

1 A bill to be entitled

2 An act relating to postsecondary education; providing  
3 a short title; creating s. 1001.6001, F.S.; renaming  
4 the Florida College System as the Florida Community  
5 College System; creating the State Board of Community  
6 Colleges; requiring the Governor to appoint the  
7 membership of the state board; providing that the  
8 appointments are subject to confirmation by the  
9 Senate; requiring the Division of Florida Colleges to  
10 provide administrative support to the state board  
11 until a specified date; transferring the Florida  
12 College System and the Division of Florida Colleges to  
13 the state board on a specified date; requiring the  
14 state board to appoint a Chancellor of the Florida  
15 Community College System by a specified date; amending  
16 s. 20.15, F.S.; removing the Division of Florida  
17 Colleges from within the Department of Education;  
18 requiring the department to provide support to the  
19 State Board of Community Colleges; creating s. 20.156,  
20 F.S.; creating the State Board of Community Colleges;  
21 assigning the state board to, and administratively  
22 housing the state board within, the department;  
23 providing the personnel for and powers and duties of  
24 the state board; requiring the state board to conduct  
25 an organizational meeting by a specified date;

26 | amending s. 112.313, F.S.; prohibiting citizen members  
27 | of the State Board of Community Colleges or Florida  
28 | Community College System institution boards of  
29 | trustees from having an employment or contractual  
30 | relationship as specified lobbyists; amending s.  
31 | 112.3145, F.S.; revising the term "state officer" to  
32 | include certain Florida Community College System  
33 | personnel; amending s. 1000.03, F.S.; revising the  
34 | function and mission of the Florida K-20 education  
35 | system; requiring the State Board of Community  
36 | Colleges to oversee enforcement of Florida Community  
37 | College System laws and rules; amending s. 1000.05,  
38 | F.S.; requiring the Chancellor of the Florida  
39 | Community College System, instead of the Commissioner  
40 | of Education, to make certain determinations regarding  
41 | equal opportunities at Florida Community College  
42 | System institutions; requiring the State Board of  
43 | Community Colleges to adopt rules; amending s.  
44 | 1001.02, F.S.; revising the general powers of the  
45 | State Board of Education to exempt the Florida  
46 | Community College System from certain provisions;  
47 | deleting duties of the State Board of Education  
48 | regarding the Florida College System; amending s.  
49 | 1001.03, F.S.; revising certain articulation  
50 | accountability and enforcement measures; requiring the

51 State Board of Education to collect information in  
52 conjunction with the Board of Governors and the State  
53 Board of Community Colleges; deleting duties of the  
54 State Board of Education regarding the Florida College  
55 System; amending ss. 1001.10 and 1001.11, F.S.;  
56 revising the general powers and duties of the  
57 Commissioner of Education to exempt the Florida  
58 Community College System from certain powers and  
59 duties; amending s. 1001.20, F.S.; revising duties of  
60 the Office of Inspector General within the department  
61 regarding the Florida College System; amending s.  
62 1001.28, F.S.; providing that the powers and duties of  
63 the State Board of Community Colleges are not  
64 abrogated, superseded, altered, or amended by certain  
65 provisions relating to the department's duties for  
66 distance learning; amending s. 1001.42, F.S.;  
67 prohibiting a technical center governing board from  
68 approving certain courses and programs; amending s.  
69 1001.44, F.S.; providing the primary mission of a  
70 career center operated by a district school board;  
71 prohibiting specified career centers from offering  
72 certain courses and programs; amending s. 1001.60,  
73 F.S.; conforming provisions to changes made by the  
74 act; creating s. 1001.601, F.S.; establishing the  
75 State Board of Community Colleges; providing the

76 membership of the board; creating s. 1001.602, F.S.;

77 providing the responsibilities and duties of the State

78 Board of Community Colleges; requiring the state board

79 to coordinate with the State Board of Education;

80 requiring the state board, in collaboration with the

81 State Board of Education, to adopt specified

82 definitions by rule; amending ss. 1001.61, 1001.64,

83 and 1001.65, F.S.; conforming provisions to changes

84 made by the act; amending s. 1001.66, F.S.; revising

85 requirements for the performance-based metrics used to

86 award Florida Community College System institutions

87 with performance-based incentives; amending s.

88 1001.67, F.S.; revising the Distinguished Florida

89 Community College System Institution Program

90 excellence standards requirements; amending s.

91 1001.706, F.S.; revising cooperation duties of the

92 Board of Governors to include requirements for working

93 with the State Board of Community Colleges; amending

94 s. 1002.34, F.S.; providing the primary mission of a

95 charter technical career center; prohibiting specified

96 charter technical career centers from offering certain

97 courses and programs; providing for rulemaking;

98 amending s. 1003.491, F.S.; revising the Florida

99 Career and Professional Education Act to require the

100 State Board of Community Colleges to recommend,

101 jointly with the Board of Governors and the  
102 Commissioner of Education, certain deadlines for new  
103 core courses; amending s. 1003.493, F.S.; revising  
104 department duties regarding articulation and the  
105 transfer of credits to postsecondary institutions to  
106 include consultation with the State Board of Community  
107 Colleges; amending s. 1004.015, F.S.; providing that  
108 the Higher Education Coordinating Council serves as an  
109 advisory board to, in addition to other bodies, the  
110 State Board of Community Colleges; revising council  
111 reporting requirements to include a report to the  
112 state board; requiring the state board to collaborate  
113 with the Office of K-20 Articulation to provide  
114 administrative support for the council; amending ss.  
115 1004.02 and 1004.03, F.S.; conforming provisions to  
116 changes made by the act; amending s. 1004.04, F.S.;  
117 revising department reporting requirements regarding  
118 teacher preparation programs to require a report to  
119 the State Board of Community Colleges; amending s.  
120 1004.07, F.S.; providing that the State Board of  
121 Community Colleges, instead of the State Board of  
122 Education, provide guidelines for Florida Community  
123 College System institution boards of trustees'  
124 policies; amending ss. 1004.084, 1004.085, 1004.096,  
125 1004.0961, 1004.35, and 1004.6495, F.S.; conforming

126 provisions to changes made by the act; amending s.  
 127 1004.65, F.S.; revising Florida Community College  
 128 System institution governance, mission, and  
 129 responsibilities, to provide authority and duties to  
 130 the State Board of Community Colleges, instead of the  
 131 State Board of Education; providing that offering  
 132 upper-level instruction and awarding baccalaureate  
 133 degrees are a secondary and not a primary role of a  
 134 Florida Community College System institution; amending  
 135 s. 1004.67, F.S.; conforming provisions to changes  
 136 made by the act; amending s. 1004.70, F.S.; revising  
 137 requirements for appointments to the board of  
 138 directors; prohibiting a community college board of  
 139 trustees from authorizing a Florida Community College  
 140 System institution direct-support organization to use  
 141 personal services and state funds for travel expenses  
 142 after a specified date; deleting an exception to the  
 143 prohibition on gifts to a political committee from a  
 144 Florida Community College System institution direct-  
 145 support organization; conforming provisions to changes  
 146 made by the act; amending s. 1004.71, F.S.; conforming  
 147 provisions to changes made by the act; amending s.  
 148 1004.74, F.S.; requiring the Chancellor of the Florida  
 149 Community College System, jointly with the  
 150 Commissioner of Education, to appoint members of the

151 Council for the Florida School for the Arts; amending  
152 ss. 1004.78 and 1004.80, F.S.; conforming provisions  
153 to changes made by the act; amending s. 1004.91, F.S.;  
154 requiring the State Board of Community Colleges to  
155 collaborate with the State Board of Education to  
156 provide certain rules for Florida Community College  
157 System institutions regarding requirements for career  
158 education program basic skills; amending s. 1004.92,  
159 F.S.; providing accountability for career education  
160 for the State Board of Community Colleges; revising  
161 the department's accountability for career education;  
162 requiring the department and the State Board of  
163 Community Colleges to collaborate to develop certain  
164 standards and benchmarks; requiring the State Board of  
165 Education and the State Board of Community Colleges to  
166 collaborate to adopt rules; amending s. 1004.925,  
167 F.S.; revising industry certification requirements for  
168 automotive service technology education programs to  
169 include rules adopted by the State Board of Community  
170 Colleges; amending s. 1004.93, F.S.; conforming  
171 provisions to changes made by the act; amending s.  
172 1006.60, F.S.; authorizing sanctions for violations of  
173 certain rules of the State Board of Community  
174 Colleges, instead of for violations of certain rules  
175 of the State Board of Education; amending ss. 1006.61,

176 1006.62, and 1006.71, F.S.; conforming provisions to  
177 changes made by the act; amending s. 1007.01, F.S.;  
178 revising the role of the State Board of Education and  
179 the Board of Governors in the statewide articulation  
180 system to include the State Board of Community  
181 Colleges and the Chancellor of the Florida Community  
182 College System; amending s. 1007.23, F.S.; requiring  
183 each Florida Community College System institution and  
184 each state university to execute at least one "2+2"  
185 targeted pathway articulation agreement by a specified  
186 time; providing requirements and student eligibility  
187 for the agreements; requiring the State Board of  
188 Community Colleges and the Board of Governors to  
189 collaborate to eliminate barriers in executing the  
190 agreements; amending s. 1007.24, F.S.; revising the  
191 statewide course numbering system to include  
192 participation by and input from the State Board of  
193 Community Colleges and the Chancellor of the Florida  
194 Community College System; amending ss. 1007.25,  
195 1007.262, 1007.263, 1007.264, and 1007.265, F.S.;  
196 conforming provisions to changes made by the act;  
197 amending s. 1007.27, F.S.; requiring school districts  
198 to notify students about certain lists and  
199 equivalencies; amending s. 1007.271, F.S.; requiring  
200 the State Board of Education to collaborate with the



201 State Board of Community Colleges regarding certain  
202 articulation agreements; amending s. 1007.273, F.S.;  
203 requiring the State Board of Community Colleges to  
204 enforce compliance with certain provisions relating to  
205 the collegiate high school program by a specified date  
206 each year; amending s. 1007.33, F.S.; prohibiting  
207 Florida Community College System institutions from  
208 offering bachelor of arts degree programs; deleting  
209 provisions relating to an authorization for the Board  
210 of Trustees of St. Petersburg College to establish  
211 certain baccalaureate degree programs; revising the  
212 approval process for baccalaureate degree programs  
213 proposed by Florida Community College System  
214 institutions; requiring a Florida Community College  
215 System institution to annually report certain  
216 information to the State Board of Community Colleges,  
217 the Chancellor of the State University System, and the  
218 Legislature; revising the circumstances under which a  
219 baccalaureate degree program may be required to be  
220 modified or terminated; requiring that a baccalaureate  
221 degree program be terminated under certain  
222 circumstances; restricting total upper-level,  
223 undergraduate full-time equivalent enrollment at  
224 Florida Community College System institutions and  
225 within the Florida Community College System; amending

226 s. 1008.30, F.S.; requiring the State Board of  
227 Community Colleges, rather than the State Board of  
228 Education, to develop and implement a specified common  
229 placement test and approve a specified series of meta-  
230 majors and academic pathways with the Board of  
231 Governors; providing that certain state universities  
232 may continue to provide developmental education  
233 instruction; establishing the Supporting Students for  
234 Academic Success Program; providing the purpose,  
235 requirements, funding, and reporting requirements of  
236 the program; amending s. 1008.31, F.S.; revising the  
237 legislative intent of Florida's K-20 education  
238 performance and accountability system to include  
239 recommendations from and reports to the State Board of  
240 Community Colleges; amending s. 1008.32, F.S.;  
241 removing the oversight enforcement authority of the  
242 State Board of Education relating to the Florida  
243 Community College System; amending s. 1008.345, F.S.;  
244 revising department responsibilities associated with  
245 the system of educational accountability to include  
246 duties for the State Board of Community Colleges;  
247 amending s. 1008.37, F.S.; revising certain student  
248 reporting requirements of the Commissioner of  
249 Education to also require a report to the State Board  
250 of Community Colleges; amending s. 1008.38, F.S.;

251 revising the articulation accountability process to  
252 include participation by the State Board of Community  
253 Colleges; amending s. 1008.405, F.S.; requiring the  
254 State Board of Community Colleges to adopt rules for  
255 the maintenance of specific information by Florida  
256 Community College System institutions; amending ss.  
257 1008.44, 1008.45, 1009.21, 1009.22, 1009.23, and  
258 1009.25, F.S.; conforming provisions to changes made  
259 by the act; amending s. 1009.26, F.S.; requiring that  
260 certain information regarding fee waivers be reported  
261 to the State Board of Community Colleges; requiring  
262 the State Board of Community Colleges to adopt rules;  
263 amending s. 1009.28, F.S.; conforming provisions to  
264 changes made by the act; amending ss. 1009.90 and  
265 1009.91, F.S.; revising the duties of the department  
266 to include reports to the State Board of Community  
267 Colleges; amending s. 1009.971, F.S.; conforming  
268 provisions to changes made by the act; amending s.  
269 1010.01, F.S.; requiring the financial records and  
270 accounts of Florida Community College System  
271 institutions to follow rules of the State Board of  
272 Community Colleges, instead of the State Board of  
273 Education; requiring each Florida Community College  
274 System institution to annually file specified  
275 financial statements with the State Board of Community

276 Colleges; amending ss. 1010.02 and 1010.04, F.S.;  
277 requiring the funds accruing to and purchases and  
278 leases by Florida Community College System  
279 institutions to follow rules of the State Board of  
280 Community Colleges, instead of the State Board of  
281 Education; amending s. 1010.07, F.S.; requiring  
282 certain contractors to give bonds in an amount set by  
283 the State Board of Community Colleges; amending s.  
284 1010.08, F.S.; authorizing Florida Community College  
285 System boards of trustees to budget for promotion and  
286 public relations from certain funds; amending ss.  
287 1010.09, 1010.22, 1010.30, and 1010.58, F.S.;  
288 conforming provisions to changes made by the act;  
289 amending s. 1011.01, F.S.; requiring each Florida  
290 Community College System institution board of trustees  
291 to submit an annual operating budget according to  
292 rules of the State Board of Community Colleges;  
293 amending s. 1011.011, F.S.; requiring the State Board  
294 of Education to collaborate with the State Board of  
295 Community Colleges on legislative budget requests  
296 relating to Florida Community College System  
297 institutions; amending ss. 1011.30 and 1011.32, F.S.;  
298 conforming provisions to changes made by the act;  
299 amending s. 1011.80, F.S.; conforming provisions to  
300 changes made by the act; authorizing the State Board

301 of Community Colleges to adopt rules; amending s.  
302 1011.801, F.S.; specifying duties of the State Board  
303 of Community Colleges regarding funds for the  
304 operation of workforce education programs and the  
305 Workforce Development Capitalization Incentive Grant  
306 Program; amending ss. 1011.81, 1011.82, 1011.83,  
307 1011.84, and 1011.85, F.S.; conforming provisions to  
308 changes made by the act; amending s. 1012.01, F.S.;  
309 redefining the term "school officers"; amending ss.  
310 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,  
311 F.S.; conforming provisions to changes made by the  
312 act; amending s. 1013.01, F.S.; providing that the  
313 term "board" does not include the State Board of  
314 Community Colleges when used in the context of certain  
315 educational facilities provisions; amending ss.  
316 1013.02 and 1013.03, F.S.; requiring the State Board  
317 of Community Colleges to adopt rules for and provide  
318 functions relating to educational facilities; amending  
319 s. 1013.28, F.S.; authorizing Florida Community  
320 College System institution boards of trustees to  
321 dispose of land or real property subject to rules of  
322 the State Board of Community Colleges; amending s.  
323 1013.31, F.S.; specifying the role of the State Board  
324 of Community Colleges in educational plant surveys for  
325 Florida Community College System institutions;

326 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;  
327 conforming provisions to changes made by the act;  
328 amending s. 1013.47, F.S.; providing that certain  
329 contractors are subject to rules of the State Board of  
330 Community Colleges; amending s. 1013.52, F.S.;  
331 specifying duties of the State Board of Community  
332 Colleges with regard to the cooperative development  
333 and joint use of facilities; amending s. 1013.65,  
334 F.S.; requiring the State Board of Community Colleges  
335 to be provided with copies of authorized allocations  
336 or reallocations for the Public Education Capital  
337 Outlay and Debt Service Trust Fund; providing a  
338 directive to the Division of Law Revision and  
339 Information; providing effective dates.

340  
341 Be It Enacted by the Legislature of the State of Florida:

342  
343 Section 1. This act shall be cited as the "Community  
344 College Competiveness Act of 2018."

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

347 1001.6001 Florida Community College System governance.—

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

350 (2) The State Board of Community Colleges is created

351 pursuant to s. 20.156 to oversee and coordinate the Florida  
352 Community College System. The Governor shall appoint the  
353 membership of the State Board of Community Colleges, subject to  
354 confirmation by the Senate, in time for the members to convene  
355 for the board's organizational meeting pursuant to s. 20.156(5).

356 (3) The Division of Florida Colleges shall provide  
357 administrative support to the State Board of Community Colleges  
358 until September 30, 2018.

359 (4) On October 1, 2018, all powers, duties, functions,  
360 records, offices, personnel, property, pending issues and  
361 existing contracts, administrative authority, administrative  
362 rules, and unexpended balances of appropriations, allocations,  
363 and other funds related to the Florida College System and the  
364 Division of Florida Colleges are transferred by a type two  
365 transfer, as defined in s. 20.06(2), from the State Board of  
366 Education to the State Board of Community Colleges.

367 (5) The State Board of Community Colleges shall appoint a  
368 Chancellor of the Florida Community College System by November  
369 1, 2018, to aid the board in the implementation of its  
370 responsibilities.

371 (6) Any State Board of Education approval, policy,  
372 guidance, and appointment in effect on October 1, 2018, remains  
373 effective unless acted upon by the State Board of Community  
374 Colleges.

375 Section 3. Subsections (3) and (8) of section 20.15,

376 Florida Statutes, are amended to read:

377       20.15 Department of Education.—There is created a  
378 Department of Education.

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

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

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

383       (b)~~(e)~~ Division of Career and Adult Education.

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

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

386       (e)~~(f)~~ Division of Accountability, Research, and  
387 Measurement.

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

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

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

392       1. The Office of Early Learning, which shall be  
393 administered by an executive director who is fully accountable  
394 to the Commissioner of Education. The executive director shall,  
395 pursuant to s. 1001.213, administer the early learning programs,  
396 including the school readiness program and the Voluntary  
397 Prekindergarten Education Program at the state level.

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



401 (8) SUPPORT SERVICES.—The Department of Education shall  
402 continue to provide support to the Board of Governors of the  
403 State University System and to the State Board of Community  
404 Colleges of the Florida Community College System. At a minimum,  
405 support services provided to the Board of Governors and the  
406 State Board of Community Colleges shall include accounting,  
407 printing, computer and Internet support, personnel and human  
408 resources support, support for accountability initiatives, and  
409 administrative support as needed for trust funds under the  
410 jurisdiction of the Board of Governors and the State Board of  
411 Community Colleges.

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

414 20.156 State Board of Community Colleges.—

415 (1) GENERAL PROVISIONS.—The State Board of Community  
416 Colleges is created. For the purposes of s. 6, Art. IV of the  
417 State Constitution, the state board shall be assigned to and  
418 administratively housed within the Department of Education.  
419 However, the state board shall independently exercise the powers  
420 and duties in s. 1001.602; is a separate budget program; and is  
421 not subject to control, supervision, or direction by the  
422 department. For purposes of this section, the State Board of  
423 Community Colleges is referred to as the "state board."

424 (2) HEAD OF THE FLORIDA COMMUNITY COLLEGE SYSTEM.—The  
425 state board is the head of the Florida Community College System.

426 The Governor shall appoint the board members, subject to  
427 confirmation by the Senate.

428 (3) PERSONNEL.—The state board shall appoint a Chancellor  
429 of the Florida Community College System by November 1, 2018, to  
430 aid in carrying out the state board's duties. The chancellor is  
431 the chief executive officer and secretary to the state board and  
432 directs the activities of the staff of the state board. The  
433 Chancellor of the Division of Florida Colleges shall serve as  
434 the Chancellor of the Florida Community College System until the  
435 state board selects a chancellor.

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

439 (5) ORGANIZATION.—The state board shall, by September 30,  
440 2018, conduct an organizational meeting to adopt bylaws, elect a  
441 chair and vice chair from the membership, and fix dates and  
442 places for regular meetings.

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

445 112.313 Standards of conduct for public officers,  
446 employees of agencies, and local government attorneys.—

447 (18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF  
448 TRUSTEES.—A citizen member of the State Board of Community  
449 Colleges or a citizen member of a Florida Community College  
450 System institution board of trustees may not have or hold an

451 employment or contractual relationship as a legislative lobbyist  
452 requiring annual registration and reporting pursuant to s.  
453 11.045.

454 Section 6. Paragraph (c) of subsection (1) of section  
455 112.3145, Florida Statutes, is amended to read:

456 112.3145 Disclosure of financial interests and clients  
457 represented before agencies.—

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

460 (c) "State officer" means:

461 1. Any elected public officer, excluding those elected to  
462 the United States Senate and House of Representatives, not  
463 covered elsewhere in this part and any person who is appointed  
464 to fill a vacancy for an unexpired term in such an elective  
465 office.

466 2. An appointed member of each board, commission,  
467 authority, or council having statewide jurisdiction, excluding a  
468 member of an advisory body.

469 3. A member of the Board of Governors of the State  
470 University System or a state university board of trustees, the  
471 Chancellor and Vice Chancellors of the State University System,  
472 and the president of a state university; or a member of the  
473 State Board of Community Colleges and the Chancellor of the  
474 Florida Community College System.

475 4. A member of the judicial nominating commission for any

476 | district court of appeal or any judicial circuit.

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

479 |       1000.03 Function, mission, and goals of the Florida K-20  
480 | education system.—

481 |       (2) (a) The Legislature shall establish education policy,  
482 | enact education laws, and appropriate and allocate education  
483 | resources.

484 |       (b) With the exception of matters relating to the State  
485 | University System and the Florida Community College System, the  
486 | State Board of Education shall oversee the enforcement of all  
487 | laws and rules, and the timely provision of direction,  
488 | resources, assistance, intervention when needed, and strong  
489 | incentives and disincentives to force accountability for  
490 | results.

491 |       (c) The Board of Governors shall oversee the enforcement  
492 | of all state university laws and rules and regulations and the  
493 | timely provision of direction, resources, assistance,  
494 | intervention when needed, and strong incentives and  
495 | disincentives to force accountability for results.

496 |       (d) The State Board of Community Colleges shall oversee  
497 | the enforcement of all Florida Community College System laws and  
498 | rules and the timely provision of direction, resources,  
499 | assistance, intervention when needed, and strong incentives and  
500 | disincentives to force accountability for results.

501 (4) The mission of Florida's K-20 education system is to  
 502 allow its students to increase their proficiency by allowing  
 503 them the opportunity to expand their knowledge and skills  
 504 through rigorous and relevant learning opportunities, in  
 505 accordance with the mission of the applicable career center or  
 506 system ~~statement~~ and the accountability requirements of s.  
 507 1008.31, and to avoid wasteful duplication of programs offered  
 508 by state universities, Florida Community College System  
 509 institutions, and career centers and charter technical career  
 510 centers that are operated by a district school board or a  
 511 Florida Community College System institution board of trustees.

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

515 1000.05 Discrimination against students and employees in  
 516 the Florida K-20 public education system prohibited; equality of  
 517 access required.—

518 (3)

519 (d) A public K-20 educational institution which operates  
 520 or sponsors interscholastic, intercollegiate, club, or  
 521 intramural athletics shall provide equal athletic opportunity  
 522 for members of both genders.

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

525 2. The Commissioner of Education, for school districts,

526 | and the Chancellor of the Florida Community College System, for  
 527 | Florida Community College System institutions, shall determine  
 528 | whether equal opportunities are available in school districts  
 529 | and Florida Community College System institutions, respectively.

530 | In determining whether equal opportunities are available in  
 531 | school districts and Florida Community College System  
 532 | institutions, the Commissioner of Education and the Chancellor  
 533 | of the Florida Community College System shall consider, among  
 534 | other factors:

535 |       a. Whether the selection of sports and levels of  
 536 | competition effectively accommodate the interests and abilities  
 537 | of members of both genders.

538 |       b. The provision of equipment and supplies.

539 |       c. Scheduling of games and practice times.

540 |       d. Travel and per diem allowances.

541 |       e. Opportunities to receive coaching and academic  
 542 | tutoring.

543 |       f. Assignment and compensation of coaches and tutors.

544 |       g. Provision of locker room, practice, and competitive  
 545 | facilities.

546 |       h. Provision of medical and training facilities and  
 547 | services.

548 |       i. Provision of housing and dining facilities and  
 549 | services.

550 |       j. Publicity.

551  
 552 Unequal aggregate expenditures for members of each gender or  
 553 unequal expenditures for male and female teams if a public  
 554 school or Florida Community College System institution operates  
 555 or sponsors separate teams do not constitute nonimplementation  
 556 of this subsection, but the Commissioner of Education shall  
 557 consider the failure to provide necessary funds for teams for  
 558 one gender in assessing equality of opportunity for members of  
 559 each gender.

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

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

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

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

572 (a) Requiring all district school boards and Florida  
 573 Community College System institution boards of trustees to  
 574 develop and submit plans for the implementation of this section  
 575 to the Department of Education.

576 (b) Conducting periodic reviews of school districts and  
577 Florida Community College System institutions to determine  
578 compliance with this section and, after a finding that a school  
579 district or a Florida Community College System institution is  
580 not in compliance with this section, notifying the entity of the  
581 steps that it must take to attain compliance and performing  
582 followup monitoring.

583 (c) Providing technical assistance, including assisting  
584 school districts or Florida Community College System  
585 institutions in identifying unlawful discrimination and  
586 instructing them in remedies for correction and prevention of  
587 such discrimination and performing followup monitoring.

588 (d) Conducting studies of the effectiveness of methods and  
589 strategies designed to increase the participation of students in  
590 programs and courses in which students of a particular race,  
591 ethnicity, national origin, gender, disability, or marital  
592 status have been traditionally underrepresented and monitoring  
593 the success of students in such programs or courses, including  
594 performing followup monitoring.

595 (e) Requiring all district school boards and Florida  
596 Community College System institution boards of trustees to  
597 submit data and information necessary to determine compliance  
598 with this section. The Commissioner of Education, for school  
599 districts, and the Chancellor of the Florida Community College  
600 System, for Florida Community College System institutions, shall



601 prescribe the format and the date for submission of such data  
602 and any other educational equity data. If any board does not  
603 submit the required compliance data or other required  
604 educational equity data by the prescribed date, the commissioner  
605 or the chancellor, as applicable, shall notify the board of this  
606 fact and, if the board does not take appropriate action to  
607 immediately submit the required report, the State Board of  
608 Education or the State Board of Community Colleges, as  
609 applicable, shall impose monetary sanctions.

610 (f) Based upon rules of the State Board of Education, for  
611 school districts, and the State Board of Community Colleges, for  
612 Florida Community College System institutions, developing and  
613 implementing enforcement mechanisms with appropriate penalties  
614 to ensure that public K-12 schools and Florida Community College  
615 System institutions comply with Title IX of the Education  
616 Amendments of 1972 and subsection (3) of this section. However,  
617 the State Board of Education may not force a public school and  
618 the State Board of Community colleges may not force a ~~or~~ Florida  
619 Community College System institution to conduct, nor penalize  
620 such entity for not conducting, a program of athletic activity  
621 or athletic scholarship for female athletes unless it is an  
622 athletic activity approved for women by a recognized association  
623 whose purpose is to promote athletics and a conference or league  
624 exists to promote interscholastic or intercollegiate competition  
625 for women in that athletic activity.

626           (g) Reporting to the Commissioner of Education, for school  
 627 districts, or to the Chancellor of the Florida Community College  
 628 System, for Florida Community College System institutions, any  
 629 district school board or Florida Community College System  
 630 institution board of trustees found to be out of compliance with  
 631 rules of the State Board of Education or the State Board of  
 632 Community Colleges adopted as required by paragraph (f) or  
 633 paragraph (3)(d). To penalize the respective board, the State  
 634 Board of Education or the State Board of Community Colleges, as  
 635 applicable, shall:

636           1. Declare the school district or Florida Community  
 637 College System institution ineligible for competitive state  
 638 grants.

639           2. Notwithstanding the provisions of s. 216.192, direct  
 640 the Chief Financial Officer to withhold general revenue funds  
 641 sufficient to obtain compliance from the school district or  
 642 Florida Community College System institution.

643  
 644 The school district or Florida Community College System  
 645 institution shall remain ineligible and the funds may ~~shall~~ not  
 646 be paid until the institution comes into compliance or the State  
 647 Board of Education or the State Board of Community Colleges, as  
 648 applicable, approves a plan for compliance.

649           Section 9. Section 1001.02, Florida Statutes, is amended  
 650 to read:

651 1001.02 General powers of State Board of Education.—

652 (1) The State Board of Education is the chief implementing  
653 and coordinating body of public education in Florida except for  
654 the State University System and the Florida Community College  
655 System, and it shall focus on high-level policy decisions. It  
656 has authority to adopt rules pursuant to ss. 120.536(1) and  
657 120.54 to implement the provisions of law conferring duties upon  
658 it for the improvement of the state system of K-20 public  
659 education except for the State University System and the Florida  
660 Community College System. Except as otherwise provided herein,  
661 it may, as it finds appropriate, delegate its general powers to  
662 the Commissioner of Education or the directors of the divisions  
663 of the department.

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

665 (a) To adopt comprehensive educational objectives for  
666 public education except for the State University System and the  
667 Florida Community College System.

668 (b) To adopt comprehensive long-range plans and short-  
669 range programs for the development of the state system of public  
670 education except for the State University System and the Florida  
671 Community College System.

672 (c) To exercise general supervision over the divisions of  
673 the Department of Education as necessary to ensure coordination  
674 of educational plans and programs and resolve controversies and  
675 to minimize problems of articulation and student transfers, to

676 ensure that students moving from one level of education to the  
677 next have acquired competencies necessary for satisfactory  
678 performance at that level, and to ensure maximum utilization of  
679 facilities.

680 (d) To adopt, in consultation with the Board of Governors  
681 and the State Board of Community Colleges, and from time to time  
682 modify, minimum and uniform standards of college-level  
683 communication and computation skills generally associated with  
684 successful performance and progression through the baccalaureate  
685 level and to identify college-preparatory high school coursework  
686 and postsecondary-level coursework that prepares students with  
687 the academic skills necessary to succeed in postsecondary  
688 education.

689 (e) To adopt and submit to the Governor and Legislature,  
690 as provided in s. 216.023, a coordinated K-20 education budget  
691 that estimates the expenditure requirements for the Board of  
692 Governors, as provided in s. 1001.706, the State Board of  
693 Education, including the Department of Education and the  
694 Commissioner of Education, and all of the boards, institutions,  
695 agencies, and services under the general supervision of the  
696 Board of Governors, as provided in s. 1001.706, the State Board  
697 of Community Colleges, as provided in s. 1001.602, or the State  
698 Board of Education for the ensuing fiscal year. The State Board  
699 of Education may not amend the budget request submitted by the  
700 Board of Governors or the State Board of Community Colleges. Any

701 program recommended by the Board of Governors, the State Board  
702 of Community Colleges, or the State Board of Education which  
703 will require increases in state funding for more than 1 year  
704 must be presented in a multiyear budget plan.

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

709 (g) To approve plans for cooperating with the Federal  
710 Government.

711 (h) To approve plans for cooperating with other public  
712 agencies in the development of rules and in the enforcement of  
713 laws for which the state board and such agencies are jointly  
714 responsible.

715 (i) To review plans for cooperating with appropriate  
716 nonpublic agencies for the improvement of conditions relating to  
717 the welfare of schools.

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

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

723 (l) To assist in the economic development of the state by  
724 developing a state-level planning process to identify future  
725 training needs for industry, especially high-technology

726 | industry.

727 |       (m) To assist in the planning and economic development of  
728 | the state by establishing a clearinghouse for information on  
729 | educational programs of value to economic development.

730 |       (n) To adopt cohesive rules pursuant to ss. 120.536(1) and  
731 | 120.54, within statutory authority.

732 |       (o) To authorize the allocation of resources in accordance  
733 | with law and rule.

734 |       (p) To contract with independent institutions accredited  
735 | by an agency whose standards are comparable to the minimum  
736 | standards required to operate a postsecondary career center  
737 | ~~educational institution at that level in the state.~~ The purpose  
738 | of the contract is to provide those educational programs and  
739 | facilities which will meet needs unfulfilled by the state system  
740 | of public postsecondary education.

741 |       (q) To recommend that a district school board take action  
742 | consistent with the state board's decision relating to an appeal  
743 | of a charter school application.

744 |       (r) To enforce systemwide education goals and policies  
745 | except as otherwise provided by law.

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

749 |       (t) To establish accountability standards for existing  
750 | legislative performance goals, standards, and measures, and

751 order the development of mechanisms to implement new legislative  
752 goals, standards, and measures.

753 (u) To adopt criteria and implementation plans for future  
754 growth issues, ~~such as new Florida College System institutions~~  
755 ~~and Florida College System institution campus mergers,~~ and to  
756 provide for cooperative agreements between and within public and  
757 private education sectors.

758 (v) To develop, in conjunction with the Board of Governors  
759 and the State Board of Community Colleges, and periodically  
760 review for adjustment, a coordinated 5-year plan for  
761 postsecondary enrollment, identifying enrollment and graduation  
762 expectations by baccalaureate degree program, and annually  
763 submit the plan to the Legislature as part of its legislative  
764 budget request.

765 ~~(w) Beginning in the 2014-2015 academic year and annually~~  
766 ~~thereafter, to require each Florida College System institution~~  
767 ~~prior to registration to provide each enrolled student~~  
768 ~~electronic access to the economic security report of employment~~  
769 ~~and earning outcomes prepared by the Department of Economic~~  
770 ~~Opportunity pursuant to s. 445.07.~~

771 (3) (a) The State Board of Education shall adopt a  
772 strategic plan that specifies goals and objectives for the  
773 state's public schools ~~and Florida College System institutions.~~  
774 The plan shall be formulated in conjunction with plans of the  
775 Board of Governors and the State Board of Community Colleges in

776 order to provide for the roles of the universities and Florida  
777 Community College System institutions to be coordinated to best  
778 meet state needs and reflect cost-effective use of state  
779 resources. The strategic plan must clarify the mission  
780 statements of each Florida Community College System institution  
781 and the system as a whole and identify degree programs,  
782 including baccalaureate degree programs, to be offered at each  
783 Florida Community College System institution in accordance with  
784 the objectives provided in this subsection and the coordinated  
785 5-year plan pursuant to paragraph (2)(v). The strategic plan  
786 must cover a period of 5 years, with modification of the program  
787 lists after 2 years. Development of each 5-year plan must be  
788 coordinated with and initiated after completion of the master  
789 plan. The strategic plans must specifically include programs and  
790 procedures for responding to the educational needs of teachers  
791 and students in the public schools of this state and consider  
792 reports and recommendations of the Higher Education Coordinating  
793 Council pursuant to s. 1004.015 and the Articulation  
794 Coordinating Committee pursuant to s. 1007.01. The state board  
795 shall submit a report to the President of the Senate and the  
796 Speaker of the House of Representatives upon modification of the  
797 plan and as part of its legislative budget request.

798 (b) The State Board of Education, ~~and~~ the Board of  
799 Governors, and the State Board of Community Colleges shall  
800 jointly develop long-range plans and annual reports for



801 financial aid in this state. The long-range plans shall  
802 establish goals and objectives for a comprehensive program of  
803 financial aid for Florida students and shall be updated every 5  
804 years. The annual report shall include programs administered by  
805 the department as well as awards made from financial aid fee  
806 revenues, any other funds appropriated by the Legislature for  
807 financial assistance, and the value of tuition and fees waived  
808 for students enrolled in a dual enrollment course at a public  
809 postsecondary educational institution. The annual report shall  
810 include an assessment of progress made in achieving goals and  
811 objectives established in the long-range plans and  
812 recommendations for repealing or modifying existing financial  
813 aid programs or establishing new programs. A long-range plan  
814 shall be submitted by January 1, 2004, and every 5 years  
815 thereafter. An annual report shall be submitted on January 1,  
816 2004, and in each successive year that a long-range plan is not  
817 submitted, to the President of the Senate and the Speaker of the  
818 House of Representatives.

819 (4) The State Board of Education shall:

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

823 ~~(b) Specify, by rule, procedures to be used by the Florida~~  
824 ~~College System institution boards of trustees in the annual~~  
825 ~~evaluations of presidents and review the evaluations of~~

826 ~~presidents by the boards of trustees, including the extent to~~  
827 ~~which presidents serve both institutional and system goals.~~

828 ~~(c) Establish, in conjunction with the Board of Governors,~~  
829 ~~an effective information system that will provide composite data~~  
830 ~~concerning the Florida College System institutions and state~~  
831 ~~universities and ensure that special analyses and studies~~  
832 ~~concerning the institutions are conducted, as necessary, for~~  
833 ~~provision of accurate and cost-effective information concerning~~  
834 ~~the institutions.~~

835 ~~(d) Establish criteria for making recommendations for~~  
836 ~~modifying district boundary lines for Florida College System~~  
837 ~~institutions, including criteria for service delivery areas of~~  
838 ~~Florida College System institutions authorized to grant~~  
839 ~~baccalaureate degrees.~~

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

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

845 ~~(g) adopt and submit to the Legislature a 3-year list of~~  
846 ~~priorities for fixed-capital-outlay projects. The State Board of~~  
847 ~~Education may not amend the 3-year list of priorities of the~~  
848 ~~Board of Governors or the State Board of Community Colleges.~~

849 ~~(5) The State Board of Education is responsible for~~  
850 ~~reviewing and administering the state program of support for the~~

851 ~~Florida College System institutions and, subject to existing~~  
852 ~~law, shall establish the tuition and out-of-state fees for~~  
853 ~~developmental education and for credit instruction that may be~~  
854 ~~counted toward an associate in arts degree, an associate in~~  
855 ~~applied science degree, or an associate in science degree.~~

856 ~~(6) The State Board of Education shall prescribe minimum~~  
857 ~~standards, definitions, and guidelines for Florida College~~  
858 ~~System institutions that will ensure the quality of education,~~  
859 ~~coordination among the Florida College System institutions and~~  
860 ~~state universities, and efficient progress toward accomplishing~~  
861 ~~the Florida College System institution mission. At a minimum,~~  
862 ~~these rules must address:~~

863 ~~(a) Personnel.~~

864 ~~(b) Contracting.~~

865 ~~(c) Program offerings and classification, including~~  
866 ~~college-level communication and computation skills associated~~  
867 ~~with successful performance in college and with tests and other~~  
868 ~~assessment procedures that measure student achievement of those~~  
869 ~~skills. The performance measures must provide that students~~  
870 ~~moving from one level of education to the next acquire the~~  
871 ~~necessary competencies for that level.~~

872 ~~(d) Provisions for curriculum development, graduation~~  
873 ~~requirements, college calendars, and program service areas.~~

874 ~~These provisions must include rules that:~~

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

876 | ~~a student who successfully completes 60 semester credit hours at~~  
877 | ~~the Florida College System institution.~~

878 |       ~~2. Require all of the credits accepted for the associate~~  
879 | ~~in arts degree to be in the statewide course numbering system as~~  
880 | ~~credits toward a baccalaureate degree offered by a state~~  
881 | ~~university or a Florida College System institution.~~

882 |       ~~3. Require no more than 36 semester credit hours in~~  
883 | ~~general education courses in the subject areas of communication,~~  
884 | ~~mathematics, social sciences, humanities, and natural sciences.~~

885 |  
886 | ~~The rules should encourage Florida College System institutions~~  
887 | ~~to enter into agreements with state universities that allow~~  
888 | ~~Florida College System institution students to complete upper-~~  
889 | ~~division-level courses at a Florida College System institution.~~  
890 | ~~An agreement may provide for concurrent enrollment at the~~  
891 | ~~Florida College System institution and the state university and~~  
892 | ~~may authorize the Florida College System institution to offer an~~  
893 | ~~upper division-level course or distance learning.~~

894 |       ~~(e) Student admissions, conduct and discipline,~~  
895 | ~~nonclassroom activities, and fees.~~

896 |       ~~(f) Budgeting.~~

897 |       ~~(g) Business and financial matters.~~

898 |       ~~(h) Student services.~~

899 |       ~~(i) Reports, surveys, and information systems, including~~  
900 | ~~forms and dates of submission.~~

901           Section 10. Subsections (7) through (17) of section  
 902 1001.03, Florida Statutes, are amended to read:  
 903           1001.03 Specific powers of State Board of Education.—  
 904           (7) ARTICULATION ACCOUNTABILITY.—The State Board of  
 905 Education shall develop articulation accountability measures  
 906 that assess the status of systemwide articulation processes, in  
 907 conjunction with the Board of Governors regarding the State  
 908 University System and the State Board of Community Colleges  
 909 regarding the Florida Community College System, and shall  
 910 establish an articulation accountability process in accordance  
 911 with the provisions of chapter 1008, in conjunction with the  
 912 Board of Governors regarding the State University System and the  
 913 State Board of Community Colleges regarding the Florida  
 914 Community College System.  
 915           (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education  
 916 shall enforce compliance with law and state board rule by all  
 917 school districts and public postsecondary educational  
 918 institutions, except for institutions within the State  
 919 University System and the Florida Community College System, in  
 920 accordance with the provisions of s. 1008.32.  
 921           (9) MANAGEMENT INFORMATION DATABASES.—The State Board of  
 922 Education, in conjunction with the Board of Governors regarding  
 923 the State University System and the State Board of Community  
 924 Colleges regarding the Florida Community College System, shall  
 925 continue to collect and maintain, at a minimum, the management

926 information databases for state universities, community  
927 colleges, and all other components of the public K-20 education  
928 system as such databases existed on June 30, 2002.

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

935 (10) ~~(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY  
936 EDUCATION.—The State Board of Education shall adopt minimum  
937 standards relating to nonpublic postsecondary education and  
938 institutions, in accordance with the provisions of chapter 1005.

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

942 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS. The~~  
943 ~~State Board of Education shall provide for the cyclic review of~~  
944 ~~all academic programs in Florida College System institutions at~~  
945 ~~least every 7 years. Program reviews shall document how~~  
946 ~~individual academic programs are achieving stated student~~  
947 ~~learning and program objectives within the context of the~~  
948 ~~institution's mission. The results of the program reviews shall~~  
949 ~~inform strategic planning, program development, and budgeting~~  
950 ~~decisions at the institutional level.~~

951        (11) ~~(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT  
952 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of  
953 Education shall maintain a uniform classification system for  
954 school district administrative and management personnel that  
955 will facilitate the uniform coding of administrative and  
956 management personnel to total district employees.

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

968        ~~(16) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1,~~  
969 ~~2013, the State Board of Education shall identify performance~~  
970 ~~metrics for the Florida College System and develop a plan that~~  
971 ~~specifies goals and objectives for each Florida College System~~  
972 ~~institution. The plan must include:~~

973        ~~(a) Performance metrics and standards common for all~~  
974 ~~institutions and metrics and standards unique to institutions~~  
975 ~~depending on institutional core missions, including, but not~~

976 ~~limited to, remediation success, retention, graduation,~~  
977 ~~employment, transfer rates, licensure passage, excess hours,~~  
978 ~~student loan burden and default rates, job placement, faculty~~  
979 ~~awards, and highly respected rankings for institution and~~  
980 ~~program achievements.~~

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

984 (12)~~(17)~~ UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,  
985 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of  
986 Education, in consultation with the Board of Governors, the  
987 State Board of Community Colleges, and the Department of  
988 Economic Opportunity, shall adopt a unified state plan to  
989 improve K-20 STEM education and prepare students for high-skill,  
990 high-wage, and high-demand employment in STEM and STEM-related  
991 fields.

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

995 1001.10 Commissioner of Education; general powers and  
996 duties.—

997 (1) The Commissioner of Education is the chief educational  
998 officer of the state and the sole custodian of the K-20 data  
999 warehouse, and is responsible for giving full assistance to the  
1000 State Board of Education in enforcing compliance with the



1001 mission and goals of the K-20 education system except for the  
 1002 State University System and the Florida Community College  
 1003 System.

1004 (6) Additionally, the commissioner has the following  
 1005 general powers and duties:

1006 (g) To submit to the State Board of Education, on or  
 1007 before October 1 of each year, recommendations for a coordinated  
 1008 K-20 education budget that estimates the expenditures for the  
 1009 Board of Governors, the State Board of Community Colleges, the  
 1010 State Board of Education, including the Department of Education  
 1011 and the Commissioner of Education, and all of the boards,  
 1012 institutions, agencies, and services under the general  
 1013 supervision of the Board of Governors, the State Board of  
 1014 Community Colleges, or the State Board of Education for the  
 1015 ensuing fiscal year. Any program recommended to the State Board  
 1016 of Education that will require increases in state funding for  
 1017 more than 1 year must be presented in a multiyear budget plan.

1018 (j) To implement a program of school improvement and  
 1019 education accountability designed to provide all students the  
 1020 opportunity to make adequate learning gains in each year of  
 1021 school as provided by statute and State Board of Education rule  
 1022 based upon the achievement of the state education goals,  
 1023 recognizing the following:

1024 1. The district school board is responsible for school and  
 1025 student performance.

1026           2. The individual school is the unit for education  
1027           accountability.

1028           ~~3. The Florida College System institution board of~~  
1029           ~~trustees is responsible for Florida College System institution~~  
1030           ~~performance and student performance.~~

1031           ~~(7) The commissioner, or the commissioner's designee, may~~  
1032           ~~conduct a review or investigation of practices, procedures, or~~  
1033           ~~actions at any Florida College System institution which appear~~  
1034           ~~to be inconsistent with sound financial, management, or academic~~  
1035           ~~practice.~~

1036           Section 12. Paragraphs (c) through (f) of subsection (1)  
1037           and subsection (3) of section 1001.11, Florida Statutes, are  
1038           amended to read:

1039           1001.11 Commissioner of Education; other duties.—

1040           (1) The Commissioner of Education must independently  
1041           perform the following duties:

1042           (c) In cooperation with the Board of Governors and the  
1043           State Board of Community Colleges, develop and implement a  
1044           process for receiving and processing requests, in conjunction  
1045           with the Legislature, for the allocation of PECO funds for  
1046           qualified postsecondary education projects.

1047           ~~(d) Integrally work with the boards of trustees of the~~  
1048           ~~Florida College System institutions.~~

1049           (d)(e) Monitor the activities of the State Board of  
1050           Education and provide information related to current and pending

1051 policies to the members of the boards of trustees of the Florida  
 1052 Community College System institutions and state universities.

1053 (e)~~(f)~~ Ensure the timely provision of information  
 1054 requested by the Legislature from the State Board of Education,  
 1055 the commissioner's office, and the Department of Education.

1056 (3) Notwithstanding any other provision of law to the  
 1057 contrary, the Commissioner of Education, in conjunction with the  
 1058 Legislature, ~~and~~ the Board of Governors regarding the State  
 1059 University System, and the State Board of Community Colleges  
 1060 regarding the Florida Community College System, must recommend  
 1061 funding priorities for the distribution of capital outlay funds  
 1062 for public postsecondary educational institutions, based on  
 1063 priorities that include, but are not limited to, the following  
 1064 criteria:

- 1065 (a) Growth at the institutions.
- 1066 (b) Need for specific skills statewide.
- 1067 (c) Need for maintaining and repairing existing  
 1068 facilities.

1069 Section 13. Paragraph (e) of subsection (4) of section  
 1070 1001.20, Florida Statutes, is amended to read:

1071 1001.20 Department under direction of state board.—

1072 (4) The Department of Education shall establish the  
 1073 following offices within the Office of the Commissioner of  
 1074 Education which shall coordinate their activities with all other  
 1075 divisions and offices:

1076 (e) *Office of Inspector General.*—Organized using existing  
 1077 resources and funds and responsible for promoting  
 1078 accountability, efficiency, and effectiveness and detecting  
 1079 fraud and abuse within school districts and the Florida School  
 1080 for the Deaf and the Blind, ~~and Florida College System~~  
 1081 ~~institutions in Florida~~. If the Commissioner of Education  
 1082 determines that a district school board or the Board of  
 1083 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~  
 1084 ~~Florida College System institution board of trustees~~ is  
 1085 unwilling or unable to address substantiated allegations made by  
 1086 any person relating to waste, fraud, or financial mismanagement  
 1087 within the school district or the Florida School for the Deaf  
 1088 and the Blind, ~~or the Florida College System institution~~, the  
 1089 office shall conduct, coordinate, or request investigations into  
 1090 such substantiated allegations. The office shall have access to  
 1091 all information and personnel necessary to perform its duties  
 1092 and shall have all of its current powers, duties, and  
 1093 responsibilities authorized in s. 20.055.

1094 Section 14. Section 1001.28, Florida Statutes, is amended  
 1095 to read:

1096 1001.28 Distance learning duties.—The duties of the  
 1097 Department of Education concerning distance learning include,  
 1098 but are not limited to, the duty to:

1099 (1) Facilitate the implementation of a statewide  
 1100 coordinated system and resource system for cost-efficient

1101 advanced telecommunications services and distance education  
 1102 which will increase overall student access to education.

1103 (2) Coordinate the use of existing resources, including,  
 1104 but not limited to, the state's satellite transponders, the  
 1105 Florida Information Resource Network (FIRN), and distance  
 1106 learning initiatives.

1107 (3) Assist in the coordination of the utilization of the  
 1108 production and uplink capabilities available through Florida's  
 1109 public television stations, eligible facilities, independent  
 1110 colleges and universities, private firms, and others as needed.

1111 (4) Seek the assistance and cooperation of Florida's cable  
 1112 television providers in the implementation of the statewide  
 1113 advanced telecommunications services and distance learning  
 1114 network.

1115 (5) Seek the assistance and cooperation of Florida's  
 1116 telecommunications carriers to provide affordable student access  
 1117 to advanced telecommunications services and to distance  
 1118 learning.

1119 (6) Coordinate partnerships for development, acquisition,  
 1120 use, and distribution of distance learning.

1121 (7) Secure and administer funding for programs and  
 1122 activities for distance learning from federal, state, local, and  
 1123 private sources and from fees derived from services and  
 1124 materials.

1125 (8) Hire appropriate staff which may include a position

1126 that shall be exempt from part II of chapter 110 and is included  
 1127 in the Senior Management Service in accordance with s. 110.205.  
 1128

1129 Nothing in this section shall be construed to abrogate,  
 1130 supersede, alter, or amend the powers and duties of any state  
 1131 agency, district school board, Florida Community College System  
 1132 institution board of trustees, university board of trustees, the  
 1133 Board of Governors, the State Board of Community Colleges, or  
 1134 the State Board of Education.

1135 Section 15. Effective July 1, 2018, subsection (26) of  
 1136 section 1001.42, Florida Statutes, is amended to read:

1137 1001.42 Powers and duties of district school board.—The  
 1138 district school board, acting as a board, shall exercise all  
 1139 powers and perform all duties listed below:

1140 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a  
 1141 governing board for a school district technical center or a  
 1142 system of technical centers for the purpose of aligning the  
 1143 educational programs of the technical center with the needs of  
 1144 local businesses and responding quickly to the needs of local  
 1145 businesses for employees holding industry certifications. A  
 1146 technical center governing board shall be comprised of seven  
 1147 members, three of whom must be members of the district school  
 1148 board or their designees and four of whom must be local business  
 1149 leaders. The district school board shall delegate to the  
 1150 technical center governing board decisions regarding entrance

1151 requirements for students, curriculum, program development,  
1152 budget and funding allocations, and the development with local  
1153 businesses of partnership agreements and appropriate industry  
1154 certifications in order to meet local and regional economic  
1155 needs. A technical center governing board may approve only  
1156 courses and programs that contain industry certifications. A  
1157 course may be continued if at least 25 percent of the students  
1158 enrolled in the course attain an industry certification. If  
1159 fewer than 25 percent of the students enrolled in a course  
1160 attain an industry certification, the course must be  
1161 discontinued the following year. However, notwithstanding the  
1162 authority to approve courses and programs under this subsection,  
1163 a technical center governing board may not approve a college  
1164 credit course or college credit certificate or an associate  
1165 degree or baccalaureate degree program.

1166 Section 16. Effective July 1, 2018, section 1001.44,  
1167 Florida Statutes, is amended to read:

1168 1001.44 Career centers; governance, mission, and  
1169 responsibilities.—

1170 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER  
1171 CENTERS.—Any district school board, after first obtaining the  
1172 approval of the Department of Education, may, as a part of the  
1173 district school system, organize, establish and operate a career  
1174 center, or acquire and operate a career center previously  
1175 established.

1176        (a) The primary mission of a career center that is  
1177 operated by a district school board is to promote advances and  
1178 innovations in workforce preparation and economic development. A  
1179 career center may provide a learning environment that serves the  
1180 needs of a specific population group or group of occupations,  
1181 thus promoting diversity and choices within the public technical  
1182 education community in this state.

1183        (b) A career center that is operated by a district school  
1184 board may not offer a college credit course or college credit  
1185 certificate or an associate degree or baccalaureate degree  
1186 program.

1187        (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY  
1188 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards  
1189 of any two or more contiguous districts may, upon first  
1190 obtaining the approval of the department, enter into an  
1191 agreement to organize, establish and operate, or acquire and  
1192 operate, a career center under this section.

1193        (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED  
1194 BY A DIRECTOR.—

1195        (a) A career center established or acquired under  
1196 provisions of law and minimum standards prescribed by the  
1197 commissioner shall comprise a part of the district school system  
1198 and shall mean an educational institution offering terminal  
1199 courses of a technical nature which are not for college credit,  
1200 and courses for out-of-school youth and adults; shall be subject



1201 to all applicable provisions of this code; shall be under the  
1202 control of the district school board of the school district in  
1203 which it is located; and shall be directed by a director  
1204 responsible through the district school superintendent to the  
1205 district school board of the school district in which the center  
1206 is located.

1207 (b) Each career center shall maintain an academic  
1208 transcript for each student enrolled in the center. Such  
1209 transcript shall delineate each course completed by the student.  
1210 Courses shall be delineated by the course prefix and title  
1211 assigned pursuant to s. 1007.24. The center shall make a copy of  
1212 a student's transcript available to any student who requests it.

1213 Section 17. Effective July 1, 2018, section 1001.60,  
1214 Florida Statutes, is amended to read:

1215 1001.60 Florida Community College System.—

1216 (1) PURPOSES.—In order to maximize open access for  
1217 students, respond to community needs for postsecondary academic  
1218 education and career degree education, and provide associate and  
1219 baccalaureate degrees that will best meet the state's employment  
1220 needs, the Legislature establishes a system of governance for  
1221 the Florida Community College System.

1222 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a  
1223 single Florida Community College System comprised of the Florida  
1224 Community College System institutions identified in s.  
1225 1000.21(3). A Florida Community College System institution may

1226 | not offer graduate degree programs.

1227 |       (a) The programs and services offered by Florida Community  
 1228 | College System institutions in providing associate and  
 1229 | baccalaureate degrees shall be delivered in a cost-effective  
 1230 | manner that demonstrates substantial savings to the student and  
 1231 | to the state over the cost of providing the degree at a state  
 1232 | university.

1233 |       (b)1. With the approval of its district board of trustees,  
 1234 | a Florida Community College System institution may change the  
 1235 | institution's name set forth in s. 1000.21(3) and use the  
 1236 | designation "college" or "state college" if it has been  
 1237 | authorized to grant baccalaureate degrees pursuant to s. 1007.33  
 1238 | and has been accredited as a baccalaureate-degree-granting  
 1239 | institution by the Commission on Colleges of the Southern  
 1240 | Association of Colleges and Schools.

1241 |       2. With the approval of its district board of trustees, a  
 1242 | Florida Community College System institution that does not meet  
 1243 | the criteria in subparagraph 1. may request approval from the  
 1244 | State Board of Community Colleges ~~Education~~ to change the  
 1245 | institution's name set forth in s. 1000.21(3) and use the  
 1246 | designation "college." The State Board of Community Colleges  
 1247 | ~~Education~~ may approve the request if the Florida Community  
 1248 | College System institution enters into an agreement with the  
 1249 | State Board of Community Colleges ~~Education~~ to do the following:

1250 |       a. Maintain as its primary mission responsibility for

1251 responding to community needs for postsecondary academic  
 1252 education and career degree education as prescribed in s.  
 1253 1004.65(5).

1254 b. Maintain an open-door admissions policy for associate-  
 1255 level degree programs and workforce education programs.

1256 c. Continue to provide outreach to underserved  
 1257 populations.

1258 d. Continue to provide remedial education.

1259 e. Comply with all provisions of the statewide  
 1260 articulation agreement that relate to 2-year and 4-year public  
 1261 degree-granting institutions as adopted by the State Board of  
 1262 Community Colleges Education pursuant to s. 1007.23.

1263 (c) A district board of trustees that approves a change to  
 1264 the name of an institution under paragraph (b) must seek  
 1265 statutory codification of such name change in s. 1000.21(3)  
 1266 during the next regular legislative session.

1267 (d) A Florida Community College System institution may not  
 1268 use the designation "university."

1269 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the  
 1270 Florida Community College System shall be governed by a local  
 1271 board of trustees as provided in s. 1001.64. The membership of  
 1272 each local board of trustees shall be as provided in s. 1001.61.

1273 Section 18. Effective July 1, 2018, section 1001.601,  
 1274 Florida Statutes, is created to read:

1275 1001.601 State Board of Community Colleges of the Florida

1276 Community College System.—

1277 (1) The State Board of Community Colleges is established  
1278 as a body corporate consisting of 13 members, which shall  
1279 consist of the Commissioner of Education and 12 citizen members  
1280 who are appointed by the Governor in a manner that provides  
1281 equitable geographical representation.

1282 (a) The 12 appointed citizen members must include a  
1283 student enrolled in a Florida Community College System  
1284 institution and a faculty member employed at a Florida Community  
1285 College System institution.

1286 (b) Each citizen member must reside and be registered to  
1287 vote in this state.

1288 (c) Except for the student member, who shall serve a 1-  
1289 year term, appointed citizen members shall serve staggered 4-  
1290 year terms. In order to achieve staggered terms, beginning  
1291 September 1, 2018, of the initial appointments, 3 members shall  
1292 serve 2-year terms, 4 members shall serve 3-year terms, and 4  
1293 members shall serve 4-year terms.

1294 (d) Except for the student member, each citizen member  
1295 must be confirmed by the Senate.

1296 (2) Members of the State Board of Community Colleges may  
1297 not receive compensation but may be reimbursed for per diem and  
1298 travel expenses as provided in s. 112.061.

1299 Section 19. Section 1001.602, Florida Statutes, is created  
1300 to read:

1301 1001.602 Powers and duties of the State Board of Community  
 1302 Colleges.—

1303 (1) RESPONSIBILITIES.—The State Board of Community  
 1304 Colleges is responsible for the efficient and effective  
 1305 operation and maintenance of the Florida Community College  
 1306 System, as established in s. 1001.60. The State Board of  
 1307 Community Colleges may adopt rules pursuant to ss. 120.536(1)  
 1308 and 120.54 to implement provisions of law for the Florida  
 1309 Community College System. For the purposes of this section, the  
 1310 State Board of Community Colleges is referred to as the "state  
 1311 board."

1312 (2) DUTIES.—The state board has the following duties:

1313 (a) Ensure that Florida Community College System  
 1314 institutions operate consistent with the mission of the system,  
 1315 pursuant to s. 1004.65.

1316 (b) Oversee the Florida Community College System and  
 1317 coordinate with the State Board of Education and the Board of  
 1318 Governors to avoid wasteful duplication of facilities or  
 1319 programs.

1320 (c) Provide for each Florida Community College System  
 1321 institution to offer educational training and service programs  
 1322 designed to meet the needs of both students and the communities  
 1323 served.

1324 (d) Hold meetings, transact business, keep records, and,  
 1325 except as otherwise provided by law, perform such other duties

1326 as may be necessary for the enforcement of laws and rules  
1327 relating to the Florida Community College System.

1328 (e) Provide for the coordination of educational plans and  
1329 programs to resolve controversies, minimize problems of  
1330 articulation and student transfers, ensure that students moving  
1331 from one level of education to the next have acquired  
1332 competencies necessary for satisfactory performance at that  
1333 level, and ensure maximum utilization of facilities.

1334 (f) Establish and review, in consultation with the State  
1335 Board of Education and the Board of Governors, minimum and  
1336 uniform standards of college-level communication and computation  
1337 skills generally associated with successful performance and  
1338 progression through the baccalaureate level, to identify  
1339 college-preparatory high school coursework and postsecondary-  
1340 level coursework that prepares students with the academic skills  
1341 necessary to succeed in postsecondary education.

1342 (g) Approve plans for cooperating with the Federal  
1343 Government.

1344 (h) Approve plans for cooperating with other public  
1345 agencies in the development of rules and in the enforcement of  
1346 laws for which the state board and the agencies are jointly  
1347 responsible.

1348 (i) Create subordinate advisory bodies if required by law  
1349 or as necessary for the improvement of the Florida Community  
1350 College System.

1351 (j) Coordinate with the State Board of Education and the  
1352 Board of Governors to collect and maintain data for the Florida  
1353 Community College System.

1354 (k) Establish, in conjunction with the State Board of  
1355 Education and the Board of Governors, an effective information  
1356 system that will provide composite data concerning the Florida  
1357 Community College System institutions and state universities and  
1358 that will ensure that special analyses and studies concerning  
1359 the institutions are conducted, as necessary, for provision of  
1360 accurate and cost-effective information concerning the  
1361 institutions.

1362 (l) Establish accountability standards for existing  
1363 legislative performance goals, standards, and measures, and  
1364 order the development of mechanisms to implement new legislative  
1365 goals, standards, and measures.

1366 (m) Require each Florida Community College System  
1367 institution, before registration, to provide each enrolled  
1368 student electronic access to the economic security report of  
1369 employment and earning outcomes prepared by the Department of  
1370 Economic Opportunity pursuant to s. 445.07.

1371 (n) Specify, by rule, procedures to be used by Florida  
1372 Community College System institution boards of trustees in the  
1373 annual evaluation of presidents, and review the evaluations of  
1374 presidents by the boards of trustees, including the extent to  
1375 which presidents serve both institutional and system goals.

1376 (o) Establish, subject to existing law, the tuition and  
1377 out-of-state fees for developmental education and for credit  
1378 instruction that may be counted toward an associate in arts  
1379 degree, an associate in applied science degree, or an associate  
1380 in science degree.

1381 (p) Develop, in conjunction with the State Board of  
1382 Education and the Board of Governors, and implement a common  
1383 placement test to assess the basic communication and computation  
1384 skills of students who intend to enter a degree program at a  
1385 Florida Community College System institution or state  
1386 university.

1387 (q) May direct the Chancellor of the Florida Community  
1388 College System to conduct investigations of practices,  
1389 procedures, or actions at a Florida Community College System  
1390 institution which appear to be inconsistent with sound  
1391 financial, management, or academic practice.

1392 (r) Examine the annual administrative review of each  
1393 Florida Community College System institution.

1394 (s) Through the Chancellor of the Florida Community  
1395 College System, integrally work with the Florida Community  
1396 College System institution boards of trustees.

1397 (t) Establish criteria for making recommendations  
1398 concerning all proposals to establish additional centers or  
1399 campuses for a Florida Community College System institution.

1400 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with



1401 the requirements under subsection (4) and the performance  
1402 metrics and standards adopted under ss. 1001.66 and 1001.67, the  
1403 state board shall identify performance metrics for the Florida  
1404 Community College System and develop a plan that specifies goals  
1405 and objectives for each Florida Community College System  
1406 institution. The plan must include:

1407 (a) Performance metrics and standards common for all  
1408 institutions and metrics and standards unique to institutions  
1409 depending on institutional core missions, including, but not  
1410 limited to, remediation success, retention, graduation,  
1411 employment, transfer rates, licensure passage, excess hours,  
1412 student loan burden and default rates, job placement, faculty  
1413 awards, and highly respected rankings for institution and  
1414 program achievements.

1415 (b) Student enrollment and performance data delineated by  
1416 method of instruction, including, but not limited to,  
1417 traditional, online, and distance learning instruction.

1418 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1419 (a) The state board shall adopt a strategic plan that  
1420 specifies goals and objectives for the Florida Community College  
1421 System. The plan must be formulated in conjunction with plans of  
1422 the State Board of Education and the Board of Governors in order  
1423 to coordinate the roles of the school districts and state  
1424 universities to best meet state needs and reflect cost-effective  
1425 use of state resources. The strategic plan must clarify the

1426 mission statements of the Florida Community College System and  
1427 each Florida Community College System institution and identify  
1428 degree programs, including baccalaureate degree programs, to be  
1429 offered at each Florida Community College System institution in  
1430 accordance with the objectives provided in this subsection and  
1431 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The  
1432 strategic plan must cover a period of 5 years, with modification  
1433 of the program lists after 2 years. Development of each 5-year  
1434 plan must be coordinated with and initiated after completion of  
1435 the master plan. The strategic plan must consider reports and  
1436 recommendations of the Higher Education Coordinating Council  
1437 pursuant to s. 1004.015 and the Articulation Coordinating  
1438 Committee pursuant to s. 1007.01. Upon modification of the plan,  
1439 the state board shall submit a report to the President of the  
1440 Senate and the Speaker of the House of Representatives as part  
1441 of its legislative budget request.

1442 (b) The state board, the State Board of Education, and the  
1443 Board of Governors shall jointly develop long-range plans and  
1444 annual reports for financial aid in this state. The long-range  
1445 plans must establish goals and objectives for a comprehensive  
1446 program of financial aid for students and shall be updated every  
1447 5 years. The annual report must include programs administered by  
1448 the department as well as awards made from financial aid fee  
1449 revenues, other funds appropriated by the Legislature for  
1450 financial assistance, and the value of tuition and fees waived

1451 for students enrolled in a dual enrollment course at a public  
1452 postsecondary educational institution. The annual report must  
1453 include an assessment of the progress made in achieving goals  
1454 and objectives established in the long-range plans and must  
1455 include recommendations for repealing or modifying existing  
1456 financial aid programs or establishing new programs. The state  
1457 board, the State Board of Education, and the Board of Governors  
1458 shall submit their long-range plans by July 1, 2018, and every 5  
1459 years thereafter and shall submit their annual reports on July  
1460 1, 2018, and in each successive year that a long-range plan is  
1461 not submitted, to the President of the Senate and the Speaker of  
1462 the House of Representatives.

1463 (c) The state board shall also:

1464 1. Adopt comprehensive long-range plans and short-range  
1465 programs for the development of the Florida Community College  
1466 System.

1467 2. Assist in the economic development of the state by  
1468 developing a state-level planning process to identify future  
1469 training needs for industry, especially high-technology  
1470 industry.

1471 3. Adopt criteria and implementation plans for future  
1472 growth issues, such as new Florida Community College System  
1473 institutions and Florida Community College System institution  
1474 campus mergers, and provide for cooperative agreements between  
1475 and within public and private education sectors.

1476 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board  
1477 shall prescribe minimum standards, definitions, and guidelines  
1478 for Florida Community College System institutions which will  
1479 ensure the quality of education, coordination among the Florida  
1480 Community College System institutions and state universities,  
1481 and efficient progress toward accomplishing the Florida  
1482 Community College System institution's mission. At a minimum,  
1483 these rules must address all of the following:

1484 (a) Personnel.

1485 (b) Contracting.

1486 (c) Program offerings and classification, including  
1487 college-level communication and computation skills associated  
1488 with successful performance in college and with tests and other  
1489 assessment procedures that measure student achievement of those  
1490 skills. The performance measures must provide that students  
1491 moving from one level of education to the next acquire the  
1492 necessary competencies for that level.

1493 (d) Provisions for curriculum development, graduation  
1494 requirements, college calendars, and program service areas.  
1495 These provisions must include rules that:

1496 1. Provide for the award of an associate in arts degree to  
1497 a student who successfully completes 60 semester credit hours at  
1498 the Florida Community College System institution.

1499 2. Require all of the credits accepted for the associate  
1500 in arts degree to be in the statewide course numbering system as

1501 credits toward a baccalaureate degree offered by a state  
 1502 university or a Florida Community College System institution.

1503 3. Require no more than 36 semester credit hours in  
 1504 general education courses in the subject areas of communication,  
 1505 mathematics, social sciences, humanities, and natural sciences.

1506  
 1507 The rules under this paragraph should encourage Florida  
 1508 Community College System institutions to enter into agreements  
 1509 with state universities which allow a Florida Community College  
 1510 System institution student to complete upper-division-level  
 1511 courses at a Florida Community College System institution. An  
 1512 agreement may provide for concurrent enrollment at the Florida  
 1513 Community College System institution and the state university  
 1514 and may authorize the Florida Community College System  
 1515 institution to offer an upper-division-level course or distance  
 1516 learning.

1517 (e) Student admissions, conduct, and discipline;  
 1518 nonclassroom activities; and fees.

1519 (f) Budgeting.

1520 (g) Business and financial matters.

1521 (h) Student services.

1522 (i) Reports, surveys, and information systems, including  
 1523 forms and dates of submission.

1524 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board  
 1525 shall provide for the cyclic review of all academic programs in

1526 Florida Community College System institutions at least every 7  
1527 years. Program reviews must document how individual academic  
1528 programs are achieving stated student learning and program  
1529 objectives within the context of the institution's mission. The  
1530 results of the program reviews must inform strategic planning,  
1531 program development, and budgeting decisions at the  
1532 institutional level.

1533 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION  
1534 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for  
1535 the review and approval of proposals by Florida Community  
1536 College System institutions to offer baccalaureate degree  
1537 programs pursuant to s. 1007.33. A Florida Community College  
1538 System institution, as defined in s. 1000.21, which is approved  
1539 to offer baccalaureate degrees pursuant to s. 1007.33 remains  
1540 under the authority of the state board and the Florida Community  
1541 College System institution's board of trustees.

1542 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall  
1543 establish criteria for making recommendations for modifying  
1544 district boundary lines for a Florida Community College System  
1545 institution, including criteria for service delivery areas of a  
1546 Florida Community College System institution authorized to grant  
1547 baccalaureate degrees.

1548 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee  
1549 the performance of Florida Community College System institution  
1550 boards of trustees in enforcement of all laws and rules. Florida

1551 Community College System institution boards of trustees are  
1552 primarily responsible for compliance with law and state board  
1553 rule.

1554 (a) In order to ensure compliance with law or state board  
1555 rule, the state board has the authority to request and receive  
1556 information, data, and reports from Florida Community College  
1557 System institutions. The Florida Community College System  
1558 institution president is responsible for the accuracy of the  
1559 information and data reported to the state board.

1560 (b) The Chancellor of the Florida Community College System  
1561 may investigate allegations of noncompliance with law or state  
1562 board rule and determine probable cause. The chancellor shall  
1563 report determinations of probable cause to the State Board of  
1564 Community Colleges, which shall require the Florida Community  
1565 College System institution board of trustees to document  
1566 compliance with law or state board rule.

1567 (c) If the Florida Community College System institution  
1568 board of trustees cannot satisfactorily document compliance, the  
1569 state board may order compliance within a specified timeframe.

1570 (d) If the state board determines that a Florida Community  
1571 College System institution board of trustees is unwilling or  
1572 unable to comply with law or state board rule within the  
1573 specified time, the state board has the authority to initiate  
1574 any of the following actions:

1575 1. Report to the Legislature that the Florida Community

1576 College System institution is unwilling or unable to comply with  
1577 law or state board rule and recommend that the Legislature take  
1578 action against the institution;

1579 2. Withhold the transfer of state funds, discretionary  
1580 grant funds, discretionary lottery funds, or any other funds  
1581 specified as eligible for this purpose by the Legislature until  
1582 the Florida Community College System institution complies with  
1583 the law or state board rule;

1584 3. Declare the Florida Community College System  
1585 institution ineligible for competitive grants; or

1586 4. Require monthly or periodic reporting on the situation  
1587 related to noncompliance until it is remedied.

1588 (e) This section may not be construed to create a private  
1589 cause of action or create any rights for individuals or entities  
1590 in addition to those provided elsewhere in law or rule.

1591 (10) INSPECTOR GENERAL.—The inspector general is  
1592 responsible for promoting accountability, efficiency, and  
1593 effectiveness and detecting fraud and abuse within Florida  
1594 Community College System institutions. If the Chancellor of the  
1595 Florida Community College System determines that a Florida  
1596 Community College System institution board of trustees is  
1597 unwilling or unable to address substantiated allegations made by  
1598 any person relating to waste, fraud, or financial mismanagement  
1599 within the Florida Community College System institution, the  
1600 inspector general shall conduct, coordinate, or request



1601 investigations into such substantiated allegations. The  
1602 inspector general shall have access to all information and  
1603 personnel necessary to perform its duties and shall have all of  
1604 his or her current powers, duties, and responsibilities  
1605 authorized in s. 20.055.

1606 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The  
1607 state board shall coordinate with the State Board of Education:

1608 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-  
1609 20 education budget.

1610 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to  
1611 the Legislature a 3-year list of priorities for fixed capital  
1612 outlay projects.

1613 (12) COMMON POSTSECONDARY DEFINITIONS.—The state board  
1614 shall, in collaboration with the State Board of Education, adopt  
1615 by rule definitions for associate in science degrees and for  
1616 certificates offered by Florida Community College System  
1617 institutions.

1618 Section 20. Section 1001.61, Florida Statutes, is amended  
1619 to read:

1620 1001.61 Florida Community College System institution  
1621 boards of trustees; membership.—

1622 (1) Florida Community College System institution boards of  
1623 trustees shall be comprised of five members when a Florida  
1624 Community College System institution district is confined to one  
1625 school board district; seven members when a Florida Community

1626 College System institution district is confined to one school  
 1627 board district and the board of trustees so elects; and not more  
 1628 than nine members when the district contains two or more school  
 1629 board districts, as provided by rules of the State Board of  
 1630 Community Colleges ~~Education~~. However, Florida State College at  
 1631 Jacksonville shall have an odd number of trustees, and St. Johns  
 1632 River State College shall have seven trustees from the three-  
 1633 county area that the college serves.

1634 (2) Trustees shall be appointed by the Governor to  
 1635 staggered 4-year terms, subject to confirmation by the Senate in  
 1636 regular session.

1637 (3) Members of the board of trustees shall receive no  
 1638 compensation but may receive reimbursement for expenses as  
 1639 provided in s. 112.061.

1640 (4) At its first regular meeting after July 1 of each  
 1641 year, each Florida Community College System institution board of  
 1642 trustees shall organize by electing a chair, whose duty as such  
 1643 is to preside at all meetings of the board, to call special  
 1644 meetings thereof, and to attest to actions of the board, and a  
 1645 vice chair, whose duty as such is to act as chair during the  
 1646 absence or disability of the elected chair. It is the further  
 1647 duty of the chair of each board of trustees to notify the  
 1648 Governor, in writing, whenever a board member fails to attend  
 1649 three consecutive regular board meetings in any one fiscal year,  
 1650 which absences may be grounds for removal.

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1651 (5) A Florida Community College System institution  
1652 president shall serve as the executive officer and corporate  
1653 secretary of the board of trustees and shall be responsible to  
1654 the board of trustees for setting the agenda for meetings of the  
1655 board of trustees in consultation with the chair. The president  
1656 also serves as the chief administrative officer of the Florida  
1657 Community College System institution, and all the components of  
1658 the institution and all aspects of its operation are responsible  
1659 to the board of trustees through the president.

1660 Section 21. Subsections (1) through (4), paragraphs (a)  
1661 and (g) of subsection (8), and subsections (11), (12), (14),  
1662 (18), (19), and (42) of section 1001.64, Florida Statutes, are  
1663 amended to read:

1664 1001.64 Florida Community College System institution  
1665 boards of trustees; powers and duties.—

1666 (1) The boards of trustees shall be responsible for cost-  
1667 effective policy decisions appropriate to the Florida Community  
1668 College System institution's mission, the implementation and  
1669 maintenance of high-quality education programs within law and  
1670 rules of the State Board of Community Colleges ~~Education~~, the  
1671 measurement of performance, the reporting of information, and  
1672 the provision of input regarding state policy, budgeting, and  
1673 education standards.

1674 (2) Each board of trustees is vested with the  
1675 responsibility to govern its respective Florida Community

1676 College System institution and with such necessary authority as  
1677 is needed for the proper operation and improvement thereof in  
1678 accordance with rules of the State Board of Community Colleges  
1679 ~~Education~~.

1680 (3) A board of trustees shall have the power to take  
1681 action without a recommendation from the president and shall  
1682 have the power to require the president to deliver to the board  
1683 of trustees all data and information required by the board of  
1684 trustees in the performance of its duties. A board of trustees  
1685 shall ask the Chancellor of the Florida Community College System  
1686 ~~Commissioner of Education~~ to authorize an investigation of the  
1687 president's actions by the State Board of Community Colleges'  
1688 ~~department's~~ inspector general if the board considers such  
1689 investigation necessary. The inspector general shall provide a  
1690 report detailing each issue under investigation and shall  
1691 recommend corrective action. If the inspector general identifies  
1692 potential legal violations, he or she shall refer the potential  
1693 legal violations to the Commission on Ethics, the Department of  
1694 Law Enforcement, the Attorney General, or another appropriate  
1695 authority.

1696 (4) (a) The board of trustees, after considering  
1697 recommendations submitted by the Florida Community College  
1698 System institution president, may adopt rules pursuant to ss.  
1699 120.536(1) and 120.54 to implement the provisions of law  
1700 conferring duties upon it. These rules may supplement those

1701 prescribed by the State Board of Community Colleges ~~Education~~ if  
 1702 they will contribute to the more orderly and efficient operation  
 1703 of Florida Community College System institutions.

1704 (b) Each board of trustees is specifically authorized to  
 1705 adopt rules, procedures, and policies, consistent with law and  
 1706 rules of the State Board of Community Colleges ~~Education~~,  
 1707 related to its mission and responsibilities as set forth in s.  
 1708 1004.65, its governance, personnel, budget and finance,  
 1709 administration, programs, curriculum and instruction, buildings  
 1710 and grounds, travel and purchasing, technology, students,  
 1711 contracts and grants, or college property.

1712 (8) Each board of trustees has authority for policies  
 1713 related to students, enrollment of students, student records,  
 1714 student activities, financial assistance, and other student  
 1715 services.

1716 (a) Each board of trustees shall govern admission of  
 1717 students pursuant to s. 1007.263 and rules of the State Board of  
 1718 Community Colleges ~~Education~~. A board of trustees may establish  
 1719 additional admissions criteria, which shall be included in the  
 1720 dual enrollment articulation agreement developed according to s.  
 1721 1007.271(21), to ensure student readiness for postsecondary  
 1722 instruction. Each board of trustees may consider the past  
 1723 actions of any person applying for admission or enrollment and  
 1724 may deny admission or enrollment to an applicant because of  
 1725 misconduct if determined to be in the best interest of the

1726 Florida Community College System institution.

1727 (g) Each board of trustees pursuant to s. 1006.53 shall  
 1728 adopt a policy in accordance with rules of the State Board of  
 1729 Community Colleges ~~Education~~ that reasonably accommodates the  
 1730 religious observance, practice, and belief of individual  
 1731 students in regard to admissions, class attendance, and the  
 1732 scheduling of examinations and work assignments.

1733 (11) Each board of trustees shall submit an institutional  
 1734 budget request, including a request for fixed capital outlay,  
 1735 and an operating budget to the State Board of Community Colleges  
 1736 ~~Education~~ for review in accordance with guidelines established  
 1737 by the State Board of Community Colleges ~~Education~~.

1738 (12) Each board of trustees shall account for expenditures  
 1739 of all state, local, federal, and other funds in the manner  
 1740 described by the State Board of Community Colleges ~~Department of~~  
 1741 ~~Education~~.

1742 (14) Each board of trustees shall develop a strategic plan  
 1743 specifying institutional goals and objectives for the Florida  
 1744 Community College System institution for recommendation to the  
 1745 State Board of Community Colleges ~~Education~~.

1746 (18) Each board of trustees shall establish the personnel  
 1747 program for all employees of the Florida Community College  
 1748 System institution, including the president, pursuant to the  
 1749 provisions of chapter 1012 and rules and guidelines of the State  
 1750 Board of Community Colleges ~~Education~~, including: compensation

1751 and other conditions of employment; recruitment and selection;  
 1752 nonreappointment; standards for performance and conduct;  
 1753 evaluation; benefits and hours of work; leave policies;  
 1754 recognition; inventions and work products; travel; learning  
 1755 opportunities; exchange programs; academic freedom and  
 1756 responsibility; promotion; assignment; demotion; transfer;  
 1757 ethical obligations and conflict of interest; restrictive  
 1758 covenants; disciplinary actions; complaints; appeals and  
 1759 grievance procedures; and separation and termination from  
 1760 employment.

1761 (19) Each board of trustees shall appoint, suspend, or  
 1762 remove the president of the Florida Community College System  
 1763 institution. The board of trustees may appoint a search  
 1764 committee. The board of trustees shall conduct annual  
 1765 evaluations of the president in accordance with rules of the  
 1766 State Board of Community Colleges ~~Education~~ and submit such  
 1767 evaluations to the State Board of Community Colleges ~~Education~~  
 1768 for review. The evaluation must address the achievement of the  
 1769 performance goals established by the accountability process  
 1770 implemented pursuant to s. 1008.45 and the performance of the  
 1771 president in achieving the annual and long-term goals and  
 1772 objectives established in the Florida Community College System  
 1773 institution's employment accountability program implemented  
 1774 pursuant to s. 1012.86.

1775 (42) Each board of trustees shall implement a plan, in

1776 accordance with guidelines of the State Board of Community  
1777 Colleges Education, for working on a regular basis with the  
1778 other Florida Community College System institution boards of  
1779 trustees, representatives of the university boards of trustees,  
1780 and representatives of the district school boards to achieve the  
1781 goals of the seamless education system.

1782 Section 22. Section 1001.65, Florida Statutes, is amended  
1783 to read:

1784 1001.65 Florida Community College System institution  
1785 presidents; powers and duties.—The president is the chief  
1786 executive officer of the Florida Community College System  
1787 institution, shall be corporate secretary of the Florida  
1788 Community College System institution board of trustees, and is  
1789 responsible for the operation and administration of the Florida  
1790 Community College System institution. Each Florida Community  
1791 College System institution president shall:

1792 (1) Recommend the adoption of rules, as appropriate, to  
1793 the Florida Community College System institution board of  
1794 trustees to implement provisions of law governing the operation  
1795 and administration of the Florida Community College System  
1796 institution, which shall include the specific powers and duties  
1797 enumerated in this section. Such rules shall be consistent with  
1798 law, the mission of the Florida Community College System  
1799 institution, and the rules and policies of the State Board of  
1800 Community Colleges Education.



1801           (2) Prepare a budget request and an operating budget  
 1802 pursuant to s. 1011.30 for approval by the Florida Community  
 1803 College System institution board of trustees at such time and in  
 1804 such format as the State Board of Community Colleges ~~Education~~  
 1805 may prescribe.

1806           (3) Establish and implement policies and procedures to  
 1807 recruit, appoint, transfer, promote, compensate, evaluate,  
 1808 reward, demote, discipline, and remove personnel, within law and  
 1809 rules of the State Board of Community Colleges ~~Education~~ and in  
 1810 accordance with rules or policies approved by the Florida  
 1811 Community College System institution board of trustees.

1812           (4) Govern admissions, subject to law and rules or  
 1813 policies of the Florida Community College System institution  
 1814 board of trustees and the State Board of Community Colleges  
 1815 ~~Education~~.

1816           (5) Approve, execute, and administer contracts for and on  
 1817 behalf of the Florida Community College System institution board  
 1818 of trustees for licenses; the acquisition or provision of  
 1819 commodities, goods, equipment, and services; leases of real and  
 1820 personal property; and planning and construction to be rendered  
 1821 to or by the Florida Community College System institution,  
 1822 provided such contracts are within law and guidelines of the  
 1823 State Board of Community Colleges ~~Education~~ and in conformance  
 1824 with policies of the Florida Community College System  
 1825 institution board of trustees, and are for the implementation of

1826 approved programs of the Florida Community College System  
 1827 institution.

1828 (6) Act for the Florida Community College System  
 1829 institution board of trustees as custodian of all Florida  
 1830 Community College System institution property and financial  
 1831 resources. The authority vested in the Florida Community College  
 1832 System institution president under this subsection includes the  
 1833 authority to prioritize the use of Florida Community College  
 1834 System institution space, property, equipment, and resources and  
 1835 the authority to impose charges for the use of those items.

1836 (7) Establish the internal academic calendar of the  
 1837 Florida Community College System institution within general  
 1838 guidelines of the State Board of Community Colleges ~~Education~~.

1839 (8) Administer the Florida Community College System  
 1840 institution's program of intercollegiate athletics.

1841 (9) Recommend to the board of trustees the establishment  
 1842 and termination of programs within the approved role and scope  
 1843 of the Florida Community College System institution.

1844 (10) Award degrees.

1845 (11) Recommend to the board of trustees a schedule of  
 1846 tuition and fees to be charged by the Florida Community College  
 1847 System institution, within law and rules of the State Board of  
 1848 Community Colleges ~~Education~~.

1849 (12) Organize the Florida Community College System  
 1850 institution to efficiently and effectively achieve the goals of

1851 | the Florida Community College System institution.

1852 |       (13) Review periodically the operations of the Florida  
 1853 | Community College System institution in order to determine how  
 1854 | effectively and efficiently the Florida Community College System  
 1855 | institution is being administered and whether it is meeting the  
 1856 | goals of its strategic plan adopted by the State Board of  
 1857 | Community Colleges Education.

1858 |       (14) Enter into agreements for student exchange programs  
 1859 | that involve students at the Florida Community College System  
 1860 | institution and students in other institutions of higher  
 1861 | learning.

1862 |       (15) Approve the internal procedures of student government  
 1863 | organizations and provide purchasing, contracting, and budgetary  
 1864 | review processes for these organizations.

1865 |       (16) Ensure compliance with federal and state laws, rules,  
 1866 | regulations, and other requirements that are applicable to the  
 1867 | Florida Community College System institution.

1868 |       (17) Maintain all data and information pertaining to the  
 1869 | operation of the Florida Community College System institution,  
 1870 | and report on the attainment by the Florida Community College  
 1871 | System institution of institutional and statewide performance  
 1872 | accountability goals.

1873 |       (18) Certify to the department a project's compliance with  
 1874 | the requirements for expenditure of PECO funds prior to release  
 1875 | of funds pursuant to ~~the provisions of~~ chapter 1013.

1876 (19) Provide to the law enforcement agency and fire  
 1877 department that has jurisdiction over the Florida Community  
 1878 College System institution a copy of the floor plans and other  
 1879 relevant documents for each educational facility as defined in  
 1880 s. 1013.01(6). After the initial submission of the floor plans  
 1881 and other relevant documents, the Florida Community College  
 1882 System institution president shall submit, by October 1 of each  
 1883 year, revised floor plans and other relevant documents for each  
 1884 educational facility that was modified during the preceding  
 1885 year.

1886 (20) Develop and implement jointly with school  
 1887 superintendents a comprehensive dual enrollment articulation  
 1888 agreement for the students enrolled in their respective school  
 1889 districts and service areas pursuant to s. 1007.271(21).

1890 (21) Have authority, after notice to the student of the  
 1891 charges and after a hearing thereon, to expel, suspend, or  
 1892 otherwise discipline any student who is found to have violated  
 1893 any law, ordinance, or rule or regulation of the State Board of  
 1894 Community Colleges ~~Education~~ or of the board of trustees of the  
 1895 Florida Community College System institution pursuant to the  
 1896 provisions of s. 1006.62.

1897 (22) Submit an annual employment accountability plan to  
 1898 the State Board of Community Colleges ~~Department of Education~~  
 1899 pursuant to the provisions of s. 1012.86.

1900 (23) Annually evaluate, or have a designee annually

1901 evaluate, each department chairperson, dean, provost, and vice  
 1902 president in achieving the annual and long-term goals and  
 1903 objectives of the Florida Community College System institution's  
 1904 employment accountability plan.

1905 (24) Have vested with the president or the president's  
 1906 designee the authority that is vested with the Florida Community  
 1907 College System institution.

1908 Section 23. Effective July 1, 2018, section 1001.66,  
 1909 Florida Statutes, is amended to read:

1910 1001.66 Florida Community College System Performance-Based  
 1911 Incentive.—

1912 (1) The State Board of Community Colleges shall adopt the  
 1913 following performance-based metrics for use in awarding a  
 1914 Florida Community College System Performance-Based Incentive  
 1915 shall be awarded to a Florida Community College System  
 1916 institution: ~~institutions using performance-based metrics~~

1917 (a) A student retention rate, as calculated by the State  
 1918 Board of Community Colleges;

1919 (b) A 100 percent-of-normal-time program completion and  
 1920 graduation rate for full-time, first-time-in-college students,  
 1921 as calculated by the State Board of Community Colleges using a  
 1922 cohort definition of "full-time" based on a student's majority  
 1923 enrollment in full-time terms. This paragraph does not apply to  
 1924 nondegree-seeking students;

1925 (c) A continuing education or postgraduation job placement

1926 rate for workforce education programs, including workforce  
1927 baccalaureate degree programs, as reported by the Florida  
1928 Education and Training Placement Information Program, with wage  
1929 thresholds that reflect the added value of the applicable  
1930 certificate or degree. This paragraph does not apply to  
1931 associate in arts degrees;

1932 (d) A graduation rate for full-time, first-time-in-college  
1933 students enrolled in an associate of arts degree program who  
1934 graduate with a baccalaureate degree in 4 years after initially  
1935 enrolling in an associates of arts degree program; and

1936 (e) One performance-based metric on college affordability  
1937 adopted by the State Board of Education. The performance-based  
1938 metrics must include retention rates; program completion and  
1939 graduation rates; postgraduation employment, salaries, and  
1940 continuing education for workforce education and baccalaureate  
1941 programs, with wage thresholds that reflect the added value of  
1942 the certificate or degree; and outcome measures appropriate for  
1943 associate of arts degree recipients.

1944  
1945 The state board shall adopt benchmarks to evaluate each  
1946 institution's performance on the metrics to measure the  
1947 institution's achievement of institutional excellence or need  
1948 for improvement and ~~the~~ minimum requirements for eligibility to  
1949 receive performance funding.

1950 (2) Each fiscal year, the amount of funds available for

1951 allocation to the Florida Community College System institutions  
1952 based on the performance-based funding model shall consist of  
1953 the state's investment in performance funding plus institutional  
1954 investments consisting of funds to be redistributed from the  
1955 base funding of the Florida Community College System Program  
1956 Fund as determined in the General Appropriations Act. The State  
1957 Board of Community Colleges ~~Education~~ shall establish minimum  
1958 performance funding eligibility thresholds for the state's  
1959 investment and the institutional investments. An institution  
1960 that meets the minimum institutional investment eligibility  
1961 threshold, but fails to meet the minimum state investment  
1962 eligibility threshold, shall have its institutional investment  
1963 restored but is ineligible for a share of the state's investment  
1964 in performance funding. The institutional investment shall be  
1965 restored for all institutions eligible for the state's  
1966 investment under the performance-based funding model.

1967 (3) (a) Each Florida Community College System institution's  
1968 share of the performance funding shall be calculated based on  
1969 its relative performance on the established metrics in  
1970 conjunction with the institutional size and scope.

1971 (b) A Florida Community College System institution that  
1972 fails to meet the State Board of Community Colleges' ~~Education's~~  
1973 minimum institutional investment performance funding eligibility  
1974 threshold shall have a portion of its institutional investment  
1975 withheld by the state board and must submit an improvement plan

1976 to the state board which specifies the activities and strategies  
1977 for improving the institution's performance. The state board  
1978 must review and approve the improvement plan and, if the plan is  
1979 approved, must monitor the institution's progress in  
1980 implementing the activities and strategies specified in the  
1981 improvement plan. The institution shall submit monitoring  
1982 reports to the state board by December 31 and May 31 of each  
1983 year in which an improvement plan is in place. Beginning in the  
1984 2017-2018 fiscal year, the ability of an institution to submit  
1985 an improvement plan to the state board is limited to 1 fiscal  
1986 year.

1987 (c) The Chancellor of the Florida Community College System  
1988 ~~Commissioner of Education~~ shall withhold disbursement of the  
1989 institutional investment until the monitoring report is approved  
1990 by the State Board of Community Colleges ~~Education~~. A Florida  
1991 Community College System institution determined by the state  
1992 board to be making satisfactory progress on implementing the  
1993 improvement plan shall receive no more than one-half of the  
1994 withheld institutional investment in January and the balance of  
1995 the withheld institutional investment in June. An institution  
1996 that fails to make satisfactory progress may not have its full  
1997 institutional investment restored. Any institutional investment  
1998 funds that are not restored shall be redistributed in accordance  
1999 with the state board's performance-based metrics.

2000 (4) Distributions of performance funding, as provided in



2001 | this section, shall be made to each of the Florida Community  
 2002 | College System institutions listed in the Florida Community  
 2003 | Colleges category in the General Appropriations Act.

2004 | (5) By October 1 of each year, the State Board of  
 2005 | Community Colleges ~~Education~~ shall submit to the Governor, the  
 2006 | President of the Senate, and the Speaker of the House of  
 2007 | Representatives a report on the previous fiscal year's  
 2008 | performance funding allocation, which must reflect the rankings  
 2009 | and award distributions.

2010 | (6) The State Board of Community Colleges ~~Education~~ shall  
 2011 | adopt rules to administer this section.

2012 | Section 24. Effective July 1, 2018, section 1001.67,  
 2013 | Florida Statutes, is amended to read:

2014 | 1001.67 Distinguished Florida Community College System  
 2015 | Institution Program.—A collaborative partnership is established  
 2016 | between the State Board of Community Colleges ~~Education~~ and the  
 2017 | Legislature to recognize the excellence of Florida's highest-  
 2018 | performing Florida Community College System institutions.

2019 | (1) EXCELLENCE STANDARDS.—The following excellence  
 2020 | standards are established for the program:

2021 | (a) A 100 ~~150~~ percent-of-normal-time completion rate for  
 2022 | full-time, first-time-in-college students of 50 percent or  
 2023 | higher, as calculated by the State Board of Community ~~Division~~  
 2024 | ~~of Florida~~ Colleges.

2025 | (b) A 100 ~~150~~ percent-of-normal-time completion rate for

2026 full-time, first-time-in-college Pell Grant recipients of 40  
2027 percent or higher, as calculated by the State Board of Community  
2028 ~~Division of Florida~~ Colleges.

2029 (c) A retention rate of 70 percent or higher, as  
2030 calculated by the State Board of Community ~~Division of Florida~~  
2031 Colleges.

2032 (d) A continuing education, or transfer, rate of 72  
2033 percent or higher for students graduating with an associate of  
2034 arts degree, as reported by the Florida Education and Training  
2035 Placement Information Program (FETPIP).

2036 (e) A licensure passage rate on the National Council  
2037 Licensure Examination for Registered Nurses (NCLEX-RN) of 90  
2038 percent or higher for first-time exam takers, as reported by the  
2039 Board of Nursing.

2040 (f) A ~~job placement or~~ continuing education or job  
2041 placement rate of 88 percent or higher for workforce programs,  
2042 as reported by FETPIP, with wage thresholds that reflect the  
2043 added value of the applicable certificate or degree. This  
2044 paragraph does not apply to associate of arts degrees.

2045 (g) An excess hours rate of 40 percent or lower for A  
2046 ~~time to degree for students graduating with an~~ associate of arts  
2047 degree recipients who graduate with 72 or more credit hours, as  
2048 calculated by the State Board of Community Colleges ~~of 2.25~~  
2049 ~~years or less for first-time-in-college students with~~  
2050 ~~accelerated college credits, as reported by the Southern~~

2051 ~~Regional Education Board.~~

2052 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of  
 2053 Community Colleges Education shall designate each Florida  
 2054 Community College System institution that meets five of the  
 2055 seven standards identified in subsection (1) as a distinguished  
 2056 college.

2057 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community  
 2058 College System institution designated as a distinguished college  
 2059 by the State Board of Community Colleges Education is eligible  
 2060 for funding as specified in the General Appropriations Act.

2061 Section 25. Effective July 1, 2018, subsection (9) of  
 2062 section 1001.706, Florida Statutes, is amended to read:

2063 1001.706 Powers and duties of the Board of Governors.—

2064 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors  
 2065 shall implement a plan for working on a regular basis with the  
 2066 State Board of Education, the State Board of Community Colleges,  
 2067 the Commission for Independent Education, the Higher Education  
 2068 Coordinating Council, the Articulation Coordinating Committee,  
 2069 the university boards of trustees, representatives of the  
 2070 Florida Community College System institution boards of trustees,  
 2071 representatives of the private colleges and universities, and  
 2072 representatives of the district school boards to achieve a  
 2073 seamless education system.

2074 Section 26. Section 1002.34, Florida Statutes, is amended  
 2075 to read:

2076           1002.34 Charter technical career centers; governance,  
 2077 mission, and responsibilities.—

2078           (1) MISSION AND AUTHORIZATION.—

2079           (a) The primary mission of a charter technical career  
 2080 center is to promote ~~The Legislature finds that the~~  
 2081 ~~establishment of charter technical career centers can assist in~~  
 2082 ~~promoting~~ advances and innovations in workforce preparation and  
 2083 economic development. A charter technical career center may  
 2084 provide a learning environment that ~~better~~ serves the needs of a  
 2085 specific population group or a group of occupations, thus  
 2086 promoting diversity and choices within the public education and  
 2087 public postsecondary technical education community in this  
 2088 state. Therefore, the creation of such centers is authorized as  
 2089 part of the state's program of public education. A charter  
 2090 technical career center may be formed by creating a new school  
 2091 or converting an existing school district or Florida Community  
 2092 College System institution program to charter technical status.

2093           (b) A charter technical career center that is operated by  
 2094 a district school board may not offer a college credit course or  
 2095 college credit certificate or an associate degree or  
 2096 baccalaureate degree program.

2097           (2) PURPOSE.—The purpose of a charter technical career  
 2098 center is to:

2099           (a) Develop a competitive workforce to support local  
 2100 business and industry and economic development.

2101 (b) Create a training and education model that is  
 2102 reflective of marketplace realities.

2103 (c) Offer a continuum of career educational opportunities  
 2104 using a school-to-work, tech-prep, technical, academy, and  
 2105 magnet school model.

2106 (d) Provide career pathways for lifelong learning and  
 2107 career mobility.

2108 (e) Enhance career and technical training.

2109 (3) DEFINITIONS.—As used in this section, the term:

2110 (a) "Charter technical career center" or "center" means a  
 2111 public school or a public technical center operated under a  
 2112 charter granted by a district school board or Florida Community  
 2113 College System institution board of trustees or a consortium,  
 2114 including one or more district school boards and Florida  
 2115 Community College System institution boards of trustees, that  
 2116 includes the district in which the facility is located, that is  
 2117 nonsectarian in its programs, admission policies, employment  
 2118 practices, and operations, and is managed by a board of  
 2119 directors.

2120 (b) "Sponsor" means a district school board, a Florida  
 2121 Community College System institution board of trustees, or a  
 2122 consortium of one or more of each.

2123 (4) CHARTER.—A sponsor may designate centers as provided  
 2124 in this section. An application to establish a center may be  
 2125 submitted by a sponsor or another organization that is

2126 | determined, by rule of the State Board of Education, to be  
2127 | appropriate. However, an independent school is not eligible for  
2128 | status as a center. The charter must be signed by the governing  
2129 | body of the center and the sponsor and must be approved by the  
2130 | district school board and Florida Community College System  
2131 | institution board of trustees in whose geographic region the  
2132 | facility is located. If a charter technical career center is  
2133 | established by the conversion to charter status of a public  
2134 | technical center formerly governed by a district school board,  
2135 | the charter status of that center takes precedence in any  
2136 | question of governance. The governance of the center or of any  
2137 | program within the center remains with its board of directors  
2138 | unless the board agrees to a change in governance or its charter  
2139 | is revoked as provided in subsection (15). Such a conversion  
2140 | charter technical career center is not affected by a change in  
2141 | the governance of public technical centers or of programs within  
2142 | other centers that are or have been governed by district school  
2143 | boards. A charter technical career center, or any program within  
2144 | such a center, that was governed by a district school board and  
2145 | transferred to a Florida Community College System institution  
2146 | prior to the effective date of this act is not affected by this  
2147 | provision. An applicant who wishes to establish a center must  
2148 | submit to the district school board or Florida Community College  
2149 | System institution board of trustees, or a consortium of one or  
2150 | more of each, an application on a form developed by the

- 2151 Department of Education which includes:
- 2152       (a) The name of the proposed center.
- 2153       (b) The proposed structure of the center, including a list
- 2154 of proposed members of the board of directors or a description
- 2155 of the qualifications for and method of their appointment or
- 2156 election.
- 2157       (c) The workforce development goals of the center, the
- 2158 curriculum to be offered, and the outcomes and the methods of
- 2159 assessing the extent to which the outcomes are met.
- 2160       (d) The admissions policy and criteria for evaluating the
- 2161 admission of students.
- 2162       (e) A description of the staff responsibilities and the
- 2163 proposed qualifications of the teaching staff.
- 2164       (f) A description of the procedures to be implemented to
- 2165 ensure significant involvement of representatives of business
- 2166 and industry in the operation of the center.
- 2167       (g) A method for determining whether a student has
- 2168 satisfied the requirements for graduation specified in s.
- 2169 1002.3105(5), s. 1003.4281, or s. 1003.4282 and for completion
- 2170 of a postsecondary certificate or degree.
- 2171       (h) A method for granting secondary and postsecondary
- 2172 diplomas, certificates, and degrees.
- 2173       (i) A description of and address for the physical facility
- 2174 in which the center will be located.
- 2175       (j) A method for resolving conflicts between the governing

2176 | body of the center and the sponsor and between consortium  
 2177 | members, if applicable.

2178 |       (k) A method for reporting student data as required by law  
 2179 | and rule.

2180 |       (l) A statement that the applicant has participated in the  
 2181 | training provided by the Department of Education.

2182 |       (m) The identity of all relatives employed by the charter  
 2183 | technical career center who are related to the center owner,  
 2184 | president, chairperson of the governing board of directors,  
 2185 | superintendent, governing board member, principal, assistant  
 2186 | principal, or any other person employed by the center who has  
 2187 | equivalent decisionmaking authority. As used in this paragraph,  
 2188 | the term "relative" means father, mother, son, daughter,  
 2189 | brother, sister, uncle, aunt, first cousin, nephew, niece,  
 2190 | husband, wife, father-in-law, mother-in-law, son-in-law,  
 2191 | daughter-in-law, brother-in-law, sister-in-law, stepfather,  
 2192 | stepmother, stepson, stepdaughter, stepbrother, stepsister, half  
 2193 | brother, or half sister.

2194 |       (n) Other information required by the district school  
 2195 | board or Florida Community College System institution board of  
 2196 | trustees.

2197 |  
 2198 | Students at a center must meet the same testing and academic  
 2199 | performance standards as those established by law and rule for  
 2200 | students at public schools and public technical centers. The



2201 students must also meet any additional assessment indicators  
2202 that are included within the charter approved by the district  
2203 school board or Florida Community College System institution  
2204 board of trustees.

2205 (5) APPLICATION.—An application to establish a center must  
2206 be submitted by February 1 of the year preceding the school year  
2207 in which the center will begin operation. The sponsor must  
2208 review the application using an evaluation instrument developed  
2209 by the Department of Education and make a final decision on  
2210 whether to approve the application and grant the charter by  
2211 March 1, and may condition the granting of a charter on the  
2212 center's taking certain actions or maintaining certain  
2213 conditions. Such actions and conditions must be provided to the  
2214 applicant in writing. The district school board or Florida  
2215 Community College System institution board of trustees is not  
2216 required to issue a charter to any person.

2217 (6) SPONSOR.—A district school board or Florida Community  
2218 College System institution board of trustees or a consortium of  
2219 one or more of each may sponsor a center in the county in which  
2220 the board has jurisdiction.

2221 (a) A sponsor must review all applications for centers  
2222 received through at least February 1 of each calendar year for  
2223 centers to be opened at the beginning of the sponsor's next  
2224 school year. A sponsor may receive applications later than this  
2225 date if it so chooses. To facilitate an accurate budget

2226 projection process, a sponsor shall be held harmless for FTE  
2227 students who are not included in the FTE projection due to  
2228 approval of applications after the FTE projection deadline. A  
2229 sponsor must, by a majority vote, approve or deny an application  
2230 no later than 60 days after the application is received. If an  
2231 application is denied, the sponsor must, within 10 days, notify  
2232 the applicant in writing of the specific reasons for denial,  
2233 which must be based upon good cause. Upon approval of a charter  
2234 application, the initial startup must be consistent with the  
2235 beginning of the public school or Florida Community College  
2236 System institution calendar for the district in which the  
2237 charter is granted, unless the sponsor allows a waiver of this  
2238 provision for good cause.

2239 (b) An applicant may appeal any denial of its application  
2240 to the State Board of Education within 30 days after the  
2241 sponsor's denial and shall notify the sponsor of its appeal. Any  
2242 response of the sponsor must be submitted to the state board  
2243 within 30 days after notification of the appeal. The State Board  
2244 of Education must, by majority vote, accept or reject the  
2245 decision of the sponsor no later than 60 days after an appeal is  
2246 filed, pursuant to State Board of Education rule. The State  
2247 Board of Education may reject an appeal for failure to comply  
2248 with procedural rules governing the appeals process, and the  
2249 rejection must describe the submission errors. The appellant may  
2250 have up to 15 days after notice of rejection to resubmit an

2251 appeal. An application for appeal submitted after a rejection is  
2252 timely if the original appeal was filed within 30 days after the  
2253 sponsor's denial. The State Board of Education shall remand the  
2254 application to the sponsor with a written recommendation that  
2255 the sponsor approve or deny the application, consistent with the  
2256 state board's decision. The decision of the State Board of  
2257 Education is not subject to the provisions of chapter 120.

2258 (c) The sponsor must act upon the recommendation of the  
2259 State Board of Education within 30 days after it is received,  
2260 unless the sponsor determines by competent substantial evidence  
2261 that approving the state board's recommendation would be  
2262 contrary to law or the best interests of the students or the  
2263 community. The sponsor must notify the applicant in writing  
2264 concerning the specific reasons for its failure to follow the  
2265 state board's recommendation. The sponsor's action on the state  
2266 board's recommendation is a final action, subject to judicial  
2267 review.

2268 (d)1. The Department of Education shall offer or arrange  
2269 for training and technical assistance to centers which must  
2270 include developing and amending business plans, estimating and  
2271 accounting for costs and income, complying with state and  
2272 federal grant and student performance accountability reporting  
2273 requirements, implementing good business practices, and  
2274 identifying state and federal financial aid the center may be  
2275 eligible to receive.

2276           2. An applicant must participate in the training provided  
2277 by the department after approval of its application but at least  
2278 30 days before the first day of classes at the center. The  
2279 department may provide technical assistance to an applicant upon  
2280 written request.

2281           (e) The terms and conditions for the operation of a center  
2282 must be agreed to by the sponsor and the applicant in a written  
2283 contract. The sponsor may not impose unreasonable requirements  
2284 that violate the intent of giving centers greater flexibility to  
2285 meet educational goals. The applicant and sponsor must reach an  
2286 agreement on the provisions of the contract or the application  
2287 is deemed denied.

2288           (f) The sponsor shall monitor and review the center's  
2289 progress toward charter goals and shall monitor the center's  
2290 revenues and expenditures. The sponsor shall perform the duties  
2291 provided in s. 1002.345.

2292           (7) LEGAL ENTITY.—A center must organize as a nonprofit  
2293 organization and adopt a name and corporate seal. A center is a  
2294 body corporate and politic, with all powers to implement its  
2295 charter program. The center may:

2296           (a) Be a private or a public employer.

2297           (b) Sue and be sued, but only to the same extent and upon  
2298 the same conditions that a public entity can be sued.

2299           (c) Acquire real property by purchase, lease, lease with  
2300 an option to purchase, or gift, to use as a center facility.

2301 (d) Receive and disburse funds.

2302 (e) Enter into contracts or leases for services,  
 2303 equipment, or supplies.

2304 (f) Incur temporary debts in anticipation of the receipt  
 2305 of funds.

2306 (g) Solicit and accept gifts or grants for career center  
 2307 purposes.

2308 (h) Take any other action that is not inconsistent with  
 2309 this section and rules adopted under this section.

2310 (8) ELIGIBLE STUDENTS.—A center must be open to all  
 2311 students as space is available and may not discriminate in  
 2312 admissions policies or practices on the basis of an individual's  
 2313 physical disability or proficiency in English or on any other  
 2314 basis that would be unlawful if practiced by a public school or  
 2315 a Florida Community College System institution. A center may  
 2316 establish reasonable criteria by which to evaluate prospective  
 2317 students, which criteria must be outlined in the charter.

2318 (9) FACILITIES.—A center may be located in any suitable  
 2319 location, including part of an existing public school or Florida  
 2320 Community College System institution building, space provided on  
 2321 a public worksite, or a public building. A center's facilities  
 2322 must comply with the State Uniform Building Code for Public  
 2323 Educational Facilities Construction adopted pursuant to s.  
 2324 1013.37, or with applicable state minimum building codes  
 2325 pursuant to chapter 553, and state minimum fire protection codes

2326 | pursuant to s. 633.208, adopted by the authority in whose  
2327 | jurisdiction the facility is located. If K-12 public school  
2328 | funds are used for construction, the facility must remain on the  
2329 | local school district's Florida Inventory of School Houses  
2330 | (FISH) school building inventory of the district school board  
2331 | and must revert to the district school board if the consortium  
2332 | dissolves and the program is discontinued. If Florida Community  
2333 | College System institution public school funds are used for  
2334 | construction, the facility must remain on the local Florida  
2335 | Community College System institution's facilities inventory and  
2336 | must revert to the local Florida Community College System  
2337 | institution board of trustees if the consortium dissolves and  
2338 | the program is discontinued. The additional student capacity  
2339 | created by the addition of the center to the local school  
2340 | district's FISH may not be calculated in the permanent student  
2341 | capacity for the purpose of determining need or eligibility for  
2342 | state capital outlay funds while the facility is used as a  
2343 | center. If the construction of the center is funded jointly by  
2344 | K-12 public school funds and Florida Community College System  
2345 | institution funds, the sponsoring entities must agree, before  
2346 | granting the charter, on the appropriate owner and terms of  
2347 | transfer of the facility if the charter is dissolved.

2348 | (10) EXEMPTION FROM STATUTES.—

2349 | (a) A center must operate pursuant to its charter and is  
2350 | exempt from all statutes of the Florida School Code except

2351 provisions pertaining to civil rights and to student health,  
2352 safety, and welfare, or as otherwise required by law.

2353 (b) A center must comply with the Florida K-20 Education  
2354 Code with respect to providing services to students with  
2355 disabilities.

2356 (c) A center must comply with the antidiscrimination  
2357 provisions in s. 1000.05 and the provisions in s. 1002.33(24)  
2358 which relate to the employment of relatives.

2359 (11) FUNDING.—

2360 (a) Notwithstanding any other provision of law, a charter  
2361 technical career center's student membership enrollment must be  
2362 calculated pursuant to this section.

2363 (b) Each district school board and Florida Community  
2364 College System institution that sponsors a charter technical  
2365 career center shall pay directly to the center an amount stated  
2366 in the charter. State funding shall be generated for the center  
2367 for its student enrollment and program outcomes as provided in  
2368 law. A center is eligible for funding from workforce education  
2369 funds, the Florida Education Finance Program, and the Florida  
2370 Community College System Program Fund, depending upon the  
2371 programs conducted by the center.

2372 (c) A center may receive other state and federal aid,  
2373 grants, and revenue through the district school board or Florida  
2374 Community College System institution board of trustees.

2375 (d) A center may receive gifts and grants from private

2376 sources.

2377 (e) A center may not levy taxes or issue bonds, but it may  
 2378 charge a student tuition fee consistent with authority granted  
 2379 in its charter and permitted by law.

2380 (f) A center shall provide for an annual financial audit  
 2381 in accordance with s. 218.39. A center shall provide a monthly  
 2382 financial statement to the sponsor. The monthly financial  
 2383 statement shall be in a form prescribed by the Department of  
 2384 Education.

2385 (g) A center must define in the charter agreement the  
 2386 delivery system in which the instructional offering of  
 2387 educational services will be placed. The rules governing this  
 2388 delivery system must be applied to all of the center's students  
 2389 and must authorize all other sponsoring educational systems to  
 2390 report required enrollment and student data based solely on the  
 2391 rules of the offering institution. Each sponsor shall earn full-  
 2392 time equivalent membership for each student for funding and  
 2393 reporting purposes.

2394 (12) EMPLOYEES OF A CENTER.—

2395 (a) A center may select its own employees.

2396 (b) A center may contract for services with an individual,  
 2397 partnership, or a cooperative. Such persons contracted with are  
 2398 not public employees.

2399 (c) If a center contracts with a public educational agency  
 2400 for services, the terms of employment must follow existing state



2401 law and rule and local policies and procedures.

2402 (d) The employees of a center may bargain collectively, as  
2403 a separate unit or as part of the existing district collective  
2404 bargaining unit, as determined by the structure of the center.

2405 (e) As a public employer, a center may participate in:

2406 1. The Florida Retirement System upon application and  
2407 approval as a "covered group" under s. 121.021(34). If a center  
2408 participates in the Florida Retirement System, its employees are  
2409 compulsory members of the Florida Retirement System.

2410 2. The State Community College System Optional Retirement  
2411 Program pursuant to s. 1012.875(2), if the charter is granted by  
2412 a Florida Community College System institution that participates  
2413 in the optional retirement program and meets the eligibility  
2414 criteria of s. 121.051(2)(c).

2415 (f) Teachers who are considered qualified by the career  
2416 center are exempt from state certification requirements.

2417 (g) A public school or Florida Community College System  
2418 institution teacher or administrator may take a leave of absence  
2419 to accept employment in a charter technical career center upon  
2420 the approval of the school district or Florida Community College  
2421 System institution.

2422 (h) An employee who is on a leave of absence under this  
2423 section may retain seniority accrued in that school district or  
2424 Florida Community College System institution and may continue to  
2425 be covered by the benefit programs of that district or Florida

2426 Community College System institution if the center and the  
2427 district school board or Florida Community College System  
2428 institution board of trustees agree to this arrangement and its  
2429 financing.

2430 (13) BOARD OF DIRECTORS AUTHORITY.—The board of directors  
2431 of a center may decide matters relating to the operation of the  
2432 school, including budgeting, curriculum, and operating  
2433 procedures, subject to the center's charter. The board of  
2434 directors is responsible for performing the duties provided in  
2435 s. 1002.345, including monitoring the corrective action plan.  
2436 The board of directors must comply with s. 1002.33(26).

2437 (14) ACCOUNTABILITY.—Each center must submit a report to  
2438 the participating district school board or Florida Community  
2439 College System institution board of trustees by August 1 of each  
2440 year. The report must be in such form as the sponsor prescribes  
2441 and must include:

2442 (a) A discussion of progress made toward the achievement  
2443 of the goals outlined in the center's charter.

2444 (b) A financial statement setting forth by appropriate  
2445 categories the revenue and expenditures for the previous school  
2446 year.

2447 (15) TERMS OF THE CHARTER.—The term of an initial charter  
2448 may not exceed 5 years. Thereafter, the sponsor may renew a  
2449 charter for a period up to 5 years. The sponsor may refuse to  
2450 renew a charter or may revoke a charter if the center has not

2451 fulfilled a condition imposed under the charter or if the center  
2452 has violated any provision of the charter. The sponsor may place  
2453 the center on probationary status to allow the implementation of  
2454 a remedial plan, after which, if the plan is unsuccessful, the  
2455 charter may be summarily revoked. The sponsor shall develop  
2456 procedures and guidelines for the revocation and renewal of a  
2457 center's charter. The sponsor must give written notice of its  
2458 intent not to renew the charter at least 12 months before the  
2459 charter expires. If the sponsor revokes a charter before the  
2460 scheduled expiration date, the sponsor must provide written  
2461 notice to the governing board of the center at least 60 days  
2462 before the date of termination, stating the grounds for the  
2463 proposed revocation. The governing board of the center may  
2464 request in writing an informal hearing before the sponsor within  
2465 14 days after receiving the notice of revocation. A revocation  
2466 takes effect at the conclusion of a school year, unless the  
2467 sponsor determines that earlier revocation is necessary to  
2468 protect the health, safety, and welfare of students. The sponsor  
2469 shall monitor and review the center in its progress toward the  
2470 goals established in the charter and shall monitor the revenues  
2471 and expenditures of the center.

2472 (16) TRANSPORTATION.—The center may provide  
2473 transportation, pursuant to chapter 1006, through a contract  
2474 with the district school board or the Florida Community College  
2475 System institution board of trustees, a private provider, or

2476 | parents of students. The center must ensure that transportation  
2477 | is not a barrier to equal access for all students in grades K-12  
2478 | residing within a reasonable distance of the facility.

2479 |       (17) IMMUNITY.—For the purposes of tort liability, the  
2480 | governing body and employees of a center are governed by s.  
2481 | 768.28.

2482 |       (18) RULES.—The State Board of Education, for technical  
2483 | centers operated by school districts, and the State Board of  
2484 | Community Colleges, for technical centers operated by Florida  
2485 | Community College System institutions, shall adopt rules,  
2486 | pursuant to ss. 120.536(1) and 120.54, relating to the  
2487 | implementation of charter technical career centers, including  
2488 | rules to implement a charter model application form and an  
2489 | evaluation instrument in accordance with this section.

2490 |       (19) EVALUATION; REPORT.—The Commissioner of Education  
2491 | shall provide for an annual comparative evaluation of charter  
2492 | technical career centers and public technical centers. The  
2493 | evaluation may be conducted in cooperation with the sponsor,  
2494 | through private contracts, or by department staff. At a minimum,  
2495 | the comparative evaluation must address the demographic and  
2496 | socioeconomic characteristics of the students served, the types  
2497 | and costs of services provided, and the outcomes achieved. By  
2498 | December 30 of each year, the Commissioner of Education shall  
2499 | submit to the Governor, the President of the Senate, the Speaker  
2500 | of the House of Representatives, and the Senate and House

2501 committees that have responsibility for secondary and  
 2502 postsecondary career and technical education a report of the  
 2503 comparative evaluation completed for the previous school year.

2504 Section 27. Paragraph (b) of subsection (4) of section  
 2505 1003.491, Florida Statutes, is amended to read:

2506 1003.491 Florida Career and Professional Education Act.—  
 2507 The Florida Career and Professional Education Act is created to  
 2508 provide a statewide planning partnership between the business  
 2509 and education communities in order to attract, expand, and  
 2510 retain targeted, high-value industry and to sustain a strong,  
 2511 knowledge-based economy.

2512 (4) The State Board of Education shall establish a process  
 2513 for the continual and uninterrupted review of newly proposed  
 2514 core secondary courses and existing courses requested to be  
 2515 considered as core courses to ensure that sufficient rigor and  
 2516 relevance is provided for workforce skills and postsecondary  
 2517 education and aligned to state curriculum standards.

2518 (b) The curriculum review committee shall review newly  
 2519 proposed core courses electronically. Each proposed core course  
 2520 shall be approved or denied within 30 days after submission by a  
 2521 district school board or local workforce development board. All  
 2522 courses approved as core courses for purposes of middle school  
 2523 promotion and high school graduation shall be immediately added  
 2524 to the Course Code Directory. Approved core courses shall also  
 2525 be reviewed and considered for approval for dual enrollment

2526 | credit. The Board of Governors, the State Board of Community  
 2527 | Colleges, and the Commissioner of Education shall jointly  
 2528 | recommend an annual deadline for approval of new core courses to  
 2529 | be included for purposes of postsecondary admissions and dual  
 2530 | enrollment credit the following academic year. The State Board  
 2531 | of Education shall establish an appeals process in the event  
 2532 | that a proposed course is denied which shall require a consensus  
 2533 | ruling by the Department of Economic Opportunity and the  
 2534 | Commissioner of Education within 15 days.

2535 |         Section 28. Paragraph (b) of subsection (4) of section  
 2536 | 1003.493, Florida Statutes, is amended to read:

2537 |         1003.493 Career and professional academies and career-  
 2538 | themed courses.—

2539 |         (4) Each career and professional academy and secondary  
 2540 | school providing a career-themed course must:

2541 |         (b) Include one or more partnerships with postsecondary  
 2542 | institutions, businesses, industry, employers, economic  
 2543 | development organizations, or other appropriate partners from  
 2544 | the local community. Such partnerships with postsecondary  
 2545 | institutions shall be delineated in articulation agreements and  
 2546 | include any career and professional academy courses or career-  
 2547 | themed courses that earn postsecondary credit. Such agreements  
 2548 | may include articulation between the secondary school and public  
 2549 | or private 2-year and 4-year postsecondary institutions and  
 2550 | technical centers. The Department of Education, in consultation

2551 with the Board of Governors and the State Board of Community  
 2552 Colleges, shall establish a mechanism to ensure articulation and  
 2553 transfer of credits to postsecondary institutions in this state.  
 2554 Such partnerships must provide opportunities for:

- 2555 1. Instruction from highly skilled professionals who
- 2556 possess industry-certification credentials for courses they are
- 2557 teaching.
- 2558 2. Internships, externships, and on-the-job training.
- 2559 3. A postsecondary degree, diploma, or certificate.
- 2560 4. The highest available level of industry certification.
- 2561 5. Maximum articulation of credits pursuant to s. 1007.23
- 2562 upon program completion.

2563 Section 29. Subsections (4), (5), and (6) of section  
 2564 1004.015, Florida Statutes, are amended to read:

2565 1004.015 Higher Education Coordinating Council.—

2566 (4) The council shall serve as an advisory board to the  
 2567 Legislature, the State Board of Education, ~~and~~ the Board of  
 2568 Governors, and the State Board of Community Colleges.

2569 Recommendations of the council shall be consistent with the  
 2570 following guiding principles:

2571 (a) To achieve within existing resources a seamless  
 2572 academic educational system that fosters an integrated continuum  
 2573 of kindergarten through graduate school education for Florida's  
 2574 students.

2575 (b) To promote consistent education policy across all

2576 | educational delivery systems, focusing on students.

2577 |       (c) To promote substantially improved articulation across  
2578 | all educational delivery systems.

2579 |       (d) To promote a system that maximizes educational access  
2580 | and allows the opportunity for a high-quality education for all  
2581 | Floridians.

2582 |       (e) To promote a system of coordinated and consistent  
2583 | transfer of credit and data collection for improved  
2584 | accountability purposes between the educational delivery  
2585 | systems.

2586 |       (5) The council shall annually by December 31 submit to  
2587 | the Governor, the President of the Senate, the Speaker of the  
2588 | House of Representatives, the Board of Governors, the State  
2589 | Board of Community Colleges, and the State Board of Education a  
2590 | report outlining its recommendations relating to:

2591 |           (a) The primary core mission of public and nonpublic  
2592 | postsecondary education institutions in the context of state  
2593 | access demands and economic development goals.

2594 |           (b) Performance outputs and outcomes designed to meet  
2595 | annual and long-term state goals, including, but not limited to,  
2596 | increased student access, preparedness, retention, transfer, and  
2597 | completion. Performance measures must be consistent across  
2598 | sectors and allow for a comparison of the state's performance to  
2599 | that of other states.

2600 |           (c) The state's articulation policies and practices to



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2601 ensure that cost benefits to the state are maximized without  
2602 jeopardizing quality. The recommendations shall consider return  
2603 on investment for both the state and students and propose  
2604 systems to facilitate and ensure institutional compliance with  
2605 state articulation policies.

2606 (d) Workforce development education, specifically  
2607 recommending improvements to the consistency of workforce  
2608 education data collected and reported by Florida Community  
2609 College System institutions and school districts, including the  
2610 establishment of common elements and definitions for any data  
2611 that is used for state and federal funding and program  
2612 accountability.

2613 (6) The Office of K-20 Articulation, in collaboration with  
2614 the Board of Governors and the State Board of Community Division  
2615 ~~of Florida~~ Colleges, shall provide administrative support for  
2616 the council.

2617 Section 30. Subsection (7) of section 1004.02, Florida  
2618 Statutes, is amended to read:

2619 1004.02 Definitions.—As used in this chapter:

2620 (7) "Applied technology diploma program" means a course of  
2621 study that is part of a technical degree program, is less than  
2622 60 credit hours, and leads to employment in a specific  
2623 occupation. An applied technology diploma program may consist of  
2624 either technical credit or college credit. A public school  
2625 district may offer an applied technology diploma program only as

2626 technical credit, with college credit awarded to a student upon  
 2627 articulation to a Florida Community College System institution.  
 2628 Statewide articulation among public schools and Florida  
 2629 Community College System institutions is guaranteed by s.  
 2630 1007.23, and is subject to guidelines and standards adopted by  
 2631 the State Board of Community Colleges ~~Education~~ pursuant to ss.  
 2632 1007.24 and 1007.25.

2633 Section 31. Subsection (2) of section 1004.03, Florida  
 2634 Statutes, is amended to read:

2635 1004.03 Program approval.—

2636 (2) The State Board of Community Colleges ~~Education~~ shall  
 2637 establish criteria for the approval of new programs at Florida  
 2638 Community College System institutions, which criteria include,  
 2639 but are not limited to, the following:

2640 (a) New programs may not be approved unless the same  
 2641 objectives cannot be met through use of educational technology.

2642 (b) Unnecessary duplication of programs offered by  
 2643 independent institutions shall be avoided.

2644 (c) Cooperative programs, particularly within regions,  
 2645 should be encouraged.

2646 (d) New programs may be approved only if they are  
 2647 consistent with the ~~state master~~ plan adopted by the State Board  
 2648 of Community Colleges ~~Education~~.

2649 Section 32. Paragraph (f) of subsection (4) of section  
 2650 1004.04, Florida Statutes, is amended to read:

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2651 1004.04 Public accountability and state approval for  
2652 teacher preparation programs.—

2653 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a  
2654 teacher preparation program shall be based upon evidence that  
2655 the program continues to implement the requirements for initial  
2656 approval and upon significant, objective, and quantifiable  
2657 measures of the program and the performance of the program  
2658 completers.

2659 (f) By January 1 of each year, the Department of Education  
2660 shall report the results of each approved program's annual  
2661 progress on the performance measures in paragraph (a) as well as  
2662 the current approval status of each program to:

- 2663 1. The Governor.
- 2664 2. The President of the Senate.
- 2665 3. The Speaker of the House of Representatives.
- 2666 4. The State Board of Education.
- 2667 5. The Board of Governors.
- 2668 6. The State Board of Community Colleges.
- 2669 7. The Commissioner of Education.

2670 ~~8.7.~~ Each Florida postsecondary teacher preparation  
2671 program.

2672 ~~9.8.~~ Each district school superintendent.

2673 ~~10.9.~~ The public.

2674

2675 This report may include the results of other continued approval

2676 requirements provided by State Board of Education rule and  
2677 recommendations for improving teacher preparation programs in  
2678 the state.

2679 Section 33. Section 1004.07, Florida Statutes, is amended  
2680 to read:

2681 1004.07 Student withdrawal from courses due to military  
2682 service; effect.—

2683 (1) Each district school board, Florida Community College  
2684 System institution board of trustees, and state university board  
2685 of trustees shall establish policies regarding currently  
2686 enrolled students who are called to, or enlist in, active  
2687 military service.

2688 (2) Such policies must ~~shall~~ provide that any student  
2689 enrolled in a postsecondary course or courses at a career  
2690 center, a Florida Community College System institution, or a  
2691 state university may ~~shall~~ not incur academic or financial  
2692 penalties by virtue of performing military service on behalf of  
2693 our country. Such student shall be permitted the option of  
2694 either completing the course or courses at a later date without  
2695 penalty or withdrawing from the course or courses with a full  
2696 refund of fees paid. If the student chooses to withdraw, the  
2697 student's record shall reflect that the withdrawal is due to  
2698 active military service.

2699 (3) Policies of district school boards must ~~and Florida~~  
2700 ~~College System institution boards of trustees shall be~~

2701 established by rule and pursuant to guidelines of the State  
 2702 Board of Education.

2703 (4) Policies of state university boards of trustees must  
 2704 ~~shall~~ be established by regulation and pursuant to guidelines of  
 2705 the Board of Governors.

2706 (5) Policies of Florida Community College System  
 2707 institution boards of trustees must be established by rule and  
 2708 pursuant to guidelines of the State Board of Community Colleges.

2709 Section 34. Section 1004.084, Florida Statutes, is amended  
 2710 to read:

2711 1004.084 College affordability.-

2712 (1) The Board of Governors and the State Board of  
 2713 Community Colleges ~~Education~~ shall annually identify strategies  
 2714 to promote college affordability for all Floridians by  
 2715 evaluating, at a minimum, the impact of:

2716 (a) Tuition and fees on undergraduate, graduate, and  
 2717 professional students at public colleges and universities and  
 2718 graduate assistants employed by public universities.

2719 (b) Federal, state, and institutional financial aid  
 2720 policies on the actual cost of attendance for students and their  
 2721 families.

2722 (c) The costs of textbooks and instructional materials.

2723 (2) By December 31 of each year, ~~beginning in 2016,~~ the  
 2724 Board of Governors and the State Board of Community Colleges  
 2725 ~~Education~~ shall submit a report on their respective college

2726 affordability initiatives to the Governor, the President of the  
 2727 Senate, and the Speaker of the House of Representatives.

2728 Section 35. Paragraph (d) of subsection (3) and  
 2729 subsections (6), (7), and (8) of section 1004.085, Florida  
 2730 Statutes, are amended to read:

2731 1004.085 Textbook and instructional materials  
 2732 affordability.—

2733 (3) An employee may receive:

2734 (d) Fees associated with activities such as reviewing,  
 2735 critiquing, or preparing support materials for textbooks or  
 2736 instructional materials pursuant to guidelines adopted by the  
 2737 State Board of Community Colleges ~~Education~~ or the Board of  
 2738 Governors.

2739 (6) Each Florida Community College System institution and  
 2740 state university shall post prominently in the course  
 2741 registration system and on its website, as early as is feasible,  
 2742 but at least 45 days before the first day of class for each  
 2743 term, a hyperlink to lists of required and recommended textbooks  
 2744 and instructional materials for at least 95 percent of all  
 2745 courses and course sections offered at the institution during  
 2746 the upcoming term. The lists must include the International  
 2747 Standard Book Number (ISBN) for each required and recommended  
 2748 textbook and instructional material or other identifying  
 2749 information, which must include, at a minimum, all of the  
 2750 following: the title, all authors listed, publishers, edition

2751 number, copyright date, published date, and other relevant  
2752 information necessary to identify the specific textbooks or  
2753 instructional materials required and recommended for each  
2754 course. The State Board of Community Colleges ~~Education~~ and the  
2755 Board of Governors shall include in the policies, procedures,  
2756 and guidelines adopted under subsection (7) certain limited  
2757 exceptions to this notification requirement for classes added  
2758 after the notification deadline.

2759 (7) After receiving input from students, faculty,  
2760 bookstores, and publishers, the State Board of Community  
2761 Colleges ~~Education~~ and the Board of Governors each shall adopt  
2762 textbook and instructional materials affordability policies,  
2763 procedures, and guidelines for implementation by Florida  
2764 Community College System institutions and state universities,  
2765 respectively, that further efforts to minimize the cost of  
2766 textbooks and instructional materials for students attending  
2767 such institutions while maintaining the quality of education and  
2768 academic freedom. The policies, procedures, and guidelines shall  
2769 address:

2770 (a) The establishment of deadlines for an instructor or  
2771 department to notify the bookstore of required and recommended  
2772 textbooks and instructional materials so that the bookstore may  
2773 verify availability, source lower cost options when practicable,  
2774 explore alternatives with faculty when academically appropriate,  
2775 and maximize the availability of used textbooks and

2776 instructional materials.

2777 (b) Confirmation by the course instructor or academic  
2778 department offering the course, before the textbook or  
2779 instructional materials adoption is finalized, of the intent to  
2780 use all items ordered, particularly each individual item sold as  
2781 part of a bundled package.

2782 (c) Determination by a course instructor or the academic  
2783 department offering the course, before a textbook or  
2784 instructional material is adopted, of the extent to which a new  
2785 edition differs significantly and substantively from earlier  
2786 versions and the value to the student of changing to a new  
2787 edition or the extent to which an open-access textbook or  
2788 instructional material is available.

2789 (d) The availability of required and recommended textbooks  
2790 and instructional materials to students otherwise unable to  
2791 afford the cost, including consideration of the extent to which  
2792 an open-access textbook or instructional material may be used.

2793 (e) Participation by course instructors and academic  
2794 departments in the development, adaptation, and review of open-  
2795 access textbooks and instructional materials and, in particular,  
2796 open-access textbooks and instructional materials for high-  
2797 demand general education courses.

2798 (f) Consultation with school districts to identify  
2799 practices that impact the cost of dual enrollment textbooks and  
2800 instructional materials to school districts, including, but not



2801 | limited to, the length of time that textbooks and instructional  
 2802 | materials remain in use.

2803 |         (g) Selection of textbooks and instructional materials  
 2804 | through cost-benefit analyses that enable students to obtain the  
 2805 | highest-quality product at the lowest available price, by  
 2806 | considering:

2807 |             1. Purchasing digital textbooks in bulk.

2808 |             2. Expanding the use of open-access textbooks and  
 2809 | instructional materials.

2810 |             3. Providing rental options for textbooks and  
 2811 | instructional materials.

2812 |             4. Increasing the availability and use of affordable  
 2813 | digital textbooks and learning objects.

2814 |             5. Developing mechanisms to assist in buying, renting,  
 2815 | selling, and sharing textbooks and instructional materials.

2816 |             6. The length of time that textbooks and instructional  
 2817 | materials remain in use.

2818 |             7. An evaluation of cost savings for textbooks and  
 2819 | instructional materials which a student may realize if  
 2820 | individual students are able to exercise opt-in provisions for  
 2821 | the purchase of the materials.

2822 |         (8) The board of trustees of each Florida Community  
 2823 | College System institution and state university shall report, by  
 2824 | September 30 of each year, beginning in 2016, to the Chancellor  
 2825 | of the Florida Community College System or the Chancellor of the

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2826 State University System, as applicable, the textbook and  
2827 instructional materials selection process for general education  
2828 courses with a wide cost variance identified pursuant to  
2829 subsection (4) and high-enrollment courses; specific initiatives  
2830 of the institution designed to reduce the costs of textbooks and  
2831 instructional materials; policies implemented in accordance with  
2832 subsection (6); the number of courses and course sections that  
2833 were not able to meet the textbook and instructional materials  
2834 posting deadline for the previous academic year; and any  
2835 additional information determined by the chancellors. By  
2836 November 1 of each year, ~~beginning in 2016,~~ each chancellor  
2837 shall provide a summary of the information provided by  
2838 institutions to the State Board of Community Colleges ~~Education~~  
2839 and the Board of Governors, as applicable.

2840 Section 36. Section 1004.096, Florida Statutes, is amended  
2841 to read:

2842 1004.096 College credit for military training and  
2843 education courses.—The Board of Governors shall adopt  
2844 regulations and the State Board of Community Colleges ~~Education~~  
2845 shall adopt rules that enable eligible servicemembers or  
2846 veterans of the United States Armed Forces to earn academic  
2847 college credit at public postsecondary educational institutions  
2848 for college-level training and education acquired in the  
2849 military. The regulations and rules shall include procedures for  
2850 credential evaluation and the award of academic college credit,

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2851 including, but not limited to, equivalency and alignment of  
2852 military coursework with appropriate college courses, course  
2853 descriptions, type and amount of college credit that may be  
2854 awarded, and transfer of credit.

2855 Section 37. Section 1004.0961, Florida Statutes, is  
2856 amended to read:

2857 1004.0961 Credit for online courses. ~~Beginning in the~~  
2858 ~~2015-2016 school year,~~ The State Board of Community Colleges  
2859 ~~Education~~ shall adopt rules and the Board of Governors shall  
2860 adopt regulations that enable students to earn academic credit  
2861 for online courses, including massive open online courses,  
2862 before initial enrollment at a postsecondary institution. The  
2863 rules of the State Board of Community Colleges ~~Education~~ and  
2864 regulations of the Board of Governors must include procedures  
2865 for credential evaluation and the award of credit, including,  
2866 but not limited to, recommendations for credit by the American  
2867 Council on Education; equivalency and alignment of coursework  
2868 with appropriate courses; course descriptions; type and amount  
2869 of credit that may be awarded; and transfer of credit.

2870 Section 38. Section 1004.35, Florida Statutes, is amended  
2871 to read:

2872 1004.35 Broward County campuses of Florida Atlantic  
2873 University; coordination with other institutions.—The State  
2874 Board of Community Colleges ~~Education~~, the Board of Governors,  
2875 and Florida Atlantic University shall consult with Broward

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2876 College and Florida International University in coordinating  
2877 course offerings at the postsecondary level in Broward County.  
2878 Florida Atlantic University may contract with the Board of  
2879 Trustees of Broward College and with Florida International  
2880 University to provide instruction in courses offered at the  
2881 Southeast Campus. Florida Atlantic University shall increase  
2882 course offerings at the Southeast Campus as facilities become  
2883 available.

2884 Section 39. Paragraphs (c) and (d) of subsection (5) and  
2885 subsections (8) and (9) of section 1004.6495, Florida Statutes,  
2886 are amended to read:

2887 1004.6495 Florida Postsecondary Comprehensive Transition  
2888 Program and Florida Center for Students with Unique Abilities.—

2889 (5) CENTER RESPONSIBILITIES.—The Florida Center for  
2890 Students with Unique Abilities is established within the  
2891 University of Central Florida. At a minimum, the center shall:

2892 (c) Create the application for the initial approval and  
2893 renewal of approval as an FPCTP for use by an eligible  
2894 institution which, at a minimum, must align with the federal  
2895 comprehensive transition and postsecondary program application  
2896 requirements. Notwithstanding the program approval requirements  
2897 of s. 1004.03, the director shall review applications for the  
2898 initial approval of an application for, or renewal of approval  
2899 of, an FPCTP.

2900 1. Within 30 days after receipt of an application, the

2901 director shall issue his or her recommendation regarding  
2902 approval to the Chancellor of the State University System, ~~or~~  
2903 the Chancellor of the Florida Community College System, or the  
2904 Commissioner of Education, as applicable, or shall give written  
2905 notice to the applicant of any deficiencies in the application,  
2906 which the eligible institution must be given an opportunity to  
2907 correct. Within 15 days after receipt of a notice of  
2908 deficiencies, an eligible institution that chooses to continue  
2909 to seek program approval shall correct the application  
2910 deficiencies and return the application to the center. Within 30  
2911 days after receipt of a revised application, the director shall  
2912 recommend approval or disapproval of the revised application to  
2913 the applicable chancellor ~~or the commissioner~~, as applicable.  
2914 Within 15 days after receipt of the director's recommendation,  
2915 the applicable chancellor ~~or the commissioner~~ shall approve or  
2916 disapprove the recommendation. If the applicable chancellor ~~or~~  
2917 ~~the commissioner~~ does not act on the director's recommendation  
2918 within 15 days after receipt of such recommendation, the  
2919 comprehensive transition program proposed by the institution  
2920 shall be considered approved.

2921 2. Initial approval of an application for an FPCTP that  
2922 meets the requirements of this section is valid for the 3  
2923 academic years immediately following the academic year during  
2924 which the approval is granted. An eligible institution may  
2925 submit an application to the center requesting that the initial

2926 approval be renewed. If the approval is granted and the FPCTP  
2927 continues to meet the requirements of this section, including,  
2928 but not limited to, program and student performance outcomes,  
2929 and federal requirements, a renewal is valid for the 5 academic  
2930 years immediately following the academic year during which the  
2931 renewal is granted.

2932 3. An application must, at a minimum:

2933 a. Identify a credential associated with the proposed  
2934 program which will be awarded to eligible students upon  
2935 completion of the FPCTP.

2936 b. Outline the program length and design, including, at a  
2937 minimum, inclusive and successful experiential education  
2938 practices relating to curricular, assessment, and advising  
2939 structure and internship and employment opportunities, which  
2940 must support students with intellectual disabilities who are  
2941 seeking to continue academic, career and technical, and  
2942 independent living instruction at an eligible institution,  
2943 including, but not limited to, opportunities to earn industry  
2944 certifications, to prepare students for gainful employment. If  
2945 an eligible institution offers a credit-bearing degree program,  
2946 the institution is responsible for maintaining the rigor and  
2947 effectiveness of a comprehensive transition degree program at  
2948 the same level as other comparable degree programs offered by  
2949 the institution pursuant to applicable accreditation standards.

2950 c. Outline a plan for students with intellectual

2951 disabilities to be integrated socially and academically with  
 2952 nondisabled students, to the maximum extent possible, and to  
 2953 participate on not less than a half-time basis, as determined by  
 2954 the eligible institution, with such participation focusing on  
 2955 academic components and occurring through one or more of the  
 2956 following activities with nondisabled students:

2957 (I) Regular enrollment in credit-bearing courses offered  
 2958 by the institution.

2959 (II) Auditing or participating in courses offered by the  
 2960 institution for which the student does not receive academic  
 2961 credit.

2962 (III) Enrollment in noncredit-bearing, nondegree courses.

2963 (IV) Participation in internships or work-based training.

2964 d. Outline a plan for partnerships with businesses to  
 2965 promote experiential training and employment opportunities for  
 2966 students with intellectual disabilities.

2967 e. Identify performance indicators pursuant to subsection  
 2968 (8) and other requirements identified by the center.

2969 f. Outline a 5-year plan incorporating enrollment and  
 2970 operational expectations for the program.

2971 (d) Provide technical assistance regarding programs and  
 2972 services for students with intellectual disabilities to  
 2973 administrators, instructors, staff, and others, as applicable,  
 2974 at eligible institutions by:

2975 1. Holding meetings and annual workshops to share

2976 | successful practices and to address issues or concerns.

2977 |         2. Facilitating collaboration between eligible  
 2978 | institutions and school districts, private schools operating  
 2979 | pursuant to s. 1002.42, and parents of students enrolled in home  
 2980 | education programs operating pursuant to s. 1002.41 in assisting  
 2981 | students with intellectual disabilities and their parents to  
 2982 | plan for the transition of such students into an FPCTP or  
 2983 | another program at an eligible institution.

2984 |         3. Assisting eligible institutions with FPCTP and federal  
 2985 | comprehensive transition and postsecondary program applications.

2986 |         4. Assisting eligible institutions with the identification  
 2987 | of funding sources for an FPCTP and for student financial  
 2988 | assistance for students enrolled in an FPCTP.

2989 |         5. Monitoring federal and state law relating to the  
 2990 | comprehensive transition program and notifying the Legislature,  
 2991 | the Governor, the Board of Governors, the State Board of  
 2992 | Community Colleges, and the State Board of Education of any  
 2993 | change in law which may impact the implementation of this  
 2994 | section.

2995 |         (8) ACCOUNTABILITY.—

2996 |         (a) The center, in collaboration with the Board of  
 2997 | Governors and the State Board of Community Colleges ~~Education~~,  
 2998 | shall identify indicators for the satisfactory progress of a  
 2999 | student in an FPCTP and for the performance of such programs.  
 3000 | Each eligible institution must address the indicators identified



3001 by the center in its application for the approval of a proposed  
 3002 program and for the renewal of an FPCTP and in the annual report  
 3003 that the institution submits to the center.

3004 (b) By October 1 of each year, the center shall provide to  
 3005 the Governor, the President of the Senate, the Speaker of the  
 3006 House of Representatives, the Chancellor of the State University  
 3007 System, and the Chancellor of the Florida Community College  
 3008 System ~~Commissioner of Education~~ a report summarizing  
 3009 information including, but not limited to:

3010 1. The status of the statewide coordination of FPCTPs and  
 3011 the implementation of FPCTPs at eligible institutions including,  
 3012 but not limited to:

3013 a. The number of applications approved and disapproved and  
 3014 the reasons for each disapproval and no action taken by the  
 3015 chancellor or the commissioner.

3016 b. The number and value of all scholarships awarded to  
 3017 students and undisbursed advances remitted to the center  
 3018 pursuant to subsection (7).

3019 2. Indicators identified by the center pursuant to  
 3020 paragraph (a) and the performance of each eligible institution  
 3021 based on the indicators identified in paragraph (6)(c).

3022 3. The projected number of students with intellectual  
 3023 disabilities who may be eligible to enroll in the FPCTPs within  
 3024 the next academic year.

3025 4. Education programs and services for students with

3026 intellectual disabilities which are available at eligible  
3027 institutions.

3028 (c) ~~Beginning in the 2016-2017 fiscal year,~~ The center, in  
3029 collaboration with the Board of Governors, State Board of  
3030 Community Colleges Education, Higher Education Coordinating  
3031 Council, and other stakeholders, by December 1 of each year,  
3032 shall submit to the Governor, the President of the Senate, and  
3033 the Speaker of the House of Representatives statutory and budget  
3034 recommendations for improving the implementation and delivery of  
3035 FPCTPs and other education programs and services for students  
3036 with disabilities.

3037 (9) RULES.—The Board of Governors and the State Board of  
3038 Community Colleges Education, in consultation with the center,  
3039 shall expeditiously adopt any necessary regulations and rules,  
3040 as applicable, to allow the center to perform its  
3041 responsibilities pursuant to this section ~~beginning in the 2016-~~  
3042 ~~2017 fiscal year.~~

3043 Section 40. Section 1004.65, Florida Statutes, is amended  
3044 to read:

3045 1004.65 Florida Community College System institutions;  
3046 governance, mission, and responsibilities.—

3047 (1) Each Florida Community College System institution  
3048 shall be governed by a district board of trustees under  
3049 statutory authority and rules of the State Board of Community  
3050 Colleges Education.

3051 (2) Each Florida Community College System institution  
 3052 district shall:

3053 (a) Consist of the county or counties served by the  
 3054 Florida Community College System institution pursuant to s.  
 3055 1000.21(3).

3056 (b) Be an independent, separate, legal entity created for  
 3057 the operation of a Florida Community College System institution.

3058 (3) Florida Community College System institutions are  
 3059 locally based and governed entities with statutory and funding  
 3060 ties to state government. As such, the mission for Florida  
 3061 Community College System institutions reflects a commitment to  
 3062 be responsive to local educational needs and challenges. In  
 3063 achieving this mission, Florida Community College System  
 3064 institutions strive to maintain sufficient local authority and  
 3065 flexibility while preserving appropriate legal accountability to  
 3066 the state.

3067 (4) As comprehensive institutions, Florida Community  
 3068 College System institutions shall provide high-quality,  
 3069 affordable education and training opportunities, shall foster a  
 3070 climate of excellence, and shall provide opportunities to all  
 3071 while combining high standards with an open-door admission  
 3072 policy for lower-division programs. Florida Community College  
 3073 System institutions shall, as open-access institutions, serve  
 3074 all who can benefit, without regard to age, race, gender, creed,  
 3075 or ethnic or economic background, while emphasizing the

3076 achievement of social and educational equity so that all can be  
 3077 prepared for full participation in society.

3078 (5) The primary mission and responsibility of Florida  
 3079 Community College System institutions is responding to community  
 3080 needs for postsecondary academic education and career degree  
 3081 education. This mission and responsibility includes being  
 3082 responsible for:

3083 (a) Providing lower-level ~~lower-level~~ undergraduate  
 3084 instruction and awarding associate degrees.

3085 (b) Preparing students directly for careers requiring less  
 3086 than baccalaureate degrees. This may include preparing for job  
 3087 entry, supplementing of skills and knowledge, and responding to  
 3088 needs in new areas of technology. Career education in a Florida  
 3089 Community College System institution consists ~~shall consist~~ of  
 3090 career certificates, nationally recognized industry  
 3091 certifications, credit courses leading to associate in science  
 3092 degrees and associate in applied science degrees, and other  
 3093 programs in fields requiring substantial academic work,  
 3094 background, or qualifications. A Florida Community College  
 3095 System institution may offer career education programs in fields  
 3096 having lesser academic or technical requirements.

3097 (c) Providing student development services, including  
 3098 assessment, student tracking, support for disabled students,  
 3099 advisement, counseling, financial aid, career development, and  
 3100 remedial and tutorial services, to ensure student success.

3101 (d) Promoting economic development for the state within  
 3102 each Florida Community College System institution district  
 3103 through the provision of special programs, including, but not  
 3104 limited to, the:

- 3105 1. Enterprise Florida-related programs.
- 3106 2. Technology transfer centers.
- 3107 3. Economic development centers.
- 3108 4. Workforce literacy programs.

3109 (e) Providing dual enrollment instruction.

3110 ~~(f) Providing upper level instruction and awarding~~  
 3111 ~~baccalaureate degrees as specifically authorized by law.~~

3112 (6) A separate and secondary role for Florida Community  
 3113 College System institutions includes ~~the offering of programs~~  
 3114 ~~in~~:

3115 (a) Programs in community services that are not directly  
 3116 related to academic or occupational advancement.

3117 (b) Programs in adult education services, including adult  
 3118 basic education, adult general education, adult secondary  
 3119 education, and high school equivalency examination instruction.

3120 (c) Programs in recreational and leisure services.

3121 (d) Upper-level instruction and awarding baccalaureate  
 3122 degrees as specifically authorized by law.

3123 (7) Funding for Florida Community College System  
 3124 institutions must ~~shall~~ reflect their mission as follows:

3125 (a) Postsecondary academic and career education programs

3126 and adult general education programs must ~~shall~~ have first  
3127 priority in Florida Community College System institution  
3128 funding.

3129 (b) Community service programs shall be presented to the  
3130 Legislature with rationale for state funding. The Legislature  
3131 may identify priority areas for use of these funds.

3132 (c) The resources of a Florida Community College System  
3133 institution, including staff, faculty, land, and facilities, may  
3134 ~~shall~~ not be used to support the establishment of a new  
3135 independent nonpublic educational institution. If any  
3136 institution uses resources for such purpose, the State Board of  
3137 Community ~~Division of Florida~~ Colleges shall notify the  
3138 President of the Senate and the Speaker of the House of  
3139 Representatives.

3140 (8) Florida Community College System institutions are  
3141 authorized to:

3142 (a) Offer such programs and courses as are necessary to  
3143 fulfill their mission.

3144 (b) Grant associate in arts degrees, associate in science  
3145 degrees, associate in applied science degrees, certificates,  
3146 awards, and diplomas.

3147 (c) Make provisions for the high school equivalency  
3148 examination.

3149 (d) Provide access to and award baccalaureate degrees in  
3150 accordance with law.

3151  
 3152 Authority to offer one or more baccalaureate degree programs  
 3153 does not alter the governance relationship of the Florida  
 3154 Community College System institution with its district board of  
 3155 trustees or the State Board of Community Colleges ~~Education~~.

3156 Section 41. Section 1004.67, Florida Statutes, is amended  
 3157 to read:

3158 1004.67 Florida Community College System institutions;  
 3159 legislative intent.—It is The legislative intent that Florida  
 3160 Community College System institutions, constituted as political  
 3161 subdivisions of the state, continue to be operated by Florida  
 3162 Community College System institution boards of trustees as  
 3163 provided in s. 1001.63 and that no department, bureau, division,  
 3164 agency, or subdivision of the state exercise any responsibility  
 3165 and authority to operate any Florida Community College System  
 3166 institution of the state except as specifically provided by law  
 3167 or rules of the State Board of Community Colleges ~~Education~~.

3168 Section 42. Section 1004.70, Florida Statutes, is amended  
 3169 to read:

3170 1004.70 Florida Community College System institution  
 3171 direct-support organizations.—

3172 (1) DEFINITIONS.—For the purposes of this section:

3173 (a) "Florida Community College System institution direct-  
 3174 support organization" means an organization that is:

3175 1. A Florida corporation not for profit, incorporated

3176 | under the provisions of chapter 617 and approved by the  
 3177 | Department of State.

3178 |         2. Organized and operated exclusively to receive, hold,  
 3179 | invest, and administer property and to make expenditures to, or  
 3180 | for the benefit of, a Florida Community College System  
 3181 | institution in this state.

3182 |         3. An organization that the Florida Community College  
 3183 | System institution board of trustees, after review, has  
 3184 | certified to be operating in a manner consistent with the goals  
 3185 | of the Florida Community College System institution and in the  
 3186 | best interest of the state. Any organization that is denied  
 3187 | certification by the board of trustees may not use the name of  
 3188 | the Florida Community College System institution that it serves.

3189 |         (b) "Personal services" includes full-time or part-time  
 3190 | personnel as well as payroll processing.

3191 |         (2) BOARD OF DIRECTORS.—The chair of the board of trustees  
 3192 | shall appoint at least one ~~a~~ representative to the board of  
 3193 | directors and the executive committee of each direct-support  
 3194 | organization established under this section, including those  
 3195 | established before July 1, 1998. The president of the Florida  
 3196 | Community College System institution for which the direct-  
 3197 | support organization is established, or the president's  
 3198 | designee, shall also serve on the board of directors and the  
 3199 | executive committee of the direct-support organization,  
 3200 | including any direct-support organization established before



3201 July 1, 1998.

3202 (3) USE OF PROPERTY.—

3203 (a) The board of trustees is authorized to permit the use  
 3204 of property, facilities, and personal services at any Florida  
 3205 Community College System institution by any Florida Community  
 3206 College System institution direct-support organization, subject  
 3207 to the provisions of this section. Beginning July 1, 2022, a  
 3208 community college board of trustees may not permit any Florida  
 3209 Community College System institution direct-support organization  
 3210 to use personal services.

3211 (b) The board of trustees is authorized to prescribe by  
 3212 rule any condition with which a Florida Community College System  
 3213 institution direct-support organization must comply in order to  
 3214 use property, facilities, or personal services at any Florida  
 3215 Community College System institution.

3216 (c) The board of trustees may not permit the use of  
 3217 property, facilities, or personal services at any Florida  
 3218 Community College System institution by any Florida Community  
 3219 College System institution direct-support organization that does  
 3220 not provide equal employment opportunities to all persons  
 3221 regardless of race, color, national origin, gender, age, or  
 3222 religion.

3223 (d) The board of trustees may not permit the use of state  
 3224 funds for travel expenses by any Florida Community College  
 3225 System institution direct-support organization.

3226 (4) ACTIVITIES; RESTRICTIONS.—

3227 (a) A direct-support organization may, at the request of  
3228 the board of trustees, provide residency opportunities on or  
3229 near campus for students.

3230 (b) A direct-support organization that constructs  
3231 facilities for use by a Florida Community College System  
3232 institution or its students must comply with all requirements of  
3233 law relating to the construction of facilities by a Florida  
3234 Community College System institution, including requirements for  
3235 competitive bidding.

3236 (c) Any transaction or agreement between one direct-  
3237 support organization and another direct-support organization  
3238 must be approved by the board of trustees.

3239 (d) A Florida Community College System institution direct-  
3240 support organization is prohibited from giving, either directly  
3241 or indirectly, any gift to a political committee as defined in  
3242 s. 106.011 for any purpose ~~other than those certified by a~~  
3243 ~~majority roll call vote of the governing board of the direct-~~  
3244 ~~support organization at a regularly scheduled meeting as being~~  
3245 ~~directly related to the educational mission of the Florida~~  
3246 ~~College System institution.~~

3247 (e) A Florida Community College System institution board  
3248 of trustees must authorize all debt, including lease-purchase  
3249 agreements, incurred by a direct-support organization.  
3250 Authorization for approval of short-term loans and lease-

3251 purchase agreements for a term of not more than 5 years,  
3252 including renewals, extensions, and refundings, for goods,  
3253 materials, equipment, and services may be delegated by the board  
3254 of trustees to the board of directors of the direct-support  
3255 organization. Trustees shall evaluate proposals for debt  
3256 according to guidelines issued by the State Board of Community  
3257 ~~Division of Florida~~ Colleges. Revenues of the Florida Community  
3258 College System institution may not be pledged to debt issued by  
3259 direct-support organizations.

3260 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support  
3261 organization shall submit to the board of trustees its federal  
3262 Internal Revenue Service Application for Recognition of  
3263 Exemption form (Form 1023) and its federal Internal Revenue  
3264 Service Return of Organization Exempt from Income Tax form (Form  
3265 990).

3266 (6) ANNUAL AUDIT.—Each direct-support organization shall  
3267 provide for an annual financial audit in accordance with rules  
3268 adopted by the Auditor General pursuant to s. 11.45(8). The  
3269 annual audit report must be submitted, within 9 months after the  
3270 end of the fiscal year, to the Auditor General, the State Board  
3271 of Community Colleges Education, and the board of trustees for  
3272 review. The board of trustees, the Auditor General, and the  
3273 Office of Program Policy Analysis and Government Accountability  
3274 may require and receive from the organization or from its  
3275 independent auditor any detail or supplemental data relative to

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3276 the operation of the organization. The identity of donors who  
3277 desire to remain anonymous shall be protected, and that  
3278 anonymity shall be maintained in the auditor's report. All  
3279 records of the organization, other than the auditor's report,  
3280 any information necessary for the auditor's report, any  
3281 information related to the expenditure of funds, and any  
3282 supplemental data requested by the board of trustees, the  
3283 Auditor General, and the Office of Program Policy Analysis and  
3284 Government Accountability, shall be confidential and exempt from  
3285 the provisions of s. 119.07(1).

3286 Section 43. Section 1004.71, Florida Statutes, is amended  
3287 to read:

3288 1004.71 Statewide Florida Community College System  
3289 institution direct-support organizations.—

3290 (1) DEFINITIONS.—For the purposes of this section:

3291 (a) "Statewide Florida Community College System  
3292 institution direct-support organization" means an organization  
3293 that is:

3294 1. A Florida corporation not for profit, incorporated  
3295 under the provisions of chapter 617 and approved by the  
3296 Department of State.

3297 2. Organized and operated exclusively to receive, hold,  
3298 invest, and administer property and to make expenditures to, or  
3299 for the benefit of, the Florida Community College System  
3300 institutions in this state.

3301           3. An organization that the State Board of Community  
 3302 Colleges Education, after review, has certified to be operating  
 3303 in a manner consistent with the goals of the Florida Community  
 3304 College System institutions and in the best interest of the  
 3305 state.

3306           (b) "Personal services" includes full-time or part-time  
 3307 personnel as well as payroll processing.

3308           (2) BOARD OF DIRECTORS.—The chair of the State Board of  
 3309 Community Colleges Education may appoint a representative to the  
 3310 board of directors and the executive committee of any statewide,  
 3311 direct-support organization established under this section or s.  
 3312 1004.70. The chair of the State Board of Community Colleges  
 3313 ~~Education~~, or the chair's designee, shall also serve on the  
 3314 board of directors and the executive committee of any direct-  
 3315 support organization established to benefit Florida Community  
 3316 College System institutions.

3317           (3) USE OF PROPERTY.—

3318           (a) The State Board of Education may permit the use of  
 3319 property, facilities, and personal services of the Department of  
 3320 Education by any statewide Florida Community College System  
 3321 institution direct-support organization, subject to the  
 3322 provisions of this section.

3323           (b) The State Board of Education may prescribe by rule any  
 3324 condition with which a statewide Florida Community College  
 3325 System institution direct-support organization must comply in

3326 | order to use property, facilities, or personal services of the  
 3327 | Department of Education.

3328 |         (c) The State Board of Education may not permit the use of  
 3329 | property, facilities, or personal services of the Department of  
 3330 | Education by any statewide Florida Community College System  
 3331 | institution direct-support organization that does not provide  
 3332 | equal employment opportunities to all persons regardless of  
 3333 | race, color, national origin, gender, age, or religion.

3334 |         (4) RESTRICTIONS.—

3335 |         (a) A statewide, direct-support organization may not use  
 3336 | public funds to acquire, construct, maintain, or operate any  
 3337 | facilities.

3338 |         (b) Any transaction or agreement between a statewide,  
 3339 | direct-support organization and any other direct-support  
 3340 | organization must be approved by the State Board of Community  
 3341 | Colleges ~~Education~~.

3342 |         (c) A statewide Florida Community College System  
 3343 | institution direct-support organization is prohibited from  
 3344 | giving, either directly or indirectly, any gift to a political  
 3345 | committee as defined in s. 106.011 for any purpose other than  
 3346 | those certified by a majority roll call vote of the governing  
 3347 | board of the direct-support organization at a regularly  
 3348 | scheduled meeting as being directly related to the educational  
 3349 | mission of the State Board of Community Colleges ~~Education~~.

3350 |         (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support

3351 organization shall submit to the State Board of Community  
 3352 Colleges Education its federal Internal Revenue Service  
 3353 Application for Recognition of Exemption form (Form 1023) and  
 3354 its federal Internal Revenue Service Return of Organization  
 3355 Exempt from Income Tax form (Form 990).

3356 (6) ANNUAL AUDIT.—A statewide Florida Community College  
 3357 System institution direct-support organization shall provide for  
 3358 an annual financial audit in accordance with s. 1004.70. The  
 3359 identity of a donor or prospective donor who desires to remain  
 3360 anonymous and all information identifying such donor or  
 3361 prospective donor are confidential and exempt from the  
 3362 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 3363 Constitution. Such anonymity shall be maintained in the  
 3364 auditor's report.

3365 Section 44. Subsection (4) of section 1004.74, Florida  
 3366 Statutes, is amended to read:

3367 1004.74 Florida School of the Arts.—

3368 (4) The Council for the Florida School of the Arts shall  
 3369 be established to advise the Florida Community College System  
 3370 institution district board of trustees on matters pertaining to  
 3371 the operation of the school. The council shall consist of nine  
 3372 members, appointed jointly by the Chancellor of the Florida  
 3373 Community College System and the Commissioner of Education for  
 3374 4-year terms. A member may serve three terms and may serve until  
 3375 replaced.

3376 Section 45. Section 1004.78, Florida Statutes, is amended  
 3377 to read:

3378 1004.78 Technology transfer centers at Florida Community  
 3379 College System institutions.—

3380 (1) Each Florida Community College System institution may  
 3381 establish a technology transfer center for the purpose of  
 3382 providing institutional support to local business and industry  
 3383 and governmental agencies in the application of new research in  
 3384 technology. The primary responsibilities of such centers may  
 3385 include: identifying technology research developed by  
 3386 universities, research institutions, businesses, industries, the  
 3387 United States Armed Forces, and other state or federal  
 3388 governmental agencies; determining and demonstrating the  
 3389 application of technologies; training workers to integrate  
 3390 advanced equipment and production processes; and determining for  
 3391 business and industry the feasibility and efficiency of  
 3392 accommodating advanced technologies.

3393 (2) The Florida Community College System institution board  
 3394 of trustees shall set such policies to regulate the activities  
 3395 of the technology transfer center as it may consider necessary  
 3396 to effectuate the purposes of this section and to administer the  
 3397 programs of the center in a manner which assures efficiency and  
 3398 effectiveness, producing the maximum benefit for the educational  
 3399 programs and maximum service to the state. To this end,  
 3400 materials that relate to methods of manufacture or production,



3401 potential trade secrets, potentially patentable material, actual  
3402 trade secrets, business transactions, or proprietary information  
3403 received, generated, ascertained, or discovered during the  
3404 course of activities conducted within the Florida Community  
3405 College System institutions shall be confidential and exempt  
3406 from the provisions of s. 119.07(1), except that a Florida  
3407 Community College System institution shall make available upon  
3408 request the title and description of a project, the name of the  
3409 investigator, and the amount and source of funding provided for  
3410 such project.

3411 (3) A technology transfer center created under the  
3412 provisions of this section shall be under the supervision of the  
3413 board of trustees of that Florida Community College System  
3414 institution, which is authorized to appoint a director; to  
3415 employ full-time and part-time staff, research personnel, and  
3416 professional services; to employ on a part-time basis personnel  
3417 of the Florida Community College System institution; and to  
3418 employ temporary employees whose salaries are paid entirely from  
3419 the permanent technology transfer fund or from that fund in  
3420 combination with other nonstate sources, with such positions  
3421 being exempt from the requirements of the Florida Statutes  
3422 relating to salaries, except that no such appointment shall be  
3423 made for a total period of longer than 1 year.

3424 (4) The board of trustees of the Florida Community College  
3425 System institution in which a technology transfer center is

3426 created, or its designee, may negotiate, enter into, and execute  
3427 contracts; solicit and accept grants and donations; and fix and  
3428 collect fees, other payments, and donations that may accrue by  
3429 reason thereof for technology transfer activities. The board of  
3430 trustees or its designee may negotiate, enter into, and execute  
3431 contracts on a cost-reimbursement basis and may provide  
3432 temporary financing of such costs prior to reimbursement from  
3433 moneys on deposit in the technology transfer fund, except as may  
3434 be prohibited elsewhere by law.

3435 (5) A technology transfer center shall be financed from  
3436 the Academic Improvement Program or from moneys of a Florida  
3437 Community College System institution which are on deposit or  
3438 received for use in the activities conducted in the center. Such  
3439 moneys shall be deposited by the Florida Community College  
3440 System institution in a permanent technology transfer fund in a  
3441 depository or depositories approved for the deposit of state  
3442 funds and shall be accounted for and disbursed subject to audit  
3443 by the Auditor General.

3444 (6) The fund balance in any existing research trust fund  
3445 of a Florida Community College System institution at the time a  
3446 technology transfer center is created shall be transferred to a  
3447 permanent technology transfer fund established for the Florida  
3448 Community College System institution, and thereafter the fund  
3449 balance of the technology transfer fund at the end of any fiscal  
3450 period may be used during any succeeding period pursuant to this

3451 section.

3452 (7) Moneys deposited in the permanent technology transfer  
3453 fund of a Florida Community College System institution shall be  
3454 disbursed in accordance with the terms of the contract, grant,  
3455 or donation under which they are received. Moneys received for  
3456 overhead or indirect costs and other moneys not required for the  
3457 payment of direct costs shall be applied to the cost of  
3458 operating the technology transfer center.

3459 (8) All purchases of a technology transfer center shall be  
3460 made in accordance with the policies and procedures of the  
3461 Florida Community College System institution.

3462 (9) The Florida Community College System institution board  
3463 of trustees may authorize the construction, alteration, or  
3464 remodeling of buildings when the funds used are derived entirely  
3465 from the technology transfer fund of a Florida Community College  
3466 System institution or from that fund in combination with other  
3467 nonstate sources, provided that such construction, alteration,  
3468 or remodeling is for use exclusively by the center. It also may  
3469 authorize the acquisition of real property when the cost is  
3470 entirely from said funds. Title to all real property shall vest  
3471 in the board of trustees.

3472 (10) The State Board of Community Colleges ~~Education~~ may  
3473 award grants to Florida Community College System institutions,  
3474 or consortia of public and private colleges and universities and  
3475 other public and private entities, for the purpose of supporting

3476 the objectives of this section. Grants awarded pursuant to this  
 3477 subsection shall be in accordance with rules of the State Board  
 3478 of Community Colleges Education. Such rules shall include the  
 3479 following provisions:

3480 (a) The number of centers established with state funds  
 3481 provided expressly for the purpose of technology transfer shall  
 3482 be limited, but shall be geographically located to maximize  
 3483 public access to center resources and services.

3484 (b) Grants to centers funded with state revenues  
 3485 appropriated specifically for technology transfer activities  
 3486 shall be reviewed and approved by the State Board of Community  
 3487 Colleges Education using proposal solicitation, evaluation, and  
 3488 selection procedures established by the state board in  
 3489 consultation with Enterprise Florida, Inc. Such procedures may  
 3490 include designation of specific areas or applications of  
 3491 technology as priorities for the receipt of funding.

3492 (c) Priority for the receipt of state funds appropriated  
 3493 specifically for the purpose of technology transfer shall be  
 3494 given to grant proposals developed jointly by Florida Community  
 3495 College System institutions and public and private colleges and  
 3496 universities.

3497 (11) Each technology transfer center established under the  
 3498 provisions of this section shall establish a technology transfer  
 3499 center advisory committee. Each committee shall include  
 3500 representatives of a university or universities conducting

3501 research in the area of specialty of the center. Other members  
 3502 shall be determined by the Florida Community College System  
 3503 institution board of trustees.

3504 Section 46. Subsection (4) of section 1004.80, Florida  
 3505 Statutes, is amended to read:

3506 1004.80 Economic development centers.—

3507 (4) The State Board of Community Colleges ~~Education~~ may  
 3508 award grants to economic development centers for the purposes of  
 3509 this section. Grants awarded pursuant to this subsection shall  
 3510 be in accordance with rules established by the State Board of  
 3511 Community Colleges ~~Education~~.

3512 Section 47. Section 1004.91, Florida Statutes, is amended  
 3513 to read:

3514 1004.91 Requirements for career education program basic  
 3515 skills.—

3516 (1) The State Board of Education, for career centers  
 3517 operated by district school boards, and the State Board of  
 3518 Community Colleges, for charter technical career centers  
 3519 operated by Florida Community College System institutions, shall  
 3520 collaborate to adopt, by rule, standards of basic skill mastery  
 3521 for completion of certificate career education programs. Each  
 3522 school district and Florida Community College System institution  
 3523 that conducts programs that confer career and technical  
 3524 certificates shall provide applied academics instruction through  
 3525 which students receive the basic skills instruction required

3526 | pursuant to this section.

3527 |       (2) Students who enroll in a program offered for career  
3528 | credit of 450 hours or more shall complete an entry-level  
3529 | examination within the first 6 weeks after admission into the  
3530 | program. The State Board of Education and the State Board of  
3531 | Community Colleges shall collaborate to designate examinations  
3532 | that are currently in existence, the results of which are  
3533 | comparable across institutions, to assess student mastery of  
3534 | basic skills. Any student found to lack the required level of  
3535 | basic skills for such program shall be referred to applied  
3536 | academics instruction or another adult general education program  
3537 | for a structured program of basic skills instruction. Such  
3538 | instruction may include English for speakers of other languages.  
3539 | A student may not receive a career or technical certificate of  
3540 | completion without first demonstrating the basic skills required  
3541 | in the state curriculum frameworks for the career education  
3542 | program.

3543 |       (3) (a) An adult student with a disability may be exempted  
3544 | from this section.

3545 |       (b) The following students are exempt from this section:

3546 |       1. A student who possesses a college degree at the  
3547 | associate in applied science level or higher.

3548 |       2. A student who demonstrates readiness for public  
3549 | postsecondary education pursuant to s. 1008.30 and applicable  
3550 | rules adopted by the State Board of Education and State Board of

3551 Community Colleges.

3552       3. A student who passes a state or national industry  
3553 certification or licensure examination that is identified in  
3554 State Board of Education or State Board of Community Colleges  
3555 rules and aligned to the career education program in which the  
3556 student is enrolled.

3557       4. An adult student who is enrolled in an apprenticeship  
3558 program that is registered with the Department of Education in  
3559 accordance with chapter 446.

3560       Section 48. Paragraph (b) of subsection (2) of section  
3561 1004.92, Florida Statutes, is amended, and subsection (4) is  
3562 added to that section, to read:

3563       1004.92 Purpose and responsibilities for career  
3564 education.—

3565       (2)

3566       (b) The Department of Education, for school districts, and  
3567 the State Board of Community Colleges, for Florida Community  
3568 College System institutions, have the following responsibilities  
3569 related to accountability for career education ~~includes, but is~~  
3570 ~~not limited to:~~

3571       1. The provision of timely, accurate technical assistance  
3572 to school districts and Florida Community College System  
3573 institutions.

3574       2. The provision of timely, accurate information to the  
3575 State Board of Education, the Legislature, and the public.

3576 3. The development of policies, rules, and procedures that  
3577 facilitate institutional attainment of the accountability  
3578 standards and coordinate the efforts of all divisions within the  
3579 department.

3580 4. The development of program standards and industry-  
3581 driven benchmarks for career, adult, and community education  
3582 programs, which must be updated every 3 years. The standards  
3583 must include career, academic, and workplace skills; viability  
3584 of distance learning for instruction; ~~and~~ work/learn cycles that  
3585 are responsive to business and industry; and provisions that  
3586 reflect the quality components of career and technical education  
3587 programs. The Department of Education and the State Board of  
3588 Community Colleges shall collaborate to develop a common set of  
3589 standards and benchmarks as specified under this subparagraph  
3590 for the programs that are offered by both the school districts  
3591 and Florida Community College System institutions.

3592 5. Overseeing school district and Florida Community  
3593 College System institution compliance with ~~the provisions of~~  
3594 this chapter.

3595 6. Ensuring that the educational outcomes for the  
3596 technical component of career programs are uniform and designed  
3597 to provide a graduate who is capable of entering the workforce  
3598 on an equally competitive basis regardless of the institution of  
3599 choice.

3600 (4) The State Board of Education, for career education



3601 provided by school districts, and the State Board of Community  
 3602 Colleges, for career education provided by Florida Community  
 3603 College System institutions, shall collaborate to adopt rules to  
 3604 administer this section.

3605 Section 49. Subsection (1) of section 1004.925, Florida  
 3606 Statutes, is amended to read:

3607 1004.925 Automotive service technology education programs;  
 3608 certification.—

3609 (1) All automotive service technology education programs  
 3610 shall be industry certified in accordance with rules adopted by  
 3611 the State Board of Education and the State Board of Community  
 3612 Colleges.

3613 Section 50. Paragraphs (c) and (d) of subsection (4) and  
 3614 subsections (6) and (9) of section 1004.93, Florida Statutes,  
 3615 are amended to read:

3616 1004.93 Adult general education.—

3617 (4)

3618 (c) The State Board of Community Colleges ~~Education~~ shall  
 3619 define, by rule, the levels and courses of instruction to be  
 3620 funded through the developmental education program. The State  
 3621 Board of Community Colleges shall coordinate the establishment  
 3622 of costs for developmental education courses, the establishment  
 3623 of statewide standards that define required levels of  
 3624 competence, acceptable rates of student progress, and the  
 3625 maximum amount of time to be allowed for completion of

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3626 developmental education. Developmental education is part of an  
3627 associate in arts degree program and may not be funded as an  
3628 adult career education program.

3629 (d) Expenditures for developmental education and lifelong  
3630 learning students shall be reported separately. Allocations for  
3631 developmental education shall be based on proportional full-time  
3632 equivalent enrollment. Program review results shall be included  
3633 in the determination of subsequent allocations. A student shall  
3634 be funded to enroll in the same developmental education class  
3635 within a skill area only twice, after which time the student  
3636 shall pay 100 percent of the full cost of instruction to support  
3637 the continuous enrollment of that student in the same class;  
3638 however, students who withdraw or fail a class due to  
3639 extenuating circumstances may be granted an exception only once  
3640 for each class, provided approval is granted according to policy  
3641 established by the board of trustees. Each Florida Community  
3642 College System institution shall have the authority to review  
3643 and reduce payment for increased fees due to continued  
3644 enrollment in a developmental education class on an individual  
3645 basis contingent upon the student's financial hardship, pursuant  
3646 to definitions and fee levels established by the State Board of  
3647 Community Colleges Education. Developmental education and  
3648 lifelong learning courses do not generate credit toward an  
3649 associate or baccalaureate degree.

3650 (6) The commissioner, for school districts, and the

3651 Chancellor of the Florida Community College System, for Florida  
3652 Community College System institutions, shall recommend the level  
3653 of funding for public school and Florida Community College  
3654 System institution adult education within the legislative budget  
3655 request and make other recommendations and reports considered  
3656 necessary or required by rules of the State Board of Education.

3657 (9) The State Board of Education and the State Board of  
3658 Community Colleges may adopt rules necessary for the  
3659 implementation of this section.

3660 Section 51. Subsection (3) of section 1006.60, Florida  
3661 Statutes, is amended to read:

3662 1006.60 Codes of conduct; disciplinary measures; authority  
3663 to adopt rules or regulations.—

3664 (3) Sanctions authorized by such codes of conduct may be  
3665 imposed only for acts or omissions in violation of rules or  
3666 regulations adopted by the institution, including rules or  
3667 regulations adopted under this section, rules of the State Board  
3668 of Community Colleges regarding the Florida Community College  
3669 System Education, rules or regulations of the Board of Governors  
3670 regarding the State University System, county and municipal  
3671 ordinances, and the laws of this state, the United States, or  
3672 any other state.

3673 Section 52. Subsection (1) of section 1006.61, Florida  
3674 Statutes, is amended to read:

3675 1006.61 Participation by students in disruptive activities

3676 | at public postsecondary educational institution; penalties.—

3677 |       (1) Any person who accepts the privilege extended by the  
 3678 | laws of this state of attendance at any public postsecondary  
 3679 | educational institution shall, by attending such institution, be  
 3680 | deemed to have given his or her consent to the policies of that  
 3681 | institution, the State Board of Community Colleges regarding the  
 3682 | Florida Community College System Education, and the Board of  
 3683 | Governors regarding the State University System, and the laws of  
 3684 | this state. Such policies shall include prohibition against  
 3685 | disruptive activities at public postsecondary educational  
 3686 | institutions.

3687 |       Section 53. Section 1006.62, Florida Statutes, is amended  
 3688 | to read:

3689 |       1006.62 Expulsion and discipline of students of Florida  
 3690 | Community College System institutions and state universities.—

3691 |       (1) Each student in a Florida Community College System  
 3692 | institution or state university is subject to federal and state  
 3693 | law, respective county and municipal ordinances, and all rules  
 3694 | and regulations of the State Board of Community Colleges  
 3695 | regarding the Florida Community College System Education, the  
 3696 | Board of Governors regarding the State University System, or the  
 3697 | board of trustees of the institution.

3698 |       (2) Violation of these published laws, ordinances, or  
 3699 | rules and regulations may subject the violator to appropriate  
 3700 | action by the institution's authorities.

3701 (3) Each president of a Florida Community College System  
 3702 institution or state university may, after notice to the student  
 3703 of the charges and after a hearing thereon, expel, suspend, or  
 3704 otherwise discipline any student who is found to have violated  
 3705 any law, ordinance, or rule or regulation of the State Board of  
 3706 Community Colleges regarding the Florida Community College  
 3707 System Education, the Board of Governors regarding the State  
 3708 University System, or the board of trustees of the institution.  
 3709 A student may be entitled to waiver of expulsion:

3710 (a) If the student provides substantial assistance in the  
 3711 identification, arrest, or conviction of any of his or her  
 3712 accomplices, accessories, coconspirators, or principals or of  
 3713 any other person engaged in violations of chapter 893 within a  
 3714 state university or Florida Community College System  
 3715 institution;

3716 (b) If the student voluntarily discloses his or her  
 3717 violations of chapter 893 prior to his or her arrest; or

3718 (c) If the student commits himself or herself, or is  
 3719 referred by the court in lieu of sentence, to a state-licensed  
 3720 drug abuse program and successfully completes the program.

3721 Section 54. Paragraphs (c) and (g) of subsection (1),  
 3722 paragraph (b) of subsection (2), and subsection (3) of section  
 3723 1006.71, Florida Statutes, are amended to read:

3724 1006.71 Gender equity in intercollegiate athletics.—

3725 (1) GENDER EQUITY PLAN.—

3726           (c) The Chancellor of the Florida Community College System  
3727 ~~Commissioner of Education~~ shall annually assess the progress of  
3728 each Florida Community College System institution's plan and  
3729 advise the State Board of Community Colleges ~~Education~~ and the  
3730 Legislature regarding compliance.

3731           (g)1. If a Florida Community College System institution is  
3732 not in compliance with Title IX of the Education Amendments of  
3733 1972 and the Florida Educational Equity Act, the State Board of  
3734 Community Colleges ~~Education~~ shall:

3735           a. Declare the Florida Community College System  
3736 institution ineligible for competitive state grants.

3737           b. Withhold funds sufficient to obtain compliance.

3738  
3739 The Florida Community College System institution shall remain  
3740 ineligible and the funds may ~~shall~~ not be paid until the Florida  
3741 Community College System institution comes into compliance or  
3742 the Chancellor of the Florida Community College System  
3743 ~~Commissioner of Education~~ approves a plan for compliance.

3744           2. If a state university is not in compliance with Title  
3745 IX of the Education Amendments of 1972 and the Florida  
3746 Educational Equity Act, the Board of Governors shall:

3747           a. Declare the state university ineligible for competitive  
3748 state grants.

3749           b. Withhold funds sufficient to obtain compliance.

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3751 The state university shall remain ineligible and the funds may  
3752 ~~shall~~ not be paid until the state university comes into  
3753 compliance or the Board of Governors approves a plan for  
3754 compliance.

3755 (2) FUNDING.—

3756 (b) The level of funding and percentage share of support  
3757 for women's intercollegiate athletics for Florida Community  
3758 College System institutions shall be determined by the State  
3759 Board of Community Colleges ~~Education~~. The level of funding and  
3760 percentage share of support for women's intercollegiate  
3761 athletics for state universities shall be determined by the  
3762 Board of Governors. The level of funding and percentage share  
3763 attained in the 1980-1981 fiscal year shall be the minimum level  
3764 and percentage maintained by each institution, except as the  
3765 State Board of Community Colleges ~~Education~~ or the Board of  
3766 Governors otherwise directs its respective institutions for the  
3767 purpose of assuring equity. Consideration shall be given by the  
3768 State Board of Community Colleges ~~Education~~ or the Board of  
3769 Governors to emerging athletic programs at institutions which  
3770 may not have the resources to secure external funds to provide  
3771 athletic opportunities for women. It is the intent that the  
3772 effect of any redistribution of funds among institutions may  
3773 ~~shall~~ not negate the requirements as set forth in this section.

3774 (3) STATE BOARD OF COMMUNITY COLLEGES ~~EDUCATION~~.—The State  
3775 Board of Community Colleges ~~Education~~ shall assure equal

3776 opportunity for female athletes at Florida Community College  
 3777 System institutions and establish:

3778 (a) In conjunction with the State Board of Education,  
 3779 guidelines for reporting of intercollegiate athletics data  
 3780 concerning financial, program, and facilities information for  
 3781 review by the State Board of Community Colleges ~~Education~~  
 3782 annually.

3783 (b) Systematic audits for the evaluation of such data.

3784 (c) Criteria for determining and assuring equity.

3785 Section 55. Section 1007.01, Florida Statutes, is amended  
 3786 to read:

3787 1007.01 Articulation; legislative intent; purpose; role of  
 3788 the State Board of Education, the State Board of Community  
 3789 Colleges, and the Board of Governors; Articulation Coordinating  
 3790 Committee.—

3791 (1) It is the intent of the Legislature to facilitate  
 3792 articulation and seamless integration of the K-20 education  
 3793 system by building, sustaining, and strengthening relationships  
 3794 among K-20 public organizations, between public and private  
 3795 organizations, and between the education system as a whole and  
 3796 Florida's communities. The purpose of building, sustaining, and  
 3797 strengthening these relationships is to provide for the  
 3798 efficient and effective progression and transfer of students  
 3799 within the education system and to allow students to proceed  
 3800 toward their educational objectives as rapidly as their



3801 | circumstances permit. The Legislature further intends that  
3802 | articulation policies and budget actions be implemented  
3803 | consistently in the practices of the Department of Education and  
3804 | postsecondary educational institutions and expressed in the  
3805 | collaborative policy efforts of the State Board of Education,  
3806 | ~~and the Board of Governors,~~ and the State Board of Community  
3807 | Colleges.

3808 |       (2) To preserve Florida's "2+2" system of articulation and  
3809 | improve and facilitate articulation systemwide, the State Board  
3810 | of Education, ~~and the Board of Governors,~~ and the State Board of  
3811 | Community Colleges shall collaboratively establish and adopt  
3812 | policies with input from statewide K-20 advisory groups  
3813 | established by the Commissioner of Education, the Chancellor of  
3814 | the Florida Community College System, and the Chancellor of the  
3815 | State University System and shall recommend the policies to the  
3816 | Legislature. The policies shall relate to:

3817 |       (a) The alignment between the exit requirements of one  
3818 | education system and the admissions requirements of another  
3819 | education system into which students typically transfer.

3820 |       (b) The identification of common courses, the level of  
3821 | courses, institutional participation in a statewide course  
3822 | numbering system, and the transferability of credits among such  
3823 | institutions.

3824 |       (c) Identification of courses that meet general education  
3825 | or common degree program prerequisite requirements at public

3826 | postsecondary educational institutions.

3827 |       (d) Dual enrollment course equivalencies.

3828 |       (e) Articulation agreements.

3829 |       (3) The Commissioner of Education, in consultation with

3830 | the Chancellor of the Florida Community College System and the

3831 | Chancellor of the State University System, shall establish the

3832 | Articulation Coordinating Committee, which shall make

3833 | recommendations related to statewide articulation policies and

3834 | issues regarding access, quality, and reporting of data

3835 | maintained by the K-20 data warehouse, established pursuant to

3836 | ss. 1001.10 and 1008.31, to the Higher Education Coordination

3837 | Council, the State Board of Education, ~~and~~ the Board of

3838 | Governors, and the State Board of Community Colleges. The

3839 | committee shall consist of two members each representing the

3840 | State University System, the Florida Community College System,

3841 | public career and technical education, K-12 education, and

3842 | nonpublic postsecondary education and one member representing

3843 | students. The chair shall be elected from the membership. The

3844 | Office of K-20 Articulation shall provide administrative support

3845 | for the committee. The committee shall:

3846 |       (a) Monitor the alignment between the exit requirements of

3847 | one education system and the admissions requirements of another

3848 | education system into which students typically transfer and make

3849 | recommendations for improvement.

3850 |       (b) Propose guidelines for interinstitutional agreements

3851 between and among public schools, career and technical education  
3852 centers, Florida Community College System institutions, state  
3853 universities, and nonpublic postsecondary institutions.

3854 (c) Annually recommend dual enrollment course and high  
3855 school subject area equivalencies for approval by the State  
3856 Board of Education, ~~and~~ the Board of Governors, and the State  
3857 Board of Community Colleges.

3858 (d) Annually review the statewide articulation agreement  
3859 pursuant to s. 1007.23 and make recommendations for revisions.

3860 (e) Annually review the statewide course numbering system,  
3861 the levels of courses, and the application of transfer credit  
3862 requirements among public and nonpublic institutions  
3863 participating in the statewide course numbering system and  
3864 identify instances of student transfer and admissions  
3865 difficulties.

3866 (f) Annually publish a list of courses that meet common  
3867 general education and common degree program prerequisite  
3868 requirements at public postsecondary institutions identified  
3869 pursuant to s. 1007.25.

3870 (g) Foster timely collection and reporting of statewide  
3871 education data to improve the K-20 education performance  
3872 accountability system pursuant to ss. 1001.10 and 1008.31,  
3873 including, but not limited to, data quality, accessibility, and  
3874 protection of student records.

3875 (h) Recommend roles and responsibilities of public

3876 education entities in interfacing with the single, statewide  
 3877 computer-assisted student advising system established pursuant  
 3878 to s. 1006.735.

3879 (i) Make recommendations regarding the cost and  
 3880 requirements to develop and implement an online system for  
 3881 collecting and analyzing data regarding requests for transfer of  
 3882 credit by postsecondary education students. The online system,  
 3883 at a minimum, must collect information regarding the total  
 3884 number of credit transfer requests denied and the reason for  
 3885 each denial. Recommendations shall be reported to the President  
 3886 of the Senate and the Speaker of the House of Representatives on  
 3887 or before January 31, 2015.

3888 Section 56. Subsections (1) and (6) of section 1007.23,  
 3889 Florida Statutes, are amended, and subsection (7) is added to  
 3890 that section, to read:

3891 1007.23 Statewide articulation agreement.—

3892 (1) The State Board of Education, ~~and~~ the Board of  
 3893 Governors, and the State Board of Community Colleges shall enter  
 3894 into a statewide articulation agreement which the State Board of  
 3895 Education and the State Board of Community Colleges shall adopt  
 3896 by rule. The agreement must preserve Florida's "2+2" system of  
 3897 articulation, facilitate the seamless articulation of student  
 3898 credit across and among Florida's educational entities, and  
 3899 reinforce the provisions of this chapter by governing:

3900 (a) Articulation between secondary and postsecondary

3901 education;

3902 (b) Admission of associate in arts degree graduates from

3903 Florida Community College System institutions and state

3904 universities;

3905 (c) Admission of applied technology diploma program

3906 graduates from Florida Community College System institutions or

3907 career centers;

3908 (d) Admission of associate in science degree and associate

3909 in applied science degree graduates from Florida Community

3910 College System institutions;

3911 (e) The use of acceleration mechanisms, including

3912 nationally standardized examinations through which students may

3913 earn credit;

3914 (f) General education requirements and statewide course

3915 numbers as provided for in ss. 1007.24 and 1007.25; and

3916 (g) Articulation among programs in nursing.

3917 (6) The articulation agreement must guarantee the

3918 articulation of 9 credit hours toward a postsecondary degree in

3919 early childhood education for programs approved by the State

3920 Board of Community Colleges ~~Education~~ and the Board of Governors

3921 which:

3922 (a) Award a child development associate credential issued

3923 by the National Credentialing Program of the Council for

3924 Professional Recognition or award a credential approved under s.

3925 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the

3926 child development associate credential; and

3927 (b) Include training in emergent literacy which meets or  
3928 exceeds the minimum standards for training courses for  
3929 prekindergarten instructors of the Voluntary Prekindergarten  
3930 Education Program in s. 1002.59.

3931 (7) To strengthen Florida's "2+2" system of articulation  
3932 and improve student retention and on-time graduation, by the  
3933 2018-2019 academic year, each Florida Community College System  
3934 institution shall execute at least one "2+2" targeted pathway  
3935 articulation agreement with one or more state universities and  
3936 each state university shall execute at least one such agreement  
3937 with one or more Florida Community College System institutions  
3938 to establish "2+2" targeted pathway programs. The agreement must  
3939 provide students who graduate with an associate in arts degree  
3940 and who meet specified requirements guaranteed access to the  
3941 state university and a degree program at that university, in  
3942 accordance with the terms of the "2+2" targeted pathway  
3943 articulation agreement.

3944 (a) To participate in a "2+2" targeted pathway program, a  
3945 student must:

3946 1. Enroll in the program before completing 30 credit  
3947 hours, including, but not limited to, college credits earned  
3948 through articulated acceleration mechanisms pursuant to s.  
3949 1007.27;

3950 2. Complete an associate in arts degree; and

3951 3. Meet the university's transfer requirements.

3952 (b) A state university that executes a "2+2" targeted  
3953 pathway articulation agreement must meet the following  
3954 requirements in order to implement a "2+2" targeted pathway  
3955 program in collaboration with its partner Florida Community  
3956 College System institution:

3957 1. Establish a 4-year on-time graduation plan for a  
3958 baccalaureate degree program, including, but not limited to, a  
3959 plan for students to complete associate in arts degree programs,  
3960 general education courses, common prerequisite courses, and  
3961 elective courses;

3962 2. Advise students enrolled in the program about the  
3963 university's transfer and degree program requirements; and

3964 3. Provide students who meet the requirements under this  
3965 paragraph with access to academic advisors and campus events and  
3966 with guaranteed admittance to the state university and a degree  
3967 program of the state university, in accordance with the terms of  
3968 the agreement.

3969 (c) To assist the state universities and Florida Community  
3970 College System institutions with implementing the "2+2" targeted  
3971 pathway programs effectively, the State Board of Community  
3972 Colleges and the Board of Governors shall collaborate to  
3973 eliminate barriers in executing "2+2" targeted pathway  
3974 articulation agreements.

3975 Section 57. Subsections (1), (2), and (3) of section

3976 | 1007.24, Florida Statutes, are amended to read:  
 3977 |       1007.24 Statewide course numbering system.—  
 3978 |       (1) The Department of Education, in conjunction with the  
 3979 | Board of Governors and the State Board of Community Colleges,  
 3980 | shall develop, coordinate, and maintain a statewide course  
 3981 | numbering system for postsecondary and dual enrollment education  
 3982 | in school districts, public postsecondary educational  
 3983 | institutions, and participating nonpublic postsecondary  
 3984 | educational institutions that will improve program planning,  
 3985 | increase communication among all delivery systems, and  
 3986 | facilitate student acceleration and the transfer of students and  
 3987 | credits between public school districts, public postsecondary  
 3988 | educational institutions, and participating nonpublic  
 3989 | educational institutions. The continuing maintenance of the  
 3990 | system shall be accomplished with the assistance of appropriate  
 3991 | faculty committees representing public and participating  
 3992 | nonpublic educational institutions.  
 3993 |       (2) The Commissioner of Education, in conjunction with the  
 3994 | Chancellor of the Florida Community College System and the  
 3995 | Chancellor of the State University System, shall appoint faculty  
 3996 | committees representing faculties of participating institutions  
 3997 | to recommend a single level for each course, including  
 3998 | postsecondary career education courses, included in the  
 3999 | statewide course numbering system.  
 4000 |       (a) Any course designated as an upper-division-level



4001 course must be characterized by a need for advanced academic  
 4002 preparation and skills that a student would be unlikely to  
 4003 achieve without significant prior coursework.

4004 (b) A course that is offered as part of an associate in  
 4005 science degree program and as an upper-division course for a  
 4006 baccalaureate degree shall be designated for both the lower and  
 4007 upper division.

4008 (c) A course designated as lower-division may be offered  
 4009 by any Florida Community College System institution.

4010 (3) The Commissioner of Education shall recommend to the  
 4011 State Board of Education the levels for the courses. The State  
 4012 Board of Education, with input from the Board of Governors and  
 4013 the State Board of Community Colleges, shall approve the levels  
 4014 for the courses.

4015 Section 58. Subsections (3), (6), and (9) through (12) of  
 4016 section 1007.25, Florida Statutes, are amended to read:

4017 1007.25 General education courses; common prerequisites;  
 4018 other degree requirements.-

4019 (3) The chair of the State Board of Community Colleges  
 4020 ~~Education~~ and the chair of the Board of Governors, or their  
 4021 designees, shall jointly appoint faculty committees to identify  
 4022 statewide general education core course options. General  
 4023 education core course options shall consist of a maximum of five  
 4024 courses within each of the subject areas of communication,  
 4025 mathematics, social sciences, humanities, and natural sciences.

4026 The core courses may be revised, or the five-course maximum  
4027 within each subject area may be exceeded, if approved by the  
4028 State Board of Community Colleges Education ~~Education~~ and the Board of  
4029 Governors, as recommended by the subject area faculty committee  
4030 and approved by the Articulation Coordinating Committee as  
4031 necessary for a subject area. Each general education core course  
4032 option must contain high-level academic and critical thinking  
4033 skills and common competencies that students must demonstrate to  
4034 successfully complete the course. Beginning with students  
4035 initially entering a Florida Community College System  
4036 institution or state university in 2015-2016 and thereafter,  
4037 each student must complete at least one identified core course  
4038 in each subject area as part of the general education course  
4039 requirements. All public postsecondary educational institutions  
4040 shall accept these courses as meeting general education core  
4041 course requirements. The remaining general education course  
4042 requirements shall be identified by each institution and  
4043 reported to the department by their statewide course number. The  
4044 general education core course options shall be adopted in rule  
4045 by the State Board of Community Colleges Education ~~Education~~ and in  
4046 regulation by the Board of Governors.

4047 (6) The department shall identify common prerequisite  
4048 courses and course substitutions for degree programs across all  
4049 institutions. Common degree program prerequisites shall be  
4050 offered and accepted by all state universities and Florida

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4051 Community College System institutions, except in cases approved  
4052 by the State Board of Community Colleges, ~~Education~~ for Florida  
4053 Community College System institutions, and the Board of  
4054 Governors, for state universities. The department shall develop  
4055 a centralized database containing the list of courses and course  
4056 substitutions that meet the prerequisite requirements for each  
4057 baccalaureate degree program.

4058 (9) A baccalaureate degree program shall require no more  
4059 than 120 semester hours of college credit and include 36  
4060 semester hours of general education coursework, unless prior  
4061 approval has been granted by the Board of Governors for  
4062 baccalaureate degree programs offered by state universities and  
4063 by the State Board of Community Colleges ~~Education~~ for  
4064 baccalaureate degree programs offered by Florida Community  
4065 College System institutions.

4066 (10) A student who received an associate in arts degree  
4067 for successfully completing 60 semester credit hours may  
4068 continue to earn ~~additional~~ credits at a Florida Community  
4069 College System institution. The university must provide credit  
4070 toward the student's baccalaureate degree for a ~~an additional~~  
4071 Florida Community College System institution course if,  
4072 according to the statewide course numbering, the Florida  
4073 Community College System institution course is a course listed  
4074 in the university catalog as required for the degree or as  
4075 prerequisite to a course required for the degree. Of the courses

4076 required for the degree, at least half of the credit hours  
4077 required for the degree shall be achievable through courses  
4078 designated as lower division, except in degree programs approved  
4079 by the State Board of Community Colleges ~~Education~~ for programs  
4080 offered by Florida Community College System institutions and by  
4081 the Board of Governors for programs offered by state  
4082 universities.

4083 (11) Students at state universities may request associate  
4084 in arts certificates if they have successfully completed the  
4085 minimum requirements for the degree of associate in arts (A.A.).  
4086 The university must grant the student an associate in arts  
4087 degree if the student has successfully completed minimum  
4088 requirements for college-level communication and computation  
4089 skills adopted by the State Board of Community Colleges  
4090 ~~Education~~ and 60 academic semester hours or the equivalent  
4091 within a degree program area, including 36 semester hours in  
4092 general education courses in the subject areas of communication,  
4093 mathematics, social sciences, humanities, and natural sciences,  
4094 consistent with the general education requirements specified in  
4095 the articulation agreement pursuant to s. 1007.23.

4096 (12) The Commissioner of Education and the Chancellor of  
4097 the Florida Community College System shall jointly appoint  
4098 faculty committees representing both Florida Community College  
4099 System institution and public school faculties to recommend to  
4100 the commissioner, or the Chancellor of the Florida Community

4101 College System, as applicable, for approval by the State Board  
4102 of Education and the State Board of Community Colleges, as  
4103 applicable, a standard program length and appropriate  
4104 occupational completion points for each postsecondary career  
4105 certificate program, diploma, and degree offered by a school  
4106 district or a Florida Community College System institution.

4107 Section 59. Section 1007.262, Florida Statutes, is amended  
4108 to read:

4109 1007.262 Foreign language competence; equivalence  
4110 determinations.—The Department of Education shall identify the  
4111 competencies demonstrated by students upon the successful  
4112 completion of 2 credits of sequential high school foreign  
4113 language instruction. For the purpose of determining  
4114 postsecondary equivalence, the State Board of Community Colleges  
4115 ~~department~~ shall develop rules through which Florida Community  
4116 College System institutions correlate such competencies to the  
4117 competencies required of students in the colleges' respective  
4118 courses. Based on this correlation, each Florida Community  
4119 College System institution shall identify the minimum number of  
4120 postsecondary credits that students must earn in order to  
4121 demonstrate a level of competence in a foreign language at least  
4122 equivalent to that of students who have completed 2 credits of  
4123 such instruction in high school. The department may also specify  
4124 alternative means by which students can demonstrate equivalent  
4125 foreign language competence, including means by which a student

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4126 | whose native language is not English may demonstrate proficiency  
4127 | in the native language. A student who demonstrates proficiency  
4128 | in a native language other than English is exempt from a  
4129 | requirement of completing foreign language courses at the  
4130 | secondary or Florida Community College System level.

4131 |       Section 60. Section 1007.263, Florida Statutes, is amended  
4132 | to read:

4133 |       1007.263 Florida Community College System institutions;  
4134 | admissions of students.—Each Florida Community College System  
4135 | institution board of trustees is authorized to adopt rules  
4136 | governing admissions of students subject to this section and  
4137 | rules of the State Board of Community Colleges ~~Education~~. These  
4138 | rules shall include the following:

4139 |       (1) Admissions counseling shall be provided to all  
4140 | students entering college or career credit programs. For  
4141 | students who are not otherwise exempt from testing under s.  
4142 | 1008.30, counseling must use tests to measure achievement of  
4143 | college-level communication and computation competencies by  
4144 | students entering college credit programs or tests to measure  
4145 | achievement of basic skills for career education programs as  
4146 | prescribed in s. 1004.91. Counseling includes providing  
4147 | developmental education options for students whose assessment  
4148 | results, determined under s. 1008.30, indicate that they need to  
4149 | improve communication or computation skills that are essential  
4150 | to perform college-level work.

4151 (2) Admission to associate degree programs is subject to  
 4152 minimum standards adopted by the State Board of Community  
 4153 Colleges Education and shall require:

4154 (a) A standard high school diploma, a high school  
 4155 equivalency diploma as prescribed in s. 1003.435, previously  
 4156 demonstrated competency in college credit postsecondary  
 4157 coursework, or, in the case of a student who is home educated, a  
 4158 signed affidavit submitted by the student's parent or legal  
 4159 guardian attesting that the student has completed a home  
 4160 education program pursuant to the requirements of s. 1002.41.  
 4161 Students who are enrolled in a dual enrollment or early  
 4162 admission program pursuant to s. 1007.271 are exempt from this  
 4163 requirement.

4164 (b) A demonstrated level of achievement of college-level  
 4165 communication and computation skills.

4166 (c) Any other requirements established by the board of  
 4167 trustees.

4168 (3) Admission to other programs within the Florida  
 4169 Community College System institution shall include education  
 4170 requirements as established by the board of trustees.

4171 (4) A student who has been awarded a certificate of  
 4172 completion under s. 1003.4282 is eligible to enroll in  
 4173 certificate career education programs.

4174 (5) A student with a documented disability may be eligible  
 4175 for reasonable substitutions, as prescribed in ss. 1007.264 and

4176 | 1007.265.

4177 |

4178 | Each board of trustees shall establish policies that notify  
 4179 | students about developmental education options for improving  
 4180 | their communication or computation skills that are essential to  
 4181 | performing college-level work, including tutoring, extended time  
 4182 | in gateway courses, free online courses, adult basic education,  
 4183 | adult secondary education, or private provider instruction.

4184 | Section 61. Subsection (2) of section 1007.264, Florida  
 4185 | Statutes, is amended to read:

4186 | 1007.264 Persons with disabilities; admission to  
 4187 | postsecondary educational institutions; substitute requirements;  
 4188 | rules and regulations.-

4189 | (2) The State Board of Community Colleges Education, in  
 4190 | consultation with the Board of Governors, shall adopt rules to  
 4191 | implement this section for Florida Community College System  
 4192 | institutions and shall develop substitute admission requirements  
 4193 | where appropriate.

4194 | Section 62. Subsections (2) and (3) of section 1007.265,  
 4195 | Florida Statutes, are amended to read:

4196 | 1007.265 Persons with disabilities; graduation, study  
 4197 | program admission, and upper-division entry; substitute  
 4198 | requirements; rules and regulations.-

4199 | (2) The State Board of Community Colleges Education, in  
 4200 | consultation with the Board of Governors, shall adopt rules to



4201 implement this section for Florida Community College System  
4202 institutions and shall develop substitute requirements where  
4203 appropriate.

4204 (3) The Board of Governors, in consultation with the State  
4205 Board of Community Colleges ~~Education~~, shall adopt regulations  
4206 to implement this section for state universities and shall  
4207 develop substitute requirements where appropriate.

4208 Section 63. Effective July 1, 2018, subsections (2), (6),  
4209 (7), and (8) of section 1007.27, Florida Statutes, are amended  
4210 to read:

4211 1007.27 Articulated acceleration mechanisms.—

4212 (2) (a) The Department of Education shall annually identify  
4213 and publish the minimum scores, maximum credit, and course or  
4214 courses for which credit is to be awarded for each College Level  
4215 Examination Program (CLEP) subject examination, College Board  
4216 Advanced Placement Program examination, Advanced International  
4217 Certificate of Education examination, International  
4218 Baccalaureate examination, Excelsior College subject  
4219 examination, Defense Activity for Non-Traditional Education  
4220 Support (DANTES) subject standardized test, and Defense Language  
4221 Proficiency Test (DLPT). The department shall use student  
4222 performance data in subsequent postsecondary courses to  
4223 determine the appropriate examination scores and courses for  
4224 which credit is to be granted. Minimum scores may vary by  
4225 subject area based on available performance data. In addition,

4226 | the department shall identify such courses in the general  
 4227 | education core curriculum of each state university and Florida  
 4228 | Community College System institution.

4229 |       (b) Each district school board shall notify students who  
 4230 | enroll in articulated acceleration mechanism courses or take  
 4231 | examinations pursuant to this section of the credit-by-  
 4232 | examination equivalency list adopted by rule by the State Board  
 4233 | of Education and the dual enrollment course and high school  
 4234 | subject area equivalencies approved by the state board pursuant  
 4235 | to s. 1007.271(9).

4236 |       (6) Credit by examination shall be the program through  
 4237 | which secondary and postsecondary students generate  
 4238 | postsecondary credit based on the receipt of a specified minimum  
 4239 | score on nationally standardized general or subject-area  
 4240 | examinations. For the purpose of statewide application, such  
 4241 | examinations and the corresponding minimum scores required for  
 4242 | an award of credit shall be delineated by the State Board of  
 4243 | Education, ~~and~~ the Board of Governors, and the State Board of  
 4244 | Community Colleges in the statewide articulation agreement  
 4245 | required by s. 1007.23(1). The maximum credit generated by a  
 4246 | student pursuant to this subsection shall be mitigated by any  
 4247 | related postsecondary credit earned by the student prior to the  
 4248 | administration of the examination. This subsection shall not  
 4249 | preclude Florida Community College System institutions and  
 4250 | universities from awarding credit by examination based on

4251 student performance on examinations developed within and  
4252 recognized by the individual postsecondary institutions.

4253 (7) The International Baccalaureate Program shall be the  
4254 curriculum in which eligible secondary students are enrolled in  
4255 a program of studies offered through the International  
4256 Baccalaureate Program administered by the International  
4257 Baccalaureate Office. The State Board of Community Colleges  
4258 ~~Education~~ and the Board of Governors shall specify in the  
4259 statewide articulation agreement required by s. 1007.23(1) the  
4260 cutoff scores and International Baccalaureate Examinations which  
4261 will be used to grant postsecondary credit at Florida Community  
4262 College System institutions and universities. Any changes to the  
4263 articulation agreement~~7~~ which have the effect of raising the  
4264 required cutoff score or of changing the International  
4265 Baccalaureate Examinations which will be used to grant  
4266 postsecondary credit~~7~~ shall only apply to students taking  
4267 International Baccalaureate Examinations after such changes are  
4268 adopted by the State Board of Community Colleges ~~Education~~ and  
4269 the Board of Governors. Students shall be awarded a maximum of  
4270 30 semester credit hours pursuant to this subsection. The  
4271 specific course for which a student may receive such credit  
4272 shall be specified in the statewide articulation agreement  
4273 required by s. 1007.23(1). Students enrolled pursuant to this  
4274 subsection shall be exempt from the payment of any fees for  
4275 administration of the examinations regardless of whether or not

4276 | the student achieves a passing score on the examination.

4277 |       (8) The Advanced International Certificate of Education

4278 | Program and the International General Certificate of Secondary

4279 | Education (pre-AICE) Program shall be the curricula in which

4280 | eligible secondary students are enrolled in programs of study

4281 | offered through the Advanced International Certificate of

4282 | Education Program or the International General Certificate of

4283 | Secondary Education (pre-AICE) Program administered by the

4284 | University of Cambridge Local Examinations Syndicate. The State

4285 | Board of Community Colleges ~~Education~~ and the Board of Governors

4286 | shall specify in the statewide articulation agreement required

4287 | by s. 1007.23(1) the cutoff scores and Advanced International

4288 | Certificate of Education examinations which will be used to

4289 | grant postsecondary credit at Florida Community College System

4290 | institutions and universities. Any changes to the cutoff scores,

4291 | which changes have the effect of raising the required cutoff

4292 | score or of changing the Advanced International Certification of

4293 | Education examinations which will be used to grant postsecondary

4294 | credit, shall apply to students taking Advanced International

4295 | Certificate of Education examinations after such changes are

4296 | adopted by the State Board of Community Colleges ~~Education~~ and

4297 | the Board of Governors. Students shall be awarded a maximum of

4298 | 30 semester credit hours pursuant to this subsection. The

4299 | specific course for which a student may receive such credit

4300 | shall be determined by the Florida Community College System

4301 institution or university that accepts the student for  
4302 admission. Students enrolled in either program of study pursuant  
4303 to this subsection shall be exempt from the payment of any fees  
4304 for administration of the examinations regardless of whether the  
4305 student achieves a passing score on the examination.

4306 Section 64. Subsections (3) and (22) of section 1007.271,  
4307 Florida Statutes, are amended to read:

4308 1007.271 Dual enrollment programs.—

4309 (3) Student eligibility requirements for initial  
4310 enrollment in college credit dual enrollment courses must  
4311 include a 3.0 unweighted high school grade point average and the  
4312 minimum score on a common placement test adopted by the State  
4313 Board of Education which indicates that the student is ready for  
4314 college-level coursework. Student eligibility requirements for  
4315 continued enrollment in college credit dual enrollment courses  
4316 must include the maintenance of a 3.0 unweighted high school  
4317 grade point average and the minimum postsecondary grade point  
4318 average established by the postsecondary institution. Regardless  
4319 of meeting student eligibility requirements for continued  
4320 enrollment, a student may lose the opportunity to participate in  
4321 a dual enrollment course if the student is disruptive to the  
4322 learning process such that the progress of other students or the  
4323 efficient administration of the course is hindered. Student  
4324 eligibility requirements for initial and continued enrollment in  
4325 career certificate dual enrollment courses must include a 2.0

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4326 unweighted high school grade point average. Exceptions to the  
4327 required grade point averages may be granted on an individual  
4328 student basis if the educational entities agree and the terms of  
4329 the agreement are contained within the dual enrollment  
4330 articulation agreement established pursuant to subsection (21).  
4331 Florida Community College System institution boards of trustees  
4332 may establish additional initial student eligibility  
4333 requirements, which shall be included in the dual enrollment  
4334 articulation agreement, to ensure student readiness for  
4335 postsecondary instruction. Additional requirements included in  
4336 the agreement may not arbitrarily prohibit students who have  
4337 demonstrated the ability to master advanced courses from  
4338 participating in dual enrollment courses.

4339 (22) The Department of Education shall develop an  
4340 electronic submission system for dual enrollment articulation  
4341 agreements and shall review, for compliance, each dual  
4342 enrollment articulation agreement submitted pursuant to  
4343 subsections (13), (21), and (24). The Commissioner of Education  
4344 shall notify the district school superintendent and the Florida  
4345 Community College System institution president if the dual  
4346 enrollment articulation agreement does not comply with statutory  
4347 requirements and shall submit any dual enrollment articulation  
4348 agreement with unresolved issues of noncompliance to the State  
4349 Board of Education. The State Board of Education shall  
4350 collaborate with the State Board of Community Colleges to settle

4351 | unresolved issues of noncompliance.

4352 |       Section 65. Subsection (6) of section 1007.273, Florida  
4353 | Statutes, is amended to read:

4354 |       1007.273 Collegiate high school program.—

4355 |       (6) The collegiate high school program shall be funded  
4356 | pursuant to ss. 1007.271 and 1011.62. The State Board of  
4357 | Education shall enforce compliance with this section by  
4358 | withholding the transfer of funds for the school districts ~~and~~  
4359 | ~~the Florida College System institutions~~ in accordance with s.  
4360 | 1008.32. Annually, by December 31, the State Board of Community  
4361 | Colleges shall enforce compliance with this section by  
4362 | withholding the transfer of funds for the Florida Community  
4363 | College System institutions in accordance with s. 1001.602.

4364 |       Section 66. Section 1007.33, Florida Statutes, is amended  
4365 | to read:

4366 |       1007.33 Site-determined baccalaureate degree access.—

4367 |       (1)(a) The Legislature recognizes that public and private  
4368 | postsecondary educational institutions play an essential role in  
4369 | improving the quality of life and economic well-being of the  
4370 | state and its residents. The Legislature also recognizes that  
4371 | economic development needs and the educational needs of place-  
4372 | bound, nontraditional students have increased the demand for  
4373 | local access to baccalaureate degree programs. It is therefore  
4374 | the intent of the Legislature to further expand access to  
4375 | baccalaureate degree programs through the use of Florida

4376 | Community College System institutions.

4377 |       (b) For purposes of this section, the term "district"  
4378 | refers to the county or counties served by a Florida Community  
4379 | College System institution pursuant to s. 1000.21(3).

4380 |       (2) Any Florida Community College System institution that  
4381 | offers one or more baccalaureate degree programs must:

4382 |       (a) Maintain as its primary mission:

4383 |           1. Responsibility for responding to community needs for  
4384 | postsecondary academic education and career degree education as  
4385 | prescribed in s. 1004.65(5).

4386 |           2. The provision of associate degrees that provide access  
4387 | to a university.

4388 |       (b) Maintain an open-door admission policy for associate-  
4389 | level degree programs and workforce education programs.

4390 |       (c) Continue to provide outreach to underserved  
4391 | populations.

4392 |       (d) Continue to provide remedial education pursuant to s.  
4393 | 1008.30.

4394 |       (e) Comply with all provisions of the statewide  
4395 | articulation agreement which relate to 2-year and 4-year public  
4396 | degree-granting institutions as adopted by the State Board of  
4397 | Education or the State Board of Community Colleges, as  
4398 | applicable, pursuant to s. 1007.23.

4399 |       (f) Not award graduate credit.

4400 |       (g) Not participate in intercollegiate athletics beyond



4401 the 2-year level.

4402 (3) A Florida Community College System institution may not  
 4403 terminate its associate in arts or associate in science degree  
 4404 programs as a result of being authorized to offer one or more  
 4405 baccalaureate degree programs. The Legislature intends that the  
 4406 primary responsibility of a Florida Community College System  
 4407 institution, including a Florida Community College System  
 4408 institution that offers baccalaureate degree programs, continues  
 4409 to be the provision of associate degrees that provide access to  
 4410 a university.

4411 (4) A Florida Community College System institution may:

4412 (a) Offer specified baccalaureate degree programs through  
 4413 formal agreements between the Florida Community College System  
 4414 institution and other regionally accredited postsecondary  
 4415 educational institutions pursuant to s. 1007.22.

4416 (b) Offer baccalaureate degree programs that are ~~were~~  
 4417 authorized by law ~~prior to July 1, 2009.~~

4418 ~~(c) Beginning July 1, 2009, establish a first or~~  
 4419 ~~subsequent baccalaureate degree program~~ for purposes of meeting  
 4420 district, regional, or statewide workforce needs if approved by  
 4421 the State Board of Community Colleges ~~Education~~ under this  
 4422 section. However, a Florida Community College System institution  
 4423 may not offer a bachelor of arts degree program.

4424  
 4425 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~

4426 ~~College is authorized to establish one or more bachelor of~~  
4427 ~~applied science degree programs based on an analysis of~~  
4428 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~  
4429 ~~other counties approved by the Department of Education. For each~~  
4430 ~~program selected, St. Petersburg College must offer a related~~  
4431 ~~associate in science or associate in applied science degree~~  
4432 ~~program, and the baccalaureate degree level program must be~~  
4433 ~~designed to articulate fully with at least one associate in~~  
4434 ~~science degree program. The college is encouraged to develop~~  
4435 ~~articulation agreements for enrollment of graduates of related~~  
4436 ~~associate in applied science degree programs. The Board of~~  
4437 ~~Trustees of St. Petersburg College is authorized to establish~~  
4438 ~~additional baccalaureate degree programs if it determines a~~  
4439 ~~program is warranted and feasible based on each of the factors~~  
4440 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~  
4441 ~~Petersburg College may not establish any new baccalaureate~~  
4442 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~  
4443 ~~to developing or proposing a new baccalaureate degree program,~~  
4444 ~~St. Petersburg College shall engage in need, demand, and impact~~  
4445 ~~discussions with the state university in its service district~~  
4446 ~~and other local and regional, accredited postsecondary providers~~  
4447 ~~in its region. Documentation, data, and other information from~~  
4448 ~~inter-institutional discussions regarding program need, demand,~~  
4449 ~~and impact shall be provided to the college's board of trustees~~  
4450 ~~to inform the program approval process. Employment at St.~~

4451 ~~Petersburg College is governed by the same laws that govern~~  
4452 ~~Florida College System institutions, except that upper division~~  
4453 ~~faculty are eligible for continuing contracts upon the~~  
4454 ~~completion of the fifth year of teaching. Employee records for~~  
4455 ~~all personnel shall be maintained as required by s. 1012.81.~~

4456 (5) The approval process for baccalaureate degree programs  
4457 requires ~~shall require~~:

4458 (a) Each Florida Community College System institution to  
4459 submit a notice of interest at least 180 days before submitting  
4460 a notice of its ~~its~~ intent to propose a baccalaureate degree program  
4461 ~~to the Division of Florida Colleges at least 100 days before the~~  
4462 ~~submission of its proposal under paragraph (d).~~ The notice of  
4463 interest must be submitted into a shared postsecondary database  
4464 that allows other postsecondary institutions to preview and  
4465 provide feedback on the notice of interest. A written notice of  
4466 intent must be submitted to the Chancellor of the Florida  
4467 Community College System at least 100 days before the submission  
4468 of a baccalaureate degree program proposal under paragraph (c).  
4469 The notice of intent must include a brief description of the  
4470 program, the workforce demand and unmet need for graduates of  
4471 the program to include evidence from entities independent of the  
4472 institution, the geographic region to be served, and an  
4473 estimated timeframe for implementation. Notices of interest and  
4474 intent may be submitted by a Florida Community College System  
4475 institution at any time throughout the year. The notice of

4476 intent must also include evidence that the Florida Community  
4477 College System institution engaged in need, demand, and impact  
4478 discussions with the state university and other regionally  
4479 accredited postsecondary education providers in its service  
4480 district.

4481 (b) The Chancellor of the Florida Community College System  
4482 ~~Division of Florida Colleges~~ to forward the notice of intent  
4483 submitted pursuant to paragraph (a) and the justification for  
4484 the proposed baccalaureate degree program required under  
4485 paragraph (c) within 10 business days after receiving such  
4486 notice and justification to the Chancellor of the State  
4487 University System, the president of the Independent Colleges and  
4488 Universities of Florida, and the Executive Director of the  
4489 Commission for Independent Education. State universities ~~shall~~  
4490 have 60 days following receipt of the notice of intent and  
4491 justification by the Chancellor of the State University System  
4492 to submit an objection and a reason for the objection to the  
4493 proposed baccalaureate degree program which may include  
4494 ~~objections to the proposed new program or submit~~ an alternative  
4495 proposal to offer the baccalaureate degree program. The  
4496 Chancellor of the State University System shall review the  
4497 objection raised by a state university and inform the Board of  
4498 Governors of the objection before a state university submits its  
4499 objection to the Chancellor of the Florida Community College  
4500 System. The Chancellor of the Florida Community College System

4501 must consult with the Chancellor of the State University System  
 4502 to consider the objection raised by the state university before  
 4503 the State Board of Community Colleges approves or denies a  
 4504 Florida Community College System institution's proposal  
 4505 submitted pursuant to paragraph (c). ~~If a proposal from a state~~  
 4506 ~~university is not received within the 60-day period,~~ The  
 4507 Chancellor of the Florida Community College System ~~State Board~~  
 4508 ~~of Education~~ shall also provide regionally accredited private  
 4509 colleges and universities 60 ~~30~~ days to submit an objection and  
 4510 a reason for the objection to the proposed baccalaureate degree  
 4511 program which may include an alternative proposal to offer a  
 4512 baccalaureate degree program ~~objections to the proposed new~~  
 4513 ~~program or submit an alternative proposal.~~ Objections by a  
 4514 regionally accredited private college or university ~~or~~  
 4515 ~~alternative proposals~~ shall be submitted to the Chancellor of  
 4516 the Florida Community College System, and the state board must  
 4517 consider such objections before ~~Division of Florida Colleges and~~  
 4518 ~~must be considered by the State Board of Education in~~ making its  
 4519 decision to approve or deny a Florida Community College System  
 4520 institution's proposal submitted pursuant to paragraph (c).

4521 ~~(c) An alternative proposal submitted by a state~~  
 4522 ~~university or private college or university to adequately~~  
 4523 ~~address:~~

4524 ~~1. The extent to which the workforce demand and unmet need~~  
 4525 ~~described in the notice of intent will be met.~~

4526           ~~2. The extent to which students will be able to complete~~  
 4527 ~~the degree in the geographic region proposed to be served by the~~  
 4528 ~~Florida College System institution.~~

4529           ~~3. The level of financial commitment of the college or~~  
 4530 ~~university to the development, implementation, and maintenance~~  
 4531 ~~of the specified degree program, including timelines.~~

4532           ~~4. The extent to which faculty at both the Florida College~~  
 4533 ~~System institution and the college or university will~~  
 4534 ~~collaborate in the development and offering of the curriculum.~~

4535           ~~5. The ability of the Florida College System institution~~  
 4536 ~~and the college or university to develop and approve the~~  
 4537 ~~curriculum for the specified degree program within 6 months~~  
 4538 ~~after an agreement between the Florida College System~~  
 4539 ~~institution and the college or university is signed.~~

4540           ~~6. The extent to which the student may incur additional~~  
 4541 ~~costs above what the student would expect to incur if the~~  
 4542 ~~program were offered by the Florida College System institution.~~

4543           (c)(d) Each Florida Community College System institution  
 4544 to submit a baccalaureate degree program proposal at least 100  
 4545 days after submitting the notice of intent. Each proposal must  
 4546 ~~submitted by a Florida College System institution to, at a~~  
 4547 ~~minimum, include:~~

4548           1. A description of the planning process and timeline for  
 4549 implementation.

4550           2. A justification for the proposed baccalaureate degree

4551 program, including, at a minimum, a data-driven ~~An~~ analysis of  
4552 workforce demand and unmet need for graduates of the program on  
4553 a district, regional, or statewide basis, as appropriate, and  
4554 the extent to which the proposed program will meet the workforce  
4555 demand and unmet need. The analysis must include workforce and  
4556 employment data for the most recent years and projections by the  
4557 Department of Economic Opportunity for future years, and a  
4558 summary of degree programs similar to the proposed degree  
4559 program which are currently offered by state universities or by  
4560 independent nonprofit colleges or universities that are eligible  
4561 to participate in a grant program pursuant to s. 1009.89 and  
4562 which are located in the Florida Community College System  
4563 institution's regional service area. The analysis and evidence  
4564 must be verified by the Chancellor of the Florida Community  
4565 College System ~~including evidence from entities independent of~~  
4566 ~~the institution.~~

4567 3. Identification of the facilities, equipment, and  
4568 library and academic resources that will be used to deliver the  
4569 program.

4570 4. The program cost analysis of creating a new  
4571 baccalaureate degree when compared to ~~alternative proposals and~~  
4572 other program delivery options.

4573 5. The program's admission requirements, academic content,  
4574 curriculum, faculty credentials, student-to-teacher ratios, and  
4575 accreditation plan.

4576 6. The program's student enrollment ~~projections~~ and  
4577 funding requirements, including:

4578 a. The impact of the program's enrollment projections on  
4579 compliance with the upper-level enrollment provisions under  
4580 subsection (6); and

4581 b. The institution's efforts to sustain the program at the  
4582 cost of tuition and fees for students who are classified as  
4583 residents for tuition purposes under s. 1009.21, not to exceed  
4584 \$10,000 for the entire degree program, including flexible  
4585 tuition and fee rates, and the use of waivers pursuant to s.  
4586 1009.26(11).

4587 7. A plan of action if the program is terminated.

4588 (d)(e) The State Board of Community ~~Division of Florida~~  
4589 Colleges to review the proposal, notify the Florida Community  
4590 College System institution of any deficiencies in writing within  
4591 30 days following receipt of the proposal, and provide the  
4592 Florida Community College System institution with an opportunity  
4593 to correct the deficiencies. Within 45 days following receipt of  
4594 a completed proposal by the State Board of Community ~~Division of~~  
4595 ~~Florida~~ Colleges, the Chancellor of the Florida Community  
4596 College System ~~Commissioner of Education~~ shall recommend  
4597 approval or disapproval of the proposal to the State Board of  
4598 Community Colleges ~~Education~~. The State Board of Community  
4599 Colleges ~~Education~~ shall consider such recommendation, the  
4600 proposal, input from the Chancellor of the State University



4601 System and the president of the Independent Colleges and  
 4602 Universities of Florida, and any objections or alternative  
 4603 proposals at its next meeting. If the State Board of Community  
 4604 Colleges Education disapproves the Florida Community College  
 4605 System institution's proposal, it shall provide the Florida  
 4606 Community College System institution with written reasons for  
 4607 that determination.

4608 (e)~~(f)~~ The Florida Community College System institution to  
 4609 obtain from the Commission on Colleges of the Southern  
 4610 Association of Colleges and Schools accreditation as a  
 4611 baccalaureate-degree-granting institution if approved by the  
 4612 State Board of Community Colleges Education to offer its first  
 4613 baccalaureate degree program.

4614 (f)~~(g)~~ The Florida Community College System institution to  
 4615 notify the Commission on Colleges of the Southern Association of  
 4616 Colleges and Schools of subsequent degree programs that are  
 4617 approved by the State Board of Community Colleges Education and  
 4618 to comply with the association's required substantive change  
 4619 protocols for accreditation purposes.

4620 (g)~~(h)~~ The Florida Community College System institution to  
 4621 annually report to the State Board of Community Colleges, the  
 4622 Chancellor of the State University System, and ~~upon request of~~  
 4623 ~~the State Board of Education, the Commissioner of Education, the~~  
 4624 ~~Chancellor of the Florida College System, or the Legislature,~~  
 4625 ~~report~~ its status using the following performance and compliance

4626 indicators:

4627       1. Obtaining and maintaining appropriate Southern

4628 Association of Colleges and Schools accreditation;

4629       2. Maintaining qualified faculty and institutional

4630 resources;

4631       3. Maintaining student enrollment in previously approved

4632 programs;

4633       4. Managing fiscal resources appropriately;

4634       5. Complying with the primary mission and responsibility

4635 requirements in subsections (2) and (3); ~~and~~

4636       6. Incorporating other indicators of success, including

4637 program completions, employment and earnings outcomes, student

4638 acceptance into and performance in graduate programs placements,

4639 and surveys of graduates and employers;

4640       7. Continuing to meet workforce demand, as provided in

4641 subparagraph (c)2., as demonstrated through a data-driven needs

4642 assessment by the Florida Community College System institution

4643 which is verified by more than one third-party professional

4644 entity that is independent of the institution; and

4645       8. Complying with the upper-level enrollment provisions

4646 under subsection (6).

4647

4648 The State Board of Community Colleges Education, upon annual

4649 review of the baccalaureate degree program performance and

4650 compliance indicators and needs assessment, may require a

4651 Florida Community College System institution's board of trustees  
4652 to modify or terminate a baccalaureate degree program authorized  
4653 under this section. If the annual review indicates negative  
4654 program performance and compliance results, and if the needs  
4655 assessment fails to demonstrate a need for the program, the  
4656 State Board of Community Colleges must require a Florida  
4657 Community College System institution's board of trustees to  
4658 terminate that baccalaureate degree program.

4659 (6) (a) The upper-level, undergraduate full-time equivalent  
4660 enrollment at a Florida Community College System institution may  
4661 not exceed 20 percent of the total full-time equivalent  
4662 enrollment at that institution.

4663 (b) The upper-level, undergraduate full-time equivalent  
4664 enrollment in the Florida Community College System may not  
4665 exceed 10 percent of the total full-time equivalent enrollment  
4666 of the Florida Community College System.

4667 (c) For any planned and purposeful expansion of existing  
4668 baccalaureate degree programs or creation of a new baccalaureate  
4669 program, a Florida Community College System institution must  
4670 demonstrate satisfactory performance in fulfilling its primary  
4671 mission pursuant to s. 1004.65, executing at least one "2+2"  
4672 targeted pathway articulation agreement pursuant to s. 1007.23,  
4673 and meeting or exceeding the performance standards related to  
4674 on-time completion and graduation rates under s. 1001.66 for  
4675 students earning associate in arts or baccalaureate degrees. The

4676 State Board of Community Colleges may not approve a new  
4677 baccalaureate degree program proposal for a Florida Community  
4678 College System institution that does not meet the conditions  
4679 specified in this subsection in addition to the other  
4680 requirements for approval under this section. Each community  
4681 college that offers a baccalaureate degree must annually review  
4682 each baccalaureate degree program and annually report to the  
4683 State Board of Community Colleges, in a format prescribed by the  
4684 state board, current and projected student enrollment for such  
4685 program, justification for continuation of each baccalaureate  
4686 degree program, and a plan to comply with the upper-level  
4687 enrollment provisions of this subsection. A Florida Community  
4688 College System institution that does not comply with the  
4689 requirements of this section is subject to s. 1001.602(9) and  
4690 may not report for funding the upper-level, undergraduate full-  
4691 time equivalent enrollment that exceeds the upper-level  
4692 enrollment percent provision of this subsection.

4693 (7)-(6) The State Board of Community Colleges ~~Education~~  
4694 shall adopt rules to prescribe format and content requirements  
4695 and submission procedures for notices of interest and intent,  
4696 baccalaureate degree program proposals, objections ~~alternative~~  
4697 ~~proposals,~~ and compliance reviews under subsection (5).

4698 Section 67. Effective July 1, 2018, subsections (1), (3),  
4699 (4), and (5) of section 1008.30, Florida Statutes, are amended  
4700 and subsection (7) is added to that section, to read:

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4701 1008.30 Common placement testing for public postsecondary  
4702 education.—

4703 (1) The State Board of Community Colleges Education, in  
4704 conjunction with the Board of Governors and the State Board of  
4705 Education, shall develop and implement a common placement test  
4706 for the purpose of assessing the basic computation and  
4707 communication skills of students who intend to enter a degree  
4708 program at any public postsecondary educational institution.  
4709 Alternative assessments that may be accepted in lieu of the  
4710 common placement test shall also be identified in rule. Public  
4711 postsecondary educational institutions shall provide appropriate  
4712 modifications of the test instruments or test procedures for  
4713 students with disabilities.

4714 (3) ~~By October 31, 2013,~~ The State Board of Community  
4715 Colleges, in conjunction with the Board of Governors and the  
4716 State Board of Education, Education shall establish by rule the  
4717 test scores a student must achieve to demonstrate readiness to  
4718 perform college-level work, and the rules must specify the  
4719 following:

4720 (a) A student who entered 9th grade in a Florida public  
4721 school in the 2003-2004 school year, or any year thereafter, and  
4722 earned a Florida standard high school diploma or a student who  
4723 is serving as an active duty member of any branch of the United  
4724 States Armed Services shall not be required to take the common  
4725 placement test and shall not be required to enroll in

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4726 developmental education instruction in a Florida Community  
4727 College System institution. However, a student who is not  
4728 required to take the common placement test and is not required  
4729 to enroll in developmental education under this paragraph may  
4730 opt to be assessed and to enroll in developmental education  
4731 instruction, and the college shall provide such assessment and  
4732 instruction upon the student's request.

4733 (b) A student who takes the common placement test and  
4734 whose score on the test indicates a need for developmental  
4735 education must be advised of all the developmental education  
4736 options offered at the institution and, after advisement, shall  
4737 be allowed to enroll in the developmental education option of  
4738 his or her choice.

4739 (c) A student who demonstrates readiness by achieving or  
4740 exceeding the test scores established by the state board and  
4741 enrolls in a Florida Community College System institution within  
4742 2 years after achieving such scores shall not be required to  
4743 retest or complete developmental education when admitted to any  
4744 Florida Community College System institution.

4745 (4) ~~By December 31, 2013,~~ The State Board of Community  
4746 Colleges Education, in consultation with the Board of Governors,  
4747 shall approve a series of meta-majors and the academic pathways  
4748 that identify the gateway courses associated with each meta-  
4749 major. Florida Community College System institutions shall use  
4750 placement test results to determine the extent to which each

4751 student demonstrates sufficient communication and computation  
4752 skills to indicate readiness for his or her chosen meta-major.  
4753 Florida Community College System institutions shall counsel  
4754 students into college credit courses as quickly as possible,  
4755 with developmental education limited to that content needed for  
4756 success in the meta-major.

4757 (5) (a) Each Florida Community College System institution  
4758 board of trustees shall develop a plan to implement the  
4759 developmental education strategies defined in s. 1008.02 and  
4760 rules established by the State Board of Community Colleges  
4761 ~~Education~~. The plan must be submitted to the Chancellor of the  
4762 Florida Community College System for approval no later than  
4763 March 1, 2014, for implementation no later than the fall  
4764 semester 2014. Each plan must include, at a minimum, local  
4765 policies that outline:

4766 1. Documented student achievements such as grade point  
4767 averages, work history, military experience, participation in  
4768 juried competitions, career interests, degree major declaration,  
4769 or any combination of such achievements that the institution may  
4770 consider, in addition to common placement test scores, for  
4771 advising students regarding enrollment options.

4772 2. Developmental education strategies available to  
4773 students.

4774 3. A description of student costs and financial aid  
4775 opportunities associated with each option.

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4776 4. Provisions for the collection of student success data.

4777 5. A comprehensive plan for advising students into  
4778 appropriate developmental education strategies based on student  
4779 success data.

4780 (b) Beginning October 31, 2015, each Florida Community  
4781 College System institution shall annually prepare an  
4782 accountability report that includes student success data  
4783 relating to each developmental education strategy implemented by  
4784 the institution. The report shall be submitted to the State  
4785 Board of Community ~~Division of Florida~~ Colleges by October 31 in  
4786 a format determined by the Chancellor of the Florida Community  
4787 College System. By December 31, the chancellor shall compile and  
4788 submit the institutional reports to the Governor, the President  
4789 of the Senate, the Speaker of the House of Representatives, and  
4790 the State Board of Community Colleges ~~and the State Board of~~  
4791 ~~Education.~~

4792 (c) A university board of trustees may contract with a  
4793 Florida Community College System institution board of trustees  
4794 for the Florida Community College System institution to provide  
4795 developmental education on the state university campus. Any  
4796 state university in which the percentage of incoming students  
4797 requiring developmental education equals or exceeds the average  
4798 percentage of such students for the Florida Community College  
4799 System may offer developmental education without contracting  
4800 with a Florida Community College System institution; however,



4801 any state university offering college-preparatory instruction as  
4802 of January 1, 1996, may continue to provide developmental  
4803 education instruction pursuant to s. 1008.02(1) ~~such services.~~

4804 (7) The Supporting Students for Academic Success Program  
4805 is established to fund the efforts of Florida Community College  
4806 System institutions in assisting students enrolled in an  
4807 associate in arts degree program with successfully completing  
4808 college credit courses, graduating with an associate in arts  
4809 degree, and transferring to a baccalaureate degree program. It  
4810 is the intent of the Legislature to boost student achievement  
4811 through investments in effective and purposeful outcome-based  
4812 strategies and efforts to increase student access to relevant  
4813 supports and services. Such investments shall be used to boost  
4814 the achievement of students, including, but not limited to,  
4815 nontraditional students and underprepared students participating  
4816 in developmental education.

4817 (a) A Florida Community College institution's efforts must  
4818 include the implementation of the developmental education  
4819 instructional strategies under s. 1008.02 and other effective  
4820 approaches to improve student completion and graduation  
4821 outcomes. Such approaches may relate to direct instruction,  
4822 academic support, and student services.

4823 (b) Funding for the Supporting Students for Academic  
4824 Success Program shall be as provided in the General  
4825 Appropriations Act. Each Florida Community College System

4826 institution shall use the funds only for the purpose and  
4827 investments authorized under this subsection.

4828 (c) The Chancellor of the Florida Community College System  
4829 must include in the accountability report required under  
4830 subsection (5) a summary of information from each Florida  
4831 Community College System institution which includes, but is not  
4832 limited to, the number and percentage of students enrolled at  
4833 Florida Community College System institutions who:

4834 1. Successfully complete a gateway course in mathematics  
4835 within the first academic year after initial enrollment;

4836 2. Successfully complete at least 24 credit hours at a  
4837 Florida Community College System institution within the first  
4838 academic year after initial enrollment and who remain enrolled  
4839 at that institution in the academic year immediately following  
4840 the first academic year;

4841 3. Graduate with an associate in arts degree; and

4842 4. Transfer to a baccalaureate degree program offered by  
4843 an institution of higher education in Florida within one year  
4844 after earning an associate in arts degree.

4845 Section 68. Paragraphs (d) and (e) of subsection (1) and  
4846 paragraphs (a) and (c) of subsection (3) of section 1008.31,  
4847 Florida Statutes, are amended to read:

4848 1008.31 Florida's K-20 education performance  
4849 accountability system; legislative intent; mission, goals, and  
4850 systemwide measures; data quality improvements.-

4851 (1) LEGISLATIVE INTENT.—It is the intent of the  
 4852 Legislature that:

4853 (d) The State Board of Education, and the Board of  
 4854 Governors of the State University System, and the State Board of  
 4855 Community Colleges of the Florida Community College System  
 4856 recommend to the Legislature systemwide performance standards;  
 4857 the Legislature establish systemwide performance measures and  
 4858 standards; and the systemwide measures and standards provide  
 4859 Floridians with information on what the public is receiving in  
 4860 return for the funds it invests in education and how well the K-  
 4861 20 system educates its students.

4862 (e)1. The State Board of Education establish performance  
 4863 measures and set performance standards for individual public  
 4864 schools ~~and Florida College System institutions~~, with measures  
 4865 and standards based primarily on student achievement.

4866 2. The Board of Governors of the State University System  
 4867 establish performance measures and set performance standards for  
 4868 individual state universities, including actual completion  
 4869 rates.

4870 3. The State Board of Community Colleges establish  
 4871 performance measures and set performance standards for  
 4872 individual Florida Community College System institutions.

4873 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide  
 4874 data required to implement education performance accountability  
 4875 measures in state and federal law, the Commissioner of Education

4876 shall initiate and maintain strategies to improve data quality  
4877 and timeliness. The Board of Governors shall make available to  
4878 the department all data within the State University Database  
4879 System to be integrated into the K-20 data warehouse. The  
4880 commissioner shall have unlimited access to such data for the  
4881 purposes of conducting studies, reporting annual and  
4882 longitudinal student outcomes, and improving college readiness  
4883 and articulation. All public educational institutions shall  
4884 annually provide data from the prior year to the K-20 data  
4885 warehouse in a format based on data elements identified by the  
4886 commissioner.

4887 (a) School districts and public postsecondary educational  
4888 institutions shall maintain information systems that will  
4889 provide the State Board of Education, the Board of Governors of  
4890 the State University System, the State Board of Community  
4891 Colleges of the Florida Community College System, and the  
4892 Legislature with information and reports necessary to address  
4893 the specifications of the accountability system. The level of  
4894 comprehensiveness and quality must be no less than that which  
4895 was available as of June 30, 2001.

4896 (c) The Commissioner of Education shall determine the  
4897 standards for the required data, monitor data quality, and  
4898 measure improvements. The commissioner shall report annually to  
4899 the State Board of Education, the Board of Governors of the  
4900 State University System, the State Board of Community Colleges

4901 of the Florida Community College System, the President of the  
 4902 Senate, and the Speaker of the House of Representatives data  
 4903 quality indicators and ratings for all school districts and  
 4904 public postsecondary educational institutions.

4905 Section 69. Section 1008.32, Florida Statutes, is amended  
 4906 to read:

4907 1008.32 State Board of Education oversight enforcement  
 4908 authority.—The State Board of Education shall oversee the  
 4909 performance of district school boards ~~and Florida College System~~  
 4910 ~~institution boards of trustees~~ in enforcement of all laws and  
 4911 rules. District school boards ~~and Florida College System~~  
 4912 ~~institution boards of trustees~~ shall be primarily responsible  
 4913 for compliance with law and state board rule.

4914 (1) In order to ensure compliance with law or state board  
 4915 rule, the State Board of Education shall have the authority to  
 4916 request and receive information, data, and reports from school  
 4917 districts ~~and Florida College System institutions~~. District  
 4918 school superintendents ~~and Florida College System institution~~  
 4919 ~~presidents~~ are responsible for the accuracy of the information  
 4920 and data reported to the state board.

4921 (2) The Commissioner of Education may investigate  
 4922 allegations of noncompliance with law or state board rule and  
 4923 determine probable cause. The commissioner shall report  
 4924 determinations of probable cause to the State Board of Education  
 4925 which shall require the district school board ~~or Florida College~~

4926 ~~System institution board of trustees~~ to document compliance with  
4927 law or state board rule.

4928 (3) If the district school board ~~or Florida College System~~  
4929 ~~institution board of trustees~~ cannot satisfactorily document  
4930 compliance, the State Board of Education may order compliance  
4931 within a specified timeframe.

4932 (4) If the State Board of Education determines that a  
4933 district school board ~~or Florida College System institution~~  
4934 ~~board of trustees~~ is unwilling or unable to comply with law or  
4935 state board rule within the specified time, the state board  
4936 shall have the authority to initiate any of the following  
4937 actions:

4938 (a) Report to the Legislature that the school district ~~or~~  
4939 ~~Florida College System institution~~ is unwilling or unable to  
4940 comply with law or state board rule and recommend action to be  
4941 taken by the Legislature.

4942 (b) Withhold the transfer of state funds, discretionary  
4943 grant funds, discretionary lottery funds, or any other funds  
4944 specified as eligible for this purpose by the Legislature until  
4945 the school district ~~or Florida College System institution~~  
4946 complies with the law or state board rule.

4947 (c) Declare the school district ~~or Florida College System~~  
4948 ~~institution~~ ineligible for competitive grants.

4949 (d) Require monthly or periodic reporting on the situation  
4950 related to noncompliance until it is remedied.

4951 (5) Nothing in this section shall be construed to create a  
 4952 private cause of action or create any rights for individuals or  
 4953 entities in addition to those provided elsewhere in law or rule.

4954 Section 70. Paragraphs (e) and (f) of subsection (7) of  
 4955 section 1008.345, Florida Statutes, are amended to read:

4956 1008.345 Implementation of state system of school  
 4957 improvement and education accountability.—

4958 (7) As a part of the system of educational accountability,  
 4959 the Department of Education shall:

4960 (e) Maintain a listing of college-level communication and  
 4961 mathematics skills associated with successful student  
 4962 performance through the baccalaureate level and submit it to the  
 4963 State Board of Education, ~~and~~ the Board of Governors, and the  
 4964 State Board of Community Colleges for approval.

4965 (f) Perform any other functions that may be involved in  
 4966 educational planning, research, and evaluation or that may be  
 4967 required by the commissioner, the State Board of Education, the  
 4968 State Board of Community Colleges, the Board of Governors, or  
 4969 law.

4970 Section 71. Subsections (1) and (2) of section 1008.37,  
 4971 Florida Statutes, are amended to read:

4972 1008.37 Postsecondary feedback of information to high  
 4973 schools.—

4974 (1) The Commissioner of Education shall report to the  
 4975 State Board of Education, the Board of Governors, the State

4976 | Board of Community Colleges, the Legislature, and the district  
 4977 | school boards on the performance of each first-time-in-  
 4978 | postsecondary education student from each public high school in  
 4979 | this state who is enrolled in a public postsecondary institution  
 4980 | or public career center. Such reports must be based on  
 4981 | information databases maintained by the Department of Education.  
 4982 | In addition, the public postsecondary educational institutions  
 4983 | and career centers shall provide district school boards access  
 4984 | to information on student performance in regular and preparatory  
 4985 | courses and shall indicate students referred for remediation  
 4986 | pursuant to s. 1004.91 or s. 1008.30.

4987 |         (2) The Commissioner of Education shall report, by high  
 4988 | school, to the State Board of Education, the Board of Governors,  
 4989 | the State Board of Community Colleges, and the Legislature, no  
 4990 | later than November 30 of each year, on the number of prior year  
 4991 | Florida high school graduates who enrolled for the first time in  
 4992 | public postsecondary education in this state during the previous  
 4993 | summer, fall, or spring term, indicating the number of students  
 4994 | whose scores on the common placement test indicated the need for  
 4995 | developmental education under s. 1008.30 or for applied  
 4996 | academics for adult education under s. 1004.91.

4997 |         Section 72. Section 1008.38, Florida Statutes, is amended  
 4998 | to read:

4999 |         1008.38 Articulation accountability process.—The State  
 5000 | Board of Education, in conjunction with the Board of Governors



5001 and the State Board of Community Colleges, shall develop  
5002 articulation accountability measures which assess the status of  
5003 systemwide articulation processes authorized under s. 1007.23  
5004 and establish an articulation accountability process which at a  
5005 minimum shall address:

5006 (1) The impact of articulation processes on ensuring  
5007 educational continuity and the orderly and unobstructed  
5008 transition of students between public secondary and  
5009 postsecondary education systems and facilitating the transition  
5010 of students between the public and private sectors.

5011 (2) The adequacy of preparation of public secondary  
5012 students to smoothly articulate to a public postsecondary  
5013 institution.

5014 (3) The effectiveness of articulated acceleration  
5015 mechanisms available to secondary students.

5016 (4) The smooth transfer of Florida Community College  
5017 System associate degree graduates to a Florida Community College  
5018 System institution or a state university.

5019 (5) An examination of degree requirements that exceed the  
5020 parameters of 60 credit hours for an associate degree and 120  
5021 hours for a baccalaureate degree in public postsecondary  
5022 programs.

5023 (6) The relationship between student attainment of  
5024 college-level academic skills and articulation to the upper  
5025 division in public postsecondary institutions.

5026 Section 73. Section 1008.405, Florida Statutes, is amended  
 5027 to read:

5028 1008.405 Adult student information.—Each school district  
 5029 and Florida Community College System institution shall maintain  
 5030 sufficient information for each student enrolled in workforce  
 5031 education to allow local and state administrators to locate such  
 5032 student upon the termination of instruction and to determine the  
 5033 appropriateness of student placement in specific instructional  
 5034 programs. The State Board of Education and the State Board of  
 5035 Community Colleges shall adopt, by rule, specific information  
 5036 that must be maintained and acceptable means of maintaining that  
 5037 information.

5038 Section 74. Subsection (2) of section 1008.44, Florida  
 5039 Statutes, is amended to read:

5040 1008.44 CAPE Industry Certification Funding List and CAPE  
 5041 Postsecondary Industry Certification Funding List.—

5042 (2) The State Board of Education, for school districts,  
 5043 and the State Board of Community Colleges, for Florida Community  
 5044 College System institutions, shall collaborate to approve, at  
 5045 least annually, the CAPE Postsecondary Industry Certification  
 5046 Funding List pursuant to this section. The Commissioner of  
 5047 Education and the Chancellor of the Florida Community College  
 5048 System shall recommend, at least annually, the CAPE  
 5049 Postsecondary Industry Certification Funding List to the State  
 5050 Board of Education and the State Board of Community Colleges,

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5051 respectively, and may at any time recommend adding  
5052 certifications. The Chancellor of the State University System,  
5053 the Chancellor of the Florida Community College System, and the  
5054 Chancellor of Career and Adult Education shall work with local  
5055 workforce boards, other postsecondary institutions, businesses,  
5056 and industry to identify, create, and recommend to the  
5057 Commissioner of Education industry certifications to be placed  
5058 on the funding list. The list shall be used to determine annual  
5059 performance funding distributions to school districts or Florida  
5060 Community College System institutions as specified in ss.  
5061 1011.80 and 1011.81, respectively. The chancellors shall review  
5062 results of the economic security report of employment and  
5063 earning outcomes produced annually pursuant to s. 445.07 when  
5064 determining recommended certifications for the list, as well as  
5065 other reports and indicators available regarding certification  
5066 needs.

5067 Section 75. Section 1008.45, Florida Statutes, is amended  
5068 to read:

5069 1008.45 Florida Community College System institution  
5070 accountability process.—

5071 (1) It is the intent of the Legislature that a management  
5072 and accountability process be implemented which provides for the  
5073 systematic, ongoing improvement and assessment of the  
5074 improvement of the quality and efficiency of the Florida  
5075 Community College System institutions. Accordingly, the State

5076 Board of Community Colleges ~~Education~~ and the Florida Community  
 5077 College System institution boards of trustees shall develop and  
 5078 implement an accountability plan to improve and evaluate the  
 5079 instructional and administrative efficiency and effectiveness of  
 5080 the Florida Community College System. This plan shall be  
 5081 designed in consultation with staff of the Governor and the  
 5082 Legislature and must address the following issues:

5083 (a) Graduation rates of A.A. and A.S. degree-seeking  
 5084 students compared to first-time-enrolled students seeking the  
 5085 associate degree.

5086 (b) Minority student enrollment and retention rates.

5087 (c) Student performance, including student performance in  
 5088 college-level academic skills, mean grade point averages for  
 5089 Florida Community College System institution A.A. transfer  
 5090 students, and Florida Community College System institution  
 5091 student performance on state licensure examinations.

5092 (d) Job placement rates of Florida Community College  
 5093 System institution career students.

5094 (e) Student progression by admission status and program.

5095 (f) Career accountability standards identified in s.  
 5096 1008.42.

5097 (g) Institutional assessment efforts related to the  
 5098 requirements of s. III in the Criteria for Accreditation of the  
 5099 Commission on Colleges of the Southern Association of Colleges  
 5100 and Schools.

5101 (h) Other measures approved by the State Board of  
 5102 Community Colleges Education.

5103 (2) The State Board of Community Colleges Education shall  
 5104 submit an annual report, to coincide with the submission of the  
 5105 state board's agency strategic plan required by law, providing  
 5106 the results of initiatives taken during the prior year and the  
 5107 initiatives and related objective performance measures proposed  
 5108 for the next year.

5109 (3) The State Board of Community Colleges Education shall  
 5110 address within the annual evaluation of the performance of the  
 5111 chancellor executive director, and the Florida Community College  
 5112 System institution boards of trustees shall address within the  
 5113 annual evaluation of the presidents, the achievement of the  
 5114 performance goals established by the accountability process.

5115 Section 76. Subsection (13) of section 1009.21, Florida  
 5116 Statutes, is amended to read:

5117 1009.21 Determination of resident status for tuition  
 5118 purposes.—Students shall be classified as residents or  
 5119 nonresidents for the purpose of assessing tuition in  
 5120 postsecondary educational programs offered by charter technical  
 5121 career centers or career centers operated by school districts,  
 5122 in Florida Community College System institutions, and in state  
 5123 universities.

5124 (13) The State Board of Education, ~~and~~ the Board of  
 5125 Governors, and the State Board of Community Colleges shall adopt

5126 | rules to implement this section.

5127 |       Section 77. Effective July 1, 2018, paragraph (e) of  
5128 | subsection (3) of section 1009.22, Florida Statutes, is amended  
5129 | to read:

5130 |       1009.22 Workforce education postsecondary student fees.—

5131 |       (3)

5132 |       (e) The State Board of Education and the State Board of  
5133 | Community Colleges may adopt, by rule, the definitions and  
5134 | procedures that district school boards and Florida Community  
5135 | College System institution boards of trustees shall use in the  
5136 | calculation of cost borne by students.

5137 |       Section 78. Subsection (7), paragraph (b) of subsection  
5138 | (12), subsection (13), paragraph (b) of subsection (16), and  
5139 | subsection (19) of section 1009.23, Florida Statutes, are  
5140 | amended to read:

5141 |       1009.23 Florida Community College System institution  
5142 | student fees.—

5143 |       (7) Each Florida Community College System institution  
5144 | board of trustees may establish a separate activity and service  
5145 | fee not to exceed 10 percent of the tuition fee, according to  
5146 | rules of the State Board of Community Colleges ~~Education~~. The  
5147 | student activity and service fee shall be collected as a  
5148 | component part of the tuition and fees. The student activity and  
5149 | service fees shall be paid into a student activity and service  
5150 | fund at the Florida Community College System institution and

5151 shall be expended for lawful purposes to benefit the student  
5152 body in general. These purposes include, but are not limited to,  
5153 student publications and grants to duly recognized student  
5154 organizations, the membership of which is open to all students  
5155 at the Florida Community College System institution without  
5156 regard to race, sex, or religion. No Florida Community College  
5157 System institution shall be required to lower any activity and  
5158 service fee approved by the board of trustees of the Florida  
5159 Community College System institution and in effect prior to  
5160 October 26, 2007, in order to comply with the provisions of this  
5161 subsection.

5162 (12)

5163 (b) The State Board of Community Colleges ~~Education~~ may  
5164 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer  
5165 this subsection.

5166 (13) The State Board of Community Colleges ~~Education~~ shall  
5167 specify, as necessary, by rule, approved methods of student fee  
5168 payment. Such methods shall include, but not be limited to,  
5169 student fee payment; payment through federal, state, or  
5170 institutional financial aid; and employer fee payments.

5171 (16)

5172 (b) The amount of the distance learning course user fee  
5173 may not exceed the additional costs of the services provided  
5174 which are attributable to the development and delivery of the  
5175 distance learning course. If a Florida Community College System

5176 institution assesses the distance learning course user fee, the  
5177 institution may not assess any other fees to cover the  
5178 additional costs. By September 1 of each year, each board of  
5179 trustees shall report to the State Board of Community Colleges  
5180 ~~Division of Florida Colleges~~ the total amount of revenue  
5181 generated by the distance learning course user fee for the prior  
5182 fiscal year and how the revenue was expended.

5183 (19) The State Board of Community Colleges ~~Education~~ shall  
5184 adopt a rule specifying the definitions and procedures to be  
5185 used in the calculation of the percentage of cost paid by  
5186 students. The rule must provide for the calculation of the full  
5187 cost of educational programs based on the allocation of all  
5188 funds provided through the general current fund to programs of  
5189 instruction, and other activities as provided in the annual  
5190 expenditure analysis. The rule shall be developed in  
5191 consultation with the Legislature.

5192 Section 79. Subsection (2) of section 1009.25, Florida  
5193 Statutes, is amended to read:

5194 1009.25 Fee exemptions.—

5195 (2) Each Florida Community College System institution is  
5196 authorized to grant student fee exemptions from all fees adopted  
5197 by the State Board of Community Colleges ~~Education~~ and the  
5198 Florida Community College System institution board of trustees  
5199 for up to 54 full-time equivalent students or 1 percent of the  
5200 institution's total full-time equivalent enrollment, whichever



5201 is greater, at each institution.

5202 Section 80. Paragraph (b) of subsection (12), paragraphs  
 5203 (c) and (d) of subsection (13), and paragraph (d) of subsection  
 5204 (14) of section 1009.26, Florida Statutes, are amended to read:

5205 1009.26 Fee waivers.—

5206 (12)

5207 (b) Tuition and fees charged to a student who qualifies  
 5208 for the out-of-state fee waiver under this subsection may not  
 5209 exceed the tuition and fees charged to a resident student. The  
 5210 waiver is applicable for 110 percent of the required credit  
 5211 hours of the degree or certificate program for which the student  
 5212 is enrolled. Each state university, Florida Community College  
 5213 System institution, career center operated by a school district  
 5214 under s. 1001.44, and charter technical career center shall  
 5215 report to the Board of Governors, the State Board of Community  
 5216 Colleges, and the State Board of Education, respectively, the  
 5217 number and value of all fee waivers granted annually under this  
 5218 subsection. By October 1 of each year, the Board of Governors,  
 5219 for the state universities; ~~and~~ the State Board of Community  
 5220 Colleges, ~~Education~~ for Florida Community College System  
 5221 institutions; ~~and~~ career centers operated by a school district  
 5222 under s. 1001.44; ~~and~~ and charter technical career centers shall  
 5223 annually report for the previous academic year the percentage of  
 5224 resident and nonresident students enrolled systemwide.

5225 (13)

5226 (c) Each state university, Florida Community College  
 5227 System institution, career center operated by a school district  
 5228 under s. 1001.44, and charter technical career center shall  
 5229 report to the Board of Governors, the State Board of Community  
 5230 Colleges, and the State Board of Education, respectively, the  
 5231 number and value of all fee waivers granted annually under this  
 5232 subsection.

5233 (d) The Board of Governors, the State Board of Community  
 5234 Colleges, and the State Board of Education shall respectively  
 5235 adopt regulations and rules to administer this subsection.

5236 (14)

5237 (d) The Board of Governors, the State Board of Community  
 5238 Colleges, and the State Board of Education shall respectively  
 5239 adopt regulations and rules to administer this subsection.

5240 Section 81. Section 1009.28, Florida Statutes, is amended  
 5241 to read:

5242 1009.28 Fees for repeated enrollment in developmental  
 5243 education classes.—A student enrolled in the same developmental  
 5244 education class more than twice shall pay 100 percent of the  
 5245 full cost of instruction to support continuous enrollment of  
 5246 that student in the same class, and the student shall not be  
 5247 included in calculations of full-time equivalent enrollments for  
 5248 state funding purposes; however, students who withdraw or fail a  
 5249 class due to extenuating circumstances may be granted an  
 5250 exception only once for each class, provided approval is granted

5251 according to policy established by the board of trustees. Each  
 5252 Florida Community College System institution may review and  
 5253 reduce fees paid by students due to continued enrollment in a  
 5254 developmental education class on an individual basis contingent  
 5255 upon the student's financial hardship, pursuant to definitions  
 5256 and fee levels established by the State Board of Community  
 5257 Colleges ~~Education~~.

5258 Section 82. Subsections (9) and (12) of section 1009.90,  
 5259 Florida Statutes, are amended to read:

5260 1009.90 Duties of the Department of Education.—The duties  
 5261 of the department shall include:

5262 (9) Development and submission of a report, annually, to  
 5263 the State Board of Education, the Board of Governors, the State  
 5264 Board of Community Colleges, the President of the Senate, and  
 5265 the Speaker of the House of Representatives, which shall  
 5266 include, but not be limited to, recommendations for the  
 5267 distribution of state financial aid funds.

5268 (12) Calculation of the amount of need-based student  
 5269 financial aid required to offset fee increases recommended by  
 5270 the State Board of Education, ~~and~~ the Board of Governors, and  
 5271 the State Board of Community Colleges, and inclusion of such  
 5272 amount within the legislative budget request for student  
 5273 assistance grant programs.

5274 Section 83. Subsection (4) of section 1009.91, Florida  
 5275 Statutes, is amended to read:

5276 | 1009.91 Assistance programs and activities of the  
 5277 | department.—

5278 | (4) The department shall maintain records on the student  
 5279 | loan default rate of each Florida postsecondary institution and  
 5280 | report that information annually to both the institution and the  
 5281 | State Board of Education. Information relating to state  
 5282 | universities shall also be reported annually to the Board of  
 5283 | Governors. Information relating to Florida Community College  
 5284 | System institutions shall be reported annually to the State  
 5285 | Board of Community Colleges.

5286 | Section 84. Subsection (2) of section 1009.971, Florida  
 5287 | Statutes, is amended to read:

5288 | 1009.971 Florida Prepaid College Board.—

5289 | (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board  
 5290 | shall consist of seven members to be composed of the Attorney  
 5291 | General, the Chief Financial Officer, the Chancellor of the  
 5292 | State University System, the Chancellor of the Florida Community  
 5293 | College System ~~Division of Florida Colleges~~, and three members  
 5294 | appointed by the Governor and subject to confirmation by the  
 5295 | Senate. Each member appointed by the Governor shall possess  
 5296 | knowledge, skill, and experience in the areas of accounting,  
 5297 | actuary, risk management, or investment management. Each member  
 5298 | of the board not appointed by the Governor may name a designee  
 5299 | to serve on the board on behalf of the member; however, any  
 5300 | designee so named shall meet the qualifications required of

5301 gubernatorial appointees to the board. Members appointed by the  
 5302 Governor shall serve terms of 3 years. Any person appointed to  
 5303 fill a vacancy on the board shall be appointed in a like manner  
 5304 and shall serve for only the unexpired term. Any member shall be  
 5305 eligible for reappointment and shall serve until a successor  
 5306 qualifies. Members of the board shall serve without compensation  
 5307 but shall be reimbursed for per diem and travel in accordance  
 5308 with s. 112.061. Each member of the board who is not otherwise  
 5309 required to file a full and public disclosure of financial  
 5310 interests pursuant to s. 8, Art. II of the State Constitution or  
 5311 s. 112.3144 shall file a statement of financial interests  
 5312 pursuant to s. 112.3145.

5313 Section 85. Section 1010.01, Florida Statutes, is amended  
 5314 to read:

5315 1010.01 Uniform records and accounts.—

5316 (1) (a) The financial records and accounts of each school  
 5317 district, ~~Florida College System institution,~~ and other  
 5318 institution or agency under the supervision of the State Board  
 5319 of Education shall be prepared and maintained as prescribed by  
 5320 law and rules of the State Board of Education.

5321 (b) The financial records and accounts of each state  
 5322 university under the supervision of the Board of Governors shall  
 5323 be prepared and maintained as prescribed by law and rules of the  
 5324 Board of Governors.

5325 (c) The financial records and accounts of each Florida

5326 Community College System institution under the supervision of  
5327 the State Board of Community Colleges shall be prepared and  
5328 maintained as prescribed by law and by the rules of the State  
5329 Board of Community Colleges.

5330 (2) Rules of the State Board of Education, ~~and rules of~~  
5331 the Board of Governors, and the State Board of Community  
5332 Colleges shall incorporate the requirements of law and  
5333 accounting principles generally accepted in the United States.  
5334 Such rules shall include a uniform classification of accounts.

5335 (3) Each state university shall annually file with the  
5336 Board of Governors financial statements prepared in conformity  
5337 with accounting principles generally accepted by the United  
5338 States and the uniform classification of accounts prescribed by  
5339 the Board of Governors. The Board of Governors' rules shall  
5340 prescribe the filing deadline for the financial statements.

5341 (4) Required financial accounts and reports shall include  
5342 provisions that are unique to each of the following: K-12 school  
5343 districts, Florida Community College System institutions, and  
5344 state universities, and shall provide for the data to be  
5345 reported to the National Center of Educational Statistics and  
5346 other governmental and professional educational data information  
5347 services as appropriate.

5348 (5) Each Florida Community College System institution  
5349 shall annually file with the State Board of Community Colleges  
5350 financial statements prepared in conformity with accounting

5351 principles generally accepted by the United States and the  
 5352 uniform classification of accounts prescribed by the State Board  
 5353 of Community Colleges. The State Board of Community Colleges'  
 5354 rules shall prescribe the filing deadline for the financial  
 5355 statements.

5356 Section 86. Subsection (1) of section 1010.02, Florida  
 5357 Statutes, is amended, and subsection (3) is added to that  
 5358 section, to read:

5359 1010.02 Financial accounting and expenditures.—

5360 (1) All funds accruing to a school district ~~or a Florida~~  
 5361 ~~College System institution~~ must be received, accounted for, and  
 5362 expended in accordance with law and rules of the State Board of  
 5363 Education.

5364 (3) All funds accruing to a Florida Community College  
 5365 System institution must be received, accounted for, and expended  
 5366 in accordance with law and rules of the State Board of Community  
 5367 Colleges.

5368 Section 87. Section 1010.04, Florida Statutes, is amended  
 5369 to read:

5370 1010.04 Purchasing.—

5371 (1) (a) Purchases and leases by school districts must ~~and~~  
 5372 ~~Florida College System institutions~~ shall comply with the  
 5373 requirements of law and rules of the State Board of Education.

5374 (b) Before purchasing nonacademic commodities and  
 5375 contractual services, each district school board and Florida

5376 Community College System institution board of trustees shall  
5377 review the purchasing agreements and state term contracts  
5378 available under s. 287.056 to determine whether it is in the  
5379 school board's or the board of trustees' economic advantage to  
5380 use the agreements and contracts. Each bid specification for  
5381 nonacademic commodities and contractual services must include a  
5382 statement indicating that the purchasing agreements and state  
5383 term contracts available under s. 287.056 have been reviewed.  
5384 Each district school board may also use the cooperative state  
5385 purchasing programs managed through the regional consortium  
5386 service organizations pursuant to their authority under s.  
5387 1001.451(3). This paragraph does not apply to services that are  
5388 eligible for reimbursement under the federal E-rate program  
5389 administered by the Universal Service Administrative Company.

5390 (c) Purchases and leases by state universities must ~~shall~~  
5391 comply with the requirements of law and regulations of the Board  
5392 of Governors.

5393 (d) Purchases and leases by Florida Community College  
5394 System institutions must comply with the requirements of law and  
5395 rules of the State Board of Community Colleges.

5396 (2) Each district school board and Florida Community  
5397 College System institution board of trustees shall adopt rules,  
5398 and each university board of trustees shall adopt regulations,  
5399 to be followed in making purchases. Purchases may be made  
5400 through an online procurement system, an electronic auction



5401 service, or other efficient procurement tool.

5402 (3) In districts in which the county purchasing agent is  
 5403 authorized by law to make purchases for the benefit of other  
 5404 governmental agencies within the county, the district school  
 5405 board and Florida Community College System institution board of  
 5406 trustees shall have the option to purchase from the current  
 5407 county contracts at the unit price stated therein if such  
 5408 purchase is to the economic advantage of the district school  
 5409 board or the Florida Community College System institution board  
 5410 of trustees; subject to confirmation of the items of purchase to  
 5411 the standards and specifications prescribed by the school  
 5412 district or Florida Community College System institution.

5413 (4) (a) The State Board of Education may, by rule, provide  
 5414 for alternative procedures for school districts ~~and Florida~~  
 5415 ~~College System institutions~~ for bidding or purchasing in cases  
 5416 in which the character of the item requested renders competitive  
 5417 bidding impractical.

5418 (b) The Board of Governors may, by regulation, provide for  
 5419 alternative procedures for state universities for bidding or  
 5420 purchasing in cases in which the character of the item requested  
 5421 renders competitive bidding impractical.

5422 (c) The State Board of Community Colleges may provide by  
 5423 rule for alternative procedures for Florida Community College  
 5424 System institutions for bidding or purchasing in cases in which  
 5425 the character of the item requested renders competitive bidding

5426 | impractical.

5427 |         Section 88. Section 1010.07, Florida Statutes, is amended  
5428 | to read:

5429 |         1010.07 Bonds or insurance required.—

5430 |         (1) Each district school board, Florida Community College  
5431 | System institution board of trustees, and university board of  
5432 | trustees shall ensure that each official and employee  
5433 | responsible for handling, expending, or authorizing the  
5434 | expenditure of funds shall be appropriately bonded or insured to  
5435 | protect the board and the funds involved.

5436 |         (2) (a) Contractors paid from school district ~~or Florida~~  
5437 | ~~College System institution~~ funds shall give bond for the  
5438 | faithful performance of their contracts in such amount and for  
5439 | such purposes as prescribed by s. 255.05 or by rules of the  
5440 | State Board of Education relating to the type of contract  
5441 | involved. It shall be the duty of the district school board ~~or~~  
5442 | ~~Florida College System institution board of trustees~~ to require  
5443 | from construction contractors a bond adequate to protect the  
5444 | board and the board's funds involved.

5445 |         (b) Contractors paid from university funds shall give bond  
5446 | for the faithful performance of their contracts in such amount  
5447 | and for such purposes as prescribed by s. 255.05 or by  
5448 | regulations of the Board of Governors relating to the type of  
5449 | contract involved. It shall be the duty of the university board  
5450 | of trustees to require from construction contractors a bond

5451 adequate to protect the board and the board's funds involved.

5452 (c) Contractors paid from Florida Community College System  
5453 institution funds shall give bonds for the faithful performance  
5454 of their contracts in such amount and for such purposes as  
5455 prescribed by s. 255.05 or by rules of the State Board of  
5456 Community Colleges relating to the type of contract involved. It  
5457 is the duty of the Florida Community College System institution  
5458 board of trustees to require construction contractors to provide  
5459 a bond adequate to protect the board and the board's funds  
5460 involved.

5461 Section 89. Section 1010.08, Florida Statutes, is amended  
5462 to read:

5463 1010.08 Promotion and public relations; funding.—

5464 (1) Each district school board and Florida College System  
5465 institution board of trustees may budget and use a portion of  
5466 the funds accruing to it from auxiliary enterprises and  
5467 undesignated gifts for promotion and public relations as  
5468 prescribed by rules of the State Board of Education. Such funds  
5469 may be used to provide hospitality to business guests in the  
5470 district or elsewhere. However, such hospitality expenses may  
5471 not exceed the amount authorized for such contingency funds as  
5472 prescribed by rules of the State Board of Education.

5473 (2) Each Florida Community College System institution  
5474 board of trustees may budget and use a portion of the funds  
5475 accruing to it from auxiliary enterprises and undesignated gifts

5476 for promotion and public relations as prescribed by rules of the  
 5477 State Board of Community Colleges. Such funds may be used to  
 5478 provide hospitality to business guests in the district or  
 5479 elsewhere. However, such hospitality expenses may not exceed the  
 5480 amount authorized for such contingency funds as prescribed by  
 5481 rules of the State Board of Community Colleges.

5482 Section 90. Subsection (1) of section 1010.09, Florida  
 5483 Statutes, is amended, and subsection (3) is added to that  
 5484 section, to read:

5485 1010.09 Direct-support organizations.—

5486 (1) School district ~~and Florida College System institution~~  
 5487 direct-support organizations shall be organized and conducted  
 5488 under the provisions of ss. 1001.453 and 1004.70 and rules of  
 5489 the State Board of Education, as applicable.

5490 (3) Florida Community College System institution direct-  
 5491 support organizations shall be organized and conducted under s.  
 5492 1004.70 and rules of the State Board of Community Colleges.

5493 Section 91. Section 1010.22, Florida Statutes, is amended  
 5494 to read:

5495 1010.22 Cost accounting and reporting for workforce  
 5496 education.—

5497 (1) (a) Each school district ~~and each Florida College~~  
 5498 ~~System institution~~ shall account for expenditures of all state,  
 5499 local, federal, and other funds in the manner prescribed by the  
 5500 State Board of Education.

5501           (b) Each Florida Community College System institution  
 5502 shall account for expenditures of all state, local, federal, and  
 5503 other funds in the manner prescribed by the State Board of  
 5504 Community Colleges.

5505           (2) (a) ~~Each school district and each Florida College~~  
 5506 ~~System institution~~ shall report expenditures for workforce  
 5507 education in accordance with requirements prescribed by the  
 5508 State Board of Education.

5509           (b) Each Florida Community College System institution  
 5510 shall report expenditures for workforce education in accordance  
 5511 with requirements prescribed by the State Board of Community  
 5512 Colleges.

5513           (3) The Department of Education, in cooperation with  
 5514 school districts and Florida Community College System  
 5515 institutions, shall develop and maintain a database of valid  
 5516 comparable information on workforce education which will meet  
 5517 both state and local needs.

5518           Section 92. Subsection (1) of section 1010.30, Florida  
 5519 Statutes, is amended to read:

5520           1010.30 Audits required.—

5521           (1) School districts, ~~Florida College System institutions,~~  
 5522 and other institutions and agencies under the supervision of the  
 5523 State Board of Education, Florida Community College System  
 5524 institutions under the supervision of the State Board of  
 5525 Community Colleges, and state universities under the supervision

5526 | of the Board of Governors are subject to the audit provisions of  
 5527 | ss. 11.45 and 218.39.

5528 | Section 93. Section 1010.58, Florida Statutes, is amended  
 5529 | to read:

5530 | 1010.58 Procedure for determining number of instruction  
 5531 | units for Florida Community College System institutions.—The  
 5532 | number of instruction units for Florida Community College System  
 5533 | institutions shall be determined from the full-time equivalent  
 5534 | students in the Florida Community College System institution,  
 5535 | provided that full-time equivalent students may not be counted  
 5536 | more than once in determining instruction units. Instruction  
 5537 | units for Florida Community College System institutions shall be  
 5538 | computed as follows:

5539 | (1) One unit for each 12 full-time equivalent students at  
 5540 | a Florida Community College System institution for the first 420  
 5541 | students and one unit for each 15 full-time equivalent students  
 5542 | for all over 420 students, in other than career education  
 5543 | programs as defined by rules of the State Board of Community  
 5544 | Colleges Education, and one unit for each 10 full-time  
 5545 | equivalent students in career education programs and  
 5546 | compensatory education programs as defined by rules of the State  
 5547 | Board of Community Colleges Education. Full-time equivalent  
 5548 | students enrolled in a Florida Community College System  
 5549 | institution shall be defined by rules of the State Board of  
 5550 | Community Colleges Education.

5551 (2) For each 8 instruction units in a Florida Community  
5552 College System institution, 1 instruction unit or proportionate  
5553 fraction of a unit shall be allowed for administrative and  
5554 special instructional services, and for each 20 instruction  
5555 units, 1 instruction unit or proportionate fraction of a unit  
5556 shall be allowed for student personnel services.

5557 Section 94. Section 1011.01, Florida Statutes, is amended  
5558 to read:

5559 1011.01 Budget system established.—

5560 (1) The State Board of Education shall prepare and submit  
5561 a coordinated K-20 education annual legislative budget request  
5562 to the Governor and the Legislature on or before the date  
5563 provided by the Governor and the Legislature. The board's  
5564 legislative budget request must clearly define the needs of  
5565 school districts, Florida Community College System institutions,  
5566 universities, other institutions, organizations, programs, and  
5567 activities under the supervision of the board and that are  
5568 assigned by law or the General Appropriations Act to the  
5569 Department of Education.

5570 (2) (a) There is ~~shall be~~ established in each school  
5571 district ~~and Florida College System institution~~ a budget system  
5572 as prescribed by law and rules of the State Board of Education.

5573 (b) There is ~~shall be~~ established in each state university  
5574 a budget system as prescribed by law and rules of the Board of  
5575 Governors.

5576 (c) There is established in each Florida Community College  
 5577 System institution a budget system as prescribed by law and  
 5578 rules of the State Board of Community Colleges.

5579 (3) (a) Each district school board ~~and each Florida College~~  
 5580 ~~System institution board of trustees~~ shall prepare, adopt, and  
 5581 submit to the Commissioner of Education an annual operating  
 5582 budget. Operating budgets must ~~shall~~ be prepared and submitted  
 5583 in accordance with the provisions of law, rules of the State  
 5584 Board of Education, the General Appropriations Act, and for  
 5585 district school boards in accordance with the provisions of ss.  
 5586 200.065 and 1011.64.

5587 (b) Each state university board of trustees shall prepare,  
 5588 adopt, and submit to the Chancellor of the State University  
 5589 System for review an annual operating budget in accordance with  
 5590 provisions of law, rules of the Board of Governors, and the  
 5591 General Appropriations Act.

5592 (c) Each Florida Community College System institution  
 5593 board of trustees shall prepare, adopt, and submit to the State  
 5594 Board of Community Colleges an annual operating budget in  
 5595 accordance with provisions of law, rules of the State Board of  
 5596 Community Colleges, and the General Appropriations Act.

5597 (4) The State Board of Education shall coordinate with the  
 5598 Board of Governors and the State Board of Community Colleges to  
 5599 facilitate the budget system requirements of this section. The  
 5600 State Board of Community Colleges exclusively retains the review



5601 and approval powers of this section for Florida Community  
 5602 College System institutions. The Board of Governors exclusively  
 5603 retains the review and approval powers of this section for state  
 5604 universities.

5605 Section 95. Section 1011.011, Florida Statutes, is amended  
 5606 to read:

5607 1011.011 Legislative capital outlay budget request.—The  
 5608 State Board of Education shall submit an integrated,  
 5609 comprehensive budget request for educational facilities  
 5610 construction and fixed capital outlay needs for school  
 5611 districts, and, in conjunction with the State Board of Community  
 5612 Colleges for Florida Community College System institutions, and  
 5613 ~~in conjunction~~ with the Board of Governors for state  
 5614 universities, pursuant to this section and s. 1013.46 and  
 5615 applicable provisions of chapter 216.

5616 Section 96. Section 1011.30, Florida Statutes, is amended  
 5617 to read:

5618 1011.30 Budgets for Florida Community College System  
 5619 institutions.—Each Florida Community College System institution  
 5620 president shall recommend to the Florida Community College  
 5621 System institution board of trustees a budget of income and  
 5622 expenditures at such time and in such form as the State Board of  
 5623 Community Colleges Education may prescribe. Upon approval of a  
 5624 budget by the Florida Community College System institution board  
 5625 of trustees, such budget must ~~shall~~ be transmitted to the State

5626 | Board of Community Colleges ~~Department of Education~~ for review.  
 5627 | Rules of the State Board of Community Colleges must ~~Education~~  
 5628 | ~~shall~~ prescribe procedures for effecting budget amendments  
 5629 | subsequent to the final approval of a budget for a given year.

5630 | Section 97. Section 1011.32, Florida Statutes, is amended  
 5631 | to read:

5632 | 1011.32 Florida Community College System Institution  
 5633 | Facility Enhancement Challenge Grant Program.—

5634 | (1) The Legislature recognizes that ~~the~~ Florida Community  
 5635 | College System institutions do not have sufficient physical  
 5636 | facilities to meet the current demands of their instructional  
 5637 | and community programs. It further recognizes that, to  
 5638 | strengthen and enhance Florida Community College System  
 5639 | institutions, it is necessary to provide facilities in addition  
 5640 | to those currently available from existing revenue sources. It  
 5641 | further recognizes that there are sources of private support  
 5642 | that, if matched with state support, can assist in constructing  
 5643 | much needed facilities and strengthen the commitment of citizens  
 5644 | and organizations in promoting excellence at each Florida  
 5645 | Community College System institution. Therefore, it is the  
 5646 | intent of the Legislature to establish a program to provide the  
 5647 | opportunity for each Florida Community College System  
 5648 | institution through its direct-support organization to receive  
 5649 | and match challenge grants for instructional and community-  
 5650 | related capital facilities within the Florida Community College

5651 System institution.

5652 (2) There is established the Florida Community College  
 5653 System Institution Facility Enhancement Challenge Grant Program  
 5654 for the purpose of assisting the Florida Community College  
 5655 System institutions in building high priority instructional and  
 5656 community-related capital facilities consistent with s. 1004.65,  
 5657 including common areas connecting such facilities. The direct-  
 5658 support organizations that serve the Florida Community College  
 5659 System institutions shall solicit gifts from private sources to  
 5660 provide matching funds for capital facilities. For the purposes  
 5661 of this section, private sources of funds shall not include any  
 5662 federal or state government funds that a Florida Community  
 5663 College System institution may receive.

5664 (3) The Florida Community College System Institution  
 5665 Capital Facilities Matching Program shall provide funds to match  
 5666 private contributions for the development of high priority  
 5667 instructional and community-related capital facilities,  
 5668 including common areas connecting such facilities, within the  
 5669 Florida Community College System institutions.

5670 (4) Within the direct-support organization of each Florida  
 5671 Community College System institution there must be established a  
 5672 separate capital facilities matching account for the purpose of  
 5673 providing matching funds from the direct-support organization's  
 5674 unrestricted donations or other private contributions for the  
 5675 development of high priority instructional and community-related

5676 capital facilities, including common areas connecting such  
5677 facilities. The Legislature shall appropriate funds for  
5678 distribution to a Florida Community College System institution  
5679 after matching funds are certified by the direct-support  
5680 organization and Florida Community College System institution.  
5681 The Public Education Capital Outlay and Debt Service Trust Fund  
5682 shall not be used as the source of the state match for private  
5683 contributions.

5684 (5) A project may not be initiated unless all private  
5685 funds for planning, construction, and equipping the facility  
5686 have been received and deposited in the direct-support  
5687 organization's matching account for this purpose. However, this  
5688 requirement does not preclude the Florida Community College  
5689 System institution or direct-support organization from expending  
5690 available funds from private sources to develop a prospectus,  
5691 including preliminary architectural schematics or models, for  
5692 use in its efforts to raise private funds for a facility and for  
5693 site preparation, planning, and construction. The Legislature  
5694 may appropriate the state's matching funds in one or more fiscal  
5695 years for the planning, construction, and equipping of an  
5696 eligible facility. Each Florida Community College System  
5697 institution shall notify all donors of private funds of a  
5698 substantial delay in the availability of state matching funds  
5699 for this program.

5700 (6) To be eligible to participate in the Florida Community

5701 College System Institution Facility Enhancement Challenge Grant  
5702 Program, a Florida Community College System institution, through  
5703 its direct-support organization, shall raise a contribution  
5704 equal to one-half of the total cost of a facilities construction  
5705 project from private sources which shall be matched by a state  
5706 appropriation equal to the amount raised for a facilities  
5707 construction project, subject to the General Appropriations Act.

5708 (7) If the state's share of the required match is  
5709 insufficient to meet the requirements of subsection (6), the  
5710 Florida Community College System institution shall renegotiate  
5711 the terms of the contribution with the donors. If the project is  
5712 terminated, each private donation, plus accrued interest,  
5713 reverts to the direct-support organization for remittance to the  
5714 donor.

5715 (8) By October 15 of each year, the State Board of  
5716 Community Colleges ~~Education~~ shall transmit to the Governor and  
5717 the Legislature a list of projects that meet all eligibility  
5718 requirements to participate in the Florida Community College  
5719 System Institution Facility Enhancement Challenge Grant Program  
5720 and a budget request that includes the recommended schedule  
5721 necessary to complete each project.

5722 (9) In order for a project to be eligible under this  
5723 program, it must be survey recommended under the provisions of  
5724 s. 1013.31 and included in the Florida Community College System  
5725 institution's 5-year capital improvement plan, and it must

5726 receive approval from the State Board of Community Colleges  
 5727 ~~Education~~ or the Legislature.

5728 (10) A Florida Community College System institution  
 5729 project may not be removed from the approved 3-year PECO  
 5730 priority list because of its successful participation in this  
 5731 program until approved by the Legislature and provided for in  
 5732 the General Appropriations Act. When such a project is completed  
 5733 and removed from the list, all other projects shall move up on  
 5734 the 3-year PECO priority list.

5735 (11) Any private matching funds for a project which are  
 5736 unexpended after the project is completed shall revert to the  
 5737 Florida Community College System institution's direct-support  
 5738 organization capital facilities matching account. The balance of  
 5739 any unexpended state matching funds shall be returned to the  
 5740 fund from which those funds were appropriated.

5741 (12) The surveys, architectural plans, facility, and  
 5742 equipment shall be the property of the participating Florida  
 5743 Community College System institution. A facility constructed  
 5744 under this section may be named in honor of a donor at the  
 5745 option of the Florida Community College System institution  
 5746 district board of trustees. A facility may not be named after a  
 5747 living person without prior approval by the State Board of  
 5748 Community Colleges ~~Education~~.

5749 (13) Effective July 1, 2011, state matching funds are  
 5750 temporarily suspended for donations received for the program on

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5751 or after June 30, 2011. Existing eligible donations remain  
5752 eligible for future matching funds. The program may be restarted  
5753 after \$200 million of the backlog for programs under this  
5754 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

5755 Section 98. Subsection (2), paragraph (b) of subsection  
5756 (5), and subsections (8), (9), and (11) of section 1011.80,  
5757 Florida Statutes, are amended to read:

5758 1011.80 Funds for operation of workforce education  
5759 programs.—

5760 (2) Any workforce education program may be conducted by a  
5761 Florida Community College System institution or a school  
5762 district, except that college credit in an associate in applied  
5763 science or an associate in science degree may be awarded only by  
5764 a Florida Community College System institution. However, if an  
5765 associate in applied science or an associate in science degree  
5766 program contains within it an occupational completion point that  
5767 confers a certificate or an applied technology diploma, that  
5768 portion of the program may be conducted by a school district  
5769 career center. Any instruction designed to articulate to a  
5770 degree program is subject to guidelines and standards adopted by  
5771 the State Board of Community Colleges ~~Education~~ pursuant to s.  
5772 1007.25.

5773 (5) State funding and student fees for workforce education  
5774 instruction shall be established as follows:

5775 (b) For all other workforce education programs, state

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5776 funding shall equal 75 percent of the average cost of  
5777 instruction with the remaining 25 percent made up from student  
5778 fees. Fees for courses within a program shall not vary according  
5779 to the cost of the individual program, but instead shall be  
5780 based on a uniform fee calculated and set at the state level, as  
5781 adopted by the State Board of Education, for school districts,  
5782 and the State Board of Community Colleges, for Florida Community  
5783 College System institutions, unless otherwise specified in the  
5784 General Appropriations Act.

5785 (8) The State Board of Education, the State Board of  
5786 Community Colleges, and CareerSource Florida, Inc., shall  
5787 provide the Legislature with recommended formulas, criteria,  
5788 timeframes, and mechanisms for distributing performance funds.  
5789 The commissioner shall consolidate the recommendations and  
5790 develop a consensus proposal for funding. The Legislature shall  
5791 adopt a formula and distribute the performance funds to the  
5792 State Board of Community Colleges ~~Education~~ for Florida  
5793 Community College System institutions and to the State Board of  
5794 Education for school districts through the General  
5795 Appropriations Act. These recommendations shall be based on  
5796 formulas that would discourage low-performing or low-demand  
5797 programs and encourage through performance-funding awards:  
5798 (a) Programs that prepare people to enter high-wage  
5799 occupations identified by the Workforce Estimating Conference  
5800 created by s. 216.136 and other programs as approved by



5801 CareerSource Florida, Inc. At a minimum, performance incentives  
5802 shall be calculated for adults who reach completion points or  
5803 complete programs that lead to specified high-wage employment  
5804 and to their placement in that employment.

5805 (b) Programs that successfully prepare adults who are  
5806 eligible for public assistance, economically disadvantaged,  
5807 disabled, not proficient in English, or dislocated workers for  
5808 high-wage occupations. At a minimum, performance incentives  
5809 shall be calculated at an enhanced value for the completion of  
5810 adults identified in this paragraph and job placement of such  
5811 adults upon completion. In addition, adjustments may be made in  
5812 payments for job placements for areas of high unemployment.

5813 (c) Programs that are specifically designed to be  
5814 consistent with the workforce needs of private enterprise and  
5815 regional economic development strategies, as defined in  
5816 guidelines set by CareerSource Florida, Inc. CareerSource  
5817 Florida, Inc., shall develop guidelines to identify such needs  
5818 and strategies based on localized research of private employers  
5819 and economic development practitioners.

5820 (d) Programs identified by CareerSource Florida, Inc., as  
5821 increasing the effectiveness and cost efficiency of education.

5822 (9) School districts shall report full-time equivalent  
5823 students by discipline category for the programs specified in  
5824 subsection (1). There shall be an annual cost analysis for the  
5825 school district workforce education programs that reports cost

5826 by discipline category consistent with the reporting for full-  
5827 time equivalent students. The annual financial reports submitted  
5828 by the school districts must accurately report on the student  
5829 fee revenues by fee type according to the programs specified in  
5830 subsection (1). The Department of Education and the State Board  
5831 of Community Colleges shall develop a plan for comparable  
5832 reporting of program, student, facility, personnel, and  
5833 financial data between the Florida Community College System  
5834 institutions and the school district workforce education  
5835 programs.

5836 (11) The State Board of Education and the State Board of  
5837 Community Colleges may adopt rules to administer this section.

5838 Section 99. Section 1011.801, Florida Statutes, is amended  
5839 to read:

5840 1011.801 Workforce Development Capitalization Incentive  
5841 Grant Program.—The Legislature recognizes that the need for  
5842 school districts and Florida Community College System  
5843 institutions to be able to respond to emerging local or  
5844 statewide economic development needs is critical to the  
5845 workforce development system. The Workforce Development  
5846 Capitalization Incentive Grant Program is created to provide  
5847 grants to school districts and Florida Community College System  
5848 institutions on a competitive basis to fund some or all of the  
5849 costs associated with the creation or expansion of workforce  
5850 development programs that serve specific employment workforce

5851 needs.

5852 (1) Funds awarded for a workforce development  
 5853 capitalization incentive grant may be used for instructional  
 5854 equipment, laboratory equipment, supplies, personnel, student  
 5855 services, or other expenses associated with the creation or  
 5856 expansion of a workforce development program. Expansion of a  
 5857 program may include either the expansion of enrollments in a  
 5858 program or expansion into new areas of specialization within a  
 5859 program. No grant funds may be used for recurring instructional  
 5860 costs or for institutions' indirect costs.

5861 (2) The State Board of Education shall accept applications  
 5862 from school districts, and the State Board of Community Colleges  
 5863 shall accept applications from ~~or~~ Florida Community College  
 5864 System institutions, for workforce development capitalization  
 5865 incentive grants. Applications from school districts or Florida  
 5866 Community College System institutions must ~~shall~~ contain  
 5867 projected enrollments and projected costs for the new or  
 5868 expanded workforce development program. The State Board of  
 5869 Education or the State Board of Community Colleges, as  
 5870 appropriate, in consultation with CareerSource Florida, Inc.,  
 5871 shall review and rank each application for a grant according to  
 5872 subsection (3) and shall submit to the Legislature a list in  
 5873 priority order of applications recommended for a grant award.

5874 (3) The State Board of Education or the State Board of  
 5875 Community Colleges, as appropriate, shall give highest priority

5876 | to programs that train people to enter high-skill, high-wage  
 5877 | occupations identified by the Workforce Estimating Conference  
 5878 | and other programs approved by CareerSource Florida, Inc.;  
 5879 | programs that train people to enter occupations under the  
 5880 | welfare transition program; or programs that train for the  
 5881 | workforce adults who are eligible for public assistance,  
 5882 | economically disadvantaged, disabled, not proficient in English,  
 5883 | or dislocated workers. The State Board of Education or the State  
 5884 | Board of Community Colleges, as appropriate, shall consider the  
 5885 | statewide geographic dispersion of grant funds in ranking the  
 5886 | applications and shall give priority to applications from  
 5887 | education agencies that are making maximum use of their  
 5888 | workforce development funding by offering high-performing, high-  
 5889 | demand programs.

5890 |       Section 100. Section 1011.81, Florida Statutes, is amended  
 5891 | to read:

5892 |       1011.81 Florida Community College System Program Fund.—

5893 |       (1) There is established a Florida Community College  
 5894 | System Program Fund. This fund shall comprise all appropriations  
 5895 | made by the Legislature for the support of the current operating  
 5896 | program and shall be apportioned and distributed to the Florida  
 5897 | Community College System institution districts of the state on  
 5898 | the basis of procedures established by law and rules of the  
 5899 | State Board of Education. The annual apportionment for each  
 5900 | Florida Community College System institution district shall be

5901 distributed monthly in payments as nearly equal as possible.

5902 (2) Performance funding for industry certifications for  
 5903 Florida Community College System institutions is contingent upon  
 5904 specific appropriation in the General Appropriations Act and  
 5905 shall be determined as follows:

5906 (a) Occupational areas for which industry certifications  
 5907 may be earned, as established in the General Appropriations Act,  
 5908 are eligible for performance funding. Priority shall be given to  
 5909 the occupational areas emphasized in state, national, or  
 5910 corporate grants provided to Florida educational institutions.

5911 (b) The Chancellor of the Florida Community College  
 5912 System, for the Florida Community College System institutions,  
 5913 shall identify the industry certifications eligible for funding  
 5914 on the CAPE Postsecondary Industry Certification Funding List  
 5915 approved by the State Board of Community Colleges ~~Education~~  
 5916 pursuant to s. 1008.44, based on the occupational areas  
 5917 specified in the General Appropriations Act.

5918 (c) Each Florida Community College System institution  
 5919 shall be provided \$1,000 for each industry certification earned  
 5920 by a student. The maximum amount of funding appropriated for  
 5921 performance funding pursuant to this subsection shall be limited  
 5922 to \$15 million annually. If funds are insufficient to fully fund  
 5923 the calculated total award, such funds shall be prorated.

5924 (3) None of the funds made available in the Florida  
 5925 Community College System Program Fund, or funds made available

5926 to Florida Community College System institutions outside the  
 5927 Florida Community College System Program Fund, may be used to  
 5928 implement, organize, direct, coordinate, or administer, or to  
 5929 support the implementation, organization, direction,  
 5930 coordination, or administration of, activities related to, or  
 5931 involving, travel to a terrorist state. For purposes of this  
 5932 section, "terrorist state" is defined as any state, country, or  
 5933 nation designated by the United States Department of State as a  
 5934 state sponsor of terrorism.

5935 (4) State funds provided for the Florida Community College  
 5936 System Program Fund may not be expended for the education of  
 5937 state or federal inmates.

5938 Section 101. Section 1011.82, Florida Statutes, is amended  
 5939 to read:

5940 1011.82 Requirements for participation in Florida  
 5941 Community College System Program Fund.—Each Florida Community  
 5942 College System institution district which participates in the  
 5943 state appropriations for the Florida Community College System  
 5944 Program Fund shall provide evidence of its effort to maintain an  
 5945 adequate Florida Community College System institution program  
 5946 which shall:

5947 (1) Meet the minimum standards prescribed by the State  
 5948 Board of Community Colleges ~~Education~~ in accordance with s.  
 5949 1001.602(5) ~~s. 1001.02(6)~~.

5950 (2) Effectively fulfill the mission of the Florida

5951 Community College System institutions in accordance with s.  
 5952 1004.65.

5953 Section 102. Section 1011.83, Florida Statutes, is amended  
 5954 to read:

5955 1011.83 Financial support of Florida Community College  
 5956 System institutions.—

5957 (1) Each Florida Community College System institution that  
 5958 ~~has been approved by the Department of Education and~~ meets the  
 5959 requirements of law and rules of the State Board of Community  
 5960 Colleges ~~Education~~ shall participate in the Florida Community  
 5961 College System Program Fund. However, funds to support workforce  
 5962 education programs conducted by Florida Community College System  
 5963 institutions shall be provided pursuant to s. 1011.80.

5964 (2) A student in a baccalaureate degree program approved  
 5965 pursuant to s. 1007.33 who is not classified as a resident for  
 5966 tuition purposes pursuant to s. 1009.21 may not be included in  
 5967 calculations of full-time equivalent enrollments for state  
 5968 funding purposes.

5969 Section 103. Section 1011.84, Florida Statutes, is amended  
 5970 to read:

5971 1011.84 Procedure for determining state financial support  
 5972 and annual apportionment of state funds to each Florida  
 5973 Community College System institution district.—The procedure for  
 5974 determining state financial support and the annual apportionment  
 5975 to each Florida Community College System institution district

5976 authorized to operate a Florida Community College System  
5977 institution under the provisions of s. 1001.61 shall be as  
5978 follows:

5979 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA  
5980 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING  
5981 PROGRAM.—

5982 (a) The State Board of Community Colleges ~~Department of~~  
5983 ~~Education~~ shall determine annually, from an analysis of  
5984 operating costs, ~~prepared in the manner prescribed by rules of~~  
5985 ~~the State Board of Education,~~ the costs per full-time equivalent  
5986 student served in courses and fields of study offered in Florida  
5987 Community College System institutions. This information and  
5988 current college operating budgets shall be submitted to the  
5989 Executive Office of the Governor with the legislative budget  
5990 request prior to each regular session of the Legislature.

5991 (b) The allocation of funds for Florida Community College  
5992 System institutions must ~~shall~~ be based on advanced and  
5993 professional disciplines, developmental education, and other  
5994 programs for adults funded pursuant to s. 1011.80.

5995 (c) The category of lifelong learning is for students  
5996 enrolled pursuant to s. 1004.93. A student shall also be  
5997 reported as a lifelong learning student for his or her  
5998 enrollment in any course that he or she has previously taken,  
5999 unless it is a credit course in which the student earned a grade  
6000 of D or F.



6001 (d) If an adult student has been determined to be a  
6002 disabled student eligible for an approved educational program  
6003 for disabled adults provided pursuant to s. 1004.93 and rules of  
6004 the State Board of Community Colleges ~~Education~~ and is enrolled  
6005 in a class with curriculum frameworks developed for the program,  
6006 state funding for that student shall be provided at a level  
6007 double that of a student enrolled in a special adult general  
6008 education program provided by a Florida Community College System  
6009 institution.

6010 (e) All state inmate education provided by Florida  
6011 Community College System institutions shall be reported by  
6012 program, FTE expenditure, and revenue source. These enrollments,  
6013 expenditures, and revenues shall be reported and projected  
6014 separately. Instruction of state inmates may ~~shall~~ not be  
6015 included in the full-time equivalent student enrollment for  
6016 funding through the Florida Community College System Program  
6017 Fund.

6018 (f) When a public educational institution has been fully  
6019 funded by an external agency for direct instructional costs of  
6020 any course or program, the FTE generated may ~~shall~~ not be  
6021 reported for state funding.

6022 (g) The State Board of Education shall adopt rules to  
6023 implement s. 9(d)(8)f., Art. XII of the State Constitution.  
6024 These rules shall provide for the use of the funds available  
6025 under s. 9(d)(8)f., Art. XII by an individual Florida Community

6026 College System institution for operating expense in any fiscal  
6027 year during which the State Board of Education has determined  
6028 that all major capital outlay needs have been met. Highest  
6029 priority for the use of these funds for purposes other than  
6030 financing approved capital outlay projects shall be for the  
6031 proper maintenance and repair of existing facilities for  
6032 projects approved by the State Board of Education. However, in  
6033 any fiscal year in which funds from this source are authorized  
6034 for operating expense other than approved maintenance and repair  
6035 projects, the allocation of Florida Community College System  
6036 institution program funds shall be reduced by an amount equal to  
6037 the sum used for such operating expense for that Florida  
6038 Community College System institution that year, and that amount  
6039 shall not be released or allocated among the other Florida  
6040 Community College System institutions that year.

6041 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL  
6042 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay  
6043 and debt service shall be as determined and provided in s. 18,  
6044 Art. XII of the State Constitution of 1885, as adopted by s.  
6045 9(d), Art. XII of the 1968 revised State Constitution and State  
6046 Board of Education rules.

6047 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6048 (a) By December 15 of each year, the State Board of  
6049 Community Colleges ~~Department of Education~~ shall estimate the  
6050 annual enrollment of each Florida Community College System

6051 institution for the current fiscal year and for the 3 subsequent  
6052 fiscal years. These estimates shall be based upon prior years'  
6053 enrollments, upon the initial fall term enrollments for the  
6054 current fiscal year for each college, and upon each college's  
6055 estimated current enrollment and demographic changes in the  
6056 respective Florida Community College System institution  
6057 districts. Upper-division enrollment shall be estimated  
6058 separately from lower-division enrollment.

6059 (b) The apportionment to each Florida Community College  
6060 System institution from the Florida Community College System  
6061 Program Fund shall be determined annually in the General  
6062 Appropriations Act. In determining each college's apportionment,  
6063 the Legislature shall consider the following components:

6064 1. Base budget, which includes the state appropriation to  
6065 the Florida Community College System Program Fund in the current  
6066 year plus the related student tuition and out-of-state fees  
6067 assigned in the current General Appropriations Act.

6068 2. The cost-to-continue allocation, which consists of  
6069 incremental changes to the base budget, including salaries,  
6070 price levels, and other related costs allocated through a  
6071 funding model approved by the Legislature which may recognize  
6072 differing economic factors arising from the individual  
6073 educational approaches of the various Florida Community College  
6074 System institutions, including, but not limited to:

6075 a. Direct Instructional Funding, including class size,

6076 faculty productivity factors, average faculty salary, ratio of  
 6077 full-time to part-time faculty, costs of programs, and  
 6078 enrollment factors.

6079 b. Academic Support, including small colleges factor,  
 6080 multicampus factor, and enrollment factor.

6081 c. Student Services Support, including headcount of  
 6082 students as well as FTE count and enrollment factors.

6083 d. Library Support, including volume and other  
 6084 materials/audiovisual requirements.

6085 e. Special Projects.

6086 f. Operations and Maintenance of Plant, including square  
 6087 footage and utilization factors.

6088 g. District Cost Differential.

6089 3. Students enrolled in a recreation and leisure program  
 6090 and students enrolled in a lifelong learning program who may not  
 6091 be counted as full-time equivalent enrollments for purposes of  
 6092 enrollment workload adjustments.

6093 4. Operating costs of new facilities adjustments, which  
 6094 shall be provided, from funds available, for each new facility  
 6095 that is owned by the college and is recommended in accordance  
 6096 with s. 1013.31.

6097 5. New and improved program enhancements, which shall be  
 6098 determined by the Legislature.

6099  
 6100 Student fees in the base budget plus student fee revenues

6101 generated by increases in fee rates shall be deducted from the  
 6102 sum of the components determined in subparagraphs 1.-5. The  
 6103 amount remaining shall be the net annual state apportionment to  
 6104 each college.

6105 (c) A ~~No~~ Florida Community College System institution may  
 6106 not ~~shall~~ commit funds for the employment of personnel or  
 6107 resources in excess of those required to continue the same level  
 6108 of support for either the previously approved enrollment or the  
 6109 revised enrollment, whichever is lower.

6110 (d) The apportionment to each Florida Community College  
 6111 System institution district for capital outlay and debt service  
 6112 shall be the amount determined in accordance with subsection  
 6113 (2). This amount, less any amount determined as necessary for  
 6114 administrative expense by the State Board of Education and any  
 6115 amount necessary for debt service on bonds issued by the State  
 6116 Board of Education, shall be transmitted to the Florida  
 6117 Community College System institution board of trustees to be  
 6118 expended in a manner prescribed by rules of the State Board of  
 6119 Education.

6120 (e) If at any time the unencumbered balance in the general  
 6121 fund of the Florida Community College System institution board  
 6122 of trustees approved operating budget goes below 5 percent, the  
 6123 president shall provide written notification to the State Board  
 6124 of Education.

6125 (f) Expenditures for apprenticeship programs must ~~shall~~ be

6126 | reported separately.

6127 |         (g) Expenditures for upper-division enrollment in a  
 6128 | Florida Community College System institution that grants  
 6129 | baccalaureate degrees must ~~shall~~ be reported separately from  
 6130 | expenditures for lower-division enrollment, in accordance with  
 6131 | law and State Board of Education rule.

6132 |         (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated  
 6133 | herein to any Florida Community College System institution must  
 6134 | ~~shall~~ be expended only for the purpose of supporting that  
 6135 | Florida Community College System institution.

6136 |         (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida  
 6137 | Community College System institution board of trustees shall  
 6138 | report, as a separate item in its annual cost accounting system,  
 6139 | the volume and cost of developmental education options provided  
 6140 | to help students attain the communication and computation skills  
 6141 | that are essential for college-level work pursuant to s.  
 6142 | 1008.30.

6143 |         Section 104. Section 1011.85, Florida Statutes, is amended  
 6144 | to read:

6145 |         1011.85 Dr. Philip Benjamin Matching Grant Program for  
 6146 | Florida Community College System Institutions.—

6147 |         (1) There is created the Dr. Philip Benjamin Matching  
 6148 | Grant Program for Florida Community College System Institutions  
 6149 | as a single matching gifts program that encompasses the goals  
 6150 | originally set out in the Academic Improvement Program, the

6151 Scholarship Matching Program, and the Health Care Education  
6152 Quality Enhancement Challenge Grant. The program shall be  
6153 administered according to rules of the State Board of Community  
6154 Colleges ~~Education~~ and used to encourage private support in  
6155 enhancing Florida Community College System institutions by  
6156 providing the Florida Community College System with the  
6157 opportunity to receive and match challenge grants. Funds  
6158 received prior to the effective date of this act for each of the  
6159 three programs shall be retained in the separate account for  
6160 which it was designated.

6161 (2) Each Florida Community College System institution  
6162 board of trustees receiving state appropriations under this  
6163 program shall approve each gift to ensure alignment with the  
6164 unique mission of the Florida Community College System  
6165 institution. The board of trustees must link all requests for a  
6166 state match to the goals and mission statement. The Florida  
6167 Community College System Institution Foundation Board receiving  
6168 state appropriations under this program shall approve each gift  
6169 to ensure alignment with its goals and mission statement. Funds  
6170 received from community events and festivals are not eligible  
6171 for state matching funds under this program.

6172 (3) Upon approval by the Florida Community College System  
6173 institution board of trustees and the State Board of Community  
6174 Colleges ~~Education~~, the ordering of donations for priority  
6175 listing of unmatched gifts should be determined by the

6176 submitting Florida Community College System institution.

6177 (4) Each year, eligible contributions received by a  
 6178 Florida Community College System institution's foundation or the  
 6179 State Board of Community Colleges ~~Education~~ by February 1 shall  
 6180 be eligible for state matching funds.

6181 (a) Each Florida Community College System institution  
 6182 board of trustees and, when applicable, the Florida Community  
 6183 College System Institution Foundation Board, receiving state  
 6184 appropriations under this program shall also certify in an  
 6185 annual report to the State Board of Community Colleges ~~Education~~  
 6186 the receipt of eligible cash contributions that were previously  
 6187 unmatched by the state. The State Board of Education shall adopt  
 6188 rules providing all Florida Community College System  
 6189 institutions with an opportunity to apply for excess funds  
 6190 before the awarding of such funds.

6191 (b) Florida Community College System institutions must  
 6192 submit to the State Board of Community Colleges ~~Education~~ an  
 6193 annual expenditure report tracking the use of all matching  
 6194 funds.

6195 (c) The audit of each foundation receiving state funds  
 6196 from this program must include a certification of accuracy in  
 6197 the amount reported for matching funds.

6198 (5) The matching ratio for donations that are specifically  
 6199 designated to support scholarships, including scholarships for  
 6200 first-generation-in-college students, student loans, or need-



6201 based grants shall be \$1 of state funds to \$1 of local private  
6202 funds.

6203 (6) Otherwise, funds must ~~shall~~ be proportionately  
6204 allocated to the Florida Community College System institutions  
6205 on the basis of matching each \$6 of local or private funds with  
6206 \$4 of state funds. To be eligible, a minimum of \$4,500 must be  
6207 raised from private sources.

6208 (7) The Florida Community College System institution board  
6209 of trustees, in conjunction with the donor, shall determine ~~make~~  
6210 ~~the determination of~~ whether scholarships established pursuant  
6211 to this program are endowed.

6212 (8) (a) Funds sufficient to provide the match shall be  
6213 transferred from the state appropriations to the local Florida  
6214 Community College System institution foundation or the statewide  
6215 Florida Community College System institution foundation upon  
6216 notification that a proportionate amount has been received and  
6217 deposited by a Florida Community College System institution in  
6218 its own trust fund.

6219 (b) If state funds appropriated for the program are  
6220 insufficient to match contributions, the amount allocated must  
6221 ~~shall~~ be reduced in proportion to its share of the total  
6222 eligible contributions. However, in making proportional  
6223 reductions, every Florida Community College System institution  
6224 shall receive a minimum of \$75,000 in state matching funds if  
6225 its eligible contributions would have generated an amount at

6226 | least equal to \$75,000. All unmet contributions must ~~shall~~ be  
6227 | eligible for state matching funds in subsequent fiscal years.

6228 |       (9) Each Florida Community College System institution  
6229 | entity shall establish its own matching grant program fund as a  
6230 | depository for the private contributions and matching state  
6231 | funds provided under this section. Florida Community College  
6232 | System institution foundations are responsible for the  
6233 | maintenance, investment, and administration of their matching  
6234 | grant program funds.

6235 |       (10) The State Board of Community Colleges ~~Education~~ may  
6236 | receive submissions of requests for matching funds and  
6237 | documentation relating to those requests, may approve requests  
6238 | for matching funds, and may allocate such funds to the Florida  
6239 | Community College System institutions.

6240 |       (11) The board of trustees of the Florida Community  
6241 | College System institution and the State Board of Community  
6242 | Colleges ~~Education~~ are responsible for determining the uses for  
6243 | the proceeds of their respective trust funds. Such use of the  
6244 | proceeds shall include, but not be limited to, expenditure of  
6245 | the funds for:

6246 |           (a) Scientific and technical equipment.

6247 |           (b) Scholarships, loans, or need-based grants.

6248 |           (c) Other activities that will benefit future students as  
6249 | well as students currently enrolled at the Florida Community  
6250 | College System institution, will improve the quality of

6251 education at the Florida Community College System institution,  
 6252 or will enhance economic development in the community.

6253 (12) Each Florida Community College System institution  
 6254 shall notify all donors of private funds of a substantial delay  
 6255 in the availability of state matching funds for this program.

6256 (13) Effective July 1, 2011, state matching funds are  
 6257 temporarily suspended for donations received for this program on  
 6258 or after June 30, 2011. Existing eligible donations remain  
 6259 eligible for future matching funds. The program may be restarted  
 6260 after \$200 million of the backlog for programs under this  
 6261 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6262 Section 105. Subsection (1) of section 1012.01, Florida  
 6263 Statutes, is amended to read:

6264 1012.01 Definitions.—As used in this chapter, the  
 6265 following terms have the following meanings:

6266 (1) SCHOOL OFFICERS.—The officers of the state system of  
 6267 public K-12 ~~and Florida College System institution~~ education  
 6268 shall be the Commissioner of Education and the members of the  
 6269 State Board of Education; for the Florida Community College  
 6270 System, the officers shall be the Chancellor of the Florida  
 6271 Community College System and the members of the State Board of  
 6272 Community Colleges; for each district school system, the  
 6273 officers shall be the district school superintendent and members  
 6274 of the district school board; and for each Florida Community  
 6275 College System institution, the officers shall be the Florida

6276 Community College System institution president and members of  
 6277 the Florida Community College System institution board of  
 6278 trustees.

6279 Section 106. Paragraph (a) of subsection (1) of section  
 6280 1012.80, Florida Statutes, is amended to read:

6281 1012.80 Participation by employees in disruptive  
 6282 activities at public postsecondary educational institutions;  
 6283 penalties.—

6284 (1) (a) Any person who accepts the privilege extended by  
 6285 the laws of this state of employment at any Florida Community  
 6286 College System institution shall, by working at such  
 6287 institution, be deemed to have given his or her consent to the  
 6288 policies of that institution, the policies of the State Board of  
 6289 Community Colleges Education, and the laws of this state. Such  
 6290 policies shall include prohibition against disruptive activities  
 6291 at Florida Community College System institutions.

6292 Section 107. Subsection (1) of section 1012.81, Florida  
 6293 Statutes, is amended to read:

6294 1012.81 Personnel records.—

6295 (1) The State Board of Community Colleges Education shall  
 6296 adopt rules prescribing the content and custody of limited-  
 6297 access records that a Florida Community College System  
 6298 institution may maintain on its employees. Limited-access  
 6299 employee records are confidential and exempt from ~~the provisions~~  
 6300 ~~of~~ s. 119.07(1). Limited-access records include only the

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6301 following:

6302 (a) Records containing information reflecting academic  
6303 evaluations of employee performance; however, the employee and  
6304 officials of the institution responsible for supervision of the  
6305 employee shall have access to such records.

6306 (b) Records maintained for the purposes of any  
6307 investigation of employee misconduct, including, but not limited  
6308 to, a complaint against an employee and all information obtained  
6309 pursuant to the investigation of such complaint; however, these  
6310 records become public after the investigation ceases to be  
6311 active or when the institution provides written notice to the  
6312 employee who is the subject of the complaint that the  
6313 institution has either:

- 6314 1. Concluded the investigation with a finding not to  
6315 proceed with disciplinary action;
- 6316 2. Concluded the investigation with a finding to proceed  
6317 with disciplinary action; or
- 6318 3. Issued a letter of discipline.

6319  
6320 For the purpose of this paragraph, an investigation shall be  
6321 considered active as long as it is continuing with a reasonable,  
6322 good faith anticipation that a finding will be made in the  
6323 foreseeable future. An investigation shall be presumed to be  
6324 inactive if no finding is made within 90 days after the  
6325 complaint is filed.

6326 (c) Records maintained for the purposes of any  
 6327 disciplinary proceeding brought against an employee; however,  
 6328 these records shall be open to inspection by the employee and  
 6329 shall become public after a final decision is made in the  
 6330 proceeding.

6331 (d) Records maintained for the purposes of any grievance  
 6332 proceeding brought by an employee for enforcement of a  
 6333 collective bargaining agreement or contract; however, these  
 6334 records shall be open to inspection by the employee and by  
 6335 officials of the institution conducting the grievance proceeding  
 6336 and shall become public after a final decision is made in the  
 6337 proceeding.

6338 Section 108. Subsection (1) of section 1012.83, Florida  
 6339 Statutes, is amended to read:

6340 1012.83 Contracts with administrative and instructional  
 6341 staff.—

6342 (1) Each person employed in an administrative or  
 6343 instructional capacity in a Florida Community College System  
 6344 institution shall be entitled to a contract as provided by rules  
 6345 of the State Board of Community Colleges ~~Education~~.

6346 Section 109. Section 1012.855, Florida Statutes, is  
 6347 amended to read:

6348 1012.855 Employment of Florida Community College System  
 6349 institution personnel; discrimination in granting salary  
 6350 prohibited.—

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6351 (1) (a) Employment of all personnel in each Florida  
6352 Community College System institution shall be upon  
6353 recommendation of the president, subject to rejection for cause  
6354 by the Florida Community College System institution board of  
6355 trustees; to the rules of the State Board of Community Colleges  
6356 ~~Education~~ relative to certification, tenure, leaves of absence  
6357 of all types, including sabbaticals, remuneration, and such  
6358 other conditions of employment as the State Board of Community  
6359 Colleges ~~Education~~ deems necessary and proper; and to policies  
6360 of the Florida Community College System institution board of  
6361 trustees not inconsistent with law.

6362 (b) Any internal auditor employed by a Florida Community  
6363 College System institution shall be hired by the Florida  
6364 Community College System institution board of trustees and shall  
6365 report directly to the board.

6366 (2) Each Florida Community College System institution  
6367 board of trustees shall undertake a program to eradicate any  
6368 discrimination on the basis of gender, race, or physical  
6369 handicap in the granting of salaries to employees.

6370 Section 110. Section 1012.86, Florida Statutes, is amended  
6371 to read:

6372 1012.86 Florida Community College System institution  
6373 employment equity accountability program.—

6374 (1) Each Florida Community College System institution  
6375 shall include in its annual equity update a plan for increasing

6376 the representation of women and minorities in senior-level  
6377 administrative positions and in full-time faculty positions, and  
6378 for increasing the representation of women and minorities who  
6379 have attained continuing-contract status. Positions shall be  
6380 defined in the personnel data element directory of the  
6381 Department of Education. The plan must include specific  
6382 measurable goals and objectives, specific strategies and  
6383 timelines for accomplishing these goals and objectives, and  
6384 comparable national standards as provided by the Department of  
6385 Education. The goals and objectives shall be based on meeting or  
6386 exceeding comparable national standards and shall be reviewed  
6387 and recommended by the State Board of Community Colleges  
6388 ~~Education~~ as appropriate. Such plans shall be maintained until  
6389 appropriate representation has been achieved and maintained for  
6390 at least 3 consecutive reporting years.

6391 (2) (a) On or before May 1 of each year, each Florida  
6392 Community College System institution president shall submit an  
6393 annual employment accountability plan to the Chancellor of the  
6394 Florida Community College System and the State Board of  
6395 Community Colleges ~~Commissioner of Education and the State Board~~  
6396 ~~of Education~~. The accountability plan must show faculty and  
6397 administrator employment data according to requirements  
6398 specified on the federal Equal Employment Opportunity (EEO-6)  
6399 report.

6400 (b) The plan must show the following information for those



6401 | positions including, but not limited to:

6402 |       1. Job classification title.

6403 |       2. Gender.

6404 |       3. Ethnicity.

6405 |       4. Appointment status.

6406 |       5. Salary information. At each Florida Community College

6407 | System institution, salary information shall also include the

6408 | salary ranges in which new hires were employed compared to the

6409 | salary ranges for employees with comparable experience and

6410 | qualifications.

6411 |       6. Other comparative information including, but not

6412 | limited to, composite information regarding the total number of

6413 | positions within the particular job title classification for the

6414 | Florida Community College System institution by race, gender,

6415 | and salary range compared to the number of new hires.

6416 |       7. A statement certifying diversity and balance in the

6417 | gender and ethnic composition of the selection committee for

6418 | each vacancy, including a brief description of guidelines used

6419 | for ensuring balanced and diverse membership on selection and

6420 | review committees.

6421 |       (c) The annual employment accountability plan shall also

6422 | include an analysis and an assessment of the Florida Community

6423 | College System institution's attainment of annual goals and of

6424 | long-range goals for increasing the number of women and

6425 | minorities in faculty and senior-level administrative positions,

6426 | and a corrective action plan for addressing underrepresentation.

6427 |       (d) Each Florida Community College System institution's  
6428 | employment accountability plan must also include:

6429 |           1. The requirements for receiving a continuing contract.

6430 |           2. A brief description of the process used to grant  
6431 | continuing-contract status.

6432 |           3. A brief description of the process used to annually  
6433 | apprise each eligible faculty member of progress toward  
6434 | attainment of continuing-contract status.

6435 |       (3) Florida Community College System institution  
6436 | presidents and the heads of each major administrative division  
6437 | shall be evaluated annually on the progress made toward meeting  
6438 | the goals and objectives of the Florida Community College System  
6439 | institution's employment accountability plan.

6440 |       (a) The Florida Community College System institution  
6441 | presidents, or the presidents' designees, shall annually  
6442 | evaluate each department chairperson, dean, provost, and vice  
6443 | president in achieving the annual and long-term goals and  
6444 | objectives. A summary of the results of such evaluations shall  
6445 | be reported annually by the Florida Community College System  
6446 | institution president to the Florida Community College System  
6447 | institution board of trustees. Annual budget allocations by the  
6448 | Florida Community College System institution board of trustees  
6449 | for positions and funding must take into consideration these  
6450 | evaluations.

6451 (b) Florida Community College System institution boards of  
6452 trustees shall annually evaluate the performance of the Florida  
6453 Community College System institution presidents in achieving the  
6454 annual and long-term goals and objectives. A summary of the  
6455 results of such evaluations shall be reported to the State Board  
6456 of Community Colleges ~~Commissioner of Education and the State~~  
6457 ~~Board of Education~~ as part of the Florida Community College  
6458 System institution's annual employment accountability plan, and  
6459 to the Legislature as part of the annual equity progress report  
6460 submitted by the State Board of Community Colleges ~~Education~~.

6461 (4) The State Board of Community Colleges ~~Education~~ shall  
6462 submit an annual equity progress report to the President of the  
6463 Senate and the Speaker of the House of Representatives on or  
6464 before January 1 of each year.

6465 (5) Each Florida Community College System institution  
6466 shall develop a budgetary incentive plan to support and ensure  
6467 attainment of the goals developed pursuant to this section. The  
6468 plan shall specify, at a minimum, how resources shall be  
6469 allocated to support the achievement of goals and the  
6470 implementation of strategies in a timely manner. After prior  
6471 review and approval by the Florida Community College System  
6472 institution president and the Florida Community College System  
6473 institution board of trustees, the plan shall be submitted as  
6474 part of the annual employment accountability plan submitted by  
6475 each Florida Community College System institution to the State

6476 Board of Community Colleges ~~Education~~.

6477 (6) Subject to available funding, the Legislature shall  
 6478 provide an annual appropriation to the State Board of Community  
 6479 Colleges ~~Education~~ to be allocated to Florida Community College  
 6480 System institution presidents, faculty, and administrative  
 6481 personnel to further enhance equity initiatives and related  
 6482 priorities that support the mission of colleges and departments  
 6483 in recognition of the attainment of the equity goals and  
 6484 objectives.

6485 Section 111. Subsection (3) of section 1013.01, Florida  
 6486 Statutes, is amended to read:

6487 1013.01 Definitions.—The following terms shall be defined  
 6488 as follows for the purpose of this chapter:

6489 (3) "Board," unless otherwise specified, means a district  
 6490 school board, a Florida Community College System institution  
 6491 board of trustees, a university board of trustees, and the Board  
 6492 of Trustees for the Florida School for the Deaf and the Blind.  
 6493 The term "board" does not include the State Board of Education,  
 6494 ~~or~~ the Board of Governors, or the State Board of Community  
 6495 Colleges.

6496 Section 112. Subsection (2) of section 1013.02, Florida  
 6497 Statutes, is amended to read:

6498 1013.02 Purpose; rules and regulations.—

6499 (2) (a) The State Board of Education shall adopt rules  
 6500 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~

6501 ~~provisions of this chapter for school districts and Florida~~  
 6502 ~~College System institutions.~~

6503 (b) The Board of Governors shall adopt regulations  
 6504 pursuant to its regulation development procedure to implement  
 6505 ~~the provisions of this chapter for state universities.~~

6506 (c) The State Board of Community Colleges shall adopt  
 6507 rules pursuant to ss. 120.536(1) and 120.54 to implement this  
 6508 chapter for Florida Community College System institutions.

6509 Section 113. Section 1013.03, Florida Statutes, is amended  
 6510 to read:

6511 1013.03 Functions of the department, the State Board of  
 6512 Community Colleges, and the Board of Governors.—The functions of  
 6513 the Department of Education as it pertains to educational  
 6514 facilities of school districts, of the State Board of Community  
 6515 Colleges as it pertains to educational facilities of ~~and Florida~~  
 6516 Community College System institutions, and of the Board of  
 6517 Governors as it pertains to educational facilities of state  
 6518 universities shall include, but not be limited to, the  
 6519 following:

6520 (1) Establish recommended minimum and maximum square  
 6521 footage standards for different functions and areas and  
 6522 procedures for determining the gross square footage for each  
 6523 educational facility to be funded in whole or in part by the  
 6524 state, including public broadcasting stations but excluding  
 6525 postsecondary special purpose laboratory space. The gross square

6526 footage determination standards may be exceeded when the core  
6527 facility space of an educational facility is constructed or  
6528 renovated to accommodate the future addition of classrooms to  
6529 meet projected increases in student enrollment. The department,  
6530 the State Board of Community Colleges, and the Board of  
6531 Governors shall encourage multiple use of facilities and spaces  
6532 in educational plants.

6533 (2) Establish, for the purpose of determining need,  
6534 equitably uniform utilization standards for all types of like  
6535 space, regardless of the level of education. These standards  
6536 shall also establish, for postsecondary education classrooms, a  
6537 minimum room utilization rate of 40 hours per week and a minimum  
6538 station utilization rate of 60 percent. These rates shall be  
6539 subject to increase based on national norms for utilization of  
6540 postsecondary education classrooms.

6541 (3) Require boards to submit other educational plant  
6542 inventories data and statistical data or information relevant to  
6543 construction, capital improvements, and related costs.

6544 (4) Require each board and other appropriate agencies to  
6545 submit complete and accurate financial data as to the amounts of  
6546 funds from all sources that are available and spent for  
6547 construction and capital improvements. The commissioner shall  
6548 prescribe the format and the date for the submission of this  
6549 data and any other educational facilities data. If any district  
6550 does not submit the required educational facilities fiscal data

6551 by the prescribed date, the Commissioner of Education shall  
 6552 notify the district school board of this fact and, if  
 6553 appropriate action is not taken to immediately submit the  
 6554 required report, the district school board shall be directed to  
 6555 proceed pursuant to s. 1001.42(13)(b). If any Florida Community  
 6556 College System institution or university does not submit the  
 6557 required educational facilities fiscal data by the prescribed  
 6558 date, the same policy prescribed in this subsection for school  
 6559 districts shall be implemented.

6560 (5) Administer, under the supervision of the Commissioner  
 6561 of Education, the Public Education Capital Outlay and Debt  
 6562 Service Trust Fund and the School District and Community College  
 6563 District Capital Outlay and Debt Service Trust Fund.

6564 (6) Develop, review, update, revise, and recommend a  
 6565 mandatory portion of the Florida Building Code for educational  
 6566 facilities construction and capital improvement by Florida  
 6567 Community College System institution boards and district school  
 6568 boards.

6569 (7) Provide training, technical assistance, and building  
 6570 code interpretation for requirements of the mandatory Florida  
 6571 Building Code for the educational facilities construction and  
 6572 capital improvement programs of ~~the Florida College System~~  
 6573 ~~institution boards~~ and district school boards and, upon request,  
 6574 approve phase III construction documents for remodeling,  
 6575 renovation, or new construction of educational plants or

6576 ancillary facilities, except that Florida Community College  
6577 System institutions and university boards of trustees shall  
6578 approve specifications and construction documents for their  
6579 respective institutions pursuant to guidelines of the Board of  
6580 Governors or State Board of Community Colleges, as applicable.  
6581 The Department of Management Services may, upon request, provide  
6582 similar services for the Florida School for the Deaf and the  
6583 Blind and shall use the Florida Building Code and the Florida  
6584 Fire Prevention Code.

6585 (8) Provide minimum criteria, procedures, and training to  
6586 boards to conduct educational plant surveys and document the  
6587 determination of future needs.

6588 (9) Make available to boards technical assistance,  
6589 awareness training, and research and technical publications  
6590 relating to lifesafety, casualty, sanitation, environmental,  
6591 maintenance, and custodial issues; and, as needed, technical  
6592 assistance for survey, planning, design, construction,  
6593 operation, and evaluation of educational and ancillary  
6594 facilities and plants, facilities administrative procedures  
6595 review, and training for new administrators.

6596 (10) (a) Review and validate surveys proposed or amended by  
6597 the boards and recommend to the Commissioner of Education, the  
6598 Chancellor of the Florida Community College System, or the  
6599 Chancellor of the State University System, as appropriate, for  
6600 approval, surveys that meet the requirements of this chapter.



6601           1. The term "validate" as applied to surveys by school  
6602 districts means to review inventory data as submitted to the  
6603 department by district school boards; provide for review and  
6604 inspection, where required, of student stations and aggregate  
6605 square feet of inventory changed from satisfactory to  
6606 unsatisfactory or changed from unsatisfactory to satisfactory;  
6607 compare new school inventory to allocation limits provided by  
6608 this chapter; review cost projections for conformity with cost  
6609 limits set by s. 1013.64(6); compare total capital outlay full-  
6610 time equivalent enrollment projections in the survey with the  
6611 department's projections; review facilities lists to verify that  
6612 student station and auxiliary facility space allocations do not  
6613 exceed the limits provided by this chapter and related rules;  
6614 review and confirm the application of uniform facility  
6615 utilization factors, where provided by this chapter or related  
6616 rules; use ~~utilize~~ the documentation of programs offered per  
6617 site, as submitted by the board, to analyze facility needs;  
6618 confirm that need projections for career and adult educational  
6619 programs comply with needs documented by the Department of  
6620 Education; and confirm the assignment of full-time student  
6621 stations to all space except auxiliary facilities, which, for  
6622 purposes of exemption from student station assignment, include  
6623 the following:  
6624           a. Cafeterias.  
6625           b. Multipurpose dining areas.

6626 c. Media centers.  
 6627 d. Auditoriums.  
 6628 e. Administration.  
 6629 f. Elementary, middle, and high school resource rooms, up  
 6630 to the number of such rooms recommended for the applicable  
 6631 occupant and space design capacity of the educational plant in  
 6632 the State Requirements for Educational Facilities, beyond which  
 6633 student stations must be assigned.  
 6634 g. Elementary school skills labs, up to the number of such  
 6635 rooms recommended for the applicable occupant and space design  
 6636 capacity of the educational plant in the State Requirements for  
 6637 Educational Facilities, beyond which student stations must be  
 6638 assigned.  
 6639 h. Elementary school art and music rooms.  
 6640  
 6641 The Commissioner of Education may grant a waiver from the  
 6642 requirements of this subparagraph if a district school board  
 6643 determines that such waiver will make possible a substantial  
 6644 savings of funds or will be advantageous to the welfare of the  
 6645 educational system. The district school board shall present a  
 6646 full statement to the commissioner which sets forth the facts  
 6647 that warrant the waiver. If the commissioner denies a request  
 6648 for a waiver, the district school board may appeal such decision  
 6649 to the State Board of Education.  
 6650 2. The term "validate" as applied to surveys by Florida

6651 Community College System institutions and universities means to  
6652 review and document the approval of each new site and official  
6653 designation, where applicable; review the inventory database as  
6654 submitted by each board to the department, including noncareer,  
6655 and total capital outlay full-time equivalent enrollment  
6656 projections per site and per college; provide for the review and  
6657 inspection, where required, of student stations and aggregate  
6658 square feet of space changed from satisfactory to  
6659 unsatisfactory; use ~~utilize~~ and review the documentation of  
6660 programs offered per site submitted by the boards as accurate  
6661 for analysis of space requirements and needs; confirm that needs  
6662 projected for career and adult educational programs comply with  
6663 needs documented by the Department of Education; compare new  
6664 facility inventory to allocations limits as provided in this  
6665 chapter; review cost projections for conformity with state  
6666 averages or limits designated by this chapter; compare student  
6667 enrollment projections in the survey to the department's  
6668 projections; review facilities lists to verify that area  
6669 allocations and space factors for generating space needs do not  
6670 exceed the limits as provided by this chapter and related rules;  
6671 confirm the application of facility utilization factors as  
6672 provided by this chapter and related rules; and review, as  
6673 submitted, documentation of how survey recommendations will  
6674 implement the detail of current campus master plans and  
6675 integrate with local comprehensive plans and development

6676 regulations.

6677 (b) Recommend priority of projects to be funded.

6678 (11) Prepare the commissioner's comprehensive fixed  
 6679 capital outlay legislative budget request and provide annually  
 6680 an estimate of the funds available for developing required 3-  
 6681 year priority lists. This amount shall be based upon the average  
 6682 percentage for the 5 prior years of funds appropriated by the  
 6683 Legislature for fixed capital outlay to each level of public  
 6684 education: public schools, Florida Community College System  
 6685 institutions, and universities.

6686 (12) Perform any other functions that may be involved in  
 6687 educational facilities construction and capital improvement  
 6688 which shall ensure that the intent of the Legislature is  
 6689 implemented.

6690 Section 114. Section 1013.28, Florida Statutes, is amended  
 6691 to read:

6692 1013.28 Disposal of property.—

6693 (1) REAL PROPERTY.—

6694 (a) Subject to rules of the State Board of Education, a  
 6695 district school board or, the Board of Trustees for the Florida  
 6696 School for the Deaf and the Blind, ~~or a Florida College System~~  
 6697 ~~institution board of trustees~~ may dispose of any land or real  
 6698 property to which the board holds title which is, by resolution  
 6699 of the board, determined to be unnecessary for educational  
 6700 purposes as recommended in an educational plant survey. A

6701 district school board or the Board of Trustees for the Florida  
6702 School for the Deaf and the Blind, ~~or a Florida College System~~  
6703 ~~institution board of trustees~~ shall take diligent measures to  
6704 dispose of educational property only in the best interests of  
6705 the public. However, appraisals may be obtained by the district  
6706 school board or the Board of Trustees for the Florida School  
6707 for the Deaf and the Blind before, ~~or the Florida College System~~  
6708 ~~institution board of trustees prior to~~ or simultaneously with  
6709 the receipt of bids.

6710 (b) Subject to regulations of the Board of Governors, a  
6711 state university board of trustees may dispose of any land or  
6712 real property to which it holds valid title which is, by  
6713 resolution of the state university board of trustees, determined  
6714 to be unnecessary for educational purposes as recommended in an  
6715 educational plant survey. A state university board of trustees  
6716 shall take diligent measures to dispose of educational property  
6717 only in the best interests of the public. However, appraisals  
6718 may be obtained by the state university board of trustees prior  
6719 to or simultaneously with the receipt of bids.

6720 (c) Subject to rules of the State Board of Community  
6721 Colleges, a Florida Community College System institution board  
6722 of trustees may dispose of any land or real property to which it  
6723 holds valid title which is, by resolution of the Florida  
6724 Community College System institution board of trustees,  
6725 determined to be unnecessary for educational purposes as

6726 recommended in an educational plant survey. A Florida Community  
 6727 College System institution board of trustees shall take diligent  
 6728 measures to dispose of educational property only in the best  
 6729 interests of the public. However, appraisals may be obtained by  
 6730 the Florida Community College System institution board of  
 6731 trustees prior to or simultaneously with the receipt of bids.

6732 (2) TANGIBLE PERSONAL PROPERTY.—

6733 (a) Tangible personal property that has been properly  
 6734 classified as surplus by a district school board ~~or Florida~~  
 6735 ~~College System institution board of trustees~~ shall be disposed  
 6736 of in accordance with the procedure established by chapter 274.  
 6737 However, the provisions of chapter 274 shall not be applicable  
 6738 to a motor vehicle used in driver education to which title is  
 6739 obtained for a token amount from an automobile dealer or  
 6740 manufacturer. In such cases, the disposal of the vehicle shall  
 6741 be as prescribed in the contractual agreement between the  
 6742 automotive agency or manufacturer and the board.

6743 (b) Tangible personal property that has been properly  
 6744 classified as surplus by a state university board of trustees  
 6745 shall be disposed of in accordance with the procedure  
 6746 established by chapter 273.

6747 (c) Tangible personal property that has been properly  
 6748 classified as surplus by a Florida Community College System  
 6749 institution board of trustees shall be disposed of in accordance  
 6750 with the procedure established by chapter 274.

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6751 Section 115. Subsection (1) of section 1013.31, Florida  
6752 Statutes, is amended to read:

6753 1013.31 Educational plant survey; localized need  
6754 assessment; PECO project funding.—

6755 (1) At least every 5 years, each board shall arrange for  
6756 an educational plant survey, to aid in formulating plans for  
6757 housing the educational program and student population, faculty,  
6758 administrators, staff, and auxiliary and ancillary services of  
6759 the district or campus, including consideration of the local  
6760 comprehensive plan. The Department of Education, for school  
6761 districts, and the State Board of Community Colleges, for the  
6762 Florida Community College System, shall document the need for  
6763 additional career and adult education programs and the  
6764 continuation of existing programs before facility construction  
6765 or renovation related to career or adult education may be  
6766 included in the educational plant survey of a school district or  
6767 Florida Community College System institution that delivers  
6768 career or adult education programs. Information used by the  
6769 Department of Education or State Board of Community Colleges to  
6770 establish facility needs must include, but need not be limited  
6771 to, labor market data, needs analysis, and information submitted  
6772 by the school district or Florida Community College System  
6773 institution.

6774 (a) *Survey preparation and required data.*—Each survey  
6775 shall be conducted by the board or an agency employed by the

6776 board. Surveys shall be reviewed and approved by the board, and  
6777 a file copy shall be submitted to the Department of Education,  
6778 the Chancellor of the Florida Community College System, or the  
6779 Chancellor of the State University System, as appropriate. The  
6780 survey report shall include at least an inventory of existing  
6781 educational and ancillary plants, including safe access  
6782 facilities; recommendations for existing educational and  
6783 ancillary plants; recommendations for new educational or  
6784 ancillary plants, including the general location of each in  
6785 coordination with the land use plan and safe access facilities;  
6786 campus master plan update and detail for Florida Community  
6787 College System institutions; the use ~~utilization~~ of school  
6788 plants based on an extended school day or year-round operation;  
6789 and such other information as may be required by the Department  
6790 of Education. This report may be amended, if conditions warrant,  
6791 at the request of the department or commissioner.

6792 (b) *Required need assessment criteria for district,*  
6793 *Florida Community College System institution, state university,*  
6794 *and Florida School for the Deaf and the Blind plant surveys.*—  
6795 Educational plant surveys must use uniform data sources and  
6796 criteria specified in this paragraph. Each revised educational  
6797 plant survey and each new educational plant survey supersedes  
6798 previous surveys.

6799 1. The school district's survey must be submitted as a  
6800 part of the district educational facilities plan defined in s.



6801 1013.35. To ensure that the data reported to the Department of  
6802 Education as required by this section is correct, the department  
6803 shall annually conduct an onsite review of 5 percent of the  
6804 facilities reported for each school district completing a new  
6805 survey that year. If the department's review finds the data  
6806 reported by a district is less than 95 percent accurate, within  
6807 1 year from the time of notification by the department the  
6808 district must submit revised reports correcting its data. If a  
6809 district fails to correct its reports, the commissioner may  
6810 direct that future fixed capital outlay funds be withheld until  
6811 such time as the district has corrected its reports so that they  
6812 are not less than 95 percent accurate.

6813 2. Each survey of a special facility, joint-use facility,  
6814 or cooperative career education facility must be based on  
6815 capital outlay full-time equivalent student enrollment data  
6816 prepared by the department for school districts and Florida  
6817 Community College System institutions and by the Chancellor of  
6818 the State University System for universities. A survey of space  
6819 needs of a joint-use facility shall be based upon the respective  
6820 space needs of the school districts, Florida Community College  
6821 System institutions, and universities, as appropriate.  
6822 Projections of a school district's facility space needs may not  
6823 exceed the norm space and occupant design criteria established  
6824 by the State Requirements for Educational Facilities.

6825 3. Each Florida Community College System institution's

6826 survey must reflect the capacity of existing facilities as  
6827 specified in the inventory maintained and validated by the  
6828 Chancellor of the Florida Community College System ~~by the~~  
6829 ~~Department of Education~~. Projections of facility space needs  
6830 must comply with standards for determining space needs as  
6831 specified by rule of the State Board of Community Colleges  
6832 ~~Education~~. The 5-year projection of capital outlay student  
6833 enrollment must be consistent with the annual report of capital  
6834 outlay full-time student enrollment prepared by the Department  
6835 of Education.

6836 4. Each state university's survey must reflect the  
6837 capacity of existing facilities as specified in the inventory  
6838 maintained and validated by the Chancellor of the State  
6839 University System. Projections of facility space needs must be  
6840 consistent with standards for determining space needs as  
6841 specified by regulation of the Board of Governors. The projected  
6842 capital outlay full-time equivalent student enrollment must be  
6843 consistent with the 5-year planned enrollment cycle for the  
6844 State University System approved by the Board of Governors.

6845 5. The district educational facilities plan of a school  
6846 district and the educational plant survey of a Florida Community  
6847 College System institution, state university, or the Florida  
6848 School for the Deaf and the Blind may include space needs that  
6849 deviate from approved standards for determining space needs if  
6850 the deviation is justified by the district or institution and

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6851 approved by the department, the State Board of Community  
6852 Colleges, or the Board of Governors, as appropriate, as  
6853 necessary for the delivery of an approved educational program.

6854 (c) *Review and validation.*—The Department of Education  
6855 shall review and validate the surveys of school districts, the  
6856 Chancellor of the Florida Community College System shall review  
6857 and validate the surveys of ~~and~~ Florida Community College System  
6858 institutions, and the Chancellor of the State University System  
6859 shall review and validate the surveys of universities, and any  
6860 amendments thereto for compliance with the requirements of this  
6861 chapter and shall recommend those in compliance for approval by  
6862 the State Board of Education, the State Board of Community  
6863 Colleges, or the Board of Governors, as appropriate. Annually,  
6864 the department shall perform an in-depth analysis of a  
6865 representative sample of each survey of recommended needs for  
6866 five districts selected by the commissioner from among districts  
6867 with the largest need-to-revenue ratio. For the purpose of this  
6868 subsection, the need-to-revenue ratio is determined by dividing  
6869 the total 5-year cost of projects listed on the district survey  
6870 by the total 5-year fixed capital outlay revenue projections  
6871 from state and local sources as determined by the department.  
6872 The commissioner may direct fixed capital outlay funds to be  
6873 withheld from districts until such time as the survey accurately  
6874 projects facilities needs.

6875 (d) *Periodic update of Florida Inventory of School*

6876 Houses.—School districts shall periodically update their  
6877 inventory of educational facilities as new capacity becomes  
6878 available and as unsatisfactory space is eliminated. The State  
6879 Board of Education shall adopt rules to determine the timeframe  
6880 in which districts must provide a periodic update.

6881 Section 116. Subsections (1) and (3) of section 1013.36,  
6882 Florida Statutes, are amended to read:

6883 1013.36 Site planning and selection.—

6884 (1) Before acquiring property for sites, each district  
6885 school board and Florida Community College System institution  
6886 board of trustees shall determine the location of proposed  
6887 educational centers or campuses. In making this determination,  
6888 the board shall consider existing and anticipated site needs and  
6889 the most economical and practicable locations of sites. The  
6890 board shall coordinate with the long-range or comprehensive  
6891 plans of local, regional, and state governmental agencies to  
6892 assure the consistency of such plans. Boards are encouraged to  
6893 locate district educational facilities proximate to urban  
6894 residential areas to the extent possible, and shall seek to  
6895 collocate district educational facilities with other public  
6896 facilities, such as parks, libraries, and community centers, to  
6897 the extent possible and to encourage using elementary schools as  
6898 focal points for neighborhoods.

6899 (3) Sites recommended for purchase or purchased must meet  
6900 standards prescribed in law and such supplementary standards as

6901 the State Board of Education or State Board of Community  
6902 Colleges, as appropriate, prescribes to promote the educational  
6903 interests of the students. Each site must be well drained and  
6904 suitable for outdoor educational purposes as appropriate for the  
6905 educational program or collocated with facilities to serve this  
6906 purpose. As provided in s. 333.03, the site must not be located  
6907 within any path of flight approach of any airport. Insofar as is  
6908 practicable, the site must not adjoin a right-of-way of any  
6909 railroad or through highway and must not be adjacent to any  
6910 factory or other property from which noise, odors, or other  
6911 disturbances, or at which conditions, would be likely to  
6912 interfere with the educational program. To the extent  
6913 practicable, sites must be chosen which will provide safe access  
6914 from neighborhoods to schools.

6915 Section 117. Subsections (3) and (4) of section 1013.37,  
6916 Florida Statutes, are amended to read:

6917 1013.37 State uniform building code for public educational  
6918 facilities construction.—

6919 (3) REVIEW PROCEDURE.—The Commissioner of Education and  
6920 the Chancellor of the Florida Community College System, as  
6921 appropriate, shall cooperate with the Florida Building  
6922 Commission in addressing all questions, disputes, or  
6923 interpretations involving the provisions of the Florida Building  
6924 Code which govern the construction of public educational and  
6925 ancillary facilities, and any objections to decisions made by

6926 | the inspectors or the department must be submitted in writing.

6927 |       (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The  
 6928 | department, for school districts, and the State Board of  
 6929 | Community Colleges, for Florida Community College System  
 6930 | institutions, shall biennially review and recommend to the  
 6931 | Florida Building Commission updates and revisions to the  
 6932 | provisions of the Florida Building Code which govern the  
 6933 | construction of public educational and ancillary facilities. The  
 6934 | department, for school districts, and the State Board of  
 6935 | Community Colleges, for Florida Community College System  
 6936 | institutions, shall publish and make available to each board at  
 6937 | no cost copies of the State Requirements for Educational  
 6938 | Facilities and each amendment and revision thereto. The  
 6939 | department and state board shall make additional copies  
 6940 | available to all interested persons at a price sufficient to  
 6941 | recover costs.

6942 |       Section 118. Section 1013.40, Florida Statutes, is amended  
 6943 | to read:

6944 |       1013.40 Planning and construction of Florida Community  
 6945 | College System institution facilities; property acquisition.—

6946 |       (1) The need for Florida Community College System  
 6947 | institution facilities shall be established by a survey  
 6948 | conducted pursuant to this chapter. The facilities recommended  
 6949 | by such survey must be approved by the State Board of Community  
 6950 | Colleges ~~Education,~~ and the projects must be constructed

6951 according to the provisions of this chapter and State Board of  
6952 Community Colleges ~~Education~~ rules.

6953 (2) A ~~No~~ Florida Community College System institution may  
6954 not expend public funds for the acquisition of additional  
6955 property without the specific approval of the Legislature.

6956 (3) A ~~No~~ facility may not be acquired or constructed by a  
6957 Florida Community College System institution or its direct-  
6958 support organization if such facility requires general revenue  
6959 funds for operation or maintenance upon project completion or in  
6960 subsequent years of operation, unless prior approval is received  
6961 from the Legislature.

6962 (4) The campus of a Florida Community College System  
6963 institution within a municipality designated as an area of  
6964 critical state concern, as defined in s. 380.05, and having a  
6965 comprehensive plan and land development regulations containing a  
6966 building permit allocation system that limits annual growth, may  
6967 construct dormitories for up to 300 beds for Florida Community  
6968 College System institution students. Such dormitories are exempt  
6969 from the building permit allocation system and may be  
6970 constructed up to 45 feet in height if the dormitories are  
6971 otherwise consistent with the comprehensive plan, the Florida  
6972 Community College System institution has a hurricane evacuation  
6973 plan that requires all dormitory occupants to be evacuated 48  
6974 hours in advance of tropical force winds, and transportation is  
6975 provided for dormitory occupants during an evacuation. State

6976 funds and tuition and fee revenues may not be used for  
6977 construction, debt service payments, maintenance, or operation  
6978 of such dormitories. Additional dormitory beds constructed after  
6979 July 1, 2016, may not be financed through the issuance of bonds.

6980 Section 119. Section 1013.47, Florida Statutes, is amended  
6981 to read:

6982 1013.47 Substance of contract; contractors to give bond;  
6983 penalties.—Each board shall develop contracts consistent with  
6984 this chapter and statutes governing public facilities. Such a  
6985 contract must contain the drawings and specifications of the  
6986 work to be done and the material to be furnished, the time limit  
6987 in which the construction is to be completed, the time and  
6988 method by which payments are to be made upon the contract, and  
6989 the penalty to be paid by the contractor for a failure to comply  
6990 with the terms of the contract. The board may require the  
6991 contractor to pay a penalty for any failure to comply with the  
6992 terms of the contract and may provide an incentive for early  
6993 completion. Upon accepting a satisfactory bid, the board shall  
6994 enter into a contract with the party or parties whose bid has  
6995 been accepted. The contractor shall furnish the board with a  
6996 performance and payment bond as set forth in s. 255.05. A board  
6997 or other public entity may not require a contractor to secure a  
6998 surety bond under s. 255.05 from a specific agent or bonding  
6999 company. A person, firm, or corporation that constructs any part  
7000 of any educational plant, or addition thereto, on the basis of



7001 any unapproved plans or in violation of any plans approved in  
 7002 accordance with the provisions of this chapter and rules of the  
 7003 State Board of Education or State Board of Community Colleges or  
 7004 regulations of the Board of Governors relating to building  
 7005 standards or specifications is subject to forfeiture of the  
 7006 surety bond and unpaid compensation in an amount sufficient to  
 7007 reimburse the board for any costs that will need to be incurred  
 7008 in making any changes necessary to assure that all requirements  
 7009 are met and is also guilty of a misdemeanor of the second  
 7010 degree, punishable as provided in s. 775.082 or s. 775.083, for  
 7011 each separate violation.

7012 Section 120. Section 1013.52, Florida Statutes, is amended  
 7013 to read:

7014 1013.52 Cooperative development and joint use of  
 7015 facilities by two or more boards.—

7016 (1) Two or more boards, including district school boards,  
 7017 Florida Community College System institution boards of trustees,  
 7018 the Board of Trustees for the Florida School for the Deaf and  
 7019 the Blind, and university boards of trustees, desiring to  
 7020 cooperatively establish a common educational facility to  
 7021 accommodate students shall:

7022 (a) Jointly request a formal assessment by the  
 7023 Commissioner of Education, ~~or~~ the Chancellor of the State  
 7024 University System, or the Chancellor of the State Board of  
 7025 Community Colleges, as appropriate, of the academic program need

7026 and the need to build new joint-use facilities to house approved  
7027 programs. Completion of the assessment and approval of the  
7028 project by the State Board of Education, the State Board of  
7029 Community Colleges, the Chancellor of the Florida Community  
7030 College System, the Board of Governors, the Chancellor of the  
7031 State University System, or the Commissioner of Education, as  
7032 appropriate, should be done prior to conducting an educational  
7033 facilities survey.

7034 (b) Demonstrate the need for construction of new joint-use  
7035 facilities involving postsecondary institutions by those  
7036 institutions presenting evidence of the presence of sufficient  
7037 actual full-time equivalent enrollments in the locale in leased,  
7038 rented, or borrowed spaces to justify the requested facility for  
7039 the programs identified in the formal assessment rather than  
7040 using projected or anticipated future full-time equivalent  
7041 enrollments as justification. If the decision is made to  
7042 construct new facilities to meet this demonstrated need, then  
7043 building plans should consider full-time equivalent enrollment  
7044 growth facilitated by this new construction and subsequent new  
7045 program offerings made possible by the existence of the new  
7046 facilities.

7047 (c) Adopt and submit to the Commissioner of Education, the  
7048 Chancellor of the Florida Community College System, or ~~and~~ the  
7049 Chancellor of the State University System, as appropriate, if  
7050 the joint request involves a state university, a joint

7051 resolution of the participating boards indicating their  
7052 commitment to the utilization of the requested facility and  
7053 designating the locale of the proposed facility. The joint  
7054 resolution shall contain a statement of determination by the  
7055 participating boards that alternate options, including the use  
7056 of leased, rented, or borrowed space, were considered and found  
7057 less appropriate than construction of the proposed facility. The  
7058 joint resolution shall contain assurance that the development of  
7059 the proposed facility has been examined in conjunction with the  
7060 programs offered by neighboring public educational facilities  
7061 offering instruction at the same level. The joint resolution  
7062 also shall contain assurance that each participating board shall  
7063 provide for continuity of educational progression. All joint  
7064 resolutions shall be submitted by August 1 for consideration of  
7065 funding by the subsequent Legislature.

7066 (d) Submit requests for funding of joint-use facilities  
7067 projects involving state universities and Florida Community  
7068 College System institutions for approval by the Chancellor of  
7069 the Florida Community College System ~~Commissioner of Education~~  
7070 and the Chancellor of the State University System. The  
7071 Chancellor of the Florida Community College System ~~Commissioner~~  
7072 ~~of Education~~ and the Chancellor of the State University System  
7073 shall jointly determine the priority for funding these projects  
7074 in relation to the priority of all other capital outlay projects  
7075 under their consideration. To be eligible for funding from the

7076 Public Education Capital Outlay and Debt Service Trust Fund  
 7077 under the provisions of this section, projects involving both  
 7078 state universities and Florida Community College System  
 7079 institutions shall appear on the 3-year capital outlay priority  
 7080 lists of Florida Community College System institutions and of  
 7081 universities required by s. 1013.64. Projects involving a state  
 7082 university, a Florida Community College System institution, and  
 7083 a public school, and in which the larger share of the proposed  
 7084 facility is for the use of the state university or the Florida  
 7085 Community College System institution, shall appear on the 3-year  
 7086 capital outlay priority lists of the Florida Community College  
 7087 System institutions or of the universities, as applicable.

7088 (e) Include in their joint resolution for the joint-use  
 7089 facilities, comprehensive plans for the operation and management  
 7090 of the facility upon completion. Institutional responsibilities  
 7091 for specific functions shall be identified, including  
 7092 designation of one participating board as sole owner of the  
 7093 facility. Operational funding arrangements shall be clearly  
 7094 defined.

7095 (2) An educational plant survey must be conducted within  
 7096 90 days after submission of the joint resolution and  
 7097 substantiating data describing the benefits to be obtained, the  
 7098 programs to be offered, and the estimated cost of the proposed  
 7099 project. Upon completion of the educational plant survey, the  
 7100 participating boards may include the recommended projects in

7101 their plan as provided in s. 1013.31. Upon approval of the  
 7102 project by the commissioner, the Chancellor of the Florida  
 7103 Community College System, or the Chancellor of the State  
 7104 University System, as appropriate, 25 percent of the total cost  
 7105 of the project, or the pro rata share based on space utilization  
 7106 of 25 percent of the cost, must be included in the department's  
 7107 legislative capital outlay budget request as provided in s.  
 7108 1013.60 for educational plants. The participating boards must  
 7109 include in their joint resolution a commitment to finance the  
 7110 remaining funds necessary to complete the planning,  
 7111 construction, and equipping of the facility. Funds from the  
 7112 Public Education Capital Outlay and Debt Service Trust Fund may  
 7113 not be expended on any project unless specifically authorized by  
 7114 the Legislature.

7115 (3) Included in all proposals for joint-use facilities  
 7116 must be documentation that the proposed new campus or new joint-  
 7117 use facility has been reviewed by the State Board of Education,  
 7118 the State Board of Community Colleges, or the Board of  
 7119 Governors, as appropriate, and has been formally requested for  
 7120 authorization by the Legislature.

7121 (4) A ~~No~~ district school board, Florida Community College  
 7122 System institution, or state university may not ~~shall~~ receive  
 7123 funding for more than one approved joint-use facility per campus  
 7124 in any 3-year period.

7125 Section 121. Subsection (1) of section 1013.65, Florida

7126 Statutes, is amended to read:

7127 1013.65 Educational and ancillary plant construction  
 7128 funds; Public Education Capital Outlay and Debt Service Trust  
 7129 Fund; allocation of funds.—

7130 (1) The commissioner, through the department, shall  
 7131 administer the Public Education Capital Outlay and Debt Service  
 7132 Trust Fund. The commissioner shall allocate or reallocate funds  
 7133 as authorized by the Legislature. Copies of each allocation or  
 7134 reallocation shall be provided to members of the State Board of  
 7135 Education, the State Board of Community Colleges, and the Board  
 7136 of Governors and to the chairs of the House of Representatives  
 7137 and Senate appropriations committees. The commissioner shall  
 7138 provide for timely encumbrances of funds for duly authorized  
 7139 projects. Encumbrances may include proceeds to be received under  
 7140 a resolution approved by the State Board of Education  
 7141 authorizing the issuance of public education capital outlay  
 7142 bonds pursuant to s. 9(a)(2), Art. XII of the State  
 7143 Constitution, s. 215.61, and other applicable law. The  
 7144 commissioner shall provide for the timely disbursement of moneys  
 7145 necessary to meet the encumbrance authorizations of the boards.  
 7146 Records shall be maintained by the department to identify  
 7147 legislative appropriations, allocations, encumbrance  
 7148 authorizations, disbursements, transfers, investments, sinking  
 7149 funds, and revenue receipts by source. The Department of  
 7150 Education shall pay the administrative costs of the Public

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7151 Education Capital Outlay and Debt Service Trust Fund from the  
7152 funds which comprise the trust fund.

7153       Section 122. The Division of Law Revision and Information  
7154 is directed to prepare a reviser's bill for the 2018 Regular  
7155 Session to substitute the term "Florida Community College  
7156 System" for "Florida College System" and the term "Florida  
7157 Community College System institution" for "Florida College  
7158 System institution" wherever those terms appear in the Florida  
7159 Statutes.

7160       Section 123. Except as otherwise expressly provided in  
7161 this act and except for this section, which shall take effect  
7162 upon becoming a law, this act shall take effect October 1, 2018.