455 s. 1001.44, and charter technical career center shall report to
4456 the Board of Governors, the State Board of Colleges, and the
4457 State Board of Education, respectively, the number and value of
4458 all fee waivers granted annually under this subsection. By
4459 October 1 of each year, the Board of Governors, for the state
4460 universities; ~~and~~ the State Board of Colleges, ~~Education~~ for
4461 Florida College System institutions; ~~and~~ career centers operated by
4462 a school district under s. 1001.44; ~~and~~ and charter technical
4463 career centers shall annually report for the previous academic
4464 year the percentage of resident and nonresident students
4465 enrolled systemwide.

4466 (13)

4467 (c) Each state university, Florida College System
4468 institution, career center operated by a school district under
4469 s. 1001.44, and charter technical career center shall report to
4470 the Board of Governors, the State Board of Colleges, and the
4471 State Board of Education, respectively, the number and value of
4472 all fee waivers granted annually under this subsection.

4473 (d) The Board of Governors, the State Board of Colleges,
4474 and the State Board of Education shall respectively adopt
4475 regulations and rules to administer this subsection.

4476 (14)



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4477 (d) The Board of Governors, the State Board of Colleges,
4478 and the State Board of Education shall respectively adopt
4479 regulations and rules to administer this subsection.

4480 Section 81. Section 1009.28, Florida Statutes, is amended
4481 to read:

4482 1009.28 Fees for repeated enrollment in developmental
4483 education classes.—A student enrolled in the same developmental
4484 education class more than twice shall pay 100 percent of the
4485 full cost of instruction to support continuous enrollment of
4486 that student in the same class, and the student shall not be
4487 included in calculations of full-time equivalent enrollments for
4488 state funding purposes; however, students who withdraw or fail a
4489 class due to extenuating circumstances may be granted an
4490 exception only once for each class, provided approval is granted
4491 according to policy established by the board of trustees. Each
4492 Florida College System institution may review and reduce fees
4493 paid by students due to continued enrollment in a developmental
4494 education class on an individual basis contingent upon the
4495 student's financial hardship, pursuant to definitions and fee
4496 levels established by the State Board of Colleges Education.

4497 Section 82. Subsections (9) and (12) of section 1009.90,
4498 Florida Statutes, are amended to read:

4499 1009.90 Duties of the Department of Education.—The duties
4500 of the department shall include:

4501 (9) Development and submission of a report, annually, to
4502 the State Board of Education, the Board of Governors, the State
4503 Board of Colleges, the President of the Senate, and the Speaker
4504 of the House of Representatives, which shall include, but not be
4505 limited to, recommendations for the distribution of state



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4506 financial aid funds.

4507 (12) Calculation of the amount of need-based student
4508 financial aid required to offset fee increases recommended by
4509 the State Board of Education, ~~and~~ the Board of Governors, and
4510 the State Board of Colleges, and inclusion of such amount within
4511 the legislative budget request for student assistance grant
4512 programs.

4513 Section 83. Subsection (4) of section 1009.91, Florida
4514 Statutes, is amended to read:

4515 1009.91 Assistance programs and activities of the
4516 department.—

4517 (4) The department shall maintain records on the student
4518 loan default rate of each Florida postsecondary institution and
4519 report that information annually to both the institution and the
4520 State Board of Education. Information relating to state
4521 universities shall also be reported annually to the Board of
4522 Governors. Information relating to Florida College System
4523 institutions shall be reported annually to the State Board of
4524 Colleges.

4525 Section 84. Subsection (2) of section 1009.971, Florida
4526 Statutes, is amended to read:

4527 1009.971 Florida Prepaid College Board.—

4528 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
4529 shall consist of seven members to be composed of the Attorney
4530 General, the Chief Financial Officer, the Chancellor of the
4531 State University System, the Chancellor of the Florida College
4532 System ~~Division of Florida Colleges~~, and three members appointed
4533 by the Governor and subject to confirmation by the Senate. Each
4534 member appointed by the Governor shall possess knowledge, skill,



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4535 and experience in the areas of accounting, actuary, risk
4536 management, or investment management. Each member of the board
4537 not appointed by the Governor may name a designee to serve on
4538 the board on behalf of the member; however, any designee so
4539 named shall meet the qualifications required of gubernatorial
4540 appointees to the board. Members appointed by the Governor shall
4541 serve terms of 3 years. Any person appointed to fill a vacancy
4542 on the board shall be appointed in a like manner and shall serve
4543 for only the unexpired term. Any member shall be eligible for
4544 reappointment and shall serve until a successor qualifies.
4545 Members of the board shall serve without compensation but shall
4546 be reimbursed for per diem and travel in accordance with s.
4547 112.061. Each member of the board who is not otherwise required
4548 to file a full and public disclosure of financial interests
4549 pursuant to s. 8, Art. II of the State Constitution or s.
4550 112.3144 shall file a statement of financial interests pursuant
4551 to s. 112.3145.

4552 Section 85. Section 1010.01, Florida Statutes, is amended
4553 to read:

4554 1010.01 Uniform records and accounts.—

4555 (1) (a) The financial records and accounts of each school
4556 district, ~~Florida College System institution,~~ and other
4557 institution or agency under the supervision of the State Board
4558 of Education shall be prepared and maintained as prescribed by
4559 law and rules of the State Board of Education.

4560 (b) The financial records and accounts of each state
4561 university under the supervision of the Board of Governors shall
4562 be prepared and maintained as prescribed by law and rules of the
4563 Board of Governors.



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4564 (c) The financial records and accounts of each Florida
4565 College System institution under the supervision of the State
4566 Board of Colleges shall be prepared and maintained as prescribed
4567 by law and by the rules of the State Board of Colleges.

4568 (2) Rules of the State Board of Education, ~~and rules of the~~
4569 Board of Governors, and the State Board of Colleges shall
4570 incorporate the requirements of law and accounting principles
4571 generally accepted in the United States. Such rules shall
4572 include a uniform classification of accounts.

4573 (3) Each state university shall annually file with the
4574 Board of Governors financial statements prepared in conformity
4575 with accounting principles generally accepted by the United
4576 States and the uniform classification of accounts prescribed by
4577 the Board of Governors. The Board of Governors' rules shall
4578 prescribe the filing deadline for the financial statements.

4579 (4) Required financial accounts and reports shall include
4580 provisions that are unique to each of the following: K-12 school
4581 districts, Florida College System institutions, and state
4582 universities, and shall provide for the data to be reported to
4583 the National Center of Educational Statistics and other
4584 governmental and professional educational data information
4585 services as appropriate.

4586 (5) Each Florida College System institution shall annually
4587 file with the State Board of Colleges financial statements
4588 prepared in conformity with accounting principles generally
4589 accepted by the United States and the uniform classification of
4590 accounts prescribed by the State Board of Colleges. The State
4591 Board of Colleges' rules shall prescribe the filing deadline for
4592 the financial statements.



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4593 Section 86. Subsection (1) of section 1010.02, Florida
4594 Statutes, is amended, and subsection (3) is added to that
4595 section, to read:

4596 1010.02 Financial accounting and expenditures.—

4597 (1) All funds accruing to a school district ~~or a Florida~~
4598 ~~College System institution~~ must be received, accounted for, and
4599 expended in accordance with law and rules of the State Board of
4600 Education.

4601 (3) All funds accruing to a Florida College System
4602 institution must be received, accounted for, and expended in
4603 accordance with law and rules of the State Board of Colleges.

4604 Section 87. Subsections (1) and (4) of section 1010.04,
4605 Florida Statutes, are amended to read:

4606 1010.04 Purchasing.—

4607 (1) (a) Purchases and leases by school districts must ~~and~~
4608 ~~Florida College System institutions~~ shall comply with the
4609 requirements of law and rules of the State Board of Education.

4610 (b) Before purchasing nonacademic commodities and
4611 contractual services, each district school board and Florida
4612 College System institution board of trustees shall review the
4613 purchasing agreements and state term contracts available under
4614 s. 287.056 to determine whether it is in the school board's or
4615 the board of trustees' economic advantage to use the agreements
4616 and contracts. Each bid specification for nonacademic
4617 commodities and contractual services must include a statement
4618 indicating that the purchasing agreements and state term
4619 contracts available under s. 287.056 have been reviewed. Each
4620 district school board may also use the cooperative state
4621 purchasing programs managed through the regional consortium



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4622 service organizations pursuant to their authority under s.
4623 1001.451(3). This paragraph does not apply to services that are
4624 eligible for reimbursement under the federal E-rate program
4625 administered by the Universal Service Administrative Company.

4626 (c) Purchases and leases by state universities must ~~shall~~
4627 comply with the requirements of law and regulations of the Board
4628 of Governors.

4629 (d) Purchases and leases by Florida College System
4630 institutions must comply with the requirements of law and rules
4631 of the State Board of Colleges.

4632 (4) (a) The State Board of Education may, by rule, provide
4633 for alternative procedures for school districts ~~and Florida~~
4634 ~~College System institutions~~ for bidding or purchasing in cases
4635 in which the character of the item requested renders competitive
4636 bidding impractical.

4637 (b) The Board of Governors may, by regulation, provide for
4638 alternative procedures for state universities for bidding or
4639 purchasing in cases in which the character of the item requested
4640 renders competitive bidding impractical.

4641 (c) The State Board of Colleges may provide by rule for
4642 alternative procedures for Florida College System institutions
4643 for bidding or purchasing in cases in which the character of the
4644 item requested renders competitive bidding impractical.

4645 Section 88. Subsection (2) of section 1010.07, Florida
4646 Statutes, is amended to read:

4647 1010.07 Bonds or insurance required.—

4648 (2) (a) Contractors paid from school district ~~or Florida~~
4649 ~~College System institution~~ funds shall give bond for the
4650 faithful performance of their contracts in such amount and for



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4651 such purposes as prescribed by s. 255.05 or by rules of the
4652 State Board of Education relating to the type of contract
4653 involved. It shall be the duty of the district school board ~~or~~
4654 ~~Florida College System institution board of trustees~~ to require
4655 from construction contractors a bond adequate to protect the
4656 board and the board's funds involved.

4657 (b) Contractors paid from university funds shall give bond
4658 for the faithful performance of their contracts in such amount
4659 and for such purposes as prescribed by s. 255.05 or by
4660 regulations of the Board of Governors relating to the type of
4661 contract involved. It shall be the duty of the university board
4662 of trustees to require from construction contractors a bond
4663 adequate to protect the board and the board's funds involved.

4664 (c) Contractors paid from Florida College System
4665 institution funds shall give bonds for the faithful performance
4666 of their contracts in such amount and for such purposes as
4667 prescribed by s. 255.05 or by rules of the State Board of
4668 Colleges relating to the type of contract involved. It is the
4669 duty of the Florida College System institution board of trustees
4670 to require construction contractors to provide a bond adequate
4671 to protect the board and the board's funds involved.

4672 Section 89. Section 1010.08, Florida Statutes, is amended
4673 to read:

4674 1010.08 Promotion and public relations; funding.—

4675 (1) Each district school board and Florida College System
4676 institution board of trustees may budget and use a portion of
4677 the funds accruing to it from auxiliary enterprises and
4678 undesignated gifts for promotion and public relations as
4679 prescribed by rules of the State Board of Education. Such funds



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4680 may be used to provide hospitality to business guests in the
4681 district or elsewhere. However, such hospitality expenses may
4682 not exceed the amount authorized for such contingency funds as
4683 prescribed by rules of the State Board of Education.

4684 (2) Each Florida College System institution board of
4685 trustees may budget and use a portion of the funds accruing to
4686 it from auxiliary enterprises and undesignated gifts for
4687 promotion and public relations as prescribed by rules of the
4688 State Board of Colleges. Such funds may be used to provide
4689 hospitality to business guests in the district or elsewhere.
4690 However, such hospitality expenses may not exceed the amount
4691 authorized for such contingency funds as prescribed by rules of
4692 the State Board of Colleges.

4693 Section 90. Subsection (1) of section 1010.09, Florida
4694 Statutes, is amended, and subsection (3) is added to that
4695 section, to read:

4696 1010.09 Direct-support organizations.—

4697 (1) ~~School district and Florida College System institution~~
4698 direct-support organizations shall be organized and conducted
4699 under the provisions of ss. 1001.453 and 1004.70 and rules of
4700 the State Board of Education, as applicable.

4701 (3) Florida College System institution direct-support
4702 organizations shall be organized and conducted under s. 1004.70
4703 and rules of the State Board of Colleges.

4704 Section 91. Section 1010.22, Florida Statutes, is amended
4705 to read:

4706 1010.22 Cost accounting and reporting for workforce
4707 education.—

4708 (1) (a) Each school district ~~and each Florida College System~~



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4709 ~~institution~~ shall account for expenditures of all state, local,
4710 federal, and other funds in the manner prescribed by the State
4711 Board of Education.

4712 (b) Each Florida College System institution shall account
4713 for expenditures of all state, local, federal, and other funds
4714 in the manner prescribed by the State Board of Colleges.

4715 (2) (a) Each school district ~~and each Florida College System~~
4716 ~~institution~~ shall report expenditures for workforce education in
4717 accordance with requirements prescribed by the State Board of
4718 Education.

4719 (b) Each Florida College System institution shall report
4720 expenditures for workforce education in accordance with
4721 requirements prescribed by the State Board of Colleges.

4722 (3) The Department of Education, in cooperation with school
4723 districts and Florida College System institutions, shall develop
4724 and maintain a database of valid comparable information on
4725 workforce education which will meet both state and local needs.

4726 Section 92. Subsection (1) of section 1010.30, Florida
4727 Statutes, is amended to read:

4728 1010.30 Audits required.—

4729 (1) School districts, ~~Florida College System institutions,~~
4730 and other institutions and agencies under the supervision of the
4731 State Board of Education, Florida College System institutions
4732 under the supervision of the State Board of Colleges, and state
4733 universities under the supervision of the Board of Governors are
4734 subject to the audit provisions of ss. 11.45 and 218.39.

4735 Section 93. Subsection (1) of section 1010.58, Florida
4736 Statutes, is amended to read:

4737 1010.58 Procedure for determining number of instruction



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4738 units for Florida College System institutions.—The number of
4739 instruction units for Florida College System institutions shall
4740 be determined from the full-time equivalent students in the
4741 Florida College System institution, provided that full-time
4742 equivalent students may not be counted more than once in
4743 determining instruction units. Instruction units for Florida
4744 College System institutions shall be computed as follows:

4745 (1) One unit for each 12 full-time equivalent students at a
4746 Florida College System institution for the first 420 students
4747 and one unit for each 15 full-time equivalent students for all
4748 over 420 students, in other than career education programs as
4749 defined by rules of the State Board of Colleges Education, and
4750 one unit for each 10 full-time equivalent students in career
4751 education programs and compensatory education programs as
4752 defined by rules of the State Board of Colleges Education. Full-
4753 time equivalent students enrolled in a Florida College System
4754 institution shall be defined by rules of the State Board of
4755 Colleges Education.

4756 Section 94. Subsections (2), (3), and (4) of section
4757 1011.01, Florida Statutes, are amended to read:

4758 1011.01 Budget system established.—

4759 (2) (a) There is ~~shall be~~ established in each school
4760 district ~~and Florida College System institution~~ a budget system
4761 as prescribed by law and rules of the State Board of Education.

4762 (b) There is ~~shall be~~ established in each state university
4763 a budget system as prescribed by law and rules of the Board of
4764 Governors.

4765 (c) There is established in each Florida College System
4766 institution a budget system as prescribed by law and rules of



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4767 the State Board of Colleges.

4768 (3) (a) Each district school board ~~and each Florida College~~
4769 ~~System institution board of trustees~~ shall prepare, adopt, and
4770 submit to the Commissioner of Education an annual operating
4771 budget. Operating budgets must ~~shall~~ be prepared and submitted
4772 in accordance with the provisions of law, rules of the State
4773 Board of Education, the General Appropriations Act, and for
4774 district school boards in accordance with the provisions of ss.
4775 200.065 and 1011.64.

4776 (b) Each state university board of trustees shall prepare,
4777 adopt, and submit to the Chancellor of the State University
4778 System for review an annual operating budget in accordance with
4779 provisions of law, rules of the Board of Governors, and the
4780 General Appropriations Act.

4781 (c) Each Florida College System institution board of
4782 trustees shall prepare, adopt, and submit to the State Board of
4783 Colleges an annual operating budget in accordance with
4784 provisions of law, rules of the State Board of Colleges, and the
4785 General Appropriations Act.

4786 (4) The State Board of Education shall coordinate with the
4787 Board of Governors and the State Board of Colleges to facilitate
4788 the budget system requirements of this section. The State Board
4789 of Colleges exclusively retains the review and approval powers
4790 of this section for Florida College System institutions. The
4791 Board of Governors exclusively retains the review and approval
4792 powers of this section for state universities.

4793 Section 95. Section 1011.011, Florida Statutes, is amended
4794 to read:

4795 1011.011 Legislative capital outlay budget request.—The



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4796 State Board of Education shall submit an integrated,
4797 comprehensive budget request for educational facilities
4798 construction and fixed capital outlay needs for school
4799 districts, and, in conjunction with the State Board of Colleges
4800 for Florida College System institutions, ~~and, in conjunction~~
4801 with the Board of Governors for state, universities, pursuant to
4802 this section and s. 1013.46 and applicable provisions of chapter
4803 216.

4804 Section 96. Section 1011.30, Florida Statutes, is amended
4805 to read:

4806 1011.30 Budgets for Florida College System institutions.—
4807 Each Florida College System institution president shall
4808 recommend to the Florida College System institution board of
4809 trustees a budget of income and expenditures at such time and in
4810 such form as the State Board of Colleges Education may
4811 prescribe. Upon approval of a budget by the Florida College
4812 System institution board of trustees, such budget must ~~shall~~ be
4813 transmitted to the State Board of Colleges Department of
4814 ~~Education~~ for review. Rules of the State Board of Colleges must
4815 ~~Education shall~~ prescribe procedures for effecting budget
4816 amendments subsequent to the final approval of a budget for a
4817 given year.

4818 Section 97. Subsections (8), (9), and (12) of section
4819 1011.32, Florida Statutes, are amended to read:

4820 1011.32 Florida College System Institution Facility
4821 Enhancement Challenge Grant Program.—

4822 (8) By October 15 of each year, the State Board of Colleges
4823 ~~Education~~ shall transmit to the Governor and the Legislature a
4824 list of projects that meet all eligibility requirements to



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4825 participate in the Florida College System Institution Facility
4826 Enhancement Challenge Grant Program and a budget request that
4827 includes the recommended schedule necessary to complete each
4828 project.

4829 (9) In order for a project to be eligible under this
4830 program, it must be survey recommended under the provisions of
4831 s. 1013.31 and included in the Florida College System
4832 institution's 5-year capital improvement plan, and it must
4833 receive approval from the State Board of Colleges Education or
4834 the Legislature.

4835 (12) The surveys, architectural plans, facility, and
4836 equipment shall be the property of the participating Florida
4837 College System institution. A facility constructed under this
4838 section may be named in honor of a donor at the option of the
4839 Florida College System institution district board of trustees. A
4840 facility may not be named after a living person without prior
4841 approval by the State Board of Colleges Education.

4842 Section 98. Subsection (2), paragraph (b) of subsection
4843 (5), and subsections (8), (9), and (11) of section 1011.80,
4844 Florida Statutes, are amended to read:

4845 1011.80 Funds for operation of workforce education
4846 programs.—

4847 (2) Any workforce education program may be conducted by a
4848 Florida College System institution or a school district, except
4849 that college credit in an associate in applied science or an
4850 associate in science degree may be awarded only by a Florida
4851 College System institution. However, if an associate in applied
4852 science or an associate in science degree program contains
4853 within it an occupational completion point that confers a



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4854 certificate or an applied technology diploma, that portion of
4855 the program may be conducted by a school district career center.
4856 Any instruction designed to articulate to a degree program is
4857 subject to guidelines and standards adopted by the State Board
4858 of Colleges Education pursuant to s. 1007.25.

4859 (5) State funding and student fees for workforce education
4860 instruction shall be established as follows:

4861 (b) For all other workforce education programs, state
4862 funding shall equal 75 percent of the average cost of
4863 instruction with the remaining 25 percent made up from student
4864 fees. Fees for courses within a program shall not vary according
4865 to the cost of the individual program, but instead shall be
4866 based on a uniform fee calculated and set at the state level, as
4867 adopted by the State Board of Education, for school districts,
4868 and the State Board of Colleges, for Florida College System
4869 institutions, unless otherwise specified in the General
4870 Appropriations Act.

4871 (8) The State Board of Education, the State Board of
4872 Colleges, and CareerSource Florida, Inc., shall provide the
4873 Legislature with recommended formulas, criteria, timeframes, and
4874 mechanisms for distributing performance funds. The commissioner
4875 shall consolidate the recommendations and develop a consensus
4876 proposal for funding. The Legislature shall adopt a formula and
4877 distribute the performance funds to the State Board of Colleges
4878 Education for Florida College System institutions and to the
4879 State Board of Education for school districts through the
4880 General Appropriations Act. These recommendations shall be based
4881 on formulas that would discourage low-performing or low-demand
4882 programs and encourage through performance-funding awards:



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4883 (a) Programs that prepare people to enter high-wage
4884 occupations identified by the Workforce Estimating Conference
4885 created by s. 216.136 and other programs as approved by
4886 CareerSource Florida, Inc. At a minimum, performance incentives
4887 shall be calculated for adults who reach completion points or
4888 complete programs that lead to specified high-wage employment
4889 and to their placement in that employment.

4890 (b) Programs that successfully prepare adults who are
4891 eligible for public assistance, economically disadvantaged,
4892 disabled, not proficient in English, or dislocated workers for
4893 high-wage occupations. At a minimum, performance incentives
4894 shall be calculated at an enhanced value for the completion of
4895 adults identified in this paragraph and job placement of such
4896 adults upon completion. In addition, adjustments may be made in
4897 payments for job placements for areas of high unemployment.

4898 (c) Programs that are specifically designed to be
4899 consistent with the workforce needs of private enterprise and
4900 regional economic development strategies, as defined in
4901 guidelines set by CareerSource Florida, Inc. CareerSource
4902 Florida, Inc., shall develop guidelines to identify such needs
4903 and strategies based on localized research of private employers
4904 and economic development practitioners.

4905 (d) Programs identified by CareerSource Florida, Inc., as
4906 increasing the effectiveness and cost efficiency of education.

4907 (9) School districts shall report full-time equivalent
4908 students by discipline category for the programs specified in
4909 subsection (1). There shall be an annual cost analysis for the
4910 school district workforce education programs that reports cost
4911 by discipline category consistent with the reporting for full-



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4912 time equivalent students. The annual financial reports submitted
4913 by the school districts must accurately report on the student
4914 fee revenues by fee type according to the programs specified in
4915 subsection (1). The Department of Education and the State Board
4916 of Colleges shall develop a plan for comparable reporting of
4917 program, student, facility, personnel, and financial data
4918 between the Florida College System institutions and the school
4919 district workforce education programs.

4920 (11) The State Board of Education and the State Board of
4921 Colleges may adopt rules to administer this section.

4922 Section 99. Subsections (2) and (3) of section 1011.801,
4923 Florida Statutes, are amended to read:

4924 1011.801 Workforce Development Capitalization Incentive
4925 Grant Program.—The Legislature recognizes that the need for
4926 school districts and Florida College System institutions to be
4927 able to respond to emerging local or statewide economic
4928 development needs is critical to the workforce development
4929 system. The Workforce Development Capitalization Incentive Grant
4930 Program is created to provide grants to school districts and
4931 Florida College System institutions on a competitive basis to
4932 fund some or all of the costs associated with the creation or
4933 expansion of workforce development programs that serve specific
4934 employment workforce needs.

4935 (2) The State Board of Education shall accept applications
4936 from school districts, and the State Board of Colleges shall
4937 accept applications from ~~or~~ Florida College System institutions,
4938 for workforce development capitalization incentive grants.
4939 Applications from school districts or Florida College System
4940 institutions must ~~shall~~ contain projected enrollments and



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4941 projected costs for the new or expanded workforce development
4942 program. The State Board of Education or the State Board of
4943 Colleges, as appropriate, in consultation with CareerSource
4944 Florida, Inc., shall review and rank each application for a
4945 grant according to subsection (3) and shall submit to the
4946 Legislature a list in priority order of applications recommended
4947 for a grant award.

4948 (3) The State Board of Education or the State Board of
4949 Colleges, as appropriate, shall give highest priority to
4950 programs that train people to enter high-skill, high-wage
4951 occupations identified by the Workforce Estimating Conference
4952 and other programs approved by CareerSource Florida, Inc. ;
4953 programs that train people to enter occupations under the
4954 welfare transition program; or programs that train for the
4955 workforce adults who are eligible for public assistance,
4956 economically disadvantaged, disabled, not proficient in English,
4957 or dislocated workers. The State Board of Education or the State
4958 Board of Colleges, as appropriate, shall consider the statewide
4959 geographic dispersion of grant funds in ranking the applications
4960 and shall give priority to applications from education agencies
4961 that are making maximum use of their workforce development
4962 funding by offering high-performing, high-demand programs.

4963 Section 100. Subsection (2) of section 1011.81, Florida
4964 Statutes, is amended to read:

4965 1011.81 Florida College System Program Fund.—

4966 (2) Performance funding for industry certifications for
4967 Florida College System institutions is contingent upon specific
4968 appropriation in the General Appropriations Act and shall be
4969 determined as follows:



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4970 (a) Occupational areas for which industry certifications
4971 may be earned, as established in the General Appropriations Act,
4972 are eligible for performance funding. Priority shall be given to
4973 the occupational areas emphasized in state, national, or
4974 corporate grants provided to Florida educational institutions.

4975 (b) The Chancellor of the Florida College System, for the
4976 Florida College System institutions, shall identify the industry
4977 certifications eligible for funding on the CAPE Postsecondary
4978 Industry Certification Funding List approved by the State Board
4979 of Colleges Education pursuant to s. 1008.44, based on the
4980 occupational areas specified in the General Appropriations Act.

4981 (c) Each Florida College System institution shall be
4982 provided \$1,000 for each industry certification earned by a
4983 student. The maximum amount of funding appropriated for
4984 performance funding pursuant to this subsection shall be limited
4985 to \$15 million annually. If funds are insufficient to fully fund
4986 the calculated total award, such funds shall be prorated.

4987 Section 101. Subsection (1) of section 1011.82, Florida
4988 Statutes, is amended to read:

4989 1011.82 Requirements for participation in Florida College
4990 System Program Fund.—Each Florida College System institution
4991 district which participates in the state appropriations for the
4992 Florida College System Program Fund shall provide evidence of
4993 its effort to maintain an adequate Florida College System
4994 institution program which shall:

4995 (1) Meet the minimum standards prescribed by the State
4996 Board of Colleges Education in accordance with s. 1001.602(5) ~~s.~~
4997 ~~1001.02(6)~~.

4998 Section 102. Section 1011.83, Florida Statutes, is amended



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4999 to read:

5000 1011.83 Financial support of Florida College System
5001 institutions.—

5002 (1) Each Florida College System institution that ~~has been~~
5003 ~~approved by the Department of Education and~~ meets the
5004 requirements of law and rules of the State Board of Colleges
5005 ~~Education~~ shall participate in the Florida College System
5006 Program Fund. However, funds to support workforce education
5007 programs conducted by Florida College System institutions shall
5008 be provided pursuant to s. 1011.80.

5009 (2) A student in a baccalaureate degree program approved
5010 pursuant to s. 1007.33 who is not classified as a resident for
5011 tuition purposes pursuant to s. 1009.21 may not be included in
5012 calculations of full-time equivalent enrollments for state
5013 funding purposes.

5014 Section 103. Section 1011.84, Florida Statutes, is amended
5015 to read:

5016 1011.84 Procedure for determining state financial support
5017 and annual apportionment of state funds to each Florida College
5018 System institution district.—The procedure for determining state
5019 financial support and the annual apportionment to each Florida
5020 College System institution district authorized to operate a
5021 Florida College System institution under the provisions of s.
5022 1001.61 shall be as follows:

5023 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
5024 COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—

5025 (a) The State Board of Colleges ~~Department of Education~~
5026 shall determine annually, l from an analysis of operating costs,
5027 ~~prepared in the manner prescribed by rules of the State Board of~~



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5028 ~~Education,~~ the costs per full-time equivalent student served in
5029 courses and fields of study offered in Florida College System
5030 institutions. This information and current college operating
5031 budgets shall be submitted to the Executive Office of the
5032 Governor with the legislative budget request prior to each
5033 regular session of the Legislature.

5034 (b) The allocation of funds for Florida College System
5035 institutions must ~~shall~~ be based on advanced and professional
5036 disciplines, developmental education, and other programs for
5037 adults funded pursuant to s. 1011.80.

5038 (c) The category of lifelong learning is for students
5039 enrolled pursuant to s. 1004.93. A student shall also be
5040 reported as a lifelong learning student for his or her
5041 enrollment in any course that he or she has previously taken,
5042 unless it is a credit course in which the student earned a grade
5043 of D or F.

5044 (d) If an adult student has been determined to be a
5045 disabled student eligible for an approved educational program
5046 for disabled adults provided pursuant to s. 1004.93 and rules of
5047 the State Board of Colleges ~~Education~~ and is enrolled in a class
5048 with curriculum frameworks developed for the program, state
5049 funding for that student shall be provided at a level double
5050 that of a student enrolled in a special adult general education
5051 program provided by a Florida College System institution.

5052 (e) All state inmate education provided by Florida College
5053 System institutions shall be reported by program, FTE
5054 expenditure, and revenue source. These enrollments,
5055 expenditures, and revenues shall be reported and projected
5056 separately. Instruction of state inmates may ~~shall~~ not be



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5057 included in the full-time equivalent student enrollment for
5058 funding through the Florida College System Program Fund.

5059 (f) When a public educational institution has been fully
5060 funded by an external agency for direct instructional costs of
5061 any course or program, the FTE generated may ~~shall~~ not be
5062 reported for state funding.

5063 (g) The State Board of Education shall adopt rules to
5064 implement s. 9(d)(8)f., Art. XII of the State Constitution.
5065 These rules shall provide for the use of the funds available
5066 under s. 9(d)(8)f., Art. XII by an individual Florida College
5067 System institution for operating expense in any fiscal year
5068 during which the State Board of Education has determined that
5069 all major capital outlay needs have been met. Highest priority
5070 for the use of these funds for purposes other than financing
5071 approved capital outlay projects shall be for the proper
5072 maintenance and repair of existing facilities for projects
5073 approved by the State Board of Education. However, in any fiscal
5074 year in which funds from this source are authorized for
5075 operating expense other than approved maintenance and repair
5076 projects, the allocation of Florida College System institution
5077 program funds shall be reduced by an amount equal to the sum
5078 used for such operating expense for that Florida College System
5079 institution that year, and that amount shall not be released or
5080 allocated among the other Florida College System institutions
5081 that year.

5082 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
5083 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay
5084 and debt service shall be as determined and provided in s. 18,
5085 Art. XII of the State Constitution of 1885, as adopted by s.



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5086 9(d), Art. XII of the 1968 revised State Constitution and State
5087 Board of Education rules.

5088 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

5089 (a) By December 15 of each year, the State Board of
5090 Colleges ~~Department of Education~~ shall estimate the annual
5091 enrollment of each Florida College System institution for the
5092 current fiscal year and for the 3 subsequent fiscal years. These
5093 estimates shall be based upon prior years' enrollments, upon the
5094 initial fall term enrollments for the current fiscal year for
5095 each college, and upon each college's estimated current
5096 enrollment and demographic changes in the respective Florida
5097 College System institution districts. Upper-division enrollment
5098 shall be estimated separately from lower-division enrollment.

5099 (b) The apportionment to each Florida College System
5100 institution from the Florida College System Program Fund shall
5101 be determined annually in the General Appropriations Act. In
5102 determining each college's apportionment, the Legislature shall
5103 consider the following components:

5104 1. Base budget, which includes the state appropriation to
5105 the Florida College System Program Fund in the current year plus
5106 the related student tuition and out-of-state fees assigned in
5107 the current General Appropriations Act.

5108 2. The cost-to-continue allocation, which consists of
5109 incremental changes to the base budget, including salaries,
5110 price levels, and other related costs allocated through a
5111 funding model approved by the Legislature which may recognize
5112 differing economic factors arising from the individual
5113 educational approaches of the various Florida College System
5114 institutions, including, but not limited to:



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5115 a. Direct Instructional Funding, including class size,
5116 faculty productivity factors, average faculty salary, ratio of
5117 full-time to part-time faculty, costs of programs, and
5118 enrollment factors.

5119 b. Academic Support, including small colleges factor,
5120 multicampus factor, and enrollment factor.

5121 c. Student Services Support, including headcount of
5122 students as well as FTE count and enrollment factors.

5123 d. Library Support, including volume and other
5124 materials/audiovisual requirements.

5125 e. Special Projects.

5126 f. Operations and Maintenance of Plant, including square
5127 footage and utilization factors.

5128 g. District Cost Differential.

5129 3. Students enrolled in a recreation and leisure program
5130 and students enrolled in a lifelong learning program who may not
5131 be counted as full-time equivalent enrollments for purposes of
5132 enrollment workload adjustments.

5133 4. Operating costs of new facilities adjustments, which
5134 shall be provided, from funds available, for each new facility
5135 that is owned by the college and is recommended in accordance
5136 with s. 1013.31.

5137 5. New and improved program enhancements, which shall be
5138 determined by the Legislature.

5139

5140 Student fees in the base budget plus student fee revenues
5141 generated by increases in fee rates shall be deducted from the
5142 sum of the components determined in subparagraphs 1.-5. The
5143 amount remaining shall be the net annual state apportionment to



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5144 each college.

5145 (c) A ~~Ne~~ Florida College System institution may not ~~shall~~
5146 commit funds for the employment of personnel or resources in
5147 excess of those required to continue the same level of support
5148 for either the previously approved enrollment or the revised
5149 enrollment, whichever is lower.

5150 (d) The apportionment to each Florida College System
5151 institution district for capital outlay and debt service shall
5152 be the amount determined in accordance with subsection (2). This
5153 amount, less any amount determined as necessary for
5154 administrative expense by the State Board of Education and any
5155 amount necessary for debt service on bonds issued by the State
5156 Board of Education, shall be transmitted to the Florida College
5157 System institution board of trustees to be expended in a manner
5158 prescribed by rules of the State Board of Education.

5159 (e) If at any time the unencumbered balance in the general
5160 fund of the Florida College System institution board of trustees
5161 approved operating budget goes below 5 percent, the president
5162 shall provide written notification to the State Board of
5163 Education.

5164 (f) Expenditures for apprenticeship programs must ~~shall~~ be
5165 reported separately.

5166 (g) Expenditures for upper-division enrollment in a Florida
5167 College System institution that grants baccalaureate degrees
5168 must ~~shall~~ be reported separately from expenditures for lower-
5169 division enrollment, in accordance with law and State Board of
5170 Education rule.

5171 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
5172 herein to any Florida College System institution must ~~shall~~ be



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5173 expended only for the purpose of supporting that Florida College
5174 System institution.

5175 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida College
5176 System institution board of trustees shall report, as a separate
5177 item in its annual cost accounting system, the volume and cost
5178 of developmental education options provided to help students
5179 attain the communication and computation skills that are
5180 essential for college-level work pursuant to s. 1008.30.

5181 Section 104. Subsections (1), (3), (4), (6), (7), (8),
5182 (10), and (11) of section 1011.85, Florida Statutes, are amended
5183 to read:

5184 1011.85 Dr. Philip Benjamin Matching Grant Program for
5185 Florida College System Institutions.—

5186 (1) There is created the Dr. Philip Benjamin Matching Grant
5187 Program for Florida College System Institutions as a single
5188 matching gifts program that encompasses the goals originally set
5189 out in the Academic Improvement Program, the Scholarship
5190 Matching Program, and the Health Care Education Quality
5191 Enhancement Challenge Grant. The program shall be administered
5192 according to rules of the State Board of Colleges Education and
5193 used to encourage private support in enhancing Florida College
5194 System institutions by providing the Florida College System with
5195 the opportunity to receive and match challenge grants. Funds
5196 received prior to the effective date of this act for each of the
5197 three programs shall be retained in the separate account for
5198 which it was designated.

5199 (3) Upon approval by the Florida College System institution
5200 board of trustees and the State Board of Colleges Education, the
5201 ordering of donations for priority listing of unmatched gifts



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5202 should be determined by the submitting Florida College System
5203 institution.

5204 (4) Each year, eligible contributions received by a Florida
5205 College System institution's foundation or the State Board of
5206 Colleges Education ~~Education~~ by February 1 shall be eligible for state
5207 matching funds.

5208 (a) Each Florida College System institution board of
5209 trustees and, when applicable, the Florida College System
5210 Institution Foundation Board, receiving state appropriations
5211 under this program shall also certify in an annual report to the
5212 State Board of Colleges Education ~~Education~~ the receipt of eligible cash
5213 contributions that were previously unmatched by the state. The
5214 State Board of Education shall adopt rules providing all Florida
5215 College System institutions with an opportunity to apply for
5216 excess funds before the awarding of such funds.

5217 (b) Florida College System institutions must submit to the
5218 State Board of Colleges Education ~~Education~~ an annual expenditure report
5219 tracking the use of all matching funds.

5220 (c) The audit of each foundation receiving state funds from
5221 this program must include a certification of accuracy in the
5222 amount reported for matching funds.

5223 (6) Otherwise, funds must ~~shall~~ be proportionately
5224 allocated to the Florida College System institutions on the
5225 basis of matching each \$6 of local or private funds with \$4 of
5226 state funds. To be eligible, a minimum of \$4,500 must be raised
5227 from private sources.

5228 (7) The Florida College System institution board of
5229 trustees, in conjunction with the donor, shall determine ~~make~~
5230 ~~the determination of~~ whether scholarships established pursuant



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5231 to this program are endowed.

5232 (8) (a) Funds sufficient to provide the match shall be
5233 transferred from the state appropriations to the local Florida
5234 College System institution foundation or the statewide Florida
5235 College System institution foundation upon notification that a
5236 proportionate amount has been received and deposited by a
5237 Florida College System institution in its own trust fund.

5238 (b) If state funds appropriated for the program are
5239 insufficient to match contributions, the amount allocated must
5240 ~~shall~~ be reduced in proportion to its share of the total
5241 eligible contributions. However, in making proportional
5242 reductions, every Florida College System institution shall
5243 receive a minimum of \$75,000 in state matching funds if its
5244 eligible contributions would have generated an amount at least
5245 equal to \$75,000. All unmet contributions must ~~shall~~ be eligible
5246 for state matching funds in subsequent fiscal years.

5247 (10) The State Board of Colleges Education ~~Education~~ may receive
5248 submissions of requests for matching funds and documentation
5249 relating to those requests, may approve requests for matching
5250 funds, and may allocate such funds to the Florida College System
5251 institutions.

5252 (11) The board of trustees of the Florida College System
5253 institution and the State Board of Colleges Education ~~Education~~ are
5254 responsible for determining the uses for the proceeds of their
5255 respective trust funds. Such use of the proceeds shall include,
5256 but not be limited to, expenditure of the funds for:

5257 (a) Scientific and technical equipment.

5258 (b) Scholarships, loans, or need-based grants.

5259 (c) Other activities that will benefit future students as



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5260 well as students currently enrolled at the Florida College
5261 System institution, will improve the quality of education at the
5262 Florida College System institution, or will enhance economic
5263 development in the community.

5264 Section 105. Subsection (1) of section 1012.01, Florida
5265 Statutes, is amended to read:

5266 1012.01 Definitions.—As used in this chapter, the following
5267 terms have the following meanings:

5268 (1) SCHOOL OFFICERS.—The officers of the state system of
5269 public K-12 ~~and Florida College System institution~~ education
5270 shall be the Commissioner of Education and the members of the
5271 State Board of Education; for the Florida College System, the
5272 officers shall be the Chancellor of the Florida College System
5273 and the members of the State Board of Colleges; for each
5274 district school system, the officers shall be the district
5275 school superintendent and members of the district school board;
5276 and for each Florida College System institution, the officers
5277 shall be the Florida College System institution president and
5278 members of the Florida College System institution board of
5279 trustees.

5280 Section 106. Paragraph (a) of subsection (1) of section
5281 1012.80, Florida Statutes, is amended to read:

5282 1012.80 Participation by employees in disruptive activities
5283 at public postsecondary educational institutions; penalties.—

5284 (1) (a) Any person who accepts the privilege extended by the
5285 laws of this state of employment at any Florida College System
5286 institution shall, by working at such institution, be deemed to
5287 have given his or her consent to the policies of that
5288 institution, the policies of the State Board of Colleges



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5289 ~~Education~~, and the laws of this state. Such policies shall
5290 include prohibition against disruptive activities at Florida
5291 College System institutions.

5292 Section 107. Subsection (1) of section 1012.81, Florida
5293 Statutes, is amended to read:

5294 1012.81 Personnel records.—

5295 (1) The State Board of Colleges ~~Education~~ shall adopt rules
5296 prescribing the content and custody of limited-access records
5297 that a Florida College System institution may maintain on its
5298 employees. Limited-access employee records are confidential and
5299 exempt from ~~the provisions of~~ s. 119.07(1). Limited-access
5300 records include only the following:

5301 (a) Records containing information reflecting academic
5302 evaluations of employee performance; however, the employee and
5303 officials of the institution responsible for supervision of the
5304 employee shall have access to such records.

5305 (b) Records maintained for the purposes of any
5306 investigation of employee misconduct, including, but not limited
5307 to, a complaint against an employee and all information obtained
5308 pursuant to the investigation of such complaint; however, these
5309 records become public after the investigation ceases to be
5310 active or when the institution provides written notice to the
5311 employee who is the subject of the complaint that the
5312 institution has either:

5313 1. Concluded the investigation with a finding not to
5314 proceed with disciplinary action;

5315 2. Concluded the investigation with a finding to proceed
5316 with disciplinary action; or

5317 3. Issued a letter of discipline.



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5318

5319 For the purpose of this paragraph, an investigation shall be
5320 considered active as long as it is continuing with a reasonable,
5321 good faith anticipation that a finding will be made in the
5322 foreseeable future. An investigation shall be presumed to be
5323 inactive if no finding is made within 90 days after the
5324 complaint is filed.

5325 (c) Records maintained for the purposes of any disciplinary
5326 proceeding brought against an employee; however, these records
5327 shall be open to inspection by the employee and shall become
5328 public after a final decision is made in the proceeding.

5329 (d) Records maintained for the purposes of any grievance
5330 proceeding brought by an employee for enforcement of a
5331 collective bargaining agreement or contract; however, these
5332 records shall be open to inspection by the employee and by
5333 officials of the institution conducting the grievance proceeding
5334 and shall become public after a final decision is made in the
5335 proceeding.

5336 Section 108. Subsection (1) of section 1012.83, Florida
5337 Statutes, is amended to read:

5338 1012.83 Contracts with administrative and instructional
5339 staff.—

5340 (1) Each person employed in an administrative or
5341 instructional capacity in a Florida College System institution
5342 shall be entitled to a contract as provided by rules of the
5343 State Board of Colleges Education.

5344 Section 109. Paragraph (a) of subsection (1) of section
5345 1012.855, Florida Statutes, is amended to read:

5346 1012.855 Employment of Florida College System institution



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5347 personnel; discrimination in granting salary prohibited.-

5348 (1) (a) Employment of all personnel in each Florida College
5349 System institution shall be upon recommendation of the
5350 president, subject to rejection for cause by the Florida College
5351 System institution board of trustees; to the rules of the State
5352 Board of Colleges Education ~~Education~~ relative to certification, tenure,
5353 leaves of absence of all types, including sabbaticals,
5354 remuneration, and such other conditions of employment as the
5355 State Board of Colleges Education ~~Education~~ deems necessary and proper;
5356 and to policies of the Florida College System institution board
5357 of trustees not inconsistent with law.

5358 Section 110. Subsection (1), paragraph (a) of subsection
5359 (2), paragraph (b) of subsection (3), and subsections (4), (5),
5360 and (6) of section 1012.86, Florida Statutes, are amended to
5361 read:

5362 1012.86 Florida College System institution employment
5363 equity accountability program.-

5364 (1) Each Florida College System institution shall include
5365 in its annual equity update a plan for increasing the
5366 representation of women and minorities in senior-level
5367 administrative positions and in full-time faculty positions, and
5368 for increasing the representation of women and minorities who
5369 have attained continuing-contract status. Positions shall be
5370 defined in the personnel data element directory of the
5371 Department of Education. The plan must include specific
5372 measurable goals and objectives, specific strategies and
5373 timelines for accomplishing these goals and objectives, and
5374 comparable national standards as provided by the Department of
5375 Education. The goals and objectives shall be based on meeting or



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5376 exceeding comparable national standards and shall be reviewed
5377 and recommended by the State Board of Colleges Education as
5378 appropriate. Such plans shall be maintained until appropriate
5379 representation has been achieved and maintained for at least 3
5380 consecutive reporting years.

5381 (2) (a) On or before May 1 of each year, each Florida
5382 College System institution president shall submit an annual
5383 employment accountability plan to the Chancellor of the Florida
5384 College System and the State Board of Colleges Commissioner of
5385 Education and the State Board of Education. The accountability
5386 plan must show faculty and administrator employment data
5387 according to requirements specified on the federal Equal
5388 Employment Opportunity (EE0-6) report.

5389 (3) Florida College System institution presidents and the
5390 heads of each major administrative division shall be evaluated
5391 annually on the progress made toward meeting the goals and
5392 objectives of the Florida College System institution's
5393 employment accountability plan.

5394 (b) Florida College System institution boards of trustees
5395 shall annually evaluate the performance of the Florida College
5396 System institution presidents in achieving the annual and long-
5397 term goals and objectives. A summary of the results of such
5398 evaluations shall be reported to the State Board of Colleges
5399 Commissioner of Education and the State Board of Education as
5400 part of the Florida College System institution's annual
5401 employment accountability plan, and to the Legislature as part
5402 of the annual equity progress report submitted by the State
5403 Board of Colleges Education.

5404 (4) The State Board of Colleges Education shall submit an



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5405 annual equity progress report to the President of the Senate and
5406 the Speaker of the House of Representatives on or before January
5407 1 of each year.

5408 (5) Each Florida College System institution shall develop a
5409 budgetary incentive plan to support and ensure attainment of the
5410 goals developed pursuant to this section. The plan shall
5411 specify, at a minimum, how resources shall be allocated to
5412 support the achievement of goals and the implementation of
5413 strategies in a timely manner. After prior review and approval
5414 by the Florida College System institution president and the
5415 Florida College System institution board of trustees, the plan
5416 shall be submitted as part of the annual employment
5417 accountability plan submitted by each Florida College System
5418 institution to the State Board of Colleges Education.

5419 (6) Subject to available funding, the Legislature shall
5420 provide an annual appropriation to the State Board of Colleges
5421 ~~Education~~ to be allocated to Florida College System institution
5422 presidents, faculty, and administrative personnel to further
5423 enhance equity initiatives and related priorities that support
5424 the mission of colleges and departments in recognition of the
5425 attainment of the equity goals and objectives.

5426 Section 111. Subsection (3) of section 1013.01, Florida
5427 Statutes, is amended to read:

5428 1013.01 Definitions.—The following terms shall be defined
5429 as follows for the purpose of this chapter:

5430 (3) "Board," unless otherwise specified, means a district
5431 school board, a Florida College System institution board of
5432 trustees, a university board of trustees, and the Board of
5433 Trustees for the Florida School for the Deaf and the Blind. The



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5434 term "board" does not include the State Board of Education, ~~or~~
5435 the Board of Governors, or the State Board of Colleges.

5436 Section 112. Subsection (2) of section 1013.02, Florida
5437 Statutes, is amended to read:

5438 1013.02 Purpose; rules and regulations.—

5439 (2) (a) The State Board of Education shall adopt rules
5440 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
5441 ~~provisions of this chapter for school districts and Florida~~
5442 ~~College System institutions.~~

5443 (b) The Board of Governors shall adopt regulations pursuant
5444 to its regulation development procedure to implement ~~the~~
5445 ~~provisions of this chapter for state universities.~~

5446 (c) The State Board of Colleges shall adopt rules pursuant
5447 to ss. 120.536(1) and 120.54 to implement this chapter for
5448 Florida College System institutions.

5449 Section 113. Section 1013.03, Florida Statutes, is amended
5450 to read:

5451 1013.03 Functions of the department, the State Board of
5452 Colleges, and the Board of Governors.—The functions of the
5453 Department of Education as it pertains to educational facilities
5454 of school districts, of the State Board of Colleges as it
5455 pertains to educational facilities of ~~and~~ Florida College System
5456 institutions, and of the Board of Governors as it pertains to
5457 educational facilities of state universities shall include, but
5458 not be limited to, the following:

5459 (1) Establish recommended minimum and maximum square
5460 footage standards for different functions and areas and
5461 procedures for determining the gross square footage for each
5462 educational facility to be funded in whole or in part by the



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5463 state, including public broadcasting stations but excluding
5464 postsecondary special purpose laboratory space. The gross square
5465 footage determination standards may be exceeded when the core
5466 facility space of an educational facility is constructed or
5467 renovated to accommodate the future addition of classrooms to
5468 meet projected increases in student enrollment. The department,
5469 the State Board of Colleges, and the Board of Governors shall
5470 encourage multiple use of facilities and spaces in educational
5471 plants.

5472 (2) Establish, for the purpose of determining need,
5473 equitably uniform utilization standards for all types of like
5474 space, regardless of the level of education. These standards
5475 shall also establish, for postsecondary education classrooms, a
5476 minimum room utilization rate of 40 hours per week and a minimum
5477 station utilization rate of 60 percent. These rates shall be
5478 subject to increase based on national norms for utilization of
5479 postsecondary education classrooms.

5480 (3) Require boards to submit other educational plant
5481 inventories data and statistical data or information relevant to
5482 construction, capital improvements, and related costs.

5483 (4) Require each board and other appropriate agencies to
5484 submit complete and accurate financial data as to the amounts of
5485 funds from all sources that are available and spent for
5486 construction and capital improvements. The commissioner shall
5487 prescribe the format and the date for the submission of this
5488 data and any other educational facilities data. If any district
5489 does not submit the required educational facilities fiscal data
5490 by the prescribed date, the Commissioner of Education shall
5491 notify the district school board of this fact and, if



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5492 appropriate action is not taken to immediately submit the
5493 required report, the district school board shall be directed to
5494 proceed pursuant to s. 1001.42(13)(b). If any Florida College
5495 System institution or university does not submit the required
5496 educational facilities fiscal data by the prescribed date, the
5497 same policy prescribed in this subsection for school districts
5498 shall be implemented.

5499 (5) Administer, under the supervision of the Commissioner
5500 of Education, the Public Education Capital Outlay and Debt
5501 Service Trust Fund and the School District and Community College
5502 District Capital Outlay and Debt Service Trust Fund.

5503 (6) Develop, review, update, revise, and recommend a
5504 mandatory portion of the Florida Building Code for educational
5505 facilities construction and capital improvement by Florida
5506 College System institution boards and district school boards.

5507 (7) Provide training, technical assistance, and building
5508 code interpretation for requirements of the mandatory Florida
5509 Building Code for the educational facilities construction and
5510 capital improvement programs of ~~the Florida College System~~
5511 ~~institution boards and~~ district school boards and, upon request,
5512 approve phase III construction documents for remodeling,
5513 renovation, or new construction of educational plants or
5514 ancillary facilities, except that Florida College System
5515 institutions and university boards of trustees shall approve
5516 specifications and construction documents for their respective
5517 institutions pursuant to guidelines of the Board of Governors or
5518 State Board of Colleges, as applicable. The Department of
5519 Management Services may, upon request, provide similar services
5520 for the Florida School for the Deaf and the Blind and shall use



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5521 the Florida Building Code and the Florida Fire Prevention Code.

5522 (8) Provide minimum criteria, procedures, and training to
5523 boards to conduct educational plant surveys and document the
5524 determination of future needs.

5525 (9) Make available to boards technical assistance,
5526 awareness training, and research and technical publications
5527 relating to lifesafety, casualty, sanitation, environmental,
5528 maintenance, and custodial issues; and, as needed, technical
5529 assistance for survey, planning, design, construction,
5530 operation, and evaluation of educational and ancillary
5531 facilities and plants, facilities administrative procedures
5532 review, and training for new administrators.

5533 (10) (a) Review and validate surveys proposed or amended by
5534 the boards and recommend to the Commissioner of Education, the
5535 Chancellor of the Florida College System, or the Chancellor of
5536 the State University System, as appropriate, for approval,
5537 surveys that meet the requirements of this chapter.

5538 1. The term "validate" as applied to surveys by school
5539 districts means to review inventory data as submitted to the
5540 department by district school boards; provide for review and
5541 inspection, where required, of student stations and aggregate
5542 square feet of inventory changed from satisfactory to
5543 unsatisfactory or changed from unsatisfactory to satisfactory;
5544 compare new school inventory to allocation limits provided by
5545 this chapter; review cost projections for conformity with cost
5546 limits set by s. 1013.64(6); compare total capital outlay full-
5547 time equivalent enrollment projections in the survey with the
5548 department's projections; review facilities lists to verify that
5549 student station and auxiliary facility space allocations do not



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5550 exceed the limits provided by this chapter and related rules;
5551 review and confirm the application of uniform facility
5552 utilization factors, where provided by this chapter or related
5553 rules; use ~~utilize~~ the documentation of programs offered per
5554 site, as submitted by the board, to analyze facility needs;
5555 confirm that need projections for career and adult educational
5556 programs comply with needs documented by the Department of
5557 Education; and confirm the assignment of full-time student
5558 stations to all space except auxiliary facilities, which, for
5559 purposes of exemption from student station assignment, include
5560 the following:

- 5561 a. Cafeterias.
- 5562 b. Multipurpose dining areas.
- 5563 c. Media centers.
- 5564 d. Auditoriums.
- 5565 e. Administration.
- 5566 f. Elementary, middle, and high school resource rooms, up
5567 to the number of such rooms recommended for the applicable
5568 occupant and space design capacity of the educational plant in
5569 the State Requirements for Educational Facilities, beyond which
5570 student stations must be assigned.
- 5571 g. Elementary school skills labs, up to the number of such
5572 rooms recommended for the applicable occupant and space design
5573 capacity of the educational plant in the State Requirements for
5574 Educational Facilities, beyond which student stations must be
5575 assigned.
- 5576 h. Elementary school art and music rooms.

5577
5578 The Commissioner of Education may grant a waiver from the



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5579 requirements of this subparagraph if a district school board
5580 determines that such waiver will make possible a substantial
5581 savings of funds or will be advantageous to the welfare of the
5582 educational system. The district school board shall present a
5583 full statement to the commissioner which sets forth the facts
5584 that warrant the waiver. If the commissioner denies a request
5585 for a waiver, the district school board may appeal such decision
5586 to the State Board of Education.

5587 2. The term "validate" as applied to surveys by Florida
5588 College System institutions and universities means to review and
5589 document the approval of each new site and official designation,
5590 where applicable; review the inventory database as submitted by
5591 each board to the department, including noncareer, and total
5592 capital outlay full-time equivalent enrollment projections per
5593 site and per college; provide for the review and inspection,
5594 where required, of student stations and aggregate square feet of
5595 space changed from satisfactory to unsatisfactory; use ~~utilize~~
5596 and review the documentation of programs offered per site
5597 submitted by the boards as accurate for analysis of space
5598 requirements and needs; confirm that needs projected for career
5599 and adult educational programs comply with needs documented by
5600 the Department of Education; compare new facility inventory to
5601 allocations limits as provided in this chapter; review cost
5602 projections for conformity with state averages or limits
5603 designated by this chapter; compare student enrollment
5604 projections in the survey to the department's projections;
5605 review facilities lists to verify that area allocations and
5606 space factors for generating space needs do not exceed the
5607 limits as provided by this chapter and related rules; confirm



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5608 the application of facility utilization factors as provided by
5609 this chapter and related rules; and review, as submitted,
5610 documentation of how survey recommendations will implement the
5611 detail of current campus master plans and integrate with local
5612 comprehensive plans and development regulations.

5613 (b) Recommend priority of projects to be funded.

5614 (11) Prepare the commissioner's comprehensive fixed capital
5615 outlay legislative budget request and provide annually an
5616 estimate of the funds available for developing required 3-year
5617 priority lists. This amount shall be based upon the average
5618 percentage for the 5 prior years of funds appropriated by the
5619 Legislature for fixed capital outlay to each level of public
5620 education: public schools, Florida College System institutions,
5621 and universities.

5622 (12) Perform any other functions that may be involved in
5623 educational facilities construction and capital improvement
5624 which shall ensure that the intent of the Legislature is
5625 implemented.

5626 Section 114. Section 1013.28, Florida Statutes, is amended
5627 to read:

5628 1013.28 Disposal of property.—

5629 (1) REAL PROPERTY.—

5630 (a) Subject to rules of the State Board of Education, a
5631 district school board or, the Board of Trustees for the Florida
5632 School for the Deaf and the Blind, ~~or a Florida College System~~
5633 ~~institution board of trustees~~ may dispose of any land or real
5634 property to which the board holds title which is, by resolution
5635 of the board, determined to be unnecessary for educational
5636 purposes as recommended in an educational plant survey. A



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5637 district school board or, the Board of Trustees for the Florida
5638 School for the Deaf and the Blind, ~~or a Florida College System~~
5639 ~~institution board of trustees~~ shall take diligent measures to
5640 dispose of educational property only in the best interests of
5641 the public. However, appraisals may be obtained by the district
5642 school board or, the Board of Trustees for the Florida School
5643 for the Deaf and the Blind before, ~~or the Florida College System~~
5644 ~~institution board of trustees prior to~~ or simultaneously with
5645 the receipt of bids.

5646 (b) Subject to regulations of the Board of Governors, a
5647 state university board of trustees may dispose of any land or
5648 real property to which it holds valid title which is, by
5649 resolution of the state university board of trustees, determined
5650 to be unnecessary for educational purposes as recommended in an
5651 educational plant survey. A state university board of trustees
5652 shall take diligent measures to dispose of educational property
5653 only in the best interests of the public. However, appraisals
5654 may be obtained by the state university board of trustees prior
5655 to or simultaneously with the receipt of bids.

5656 (c) Subject to rules of the State Board of Colleges, a
5657 Florida College System institution board of trustees may dispose
5658 of any land or real property to which it holds valid title which
5659 is, by resolution of the Florida College System institution
5660 board of trustees, determined to be unnecessary for educational
5661 purposes as recommended in an educational plant survey. A
5662 Florida College System institution board of trustees shall take
5663 diligent measures to dispose of educational property only in the
5664 best interests of the public. However, appraisals may be
5665 obtained by the Florida College System institution board of



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5666 trustees prior to or simultaneously with the receipt of bids.

5667 (2) TANGIBLE PERSONAL PROPERTY.—

5668 (a) Tangible personal property that has been properly
5669 classified as surplus by a district school board ~~or Florida~~
5670 ~~College System institution board of trustees~~ shall be disposed
5671 of in accordance with the procedure established by chapter 274.
5672 However, the provisions of chapter 274 shall not be applicable
5673 to a motor vehicle used in driver education to which title is
5674 obtained for a token amount from an automobile dealer or
5675 manufacturer. In such cases, the disposal of the vehicle shall
5676 be as prescribed in the contractual agreement between the
5677 automotive agency or manufacturer and the board.

5678 (b) Tangible personal property that has been properly
5679 classified as surplus by a state university board of trustees
5680 shall be disposed of in accordance with the procedure
5681 established by chapter 273.

5682 (c) Tangible personal property that has been properly
5683 classified as surplus by a Florida College System institution
5684 board of trustees shall be disposed of in accordance with the
5685 procedure established by chapter 274.

5686 Section 115. Subsection (1) of section 1013.31, Florida
5687 Statutes, is amended to read:

5688 1013.31 Educational plant survey; localized need
5689 assessment; PECO project funding.—

5690 (1) At least every 5 years, each board shall arrange for an
5691 educational plant survey, to aid in formulating plans for
5692 housing the educational program and student population, faculty,
5693 administrators, staff, and auxiliary and ancillary services of
5694 the district or campus, including consideration of the local



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5695 comprehensive plan. The Department of Education, for school
5696 districts, and the State Board of Colleges, for the Florida
5697 College System, shall document the need for additional career
5698 and adult education programs and the continuation of existing
5699 programs before facility construction or renovation related to
5700 career or adult education may be included in the educational
5701 plant survey of a school district or Florida College System
5702 institution that delivers career or adult education programs.
5703 Information used by the Department of Education or State Board
5704 of Colleges to establish facility needs must include, but need
5705 not be limited to, labor market data, needs analysis, and
5706 information submitted by the school district or Florida College
5707 System institution.

5708 (a) *Survey preparation and required data.*—Each survey shall
5709 be conducted by the board or an agency employed by the board.
5710 Surveys shall be reviewed and approved by the board, and a file
5711 copy shall be submitted to the Department of Education, the
5712 Chancellor of the Florida College System, or the Chancellor of
5713 the State University System, as appropriate. The survey report
5714 shall include at least an inventory of existing educational and
5715 ancillary plants, including safe access facilities;
5716 recommendations for existing educational and ancillary plants;
5717 recommendations for new educational or ancillary plants,
5718 including the general location of each in coordination with the
5719 land use plan and safe access facilities; campus master plan
5720 update and detail for Florida College System institutions; the
5721 use utilization of school plants based on an extended school day
5722 or year-round operation; and such other information as may be
5723 required by the Department of Education. This report may be



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5724 amended, if conditions warrant, at the request of the department
5725 or commissioner.

5726 (b) *Required need assessment criteria for district, Florida*
5727 *College System institution, state university, and Florida School*
5728 *for the Deaf and the Blind plant surveys.*—Educational plant
5729 surveys must use uniform data sources and criteria specified in
5730 this paragraph. Each revised educational plant survey and each
5731 new educational plant survey supersedes previous surveys.

5732 1. The school district's survey must be submitted as a part
5733 of the district educational facilities plan defined in s.
5734 1013.35. To ensure that the data reported to the Department of
5735 Education as required by this section is correct, the department
5736 shall annually conduct an onsite review of 5 percent of the
5737 facilities reported for each school district completing a new
5738 survey that year. If the department's review finds the data
5739 reported by a district is less than 95 percent accurate, within
5740 1 year from the time of notification by the department the
5741 district must submit revised reports correcting its data. If a
5742 district fails to correct its reports, the commissioner may
5743 direct that future fixed capital outlay funds be withheld until
5744 such time as the district has corrected its reports so that they
5745 are not less than 95 percent accurate.

5746 2. Each survey of a special facility, joint-use facility,
5747 or cooperative career education facility must be based on
5748 capital outlay full-time equivalent student enrollment data
5749 prepared by the department for school districts and Florida
5750 College System institutions and by the Chancellor of the State
5751 University System for universities. A survey of space needs of a
5752 joint-use facility shall be based upon the respective space



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5753 needs of the school districts, Florida College System
5754 institutions, and universities, as appropriate. Projections of a
5755 school district's facility space needs may not exceed the norm
5756 space and occupant design criteria established by the State
5757 Requirements for Educational Facilities.

5758 3. Each Florida College System institution's survey must
5759 reflect the capacity of existing facilities as specified in the
5760 inventory maintained and validated by the Chancellor of the
5761 Florida College System ~~by the Department of Education.~~

5762 Projections of facility space needs must comply with standards
5763 for determining space needs as specified by rule of the State
5764 Board of Colleges ~~Education~~. The 5-year projection of capital
5765 outlay student enrollment must be consistent with the annual
5766 report of capital outlay full-time student enrollment prepared
5767 by the Department of Education.

5768 4. Each state university's survey must reflect the capacity
5769 of existing facilities as specified in the inventory maintained
5770 and validated by the Chancellor of the State University System.
5771 Projections of facility space needs must be consistent with
5772 standards for determining space needs as specified by regulation
5773 of the Board of Governors. The projected capital outlay full-
5774 time equivalent student enrollment must be consistent with the
5775 5-year planned enrollment cycle for the State University System
5776 approved by the Board of Governors.

5777 5. The district educational facilities plan of a school
5778 district and the educational plant survey of a Florida College
5779 System institution, state university, or the Florida School for
5780 the Deaf and the Blind may include space needs that deviate from
5781 approved standards for determining space needs if the deviation



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5782 is justified by the district or institution and approved by the
5783 department, the State Board of Colleges, or the Board of
5784 Governors, as appropriate, as necessary for the delivery of an
5785 approved educational program.

5786 (c) *Review and validation.*—The Department of Education
5787 shall review and validate the surveys of school districts, the
5788 Chancellor of the Florida College System shall review and
5789 validate the surveys of ~~and~~ Florida College System institutions,
5790 and the Chancellor of the State University System shall review
5791 and validate the surveys of universities, and any amendments
5792 thereto for compliance with the requirements of this chapter and
5793 shall recommend those in compliance for approval by the State
5794 Board of Education, the State Board of Colleges, or the Board of
5795 Governors, as appropriate. Annually, the department shall
5796 perform an in-depth analysis of a representative sample of each
5797 survey of recommended needs for five districts selected by the
5798 commissioner from among districts with the largest need-to-
5799 revenue ratio. For the purpose of this subsection, the need-to-
5800 revenue ratio is determined by dividing the total 5-year cost of
5801 projects listed on the district survey by the total 5-year fixed
5802 capital outlay revenue projections from state and local sources
5803 as determined by the department. The commissioner may direct
5804 fixed capital outlay funds to be withheld from districts until
5805 such time as the survey accurately projects facilities needs.

5806 (d) *Periodic update of Florida Inventory of School Houses.*—
5807 School districts shall periodically update their inventory of
5808 educational facilities as new capacity becomes available and as
5809 unsatisfactory space is eliminated. The State Board of Education
5810 shall adopt rules to determine the timeframe in which districts



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5811 must provide a periodic update.

5812 Section 116. Subsection (3) of section 1013.36, Florida
5813 Statutes, is amended to read:

5814 1013.36 Site planning and selection.—

5815 (3) Sites recommended for purchase or purchased must meet
5816 standards prescribed in law and such supplementary standards as
5817 the State Board of Education or State Board of Colleges, as
5818 appropriate, prescribes to promote the educational interests of
5819 the students. Each site must be well drained and suitable for
5820 outdoor educational purposes as appropriate for the educational
5821 program or collocated with facilities to serve this purpose. As
5822 provided in s. 333.03, the site must not be located within any
5823 path of flight approach of any airport. Insofar as is
5824 practicable, the site must not adjoin a right-of-way of any
5825 railroad or through highway and must not be adjacent to any
5826 factory or other property from which noise, odors, or other
5827 disturbances, or at which conditions, would be likely to
5828 interfere with the educational program. To the extent
5829 practicable, sites must be chosen which will provide safe access
5830 from neighborhoods to schools.

5831 Section 117. Subsections (3) and (4) of section 1013.37,
5832 Florida Statutes, are amended to read:

5833 1013.37 State uniform building code for public educational
5834 facilities construction.—

5835 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
5836 Chancellor of the Florida College System, as appropriate, shall
5837 cooperate with the Florida Building Commission in addressing all
5838 questions, disputes, or interpretations involving the provisions
5839 of the Florida Building Code which govern the construction of



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5840 public educational and ancillary facilities, and any objections
5841 to decisions made by the inspectors or the department must be
5842 submitted in writing.

5843 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
5844 department, for school districts, and the State Board of
5845 Colleges, for Florida College System institutions, shall
5846 biennially review and recommend to the Florida Building
5847 Commission updates and revisions to the provisions of the
5848 Florida Building Code which govern the construction of public
5849 educational and ancillary facilities. The department, for school
5850 districts, and the State Board of Colleges, for Florida College
5851 System institutions, shall publish and make available to each
5852 board at no cost copies of the State Requirements for
5853 Educational Facilities and each amendment and revision thereto.
5854 The department and state board shall make additional copies
5855 available to all interested persons at a price sufficient to
5856 recover costs.

5857 Section 118. Subsections (1), (2), and (3) of section
5858 1013.40, Florida Statutes, are amended to read:

5859 1013.40 Planning and construction of Florida College System
5860 institution facilities; property acquisition.—

5861 (1) The need for Florida College System institution
5862 facilities shall be established by a survey conducted pursuant
5863 to this chapter. The facilities recommended by such survey must
5864 be approved by the State Board of Colleges Education, and the
5865 projects must be constructed according to the provisions of this
5866 chapter and State Board of Colleges Education rules.

5867 (2) A ~~No~~ Florida College System institution may not expend
5868 public funds for the acquisition of additional property without



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5869 the specific approval of the Legislature.

5870 (3) A ~~No~~ facility may not be acquired or constructed by a
5871 Florida College System institution or its direct-support
5872 organization if such facility requires general revenue funds for
5873 operation or maintenance upon project completion or in
5874 subsequent years of operation, unless prior approval is received
5875 from the Legislature.

5876 Section 119. Section 1013.47, Florida Statutes, is amended
5877 to read:

5878 1013.47 Substance of contract; contractors to give bond;
5879 penalties.—Each board shall develop contracts consistent with
5880 this chapter and statutes governing public facilities. Such a
5881 contract must contain the drawings and specifications of the
5882 work to be done and the material to be furnished, the time limit
5883 in which the construction is to be completed, the time and
5884 method by which payments are to be made upon the contract, and
5885 the penalty to be paid by the contractor for a failure to comply
5886 with the terms of the contract. The board may require the
5887 contractor to pay a penalty for any failure to comply with the
5888 terms of the contract and may provide an incentive for early
5889 completion. Upon accepting a satisfactory bid, the board shall
5890 enter into a contract with the party or parties whose bid has
5891 been accepted. The contractor shall furnish the board with a
5892 performance and payment bond as set forth in s. 255.05. A board
5893 or other public entity may not require a contractor to secure a
5894 surety bond under s. 255.05 from a specific agent or bonding
5895 company. A person, firm, or corporation that constructs any part
5896 of any educational plant, or addition thereto, on the basis of
5897 any unapproved plans or in violation of any plans approved in



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5898 accordance with the provisions of this chapter and rules of the
5899 State Board of Education or State Board of Colleges or
5900 regulations of the Board of Governors relating to building
5901 standards or specifications is subject to forfeiture of the
5902 surety bond and unpaid compensation in an amount sufficient to
5903 reimburse the board for any costs that will need to be incurred
5904 in making any changes necessary to assure that all requirements
5905 are met and is also guilty of a misdemeanor of the second
5906 degree, punishable as provided in s. 775.082 or s. 775.083, for
5907 each separate violation.

5908 Section 120. Section 1013.52, Florida Statutes, is amended
5909 to read:

5910 1013.52 Cooperative development and joint use of facilities
5911 by two or more boards.—

5912 (1) Two or more boards, including district school boards,
5913 Florida College System institution boards of trustees, the Board
5914 of Trustees for the Florida School for the Deaf and the Blind,
5915 and university boards of trustees, desiring to cooperatively
5916 establish a common educational facility to accommodate students
5917 shall:

5918 (a) Jointly request a formal assessment by the Commissioner
5919 of Education, ~~or~~ the Chancellor of the State University System,
5920 or the Chancellor of the State Board of Colleges, as
5921 appropriate, of the academic program need and the need to build
5922 new joint-use facilities to house approved programs. Completion
5923 of the assessment and approval of the project by the State Board
5924 of Education, the State Board of Colleges, the Chancellor of the
5925 Florida College System, the Board of Governors, the Chancellor
5926 of the State University System, or the Commissioner of



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5927 Education, as appropriate, should be done prior to conducting an
5928 educational facilities survey.

5929 (b) Demonstrate the need for construction of new joint-use
5930 facilities involving postsecondary institutions by those
5931 institutions presenting evidence of the presence of sufficient
5932 actual full-time equivalent enrollments in the locale in leased,
5933 rented, or borrowed spaces to justify the requested facility for
5934 the programs identified in the formal assessment rather than
5935 using projected or anticipated future full-time equivalent
5936 enrollments as justification. If the decision is made to
5937 construct new facilities to meet this demonstrated need, then
5938 building plans should consider full-time equivalent enrollment
5939 growth facilitated by this new construction and subsequent new
5940 program offerings made possible by the existence of the new
5941 facilities.

5942 (c) Adopt and submit to the Commissioner of Education, the
5943 Chancellor of the Florida College System, or ~~and~~ the Chancellor
5944 of the State University System, as appropriate, if the joint
5945 request involves a state university, a joint resolution of the
5946 participating boards indicating their commitment to the
5947 utilization of the requested facility and designating the locale
5948 of the proposed facility. The joint resolution shall contain a
5949 statement of determination by the participating boards that
5950 alternate options, including the use of leased, rented, or
5951 borrowed space, were considered and found less appropriate than
5952 construction of the proposed facility. The joint resolution
5953 shall contain assurance that the development of the proposed
5954 facility has been examined in conjunction with the programs
5955 offered by neighboring public educational facilities offering



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5956 instruction at the same level. The joint resolution also shall
5957 contain assurance that each participating board shall provide
5958 for continuity of educational progression. All joint resolutions
5959 shall be submitted by August 1 for consideration of funding by
5960 the subsequent Legislature.

5961 (d) Submit requests for funding of joint-use facilities
5962 projects involving state universities and Florida College System
5963 institutions for approval by the Chancellor of the Florida
5964 College System Commissioner of Education and the Chancellor of
5965 the State University System. The Chancellor of the Florida
5966 College System Commissioner of Education and the Chancellor of
5967 the State University System shall jointly determine the priority
5968 for funding these projects in relation to the priority of all
5969 other capital outlay projects under their consideration. To be
5970 eligible for funding from the Public Education Capital Outlay
5971 and Debt Service Trust Fund under the provisions of this
5972 section, projects involving both state universities and Florida
5973 College System institutions shall appear on the 3-year capital
5974 outlay priority lists of Florida College System institutions and
5975 of universities required by s. 1013.64. Projects involving a
5976 state university, a Florida College System institution, and a
5977 public school, and in which the larger share of the proposed
5978 facility is for the use of the state university or the Florida
5979 College System institution, shall appear on the 3-year capital
5980 outlay priority lists of the Florida College System institutions
5981 or of the universities, as applicable.

5982 (e) Include in their joint resolution for the joint-use
5983 facilities, comprehensive plans for the operation and management
5984 of the facility upon completion. Institutional responsibilities



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5985 for specific functions shall be identified, including
5986 designation of one participating board as sole owner of the
5987 facility. Operational funding arrangements shall be clearly
5988 defined.

5989 (2) An educational plant survey must be conducted within 90
5990 days after submission of the joint resolution and substantiating
5991 data describing the benefits to be obtained, the programs to be
5992 offered, and the estimated cost of the proposed project. Upon
5993 completion of the educational plant survey, the participating
5994 boards may include the recommended projects in their plan as
5995 provided in s. 1013.31. Upon approval of the project by the
5996 commissioner, the Chancellor of the Florida College System, or
5997 the Chancellor of the State University System, as appropriate,
5998 25 percent of the total cost of the project, or the pro rata
5999 share based on space utilization of 25 percent of the cost, must
6000 be included in the department's legislative capital outlay
6001 budget request as provided in s. 1013.60 for educational plants.
6002 The participating boards must include in their joint resolution
6003 a commitment to finance the remaining funds necessary to
6004 complete the planning, construction, and equipping of the
6005 facility. Funds from the Public Education Capital Outlay and
6006 Debt Service Trust Fund may not be expended on any project
6007 unless specifically authorized by the Legislature.

6008 (3) Included in all proposals for joint-use facilities must
6009 be documentation that the proposed new campus or new joint-use
6010 facility has been reviewed by the State Board of Education, the
6011 State Board of Colleges, or the Board of Governors, as
6012 appropriate, and has been formally requested for authorization
6013 by the Legislature.



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6014 (4) A ~~No~~ district school board, Florida College System
6015 institution, or state university may not ~~shall~~ receive funding
6016 for more than one approved joint-use facility per campus in any
6017 3-year period.

6018 Section 121. Subsection (1) of section 1013.65, Florida
6019 Statutes, is amended to read:

6020 1013.65 Educational and ancillary plant construction funds;
6021 Public Education Capital Outlay and Debt Service Trust Fund;
6022 allocation of funds.—

6023 (1) The commissioner, through the department, shall
6024 administer the Public Education Capital Outlay and Debt Service
6025 Trust Fund. The commissioner shall allocate or reallocate funds
6026 as authorized by the Legislature. Copies of each allocation or
6027 reallocation shall be provided to members of the State Board of
6028 Education, the State Board of Colleges, and the Board of
6029 Governors and to the chairs of the House of Representatives and
6030 Senate appropriations committees. The commissioner shall provide
6031 for timely encumbrances of funds for duly authorized projects.
6032 Encumbrances may include proceeds to be received under a
6033 resolution approved by the State Board of Education authorizing
6034 the issuance of public education capital outlay bonds pursuant
6035 to s. 9(a)(2), Art. XII of the State Constitution, s. 215.61,
6036 and other applicable law. The commissioner shall provide for the
6037 timely disbursement of moneys necessary to meet the encumbrance
6038 authorizations of the boards. Records shall be maintained by the
6039 department to identify legislative appropriations, allocations,
6040 encumbrance authorizations, disbursements, transfers,
6041 investments, sinking funds, and revenue receipts by source. The
6042 Department of Education shall pay the administrative costs of



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6043 the Public Education Capital Outlay and Debt Service Trust Fund
6044 from the funds which comprise the trust fund.

6045 Section 122. Except as otherwise expressly provided in this
6046 act and except for this section, which shall take effect upon
6047 becoming a law, this act shall take effect October 1, 2018.

6048
6049 ===== T I T L E A M E N D M E N T =====

6050 And the title is amended as follows:

6051 Delete everything before the enacting clause
6052 and insert:

6053 A bill to be entitled
6054 An act relating to postsecondary education; providing
6055 a short title; creating s. 1001.6001, F.S.; creating
6056 the State Board of Colleges; requiring the Governor to
6057 appoint the membership of the state board; providing
6058 that the appointments are subject to confirmation by
6059 the Senate; requiring the Division of Florida Colleges
6060 to provide administrative support to the state board
6061 until a specified date; transferring the Florida
6062 College System and the Division of Florida Colleges to
6063 the state board on a specified date; requiring the
6064 state board to appoint a Chancellor of the Florida
6065 College System by a specified date; amending s. 20.15,
6066 F.S.; removing the Division of Florida Colleges from
6067 within the Department of Education; requiring the
6068 department to provide support to the State Board of
6069 Colleges; creating s. 20.156, F.S.; creating the State
6070 Board of Colleges; assigning the state board to, and
6071 administratively housing the state board within, the



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6072 department; providing the personnel for and powers and
6073 duties of the state board; requiring the state board
6074 to conduct an organizational meeting by a specified
6075 date; amending s. 112.313, F.S.; prohibiting citizen
6076 members of the State Board of Colleges or Florida
6077 College System institution boards of trustees from
6078 having an employment or contractual relationship as
6079 specified lobbyists; amending s. 112.3145, F.S.;

6080 revising the term "state officer" to include certain
6081 Florida College System personnel; amending s. 1000.03,
6082 F.S.; revising the function and mission of the Florida
6083 K-20 education system; requiring the State Board of
6084 Colleges to oversee enforcement of Florida College
6085 System laws and rules; amending s. 1000.05, F.S.;

6086 requiring the Chancellor of the Florida College
6087 System, instead of the Commissioner of Education, to
6088 make certain determinations regarding equal
6089 opportunities at Florida College System institutions;

6090 requiring the State Board of Colleges to adopt rules;

6091 amending s. 1001.02, F.S.; revising the general powers
6092 of the State Board of Education to exempt the Florida
6093 College System from certain provisions; deleting
6094 duties of the State Board of Education regarding the
6095 Florida College System; amending s. 1001.03, F.S.;

6096 revising certain articulation accountability and
6097 enforcement measures; requiring the State Board of
6098 Education to collect information in conjunction with
6099 the Board of Governors and the State Board of
6100 Colleges; deleting duties of the State Board of



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6101 Education regarding the Florida College System;
6102 amending ss. 1001.10 and 1001.11, F.S.; revising the
6103 general powers and duties of the Commissioner of
6104 Education to exempt the Florida College System from
6105 certain powers and duties; amending s. 1001.20, F.S.;
6106 revising duties of the Office of Inspector General
6107 within the department regarding the Florida College
6108 System; amending s. 1001.28, F.S.; providing that the
6109 powers and duties of the State Board of Colleges are
6110 not abrogated, superseded, altered, or amended by
6111 certain provisions relating to the department's duties
6112 for distance learning; amending s. 1001.42, F.S.;
6113 prohibiting a technical center governing board from
6114 approving certain courses and programs; amending s.
6115 1001.44, F.S.; providing the primary mission of a
6116 career center operated by a district school board;
6117 prohibiting specified career centers from offering
6118 certain courses and programs; amending s. 1001.60,
6119 F.S.; conforming provisions to changes made by the
6120 act; creating s. 1001.601, F.S.; establishing the
6121 State Board of Colleges; providing the membership of
6122 the board; creating s. 1001.602, F.S.; providing the
6123 responsibilities and duties of the State Board of
6124 Colleges; requiring the state board to coordinate with
6125 the State Board of Education; requiring the state
6126 board, in collaboration with the State Board of
6127 Education, to adopt specified definitions by rule;
6128 amending ss. 1001.61, 1001.64, and 1001.65, F.S.;
6129 conforming provisions to changes made by the act;



6130 amending s. 1001.66, F.S.; revising requirements for
6131 the performance-based metrics used to award Florida
6132 College System institutions with performance-based
6133 incentives; amending s. 1001.67, F.S.; revising the
6134 Distinguished Florida College System Institution
6135 Program excellence standards requirements; amending s.
6136 1001.706, F.S.; revising cooperation duties of the
6137 Board of Governors to include requirements for working
6138 with the State Board of Colleges; amending s. 1002.34,
6139 F.S.; providing the primary mission of a charter
6140 technical career center; prohibiting specified charter
6141 technical career centers from offering certain courses
6142 and programs; providing for rulemaking; amending s.
6143 1003.491, F.S.; revising the Florida Career and
6144 Professional Education Act to require the State Board
6145 of Colleges to recommend, jointly with the Board of
6146 Governors and the Commissioner of Education, certain
6147 deadlines for new core courses; amending s. 1003.493,
6148 F.S.; revising department duties regarding
6149 articulation and the transfer of credits to
6150 postsecondary institutions to include consultation
6151 with the State Board of Colleges; amending s.
6152 1004.015, F.S.; providing that the Higher Education
6153 Coordinating Council serves as an advisory board to,
6154 in addition to other bodies, the State Board of
6155 Colleges; revising council reporting requirements to
6156 include a report to the state board; requiring the
6157 state board to collaborate with the Office of K-20
6158 Articulation to provide administrative support for the



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6159 council; amending ss. 1004.02 and 1004.03, F.S.;

6160 conforming provisions to changes made by the act;

6161 amending s. 1004.04, F.S.; revising department

6162 reporting requirements regarding teacher preparation

6163 programs to require a report to the State Board of

6164 Colleges; amending s. 1004.07, F.S.; providing that

6165 the State Board of Colleges, instead of the State

6166 Board of Education, provide guidelines for Florida

6167 College System institution boards of trustees'

6168 policies; amending ss. 1004.084, 1004.085, 1004.096,

6169 1004.0961, 1004.35, and 1004.6495, F.S.; conforming

6170 provisions to changes made by the act; amending s.

6171 1004.65, F.S.; revising Florida College System

6172 institution governance, mission, and responsibilities,

6173 to provide authority and duties to the State Board of

6174 Colleges, instead of the State Board of Education;

6175 providing that offering upper-level instruction and

6176 awarding baccalaureate degrees are a secondary and not

6177 a primary role of a Florida College System

6178 institution; amending s. 1004.67, F.S.; conforming

6179 provisions to changes made by the act; amending s.

6180 1004.70, F.S.; revising requirements for appointments

6181 to the board of directors; prohibiting a Florida

6182 College System institution board of trustees from

6183 authorizing a Florida College System institution

6184 direct-support organization to use personal services

6185 and state funds for travel expenses after a specified

6186 date; deleting an exception to the prohibition on

6187 gifts to a political committee from a Florida College



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6188 System institution direct-support organization;
6189 conforming provisions to changes made by the act;
6190 amending s. 1004.71, F.S.; conforming provisions to
6191 changes made by the act; amending s. 1004.74, F.S.;
6192 requiring the Chancellor of the Florida College
6193 System, jointly with the Commissioner of Education, to
6194 appoint members of the Council for the Florida School
6195 for the Arts; amending ss. 1004.78 and 1004.80, F.S.;
6196 conforming provisions to changes made by the act;
6197 amending s. 1004.91, F.S.; requiring the State Board
6198 of Colleges to collaborate with the State Board of
6199 Education to provide certain rules for Florida College
6200 System institutions regarding requirements for career
6201 education program basic skills; amending s. 1004.92,
6202 F.S.; providing accountability for career education
6203 for the State Board of Colleges; revising the
6204 department's accountability for career education;
6205 requiring the department and the State Board of
6206 Colleges to collaborate to develop certain standards
6207 and benchmarks; requiring the State Board of Education
6208 and the State Board of Colleges to collaborate to
6209 adopt rules; amending s. 1004.925, F.S.; revising
6210 industry certification requirements for automotive
6211 service technology education programs to include rules
6212 adopted by the State Board of Colleges; amending s.
6213 1004.93, F.S.; conforming provisions to changes made
6214 by the act; amending s. 1006.60, F.S.; authorizing
6215 sanctions for violations of certain rules of the State
6216 Board of Colleges, instead of for violations of



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6217 certain rules of the State Board of Education;
6218 amending ss. 1006.61, 1006.62, and 1006.71, F.S.;
6219 conforming provisions to changes made by the act;
6220 amending s. 1007.01, F.S.; revising the role of the
6221 State Board of Education and the Board of Governors in
6222 the statewide articulation system to include the State
6223 Board of Colleges and the Chancellor of the Florida
6224 College System; amending s. 1007.23, F.S.; requiring
6225 each Florida College System institution and each state
6226 university to execute at least one "2+2" targeted
6227 pathway articulation agreement by a specified time;
6228 providing requirements and student eligibility for the
6229 agreements; requiring the State Board of Colleges and
6230 the Board of Governors to collaborate to eliminate
6231 barriers in executing the agreements; amending s.
6232 1007.24, F.S.; revising the statewide course numbering
6233 system to include participation by and input from the
6234 State Board of Colleges and the Chancellor of the
6235 Florida College System; amending ss. 1007.25,
6236 1007.262, 1007.263, 1007.264, and 1007.265, F.S.;
6237 conforming provisions to changes made by the act;
6238 amending s. 1007.27, F.S.; requiring school districts
6239 to notify students about certain lists and
6240 equivalencies; amending s. 1007.271, F.S.; requiring
6241 the State Board of Education to collaborate with the
6242 State Board of Colleges regarding certain articulation
6243 agreements; amending s. 1007.273, F.S.; requiring the
6244 State Board of Colleges to enforce compliance with
6245 certain provisions relating to the collegiate high



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6246 school program by a specified date each year; amending
6247 s. 1007.33, F.S.; prohibiting Florida College System
6248 institutions from offering bachelor of arts degree
6249 programs; deleting provisions relating to an
6250 authorization for the Board of Trustees of St.
6251 Petersburg College to establish certain baccalaureate
6252 degree programs; revising the approval process for
6253 baccalaureate degree programs proposed by Florida
6254 College System institutions; requiring a Florida
6255 College System institution to annually report certain
6256 information to the State Board of Colleges, the
6257 Chancellor of the State University System, and the
6258 Legislature; revising the circumstances under which a
6259 baccalaureate degree program may be required to be
6260 modified or terminated; requiring that a baccalaureate
6261 degree program be terminated under certain
6262 circumstances; restricting total upper-level,
6263 undergraduate full-time equivalent enrollment at
6264 Florida College System institutions and within the
6265 Florida College System; amending s. 1008.30, F.S.;
6266 requiring the State Board of Colleges, rather than the
6267 State Board of Education, to develop and implement a
6268 specified common placement test and approve a
6269 specified series of meta-majors and academic pathways
6270 with the Board of Governors; providing that certain
6271 state universities may continue to provide
6272 developmental education instruction; establishing the
6273 Supporting Students for Academic Success Program;
6274 providing the purpose, requirements, funding, and



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6275 reporting requirements of the program; amending s.
6276 1008.31, F.S.; revising the legislative intent of
6277 Florida's K-20 education performance and
6278 accountability system to include recommendations from
6279 and reports to the State Board of Colleges; amending
6280 s. 1008.32, F.S.; removing the oversight enforcement
6281 authority of the State Board of Education relating to
6282 the Florida College System; amending s. 1008.345,
6283 F.S.; revising department responsibilities associated
6284 with the system of educational accountability to
6285 include duties for the State Board of Colleges;
6286 amending s. 1008.37, F.S.; revising certain student
6287 reporting requirements of the Commissioner of
6288 Education to also require a report to the State Board
6289 of Colleges; amending s. 1008.38, F.S.; revising the
6290 articulation accountability process to include
6291 participation by the State Board of Colleges; amending
6292 s. 1008.405, F.S.; requiring the State Board of
6293 Colleges to adopt rules for the maintenance of
6294 specific information by Florida College System
6295 institutions; amending ss. 1008.44, 1008.45, 1009.21,
6296 1009.22, 1009.23, and 1009.25, F.S.; conforming
6297 provisions to changes made by the act; amending s.
6298 1009.26, F.S.; requiring that certain information
6299 regarding fee waivers be reported to the State Board
6300 of Colleges; requiring the State Board of Colleges to
6301 adopt rules; amending s. 1009.28, F.S.; conforming
6302 provisions to changes made by the act; amending ss.
6303 1009.90 and 1009.91, F.S.; revising the duties of the



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6304 department to include reports to the State Board of
6305 Colleges; amending s. 1009.971, F.S.; conforming
6306 provisions to changes made by the act; amending s.
6307 1010.01, F.S.; requiring the financial records and
6308 accounts of Florida College System institutions to
6309 follow rules of the State Board of Colleges, instead
6310 of the State Board of Education; requiring each
6311 Florida College System institution to annually file
6312 specified financial statements with the State Board of
6313 Colleges; amending ss. 1010.02 and 1010.04, F.S.;
6314 requiring the funds accruing to and purchases and
6315 leases by Florida College System institutions to
6316 follow rules of the State Board of Colleges, instead
6317 of the State Board of Education; amending s. 1010.07,
6318 F.S.; requiring certain contractors to give bonds in
6319 an amount set by the State Board of Colleges; amending
6320 s. 1010.08, F.S.; authorizing Florida College System
6321 boards of trustees to budget for promotion and public
6322 relations from certain funds; amending ss. 1010.09,
6323 1010.22, 1010.30, and 1010.58, F.S.; conforming
6324 provisions to changes made by the act; amending s.
6325 1011.01, F.S.; requiring each Florida College System
6326 institution board of trustees to submit an annual
6327 operating budget according to rules of the State Board
6328 of Colleges; amending s. 1011.011, F.S.; requiring the
6329 State Board of Education to collaborate with the State
6330 Board of Colleges on legislative budget requests
6331 relating to Florida College System institutions;
6332 amending ss. 1011.30 and 1011.32, F.S.; conforming



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6333 provisions to changes made by the act; amending s.
6334 1011.80, F.S.; conforming provisions to changes made
6335 by the act; authorizing the State Board of Colleges to
6336 adopt rules; amending s. 1011.801, F.S.; specifying
6337 duties of the State Board of Colleges regarding funds
6338 for the operation of workforce education programs and
6339 the Workforce Development Capitalization Incentive
6340 Grant Program; amending ss. 1011.81, 1011.82, 1011.83,
6341 1011.84, and 1011.85, F.S.; conforming provisions to
6342 changes made by the act; amending s. 1012.01, F.S.;
6343 redefining the term "school officers"; amending ss.
6344 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,
6345 F.S.; conforming provisions to changes made by the
6346 act; amending s. 1013.01, F.S.; providing that the
6347 term "board" does not include the State Board of
6348 Colleges when used in the context of certain
6349 educational facilities provisions; amending ss.
6350 1013.02 and 1013.03, F.S.; requiring the State Board
6351 of Colleges to adopt rules for and provide functions
6352 relating to educational facilities; amending s.
6353 1013.28, F.S.; authorizing Florida College System
6354 institution boards of trustees to dispose of land or
6355 real property subject to rules of the State Board of
6356 Colleges; amending s. 1013.31, F.S.; specifying the
6357 role of the State Board of Colleges in educational
6358 plant surveys for Florida College System institutions;
6359 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
6360 conforming provisions to changes made by the act;
6361 amending s. 1013.47, F.S.; providing that certain



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6362 contractors are subject to rules of the State Board of
6363 Colleges; amending s. 1013.52, F.S.; specifying duties
6364 of the State Board of Colleges with regard to the
6365 cooperative development and joint use of facilities;
6366 amending s. 1013.65, F.S.; requiring the State Board
6367 of Colleges to be provided with copies of authorized
6368 allocations or reallocations for the Public Education
6369 Capital Outlay and Debt Service Trust Fund; providing
6370 effective dates.