

By Senators Hukill, Galvano, and Simpson

14-00176A-17

2017374__

1 A bill to be entitled
2 An act relating to postsecondary education; providing
3 a short title; renaming the Florida College System as
4 the Florida Community College System; creating the
5 State Board of Community Colleges; requiring the
6 Governor to appoint the membership of the board;
7 providing that the appointments are subject to
8 confirmation by the Senate; requiring the Division of
9 Florida Colleges to provide administrative support to
10 the board until a specified date; transferring the
11 Florida College System and the Division of Florida
12 Colleges to the State Board of Community Colleges by a
13 specified date; requiring the State Board of Community
14 Colleges 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 and assigning and housing it for administrative
22 purposes, only, within the department; providing the
23 personnel for the state board; providing the powers
24 and duties of the state board; requiring the state
25 board to conduct an organizational meeting by a
26 specified date; amending s. 1000.03, F.S.; revising
27 the function and mission of the Florida K-20 education
28 system; requiring the State Board of Community
29 Colleges to oversee enforcement of Florida Community
30 College System laws and rules; amending s. 1000.05,
31 F.S.; requiring the State Board of Community Colleges,
32 instead of the Commissioner of Education, to make

14-00176A-17

2017374__

33 certain determinations regarding equal opportunities
34 at Florida Community College System institutions;
35 requiring the State Board of Community Colleges to
36 adopt rules; amending s. 1001.02, F.S.; revising the
37 general powers of the State Board of Education to
38 exempt provisions relating to the Florida Community
39 College System; amending s. 1001.03, F.S.; revising
40 certain articulation accountability and enforcement
41 measures; requiring the State Board of Education to
42 collect information in conjunction with the Board of
43 Governors and the State Board of Community Colleges;
44 deleting duties of the State Board of Education
45 regarding the Florida Community College System;
46 amending ss. 1001.10 and 1001.11, F.S.; revising the
47 general powers and duties of the Commissioner of
48 Education to exempt certain powers and duties related
49 to the Florida Community College System; amending s.
50 1001.20, F.S.; revising duties of the Office of
51 Inspector General within the department regarding the
52 Florida Community College System; amending s. 1001.28,
53 F.S.; providing that the powers and duties of the
54 State Board of Community Colleges are not abrogated,
55 superseded, altered, or amended by certain provisions
56 relating to the department's duties for distance
57 learning; amending s. 1001.42, F.S.; prohibiting a
58 technical center governing board from approving
59 certain types of courses and programs; amending s.
60 1001.44, F.S.; providing the primary mission of a
61 career center operated by a district school board;

14-00176A-17

2017374__

62 prohibiting specified career centers from offering
63 certain courses and programs; amending s. 1001.60,
64 F.S.; conforming provisions to changes made by the
65 act; creating s. 1001.601, F.S.; establishing the
66 State Board of Community Colleges; providing the
67 membership of the board; creating s. 1001.602, F.S.;
68 providing the responsibilities and duties of the State
69 Board of Community Colleges; requiring the board to
70 coordinate with the State Board of Education; amending
71 ss. 1001.61, 1001.64, 1001.65, 1001.66, and 1001.67,
72 F.S.; conforming provisions to changes made by the
73 act; amending s. 1001.706, F.S.; revising cooperation
74 duties of the Board of Governors to include
75 requirements for working with the State Board of
76 Community Colleges; amending s. 1002.34, F.S.;
77 providing the primary mission of a charter technical
78 career center; prohibiting specified career centers or
79 charter technical career centers from offering certain
80 courses and programs; requiring the State Board of
81 Education to adopt rules; amending s. 1003.491, F.S.;
82 revising the Florida Career and Professional Education
83 Act to require the State Board of Community Colleges
84 to recommend, jointly with the Board of Governors and
85 the Commissioner of Education, certain deadlines for
86 new core courses; amending s. 1003.493, F.S.; revising
87 department duties regarding articulation and the
88 transfer of credits to postsecondary institutions to
89 include consultation with the State Board of Community
90 Colleges; amending s. 1004.015, F.S.; providing that

14-00176A-17

2017374__

91 the Higher Education Coordinating Council serves as an
92 advisory board to, in addition to other bodies, the
93 State Board of Community Colleges; revising council
94 reporting requirements to include a report to the
95 State Board of Community Colleges; requiring the State
96 Board of Community Colleges, in addition to other
97 entities, to provide administrative support for the
98 council; amending ss. 1004.02 and 1004.03, F.S.;

99 conforming provisions to changes made by the act;
100 amending s. 1004.04, F.S.; revising department
101 reporting requirements regarding teacher preparation
102 programs to require a report to the State Board of
103 Community Colleges; amending s. 1004.07, F.S.;

104 providing that the State Board of Community Colleges,
105 instead of the State Board of Education, provide
106 guidelines for Florida Community College System
107 institution boards of trustees' policies; amending ss.
108 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, and
109 1004.6495, F.S.; conforming provisions to changes made
110 by the act; amending s. 1004.65, F.S.; revising
111 Florida Community College System institution
112 governance, mission, and responsibilities to provide
113 authority and duties to the State Board of Community
114 Colleges, instead of the State Board of Education;
115 providing that offering upper-level instruction and
116 awarding baccalaureate degrees are a secondary and not
117 a primary role of a Florida Community College System
118 institution; amending ss. 1004.67, 1004.70, and
119 1004.71, F.S.; conforming provisions to changes made

14-00176A-17

2017374__

120 by the act; amending s. 1004.74, F.S.; requiring the
121 Chancellor of the Florida Community College System,
122 jointly with the Commissioner of Education, to appoint
123 members of the Council for the Florida School for the
124 Arts; amending ss. 1004.78 and 1004.80, F.S.;
125 conforming provisions to changes made by the act;
126 amending s. 1004.91, F.S.; requiring the State Board
127 of Community Colleges, instead of the State Board of
128 Education, to provide certain rules for Florida
129 Community College System institutions regarding
130 requirements for career education program basic
131 skills; amending s. 1004.92, F.S.; providing
132 accountability for career education for the State
133 Board of Community Colleges; revising the department's
134 accountability for career education; requiring the
135 State Board of Education and the State Board of
136 Community Colleges to adopt rules; amending s.
137 1004.925, F.S.; revising industry certification
138 requirements for automotive service technology
139 education programs to include the State Board of
140 Community Colleges; amending s. 1004.93, F.S.;
141 conforming provisions to changes made by the act;
142 amending s. 1006.60, F.S.; authorizing sanctions for
143 violations of certain rules of the State Board of
144 Community Colleges, instead of the State Board of
145 Education; amending ss. 1006.61, 1006.62, and 1006.71,
146 F.S.; conforming provisions to changes made by the
147 act; amending s. 1007.01, F.S.; revising the role of
148 the State Board of Education and the Board of

14-00176A-17

2017374__

149 Governors in the statewide articulation system to
150 include the State Board of Community Colleges and the
151 Chancellor of the Florida Community College System;
152 amending s. 1007.23, F.S.; requiring each Florida
153 Community College System institution to execute at
154 least one "2+2" targeted pathway articulation
155 agreement by a specified time; providing requirements
156 and student eligibility for the agreements; requiring
157 the State Board of Community Colleges and the Board of
158 Governors to collaborate to eliminate barriers for the
159 agreements; amending s. 1007.24, F.S.; revising the
160 statewide course numbering system to include
161 participation by and input from the State Board of
162 Community Colleges and the Chancellor of the Florida
163 Community College System; amending ss. 1007.25,
164 1007.262, 1007.263, 1007.264, 1007.265, and 1007.27,
165 F.S.; conforming provisions to changes made by the
166 act; amending s. 1007.271, F.S.; requiring the State
167 Board of Education to collaborate with the State Board
168 of Community Colleges regarding certain articulation
169 agreements; amending s. 1007.273, F.S.; requiring the
170 State Board of Community Colleges to enforce
171 compliance with certain provisions relating to the
172 collegiate high school program by a specified date
173 each year; amending s. 1007.33, F.S.; prohibiting
174 Florida Community College System institutions from
175 offering bachelor of arts degree programs; deleting
176 provisions relating to an authorization for the Board
177 of Trustees of St. Petersburg College to establish

14-00176A-17

2017374__

178 certain baccalaureate degree programs; revising the
179 approval process for baccalaureate degree programs
180 proposed by Florida Community College System
181 institutions; requiring a Florida Community College
182 System institution to annually report certain
183 information to the State Board of Community Colleges,
184 the Chancellor of the State University System, and the
185 Legislature; revising the circumstances under which a
186 baccalaureate degree program may be required to be
187 modified or terminated; requiring the termination of a
188 baccalaureate degree program under certain
189 circumstances; restricting total upper-level,
190 undergraduate full-time equivalent enrollment at
191 Florida Community College System institutions under
192 certain circumstances; amending s. 1008.30, F.S.;
193 requiring the State Board of Community Colleges,
194 rather than the State Board of Education, to develop
195 and implement a specified common placement test and
196 approve a specified series of meta-majors and academic
197 pathways with the Board of Governors; amending s.
198 1008.31, F.S.; revising the legislative intent of
199 Florida's K-20 education performance and
200 accountability system to include recommendations from
201 and reports to the State Board of Community Colleges;
202 amending s. 1008.32, F.S.; removing the oversight
203 enforcement authority of the State Board of Education
204 relating to the Florida Community College System;
205 amending s. 1008.345, F.S.; removing provisions
206 requiring the department to maintain a listing of

14-00176A-17

2017374__

207 certain skills associated with the system of
208 educational accountability; amending s. 1008.37, F.S.;
209 revising certain student reporting requirements of the
210 Commissioner of Education to also require a report to
211 the State Board of Community Colleges; amending s.
212 1008.38, F.S.; revising the articulation
213 accountability process to include participation by the
214 State Board of Community Colleges; amending s.
215 1008.405, F.S.; requiring the State Board of Community
216 Colleges to adopt rules for the maintaining of
217 specific information by Florida Community College
218 System institutions; amending ss. 1008.44, 1008.45,
219 1009.21, 1009.22, 1009.23, and 1009.25, F.S.;
220 conforming provisions to changes made by the act;
221 amending s. 1009.26, F.S.; requiring that certain
222 information regarding fee waivers be reported to the
223 State Board of Community Colleges; requiring the State
224 Board of Community Colleges to adopt rules; amending
225 s. 1009.28, F.S.; conforming provisions to changes
226 made by the act; amending ss. 1009.90 and 1009.91,
227 F.S.; revising the duties of the department to include
228 reports to the State Board of Community Colleges;
229 amending s. 1009.971, F.S.; conforming provisions to
230 changes made by the act; amending s. 1010.01, F.S.;
231 requiring the financial records and accounts of
232 Florida Community College System institutions to
233 follow rules of the State Board of Community Colleges,
234 instead of the State Board of Education; requiring
235 each Florida Community College System institution to

14-00176A-17

2017374__

236 annually file specified financial statements with the
237 State Board of Community Colleges; amending ss.
238 1010.02 and 1010.04, F.S.; requiring the funds
239 accruing to and purchases and leases by Florida
240 Community College System institutions to follow rules
241 of the State Board of Community Colleges, instead of
242 the State Board of Education; amending s. 1010.07,
243 F.S.; requiring certain contractors to give bonds in
244 an amount set by the State Board of Community
245 Colleges; amending s. 1010.08, F.S.; authorizing
246 Florida Community College System board of trustees to
247 budget for promotion and public relations from certain
248 funds; amending ss. 1010.09, 1010.22, 1010.30, and
249 1010.58, F.S.; conforming provisions to changes made
250 by the act; amending s. 1011.01, F.S.; requiring each
251 Florida Community College System institution board of
252 trustees to submit an annual operating budget
253 according to rules of the State Board of Community
254 Colleges; amending s. 1011.011, F.S.; requiring the
255 State Board of Education to collaborate with the State
256 Board of Community Colleges for legislative budget
257 requests relating to Florida Community College System
258 institutions; amending ss. 1011.30 and 1011.32, F.S.;
259 conforming provisions to changes made by the act;
260 amending s. 1011.80, F.S.; conforming provisions to
261 changes made by the act; authorizing the State Board
262 of Community Colleges to adopt rules; amending s.
263 1011.801, F.S.; specifying duties of the State Board
264 of Community Colleges regarding funds for the

14-00176A-17

2017374__

265 operation of workforce education programs and the
266 Workforce Development Capitalization Incentive Grant
267 Program; amending ss. 1011.81, 1011.82, 1011.83,
268 1011.84, and 1011.85, F.S.; conforming provisions to
269 changes made by the act; amending s. 1012.01, F.S.;
270 redefining the term "school officers"; amending ss.
271 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,
272 F.S.; conforming provisions to changes made by the
273 act; amending s. 1013.01, F.S.; providing that the
274 term "board" does not include the State Board of
275 Community Colleges when used in the context of certain
276 educational facilities provisions; amending ss.
277 1013.02 and 1013.03, F.S.; requiring the State Board
278 of Community Colleges to adopt rules for and provide
279 functions relating to educational facilities; amending
280 s. 1013.28, F.S.; authorizing Florida Community
281 College System institution boards of trustees to
282 dispose of land or real property subject to rules of
283 the State Board of Community Colleges; amending s.
284 1013.31, F.S.; specifying the role of the State Board
285 of Community Colleges in educational plant surveys for
286 Florida Community College System institutions;
287 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
288 conforming provisions to changes made by the act;
289 amending s. 1013.47, F.S.; providing that certain
290 contractors are subject to rules of the State Board of
291 Community Colleges; amending s. 1013.52, F.S.;
292 specifying duties of the State Board of Community
293 Colleges with regard to the cooperative development

14-00176A-17

2017374__

294 and joint use of facilities; amending s. 1013.65,
295 F.S.; requiring the State Board of Community Colleges
296 to be provided with copies of authorized allocations
297 or reallocations for the Public Education Capital
298 Outlay and Debt Service Trust Fund; requiring the
299 Board of Governors and the State Board of Community
300 Colleges to submit a report to the Governor and the
301 Legislature by a specified date; providing a directive
302 to the Division of Law Revision and Information;
303 providing effective dates.
304

305 Be It Enacted by the Legislature of the State of Florida:
306

307 Section 1. This act may be cited as the "College
308 Competitiveness Act of 2017."

309 Section 2. Florida Community College System Governance.—

310 (1) Effective July 1, 2017:

311 (a) The Florida College System, established in s. 1001.60,
312 Florida Statutes, is renamed as the Florida Community College
313 System.

314 (b) The State Board of Community Colleges is created,
315 pursuant to s. 20.156, Florida Statutes, to oversee and
316 coordinate the Florida Community College System. The Governor
317 shall appoint the membership of the State Board of Community
318 Colleges, subject to confirmation by the Senate, in time for the
319 members to convene for the board's organizational meeting
320 pursuant to s. 20.156(5), Florida Statutes.

321 (c) The Division of Florida Colleges shall provide
322 administrative support to the State Board of Community Colleges

14-00176A-17

2017374__

323 until September 30, 2017.

324 (2) (a) Effective October 1, 2017, powers, duties,
325 functions, records, offices, personnel, property, pending issues
326 and existing contracts, administrative authority, administrative
327 rules, and unexpended balances of appropriations, allocations,
328 and other funds related to the Florida College System and the
329 Division of Florida Colleges are transferred by a type two
330 transfer, as defined in s. 20.06(2), Florida Statutes, from the
331 State Board of Education to the State Board of Community
332 Colleges.

333 (b) The State Board of Community Colleges shall appoint a
334 Chancellor of the Florida Community College System by November
335 1, 2017, to aid the board in the implementation of its
336 responsibilities.

337 (c) Any current State Board of Education approvals,
338 policies, guidance, and appointments remain effective unless
339 acted upon by the State Board of Community Colleges.

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

342 20.15 Department of Education.—There is created a
343 Department of Education.

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

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

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

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

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

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

351 (e) ~~(f)~~ Division of Accountability, Research, and

14-00176A-17

2017374__

352 Measurement.

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

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

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

357 1. The Office of Early Learning, which shall be
358 administered by an executive director who is fully accountable
359 to the Commissioner of Education. The executive director shall,
360 pursuant to s. 1001.213, administer the early learning programs,
361 including the school readiness program and the Voluntary
362 Prekindergarten Education Program at the state level.

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

366 (8) SUPPORT SERVICES.—The Department of Education shall
367 continue to provide support to the Board of Governors of the
368 State University System and to the State Board of Community
369 Colleges of the Florida Community College System. At a minimum,
370 support services provided to the Board of Governors and the
371 State Board of Community Colleges shall include accounting,
372 printing, computer and Internet support, personnel and human
373 resources support, support for accountability initiatives, and
374 administrative support as needed for trust funds under the
375 jurisdiction of the Board of Governors and the State Board of
376 Community Colleges.

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

379 20.156 State Board of Community Colleges.—

380 (1) GENERAL PROVISIONS.—The State Board of Community

14-00176A-17

2017374__

381 Colleges is created. For the purposes of s. 6, Art. IV of the
382 State Constitution, the state board shall be assigned to and
383 administratively housed within the Department of Education.
384 However, the state board shall independently exercise the powers
385 and duties in s. 1001.602; is a separate budget program; and is
386 not subject to control, supervision, or direction by the
387 department. For purposes of this section, the State Board of
388 Community Colleges is referred to as the "state board."

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

393 (3) PERSONNEL.—The state board shall appoint a Chancellor
394 of the Florida Community College System by November 1, 2017, to
395 aid in carrying out the state board's duties. The chancellor is
396 the chief executive officer and secretary to the state board and
397 directs the activities of the staff of the state board. The
398 Chancellor of the Division of Florida Colleges shall serve as
399 the Chancellor of the Florida Community College System until the
400 state board selects a chancellor.

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

404 (5) ORGANIZATION.—The state board shall, by September 30,
405 2017, conduct an organizational meeting to adopt bylaws, elect a
406 chair and vice chair from the membership, and fix dates and
407 places for regular meetings.

408 Section 5. Subsections (2) and (4) of section 1000.03,
409 Florida Statutes, are amended to read:

14-00176A-17

2017374__

410 1000.03 Function, mission, and goals of the Florida K-20
411 education system.—

412 (2) (a) The Legislature shall establish education policy,
413 enact education laws, and appropriate and allocate education
414 resources.

415 (b) With the exception of matters relating to the State
416 University System and the Florida Community College System, the
417 State Board of Education shall oversee the enforcement of all
418 laws and rules, and the timely provision of direction,
419 resources, assistance, intervention when needed, and strong
420 incentives and disincentives to force accountability for
421 results.

422 (c) The Board of Governors shall oversee the enforcement of
423 all state university laws and rules and regulations and the
424 timely provision of direction, resources, assistance,
425 intervention when needed, and strong incentives and
426 disincentives to force accountability for results.

427 (d) The State Board of Community Colleges shall oversee the
428 enforcement of all Florida Community College System laws and
429 rules and the timely provision of direction, resources,
430 assistance, intervention when needed, and strong incentives and
431 disincentives to force accountability for results.

432 (4) The mission of Florida's K-20 education system is to
433 allow its students to increase their proficiency by allowing
434 them the opportunity to expand their knowledge and skills
435 through rigorous and relevant learning opportunities, in
436 accordance with the mission of the applicable career center or
437 system ~~statement~~ and the accountability requirements of s.
438 1008.31, and to avoid wasteful duplication of programs offered

14-00176A-17

2017374__

439 by state universities, Florida Community College System
440 institutions, and career centers and charter technical career
441 centers that are operated by a district school board or a
442 Florida Community College System institution board of trustees.

443 Section 6. Paragraph (d) of subsection (3) and subsections
444 (5) and (6) of section 1000.05, Florida Statutes, are amended to
445 read:

446 1000.05 Discrimination against students and employees in
447 the Florida K-20 public education system prohibited; equality of
448 access required.-

449 (3)

450 (d) A public K-20 educational institution which operates or
451 sponsors interscholastic, intercollegiate, club, or intramural
452 athletics shall provide equal athletic opportunity for members
453 of both genders.

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

456 2. The Commissioner of Education, for school districts, and
457 the Chancellor of the Florida Community College System, for
458 Florida Community College System institutions, shall determine
459 whether equal opportunities are available in school districts
460 and Florida Community College System institutions. In
461 determining whether equal opportunities are available in school
462 districts and Florida Community College System institutions, the
463 Commissioner of Education and the Chancellor of the Florida
464 Community College System shall consider, among other factors:

465 a. Whether the selection of sports and levels of
466 competition effectively accommodate the interests and abilities
467 of members of both genders.

14-00176A-17

2017374__

- 468 b. The provision of equipment and supplies.
469 c. Scheduling of games and practice times.
470 d. Travel and per diem allowances.
471 e. Opportunities to receive coaching and academic tutoring.
472 f. Assignment and compensation of coaches and tutors.
473 g. Provision of locker room, practice, and competitive
474 facilities.
475 h. Provision of medical and training facilities and
476 services.
477 i. Provision of housing and dining facilities and services.
478 j. Publicity.

479
480 Unequal aggregate expenditures for members of each gender or
481 unequal expenditures for male and female teams if a public
482 school or Florida Community College System institution operates
483 or sponsors separate teams do not constitute nonimplementation
484 of this subsection, but the Commissioner of Education shall
485 consider the failure to provide necessary funds for teams for
486 one gender in assessing equality of opportunity for members of
487 each gender.

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

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

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

496 (6) The functions of the State Board of Community Colleges

14-00176A-17

2017374__

497 for Florida Community College System institutions and the Office
498 of Equal Educational Opportunity of the Department of Education
499 shall include, but are not limited to:

500 (a) Requiring all district school boards and Florida
501 Community College System institution boards of trustees to
502 develop and submit plans for the implementation of this section
503 to the Department of Education.

504 (b) Conducting periodic reviews of school districts and
505 Florida Community College System institutions to determine
506 compliance with this section and, after a finding that a school
507 district or a Florida Community College System institution is
508 not in compliance with this section, notifying the entity of the
509 steps that it must take to attain compliance and performing
510 followup monitoring.

511 (c) Providing technical assistance, including assisting
512 school districts or Florida Community College System
513 institutions in identifying unlawful discrimination and
514 instructing them in remedies for correction and prevention of
515 such discrimination and performing followup monitoring.

516 (d) Conducting studies of the effectiveness of methods and
517 strategies designed to increase the participation of students in
518 programs and courses in which students of a particular race,
519 ethnicity, national origin, gender, disability, or marital
520 status have been traditionally underrepresented and monitoring
521 the success of students in such programs or courses, including
522 performing followup monitoring.

523 (e) Requiring all district school boards and Florida
524 Community College System institution boards of trustees to
525 submit data and information necessary to determine compliance

14-00176A-17

2017374__

526 with this section. The Commissioner of Education, for school
527 districts, and the Chancellor of the Florida Community College
528 System, for Florida Community College System institutions, shall
529 prescribe the format and the date for submission of such data
530 and any other educational equity data. If any board does not
531 submit the required compliance data or other required
532 educational equity data by the prescribed date, the commissioner
533 shall notify the board of this fact and, if the board does not
534 take appropriate action to immediately submit the required
535 report, the State Board of Education shall impose monetary
536 sanctions.

537 (f) Based upon rules of the State Board of Education, for
538 school districts, and the State Board of Community Colleges, for
539 Florida Community College System institutions, developing and
540 implementing enforcement mechanisms with appropriate penalties
541 to ensure that public K-12 schools and Florida Community College
542 System institutions comply with Title IX of the Education
543 Amendments of 1972 and subsection (3) of this section. However,
544 the State Board of Education may not force a public school or
545 Florida Community College System institution to conduct, nor
546 penalize such entity for not conducting, a program of athletic
547 activity or athletic scholarship for female athletes unless it
548 is an athletic activity approved for women by a recognized
549 association whose purpose is to promote athletics and a
550 conference or league exists to promote interscholastic or
551 intercollegiate competition for women in that athletic activity.

552 (g) Reporting to the Commissioner of Education, for school
553 districts, or to the Chancellor of the Florida Community College
554 System, for Florida Community College System institutions, any

14-00176A-17

2017374__

555 district school board or Florida Community College System
 556 institution board of trustees found to be out of compliance with
 557 rules of the State Board of Education or the State Board of
 558 Community Colleges adopted as required by paragraph (f) or
 559 paragraph (3) (d). To penalize the respective board, the State
 560 Board of Education or the State Board of Community Colleges, as
 561 applicable, shall:

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

564 2. Notwithstanding the provisions of s. 216.192, direct the
 565 Chief Financial Officer to withhold general revenue funds
 566 sufficient to obtain compliance from the school district or
 567 Florida Community College System institution.

568
 569 The school district or Florida Community College System
 570 institution shall remain ineligible and the funds may ~~shall~~ not
 571 be paid until the institution comes into compliance or the State
 572 Board of Education or the State Board of Community Colleges, as
 573 applicable, approves a plan for compliance.

574 Section 7. Section 1001.02, Florida Statutes, is amended to
 575 read:

576 1001.02 General powers of State Board of Education.—

577 (1) The State Board of Education is the chief implementing
 578 and coordinating body of public education in Florida except for
 579 the State University System and the Florida Community College
 580 System, and it shall focus on high-level policy decisions. It
 581 has authority to adopt rules pursuant to ss. 120.536(1) and
 582 120.54 to implement the provisions of law conferring duties upon
 583 it for the improvement of the state system of K-20 public

14-00176A-17

2017374__

584 education except for the State University System and the Florida
585 Community College System. Except as otherwise provided herein,
586 it may, as it finds appropriate, delegate its general powers to
587 the Commissioner of Education or the directors of the divisions
588 of the department.

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

590 (a) To adopt comprehensive educational objectives for
591 public education except for the State University System and the
592 Florida Community College System.

593 (b) To adopt comprehensive long-range plans and short-range
594 programs for the development of the state system of public
595 education except for the State University System and the Florida
596 Community College System.

597 (c) To exercise general supervision over the divisions of
598 the Department of Education as necessary to ensure coordination
599 of educational plans and programs and resolve controversies and
600 to minimize problems of articulation and student transfers, to
601 ensure that students moving from one level of education to the
602 next have acquired competencies necessary for satisfactory
603 performance at that level, and to ensure maximum utilization of
604 facilities.

605 (d) To adopt, in consultation with the Board of Governors
606 and the State Board of Community Colleges, and from time to time
607 modify, minimum and uniform standards of college-level
608 communication and computation skills generally associated with
609 successful performance and progression through the baccalaureate
610 level and to identify college-preparatory high school coursework
611 and postsecondary-level coursework that prepares students with
612 the academic skills necessary to succeed in postsecondary

14-00176A-17

2017374__

613 education.

614 (e) To adopt and submit to the Governor and Legislature, as
615 provided in s. 216.023, a coordinated K-20 education budget that
616 estimates the expenditure requirements for the Board of
617 Governors, as provided in s. 1001.706, the State Board of
618 Education, including the Department of Education and the
619 Commissioner of Education, and all of the boards, institutions,
620 agencies, and services under the general supervision of the
621 Board of Governors, as provided in s. 1001.706, the State Board
622 of Community Colleges, as provided in s. 1001.602, or the State
623 Board of Education for the ensuing fiscal year. The State Board
624 of Education may not amend the budget request submitted by the
625 Board of Governors or the State Board of Community Colleges. Any
626 program recommended by the Board of Governors, the State Board
627 of Community Colleges, or the State Board of Education which
628 will require increases in state funding for more than 1 year
629 must be presented in a multiyear budget plan.

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

634 (g) To approve plans for cooperating with the Federal
635 Government.

636 (h) To approve plans for cooperating with other public
637 agencies in the development of rules and in the enforcement of
638 laws for which the state board and such agencies are jointly
639 responsible.

640 (i) To review plans for cooperating with appropriate
641 nonpublic agencies for the improvement of conditions relating to

14-00176A-17

2017374__

642 the welfare of schools.

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

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

648 (l) To assist in the economic development of the state by
649 developing a state-level planning process to identify future
650 training needs for industry, especially high-technology
651 industry.

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

655 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
656 120.54, within statutory authority.

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

659 (p) To contract with independent institutions accredited by
660 an agency whose standards are comparable to the minimum
661 standards required to operate a postsecondary career center
662 ~~educational institution at that level in the state.~~ The purpose
663 of the contract is to provide those educational programs and
664 facilities which will meet needs unfulfilled by the state system
665 of public postsecondary education.

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

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

14-00176A-17

2017374__

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

674 (t) To establish accountability standards for existing
675 legislative performance goals, standards, and measures, and
676 order the development of mechanisms to implement new legislative
677 goals, standards, and measures.

678 (u) To adopt criteria and implementation plans for future
679 growth issues, ~~such as new Florida College System institutions~~
680 ~~and Florida College System institution campus mergers,~~ and to
681 provide for cooperative agreements between and within public and
682 private education sectors.

683 (v) To develop, in conjunction with the Board of Governors
684 and the State Board of Community Colleges, and periodically
685 review for adjustment, a coordinated 5-year plan for
686 postsecondary enrollment, identifying enrollment and graduation
687 expectations by baccalaureate degree program, and annually
688 submit the plan to the Legislature as part of its legislative
689 budget request.

690 ~~(w) Beginning in the 2014-2015 academic year and annually~~
691 ~~thereafter, to require each Florida College System institution~~
692 ~~prior to registration to provide each enrolled student~~
693 ~~electronic access to the economic security report of employment~~
694 ~~and earning outcomes prepared by the Department of Economic~~
695 ~~Opportunity pursuant to s. 445.07.~~

696 (3) (a) The State Board of Education shall adopt a strategic
697 plan that specifies goals and objectives for the state's public
698 schools ~~and Florida College System institutions.~~ The plan shall
699 be formulated in conjunction with plans of the Board of

14-00176A-17

2017374__

700 Governors and the State Board of Community Colleges in order to
701 provide for the roles of the universities and Florida Community
702 College System institutions to be coordinated to best meet state
703 needs and reflect cost-effective use of state resources. The
704 strategic plan must clarify the mission statements of each
705 Florida Community College System institution and the system as a
706 whole and identify degree programs, including baccalaureate
707 degree programs, to be offered at each Florida Community College
708 System institution in accordance with the objectives provided in
709 this subsection and the coordinated 5-year plan pursuant to
710 paragraph (2)(v). The strategic plan must cover a period of 5
711 years, with modification of the program lists after 2 years.
712 Development of each 5-year plan must be coordinated with and
713 initiated after completion of the master plan. The strategic
714 plans must specifically include programs and procedures for
715 responding to the educational needs of teachers and students in
716 the public schools of this state and consider reports and
717 recommendations of the Higher Education Coordinating Council
718 pursuant to s. 1004.015 and the Articulation Coordinating
719 Committee pursuant to s. 1007.01. The state board shall submit a
720 report to the President of the Senate and the Speaker of the
721 House of Representatives upon modification of the plan and as
722 part of its legislative budget request.

723 (b) The State Board of Education, ~~and~~ and the Board of
724 Governors, and the State Board of Community Colleges shall
725 jointly develop long-range plans and annual reports for
726 financial aid in this state. The long-range plans shall
727 establish goals and objectives for a comprehensive program of
728 financial aid for Florida students and shall be updated every 5

14-00176A-17

2017374__

729 years. The annual report shall include programs administered by
730 the department as well as awards made from financial aid fee
731 revenues, any other funds appropriated by the Legislature for
732 financial assistance, and the value of tuition and fees waived
733 for students enrolled in a dual enrollment course at a public
734 postsecondary educational institution. The annual report shall
735 include an assessment of progress made in achieving goals and
736 objectives established in the long-range plans and
737 recommendations for repealing or modifying existing financial
738 aid programs or establishing new programs. A long-range plan
739 shall be submitted by January 1, 2004, and every 5 years
740 thereafter. An annual report shall be submitted on January 1,
741 2004, and in each successive year that a long-range plan is not
742 submitted, to the President of the Senate and the Speaker of the
743 House of Representatives.

744 (4) The State Board of Education shall:

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

748 ~~(b) Specify, by rule, procedures to be used by the Florida~~
749 ~~College System institution boards of trustees in the annual~~
750 ~~evaluations of presidents and review the evaluations of~~
751 ~~presidents by the boards of trustees, including the extent to~~
752 ~~which presidents serve both institutional and system goals.~~

753 ~~(c) Establish, in conjunction with the Board of Governors,~~
754 ~~an effective information system that will provide composite data~~
755 ~~concerning the Florida College System institutions and state~~
756 ~~universities and ensure that special analyses and studies~~
757 ~~concerning the institutions are conducted, as necessary, for~~

14-00176A-17

2017374__

758 ~~provision of accurate and cost-effective information concerning~~
759 ~~the institutions.~~

760 ~~(d) Establish criteria for making recommendations for~~
761 ~~modifying district boundary lines for Florida College System~~
762 ~~institutions, including criteria for service delivery areas of~~
763 ~~Florida College System institutions authorized to grant~~
764 ~~baccalaureate degrees.~~

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

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

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

774 ~~(5) The State Board of Education is responsible for~~
775 ~~reviewing and administering the state program of support for the~~
776 ~~Florida College System institutions and, subject to existing~~
777 ~~law, shall establish the tuition and out-of-state fees for~~
778 ~~developmental education and for credit instruction that may be~~
779 ~~counted toward an associate in arts degree, an associate in~~
780 ~~applied science degree, or an associate in science degree.~~

781 ~~(6) The State Board of Education shall prescribe minimum~~
782 ~~standards, definitions, and guidelines for Florida College~~
783 ~~System institutions that will ensure the quality of education,~~
784 ~~coordination among the Florida College System institutions and~~
785 ~~state universities, and efficient progress toward accomplishing~~
786 ~~the Florida College System institution mission. At a minimum,~~

14-00176A-17

2017374__

787 ~~these rules must address:~~

788 ~~(a) Personnel.~~

789 ~~(b) Contracting.~~

790 ~~(c) Program offerings and classification, including~~
791 ~~college-level communication and computation skills associated~~
792 ~~with successful performance in college and with tests and other~~
793 ~~assessment procedures that measure student achievement of those~~
794 ~~skills. The performance measures must provide that students~~
795 ~~moving from one level of education to the next acquire the~~
796 ~~necessary competencies for that level.~~

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

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

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

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

810
811 ~~The rules should encourage Florida College System institutions~~
812 ~~to enter into agreements with state universities that allow~~
813 ~~Florida College System institution students to complete upper-~~
814 ~~division-level courses at a Florida College System institution.~~
815 ~~An agreement may provide for concurrent enrollment at the~~

14-00176A-17

2017374__

816 ~~Florida College System institution and the state university and~~
817 ~~may authorize the Florida College System institution to offer an~~
818 ~~upper-division-level course or distance learning.~~

819 ~~(e) Student admissions, conduct and discipline,~~
820 ~~nonclassroom activities, and fees.~~

821 ~~(f) Budgeting.~~

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

823 ~~(h) Student services.~~

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

826 Section 8. Subsections (7) through (17) of section 1001.03,
827 Florida Statutes, are amended to read:

828 1001.03 Specific powers of State Board of Education.—

829 (7) ARTICULATION ACCOUNTABILITY.—The State Board of
830 Education shall develop articulation accountability measures
831 that assess the status of systemwide articulation processes, in
832 conjunction with the Board of Governors regarding the State
833 University System and the State Board of Community Colleges
834 regarding the Florida Community College System, and shall
835 establish an articulation accountability process in accordance
836 with the provisions of chapter 1008, in conjunction with the
837 Board of Governors regarding the State University System and the
838 State Board of Community Colleges regarding the Florida
839 Community College System.

840 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
841 shall enforce compliance with law and state board rule by all
842 school districts and public postsecondary educational
843 institutions, except for institutions within the State
844 University System and the Florida Community College System, in

14-00176A-17

2017374__

845 accordance with the provisions of s. 1008.32.

846 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
847 Education, in conjunction with the Board of Governors regarding
848 the State University System and the State Board of Community
849 Colleges regarding the Florida Community College System, shall
850 continue to collect and maintain, at a minimum, the management
851 information databases for state universities, community
852 colleges, and all other components of the public K-20 education
853 system as such databases existed on June 30, 2002.

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

860 (10) ~~(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY
861 EDUCATION.—The State Board of Education shall adopt minimum
862 standards relating to nonpublic postsecondary education and
863 institutions, in accordance with the provisions of chapter 1005.

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

867 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS. The~~
868 ~~State Board of Education shall provide for the cyclic review of~~
869 ~~all academic programs in Florida College System institutions at~~
870 ~~least every 7 years. Program reviews shall document how~~
871 ~~individual academic programs are achieving stated student~~
872 ~~learning and program objectives within the context of the~~
873 ~~institution's mission. The results of the program reviews shall~~

14-00176A-17

2017374__

874 ~~inform strategic planning, program development, and budgeting~~
875 ~~decisions at the institutional level.~~

876 (11)~~(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
877 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of
878 Education shall maintain a uniform classification system for
879 school district administrative and management personnel that
880 will facilitate the uniform coding of administrative and
881 management personnel to total district employees.

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

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

898 ~~(a) Performance metrics and standards common for all~~
899 ~~institutions and metrics and standards unique to institutions~~
900 ~~depending on institutional core missions, including, but not~~
901 ~~limited to, remediation success, retention, graduation,~~
902 ~~employment, transfer rates, licensure passage, excess hours,~~

14-00176A-17

2017374__

903 ~~student loan burden and default rates, job placement, faculty~~
904 ~~awards, and highly respected rankings for institution and~~
905 ~~program achievements.~~

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

909 (12)~~(17)~~ UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,
910 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of
911 Education, in consultation with the Board of Governors, the
912 State Board of Community Colleges, and the Department of
913 Economic Opportunity, shall adopt a unified state plan to
914 improve K-20 STEM education and prepare students for high-skill,
915 high-wage, and high-demand employment in STEM and STEM-related
916 fields.

917 Section 9. Subsection (1), paragraphs (g) and (j) of
918 subsection (6), and subsection (7) of section 1001.10, Florida
919 Statutes, are amended to read:

920 1001.10 Commissioner of Education; general powers and
921 duties.—

922 (1) The Commissioner of Education is the chief educational
923 officer of the state and the sole custodian of the K-20 data
924 warehouse, and is responsible for giving full assistance to the
925 State Board of Education in enforcing compliance with the
926 mission and goals of the K-20 education system except for the
927 State University System and the Florida Community College
928 System.

929 (6) Additionally, the commissioner has the following
930 general powers and duties:

931 (g) To submit to the State Board of Education, on or before

14-00176A-17

2017374__

932 October 1 of each year, recommendations for a coordinated K-20
933 education budget that estimates the expenditures for the Board
934 of Governors, the State Board of Community Colleges, the State
935 Board of Education, including the Department of Education and
936 the Commissioner of Education, and all of the boards,
937 institutions, agencies, and services under the general
938 supervision of the Board of Governors, the State Board of
939 Community Colleges, or the State Board of Education for the
940 ensuing fiscal year. Any program recommended to the State Board
941 of Education that will require increases in state funding for
942 more than 1 year must be presented in a multiyear budget plan.

943 (j) To implement a program of school improvement and
944 education accountability designed to provide all students the
945 opportunity to make adequate learning gains in each year of
946 school as provided by statute and State Board of Education rule
947 based upon the achievement of the state education goals,
948 recognizing the following:

949 1. The district school board is responsible for school and
950 student performance.

951 2. The individual school is the unit for education
952 accountability.

953 ~~3. The Florida College System institution board of trustees~~
954 ~~is responsible for Florida College System institution~~
955 ~~performance and student performance.~~

956 ~~(7) The commissioner, or the commissioner's designee, may~~
957 ~~conduct a review or investigation of practices, procedures, or~~
958 ~~actions at any Florida College System institution which appear~~
959 ~~to be inconsistent with sound financial, management, or academic~~
960 ~~practice.~~

14-00176A-17

2017374__

961 Section 10. Paragraphs (c) through (f) of subsection (1)
962 and subsection (3) of section 1001.11, Florida Statutes, are
963 amended to read:

964 1001.11 Commissioner of Education; other duties.—

965 (1) The Commissioner of Education must independently
966 perform the following duties:

967 (c) In cooperation with the Board of Governors and the
968 State Board of Community Colleges, develop and implement a
969 process for receiving and processing requests, in conjunction
970 with the Legislature, for the allocation of PECO funds for
971 qualified postsecondary education projects.

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

974 (d)(e) Monitor the activities of the State Board of
975 Education and provide information related to current and pending
976 policies to the members of the boards of trustees of the Florida
977 Community College System institutions and state universities.

978 (e)(f) Ensure the timely provision of information requested
979 by the Legislature from the State Board of Education, the
980 commissioner's office, and the Department of Education.

981 (3) Notwithstanding any other provision of law to the
982 contrary, the Commissioner of Education, in conjunction with the
983 Legislature, and the Board of Governors regarding the State
984 University System, and the State Board of Community Colleges
985 regarding the Florida Community College System, must recommend
986 funding priorities for the distribution of capital outlay funds
987 for public postsecondary educational institutions, based on
988 priorities that include, but are not limited to, the following
989 criteria:

14-00176A-17

2017374__

990 (a) Growth at the institutions.

991 (b) Need for specific skills statewide.

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

993 Section 11. Paragraph (e) of subsection (4) of section
994 1001.20, Florida Statutes, is amended to read:

995 1001.20 Department under direction of state board.—

996 (4) The Department of Education shall establish the
997 following offices within the Office of the Commissioner of
998 Education which shall coordinate their activities with all other
999 divisions and offices:

1000 (e) *Office of Inspector General*.—Organized using existing
1001 resources and funds and responsible for promoting
1002 accountability, efficiency, and effectiveness and detecting
1003 fraud and abuse within school districts and the Florida School
1004 for the Deaf and the Blind, ~~and Florida College System~~
1005 ~~institutions in Florida~~. If the Commissioner of Education
1006 determines that a district school board or the Board of
1007 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~
1008 ~~Florida College System institution board of trustees~~ is
1009 unwilling or unable to address substantiated allegations made by
1010 any person relating to waste, fraud, or financial mismanagement
1011 within the school district or the Florida School for the Deaf
1012 and the Blind, ~~or the Florida College System institution~~, the
1013 office shall conduct, coordinate, or request investigations into
1014 such substantiated allegations. The office shall have access to
1015 all information and personnel necessary to perform its duties
1016 and shall have all of its current powers, duties, and
1017 responsibilities authorized in s. 20.055.

1018 Section 12. Section 1001.28, Florida Statutes, is amended

14-00176A-17

2017374__

1019 to read:

1020 1001.28 Distance learning duties.—The duties of the
1021 Department of Education concerning distance learning include,
1022 but are not limited to, the duty to:

1023 (1) Facilitate the implementation of a statewide
1024 coordinated system and resource system for cost-efficient
1025 advanced telecommunications services and distance education
1026 which will increase overall student access to education.

1027 (2) Coordinate the use of existing resources, including,
1028 but not limited to, the state's satellite transponders, the
1029 Florida Information Resource Network (FIRN), and distance
1030 learning initiatives.

1031 (3) Assist in the coordination of the utilization of the
1032 production and uplink capabilities available through Florida's
1033 public television stations, eligible facilities, independent
1034 colleges and universities, private firms, and others as needed.

1035 (4) Seek the assistance and cooperation of Florida's cable
1036 television providers in the implementation of the statewide
1037 advanced telecommunications services and distance learning
1038 network.

1039 (5) Seek the assistance and cooperation of Florida's
1040 telecommunications carriers to provide affordable student access
1041 to advanced telecommunications services and to distance
1042 learning.

1043 (6) Coordinate partnerships for development, acquisition,
1044 use, and distribution of distance learning.

1045 (7) Secure and administer funding for programs and
1046 activities for distance learning from federal, state, local, and
1047 private sources and from fees derived from services and

14-00176A-17

2017374__

1048 materials.

1049 (8) Hire appropriate staff which may include a position
1050 that shall be exempt from part II of chapter 110 and is included
1051 in the Senior Management Service in accordance with s. 110.205.

1052
1053 Nothing in this section shall be construed to abrogate,
1054 supersede, alter, or amend the powers and duties of any state
1055 agency, district school board, Florida Community College System
1056 institution board of trustees, university board of trustees, the
1057 Board of Governors, the State Board of Community Colleges, or
1058 the State Board of Education.

1059 Section 13. Effective July 1, 2017, subsection (26) of
1060 section 1001.42, Florida Statutes, is amended to read:

1061 1001.42 Powers and duties of district school board.—The
1062 district school board, acting as a board, shall exercise all
1063 powers and perform all duties listed below:

1064 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a
1065 governing board for a school district technical center or a
1066 system of technical centers for the purpose of aligning the
1067 educational programs of the technical center with the needs of
1068 local businesses and responding quickly to the needs of local
1069 businesses for employees holding industry certifications. A
1070 technical center governing board shall be comprised of seven
1071 members, three of whom must be members of the district school
1072 board or their designees and four of whom must be local business
1073 leaders. The district school board shall delegate to the
1074 technical center governing board decisions regarding entrance
1075 requirements for students, curriculum, program development,
1076 budget and funding allocations, and the development with local

14-00176A-17

2017374__

1077 businesses of partnership agreements and appropriate industry
1078 certifications in order to meet local and regional economic
1079 needs. A technical center governing board may approve only
1080 courses and programs that contain industry certifications. A
1081 course may be continued if at least 25 percent of the students
1082 enrolled in the course attain an industry certification. If
1083 fewer than 25 percent of the students enrolled in a course
1084 attain an industry certification, the course must be
1085 discontinued the following year. However, notwithstanding the
1086 authority to approve courses and programs under this subsection,
1087 a technical center governing board may not approve a college
1088 credit course or a college credit certificate or an associate
1089 degree or baccalaureate degree program.

1090 Section 14. Effective July 1, 2017, section 1001.44,
1091 Florida Statutes, is amended to read:

1092 1001.44 Career centers; governance, mission, and
1093 responsibilities.—

1094 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
1095 CENTERS.—Any district school board, after first obtaining the
1096 approval of the Department of Education, may, as a part of the
1097 district school system, organize, establish and operate a career
1098 center, or acquire and operate a career center previously
1099 established.

1100 (a) The primary mission of a career center that is operated
1101 by a district school board is to promote advances and
1102 innovations in workforce preparation and economic development. A
1103 career center may provide a learning environment that serves the
1104 needs of a specific population group or group of occupations,
1105 thus promoting diversity and choices within the public technical

14-00176A-17

2017374__

1106 education community in this state.

1107 (b) A career center that is operated by a district school
1108 board may not offer a college credit course or a college credit
1109 certificate or an associate degree or baccalaureate degree
1110 program.

1111 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
1112 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards
1113 of any two or more contiguous districts may, upon first
1114 obtaining the approval of the department, enter into an
1115 agreement to organize, establish and operate, or acquire and
1116 operate, a career center under this section.

1117 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED
1118 BY A DIRECTOR.—

1119 (a) A career center established or acquired under
1120 provisions of law and minimum standards prescribed by the
1121 commissioner shall comprise a part of the district school system
1122 and shall mean an educational institution offering terminal
1123 courses of a technical nature which are not for college credit,
1124 and courses for out-of-school youth and adults; shall be subject
1125 to all applicable provisions of this code; shall be under the
1126 control of the district school board of the school district in
1127 which it is located; and shall be directed by a director
1128 responsible through the district school superintendent to the
1129 district school board of the school district in which the center
1130 is located.

1131 (b) Each career center shall maintain an academic
1132 transcript for each student enrolled in the center. Such
1133 transcript shall delineate each course completed by the student.
1134 Courses shall be delineated by the course prefix and title

14-00176A-17

2017374__

1135 assigned pursuant to s. 1007.24. The center shall make a copy of
1136 a student's transcript available to any student who requests it.

1137 Section 15. Section 1001.60, Florida Statutes, is amended
1138 to read:

1139 1001.60 Florida Community College System.—

1140 (1) PURPOSES.—In order to maximize open access for
1141 students, respond to community needs for postsecondary academic
1142 education and career degree education, and provide associate and
1143 baccalaureate degrees that will best meet the state's employment
1144 needs, the Legislature establishes a system of governance for
1145 the Florida Community College System.

1146 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a
1147 single Florida Community College System comprised of the Florida
1148 Community College System institutions identified in s.
1149 1000.21(3). A Florida Community College System institution may
1150 not offer graduate degree programs.

1151 (a) The programs and services offered by Florida Community
1152 College System institutions in providing associate and
1153 baccalaureate degrees shall be delivered in a cost-effective
1154 manner that demonstrates substantial savings to the student and
1155 to the state over the cost of providing the degree at a state
1156 university.

1157 (b)1. With the approval of its district board of trustees,
1158 a Florida Community College System institution may change the
1159 institution's name set forth in s. 1000.21(3) and use the
1160 designation "college" or "state college" if it has been
1161 authorized to grant baccalaureate degrees pursuant to s. 1007.33
1162 and has been accredited as a baccalaureate-degree-granting
1163 institution by the Commission on Colleges of the Southern

14-00176A-17

2017374__

1164 Association of Colleges and Schools.

1165 2. With the approval of its district board of trustees, a
1166 Florida Community College System institution that does not meet
1167 the criteria in subparagraph 1. may request approval from the
1168 State Board of Education to change the institution's name set
1169 forth in s. 1000.21(3) and use the designation "college." The
1170 State Board of Community Colleges ~~Education~~ may approve the
1171 request if the Florida Community College System institution
1172 enters into an agreement with the State Board of Community
1173 Colleges ~~Education~~ to do the following:

1174 a. Maintain as its primary mission responsibility for
1175 responding to community needs for postsecondary academic
1176 education and career degree education as prescribed in s.
1177 1004.65(5).

1178 b. Maintain an open-door admissions policy for associate-
1179 level degree programs and workforce education programs.

1180 c. Continue to provide outreach to underserved populations.

1181 d. Continue to provide remedial education.

1182 e. Comply with all provisions of the statewide articulation
1183 agreement that relate to 2-year and 4-year public degree-
1184 granting institutions as adopted by the State Board of Community
1185 Colleges ~~Education~~ pursuant to s. 1007.23.

1186 (c) A district board of trustees that approves a change to
1187 the name of an institution under paragraph (b) must seek
1188 statutory codification of such name change in s. 1000.21(3)
1189 during the next regular legislative session.

1190 (d) A Florida Community College System institution may not
1191 use the designation "university."

1192 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the

14-00176A-17

2017374__

1193 Florida Community College System shall be governed by a local
1194 board of trustees as provided in s. 1001.64. The membership of
1195 each local board of trustees shall be as provided in s. 1001.61.

1196 Section 16. Effective July 1, 2017, section 1001.601,
1197 Florida Statutes, is created to read:

1198 1001.601 State Board of Community Colleges of the Florida
1199 Community College System.-

1200 (1) The State Board of Community Colleges is established as
1201 a body corporate consisting of 13 members as follows: 12 citizen
1202 members appointed by the Governor, one of whom must be a student
1203 currently enrolled in a Florida Community College System
1204 institution, and the Commissioner of Education. Appointed
1205 members shall serve staggered 4-year terms. In order to achieve
1206 staggered terms, beginning September 1, 2017, 4 members shall
1207 serve a 2-year term, 4 members shall serve a 3-year term, and 4
1208 members shall serve a 4-year term. Members may be reappointed to
1209 one additional 4-year term.

1210 (2) Members of the State Board of Community Colleges may
1211 not receive compensation but may be reimbursed for travel and
1212 per diem expenses as provided in s. 112.061.

1213 Section 17. Section 1001.602, Florida Statutes, is created
1214 to read:

1215 1001.602 Powers and duties of the State Board of Community
1216 Colleges.-

1217 (1) RESPONSIBILITIES.-The State Board of Community Colleges
1218 is responsible for the efficient and effective operation and
1219 maintenance of the Florida Community College System, as defined
1220 in s. 1001.60. The State Board of Community Colleges may adopt
1221 rules pursuant to ss. 120.536(1) and 120.54 to implement

14-00176A-17

2017374__

1222 provisions of law for the Florida Community College System. For
1223 the purposes of this section, the State Board of Community
1224 Colleges is referred to as the "state board."

1225 (2) DUTIES.—The state board has the following duties:

1226 (a) Ensure Florida Community College System institutions
1227 operate consistent with the mission of the system, pursuant to
1228 s. 1004.65.

1229 (b) Oversee the Florida Community College System and
1230 coordinate with the Board of Governors and the State Board of
1231 Education to avoid wasteful duplication of facilities or
1232 programs.

1233 (c) Provide for each Florida Community College System
1234 institution to offer educational training and service programs
1235 designed to meet the needs of both students and the communities
1236 served.

1237 (d) Hold meetings, transact business, keep records, and,
1238 except as otherwise provided by law, perform such other duties
1239 as may be necessary for the enforcement of laws and rules
1240 relating to the Florida Community College System.

1241 (e) Provide for the coordination of educational plans and
1242 programs to resolve controversies, minimize problems of
1243 articulation and student transfers, ensure that students moving
1244 from one level of education to the next have acquired
1245 competencies necessary for satisfactory performance at that
1246 level, and ensure maximum utilization of facilities.

1247 (f) Establish and review, in consultation with the State
1248 Board of Education and the Board of Governors, minimum and
1249 uniform standards of college-level communication and computation
1250 skills generally associated with successful performance and

14-00176A-17

2017374__

1251 progression through the baccalaureate level, to identify
1252 college-preparatory high school coursework and postsecondary-
1253 level coursework that prepares students with the academic skills
1254 necessary to succeed in postsecondary education.

1255 (g) Approve plans for cooperating with the Federal
1256 Government.

1257 (h) Approve plans for cooperating with other public
1258 agencies in the development of rules and in the enforcement of
1259 laws for which the state board and the agencies are jointly
1260 responsible.

1261 (i) Create subordinate advisory bodies if required by law
1262 or as necessary for the improvement of the Florida Community
1263 College System.

1264 (j) Coordinate with the State Board of Education to collect
1265 and maintain data for the Florida Community College System.

1266 (k) Establish, in conjunction with the State Board of
1267 Education and the Board of Governors, an effective information
1268 system that will provide composite data concerning the Florida
1269 Community College System institutions and state universities and
1270 that will ensure that special analyses and studies concerning
1271 the institutions are conducted, as necessary, for provision of
1272 accurate and cost-effective information concerning the
1273 institutions.

1274 (l) Establish accountability standards for existing
1275 legislative performance goals, standards, and measures, and
1276 order the development of mechanisms to implement new legislative
1277 goals, standards, and measures.

1278 (m) Require each Florida Community College System
1279 institution, before registration, to provide each enrolled

14-00176A-17

2017374__

1280 student electronic access to the economic security report of
1281 employment and earning outcomes prepared by the Department of
1282 Economic Opportunity pursuant to s. 445.07.

1283 (n) Specify, by rule, procedures to be used by Florida
1284 Community College System institution boards of trustees in the
1285 annual evaluation of presidents, and review the evaluations of
1286 presidents by the boards of trustees, including the extent to
1287 which presidents serve both institutional and system goals.

1288 (o) Establish, subject to existing law, the tuition and
1289 out-of-state fees for developmental education and for credit
1290 instruction that may be counted toward an associate in arts
1291 degree, an associate in applied science degree, or an associate
1292 in science degree.

1293 (p) Develop, in conjunction with the Board of Governors and
1294 the State Board of Education, and implement a common placement
1295 test to assess the basic computation and communication skills of
1296 students who intend to enter a degree program at a Florida
1297 Community College System institution or state university.

1298 (q) May direct the Chancellor of the Florida Community
1299 College System to conduct investigations of practices,
1300 procedures, or actions at a Florida Community College System
1301 institution which appear to be inconsistent with sound
1302 financial, management, or academic practice.

1303 (r) Examine the annual administrative review of each
1304 Florida Community College System institution.

1305 (s) Through the Chancellor of the Florida Community College
1306 System, integrally work with the boards of trustees of the
1307 Florida Community College System institutions.

1308 (t) Establish criteria for making recommendations

14-00176A-17

2017374__

1309 concerning all proposals to establish additional centers or
1310 campuses for a Florida Community College System institution.

1311 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
1312 the requirements under subsection (4) and the performance
1313 metrics and standards adopted under ss. 1001.66 and 110.67, the
1314 state board shall identify performance metrics for the Florida
1315 Community College System and develop a plan that specifies goals
1316 and objectives for each Florida Community College System
1317 institution. The plan must include:

1318 (a) Performance metrics and standards common for all
1319 institutions and metrics and standards unique to institutions
1320 depending on institutional core missions, including, but not
1321 limited to, remediation success, retention, graduation,
1322 employment, transfer rates, licensure passage, excess hours,
1323 student loan burden and default rates, job placement, faculty
1324 awards, and highly respected rankings for institution and
1325 program achievements.

1326 (b) Student enrollment and performance data delineated by
1327 method of instruction, including, but not limited to,
1328 traditional, online, and distance learning instruction.

1329 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1330 (a) The state board shall adopt a strategic plan that
1331 specifies goals and objectives for the Florida Community College
1332 System. The plan must be formulated in conjunction with plans of
1333 the State Board of Education and the Board of Governors in order
1334 to coordinate the roles of the school districts and universities
1335 to best meet state needs and reflect cost-effective use of state
1336 resources. The strategic plan must clarify the mission
1337 statements of the Florida Community College System and each

14-00176A-17

2017374__

1338 Florida Community College System institution and identify degree
1339 programs, including baccalaureate degree programs, to be offered
1340 at each Florida Community College System institution in
1341 accordance with the objectives provided in this subsection and
1342 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The
1343 strategic plan must cover a period of 5 years, with modification
1344 of the program lists after 2 years. Development of each 5-year
1345 plan must be coordinated with and initiated after completion of
1346 the master plan. The strategic plan must consider reports and
1347 recommendations of the Higher Education Coordinating Council
1348 pursuant to s. 1004.015 and the Articulation Coordinating
1349 Committee pursuant to s. 1007.01. Upon modification of the plan,
1350 the state board shall submit a report to the President of the
1351 Senate and the Speaker of the House of Representatives as part
1352 of its legislative budget request.

1353 (b) The state board, the State Board of Education, and the
1354 Board of Governors shall jointly develop long-range plans and
1355 annual reports for financial aid in this state. The long-range
1356 plans must establish goals and objectives for a comprehensive
1357 program of financial aid for students and shall be updated every
1358 5 years. The annual report must include programs administered by
1359 the department as well as awards made from financial aid fee
1360 revenues, other funds appropriated by the Legislature for
1361 financial assistance, and the value of tuition and fees waived
1362 for students enrolled in a dual enrollment course at a public
1363 postsecondary educational institution. The annual report must
1364 include an assessment of the progress made in achieving goals
1365 and objectives established in the long-range plans and must
1366 include recommendations for repealing or modifying existing

14-00176A-17

2017374__

1367 financial aid programs or establishing new programs. The state
1368 board, the State Board of Education, and the Board of Governors
1369 shall submit their long-range plans by July 1, 2018, and every 5
1370 years thereafter and shall submit their annual reports on July
1371 1, 2018, and in each successive year that a long-range plan is
1372 not submitted, to the President of the Senate and the Speaker of
1373 the House of Representatives.

1374 (c) The state board shall also:

1375 1. Adopt comprehensive long-range plans and short-range
1376 programs for the development of the Florida Community College
1377 System.

1378 2. Assist in the economic development of the state by
1379 developing a state-level planning process to identify future
1380 training needs for industry, especially high-technology
1381 industry.

1382 3. Adopt criteria and implementation plans for future
1383 growth issues, such as new Florida Community College System
1384 institutions and Florida Community College System institution
1385 campus mergers, and provide for cooperative agreements between
1386 and within public and private education sectors.

1387 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
1388 prescribe minimum standards, definitions, and guidelines for
1389 Florida Community College System institutions which will ensure
1390 the quality of education, coordination among the Florida
1391 Community College System institutions and state universities,
1392 and efficient progress toward accomplishing the Florida
1393 Community College System institution's mission. At a minimum,
1394 these rules must address all of the following:

1395 (a) Personnel.

14-00176A-17

2017374__

1396 (b) Contracting.

1397 (c) Program offerings and classification, including
1398 college-level communication and computation skills associated
1399 with successful performance in college and with tests and other
1400 assessment procedures that measure student achievement of those
1401 skills. The performance measures must provide that students
1402 moving from one level of education to the next acquire the
1403 necessary competencies for that level.

1404 (d) Provisions for curriculum development, graduation
1405 requirements, college calendars, and program service areas.

1406 These provisions must include rules that:

1407 1. Provide for the award of an associate in arts degree to
1408 a student who successfully completes 60 semester credit hours at
1409 the Florida Community College System institution.

1410 2. Require all of the credits accepted for the associate in
1411 arts degree to be in the statewide course numbering system as
1412 credits toward a baccalaureate degree offered by a state
1413 university or a Florida Community College System institution.

1414 3. Require no more than 36 semester credit hours in general
1415 education courses in the subject areas of communication,
1416 mathematics, social sciences, humanities, and natural sciences.

1417
1418 The rules under this paragraph should encourage Florida
1419 Community College System institutions to enter into agreements
1420 with state universities which allow a Florida Community College
1421 System institution student to complete upper-division-level
1422 courses at a Florida Community College System institution. An
1423 agreement may provide for concurrent enrollment at the Florida
1424 Community College System institution and the state university

14-00176A-17

2017374__

1425 and may authorize the Florida Community College System
1426 institution to offer an upper-division-level course or distance
1427 learning.

1428 (e) Student admissions, conduct and discipline;
1429 nonclassroom activities; and fees.

1430 (f) Budgeting.

1431 (g) Business and financial matters.

1432 (h) Student services.

1433 (i) Reports, surveys, and information systems, including
1434 forms and dates of submission.

1435 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
1436 shall provide for the cyclic review of all academic programs in
1437 Florida Community College System institutions at least every 7
1438 years. Program reviews must document how individual academic
1439 programs are achieving stated student learning and program
1440 objectives within the context of the institution's mission. The
1441 results of the program reviews must inform strategic planning,
1442 program development, and budgeting decisions at the
1443 institutional level.

1444 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION
1445 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for
1446 the review and approval of proposals by Florida Community
1447 College System institutions to offer baccalaureate degree
1448 programs pursuant to s. 1007.33. A Florida Community College
1449 System institution, as defined in s. 1000.21, which is approved
1450 to offer baccalaureate degrees pursuant to s. 1007.33 remains
1451 under the authority of the state board and the Florida Community
1452 College System institution's board of trustees.

1453 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall

14-00176A-17

2017374__

1454 establish criteria for making recommendations for modifying
1455 district boundary lines for a Florida Community College System
1456 institution, including criteria for service delivery areas of a
1457 Florida Community College System institution authorized to grant
1458 baccalaureate degrees.

1459 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee
1460 the performance of Florida Community College System institution
1461 boards of trustees in enforcement of all laws and rules. Florida
1462 Community College System institution boards of trustees are
1463 primarily responsible for compliance with law and state board
1464 rule.

1465 (a) In order to ensure compliance with law or state board
1466 rule, the state board has the authority to request and receive
1467 information, data, and reports from Florida Community College
1468 System institutions. The Florida Community College System
1469 institution president is responsible for the accuracy of the
1470 information and data reported to the state board.

1471 (b) The Chancellor of the Florida Community College System
1472 may investigate allegations of noncompliance with law or state
1473 board rule and determine probable cause. The Chancellor shall
1474 report determinations of probable cause to the State Board of
1475 Community Colleges who shall require the Florida Community
1476 College System institution board of trustees to document
1477 compliance with law or state board rule.

1478 (c) If the Florida Community College System institution
1479 board of trustees cannot satisfactorily document compliance, the
1480 state board may order compliance within a specified timeframe.

1481 (d) If the state board determines that a Florida Community
1482 College System institution board of trustees is unwilling or

14-00176A-17

2017374__

1483 unable to comply with law or state board rule within the
1484 specified time, the state board has the authority to initiate
1485 any of the following actions:

1486 1. Report to the Legislature that the Florida Community
1487 College System institution is unwilling or unable to comply with
1488 law or state board rule and recommend that the Legislature take
1489 action against the institution;

1490 2. Withhold the transfer of state funds, discretionary
1491 grant funds, discretionary lottery funds, or any other funds
1492 specified as eligible for this purpose by the Legislature until
1493 the Florida Community College System institution complies with
1494 the law or state board rule;

1495 3. Declare the Florida Community College System institution
1496 ineligible for competitive grants; or

1497 4. Require monthly or periodic reporting on the situation
1498 related to noncompliance until it is remedied.

1499 (e) This section may not be construed to create a private
1500 cause of action or create any rights for individuals or entities
1501 in addition to those provided elsewhere in law or rule.

1502 (10) INSPECTOR GENERAL.—The inspector general is
1503 responsible for promoting accountability, efficiency, and
1504 effectiveness and detecting fraud and abuse within Florida
1505 Community College System institutions. If the Chancellor of the
1506 Florida Community College System determines that a Florida
1507 Community College System institution board of trustees is
1508 unwilling or unable to address substantiated allegations made by
1509 any person relating to waste, fraud, or financial mismanagement
1510 within the Florida Community College System institution, the
1511 inspector general shall conduct, coordinate, or request

14-00176A-17

2017374__

1512 investigations into such substantiated allegations. The
1513 inspector general shall have access to all information and
1514 personnel necessary to perform its duties and shall have all of
1515 his or her current powers, duties, and responsibilities
1516 authorized in s. 20.055.

1517 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
1518 state board shall coordinate with the State Board of Education:

1519 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
1520 education budget.

1521 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
1522 the Legislature a 3-year list of priorities for fixed-capital-
1523 outlay projects.

1524 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in
1525 collaboration with the State Board of Education, by rule,
1526 definitions for associate in science degrees and for
1527 certificates offered by Florida Community College System
1528 institutions.

1529 Section 18. Section 1001.61, Florida Statutes, is amended
1530 to read:

1531 1001.61 Florida Community College System institution boards
1532 of trustees; membership.—

1533 (1) Florida Community College System institution boards of
1534 trustees shall be comprised of five members when a Florida
1535 Community College System institution district is confined to one
1536 school board district; seven members when a Florida Community
1537 College System institution district is confined to one school
1538 board district and the board of trustees so elects; and not more
1539 than nine members when the district contains two or more school
1540 board districts, as provided by rules of the State Board of

14-00176A-17

2017374__

1541 Community Colleges ~~Education~~. However, Florida State College at
1542 Jacksonville shall have an odd number of trustees, and St. Johns
1543 River State College shall have seven trustees from the three-
1544 county area that the college serves.

1545 (2) Trustees shall be appointed by the Governor to
1546 staggered 4-year terms, subject to confirmation by the Senate in
1547 regular session.

1548 (3) Members of the board of trustees shall receive no
1549 compensation but may receive reimbursement for expenses as
1550 provided in s. 112.061.

1551 (4) At its first regular meeting after July 1 of each year,
1552 each Florida Community College System institution board of
1553 trustees shall organize by electing a chair, whose duty as such
1554 is to preside at all meetings of the board, to call special
1555 meetings thereof, and to attest to actions of the board, and a
1556 vice chair, whose duty as such is to act as chair during the
1557 absence or disability of the elected chair. It is the further
1558 duty of the chair of each board of trustees to notify the
1559 Governor, in writing, whenever a board member fails to attend
1560 three consecutive regular board meetings in any one fiscal year,
1561 which absences may be grounds for removal.

1562 (5) A Florida Community College System institution
1563 president shall serve as the executive officer and corporate
1564 secretary of the board of trustees and shall be responsible to
1565 the board of trustees for setting the agenda for meetings of the
1566 board of trustees in consultation with the chair. The president
1567 also serves as the chief administrative officer of the Florida
1568 Community College System institution, and all the components of
1569 the institution and all aspects of its operation are responsible

14-00176A-17

2017374__

1570 to the board of trustees through the president.

1571 Section 19. Section 1001.64, Florida Statutes, is amended
1572 to read:

1573 1001.64 Florida Community College System institution
1574 boards of trustees; powers and duties.—

1575 (1) The boards of trustees shall be responsible for cost-
1576 effective policy decisions appropriate to the Florida Community
1577 College System institution's mission, the implementation and
1578 maintenance of high-quality education programs within law and
1579 rules of the State Board of Community Colleges ~~Education~~, the
1580 measurement of performance, the reporting of information, and
1581 the provision of input regarding state policy, budgeting, and
1582 education standards.

1583 (2) Each board of trustees is vested with the
1584 responsibility to govern its respective Florida Community
1585 College System institution and with such necessary authority as
1586 is needed for the proper operation and improvement thereof in
1587 accordance with rules of the State Board of Community Colleges
1588 ~~Education~~.

1589 (3) A board of trustees shall have the power to take action
1590 without a recommendation from the president and shall have the
1591 power to require the president to deliver to the board of
1592 trustees all data and information required by the board of
1593 trustees in the performance of its duties. A board of trustees
1594 shall ask the Chancellor of the Florida Community College System
1595 ~~Commissioner of Education~~ to authorize an investigation of the
1596 president's actions by the department's inspector general if the
1597 board considers such investigation necessary. The inspector
1598 general shall provide a report detailing each issue under

14-00176A-17

2017374__

1599 investigation and shall recommend corrective action. If the
1600 inspector general identifies potential legal violations, he or
1601 she shall refer the potential legal violations to the Commission
1602 on Ethics, the Department of Law Enforcement, the Attorney
1603 General, or another appropriate authority.

1604 (4) (a) The board of trustees, after considering
1605 recommendations submitted by the Florida Community College
1606 System institution president, may adopt rules pursuant to ss.
1607 120.536(1) and 120.54 to implement the provisions of law
1608 conferring duties upon it. These rules may supplement those
1609 prescribed by the State Board of Community Colleges ~~Education~~ if
1610 they will contribute to the more orderly and efficient operation
1611 of Florida Community College System institutions.

1612 (b) Each board of trustees is specifically authorized to
1613 adopt rules, procedures, and policies, consistent with law and
1614 rules of the State Board of Community Colleges ~~Education~~,
1615 related to its mission and responsibilities as set forth in s.
1616 1004.65, its governance, personnel, budget and finance,
1617 administration, programs, curriculum and instruction, buildings
1618 and grounds, travel and purchasing, technology, students,
1619 contracts and grants, or college property.

1620 (5) Each board of trustees shall have responsibility for
1621 the use, maintenance, protection, and control of Florida
1622 Community College System institution owned or Florida Community
1623 College System institution controlled buildings and grounds,
1624 property and equipment, name, trademarks and other proprietary
1625 marks, and the financial and other resources of the Florida
1626 Community College System institution. Such authority may include
1627 placing restrictions on activities and on access to facilities,

14-00176A-17

2017374__

1628 firearms, food, tobacco, alcoholic beverages, distribution of
1629 printed materials, commercial solicitation, animals, and sound.

1630 (6) Each board of trustees has responsibility for the
1631 establishment and discontinuance of program and course offerings
1632 in accordance with law and rule; provision for instructional and
1633 noninstructional community services, location of classes, and
1634 services provided; and dissemination of information concerning
1635 such programs and services. New programs must be approved
1636 pursuant to s. 1004.03.

1637 (7) Each board of trustees has responsibility for~~÷~~ ensuring
1638 that students have access to general education courses as
1639 identified in rule; requiring no more than 60 semester hours of
1640 degree program coursework, including 36 semester hours of
1641 general education coursework, for an associate in arts degree;
1642 notifying students that earned hours in excess of 60 semester
1643 hours may not be accepted by state universities; notifying
1644 students of unique program prerequisites; and ensuring that
1645 degree program coursework beyond general education coursework is
1646 consistent with degree program prerequisite requirements adopted
1647 pursuant to s. 1007.25(5).

1648 (8) Each board of trustees has authority for policies
1649 related to students, enrollment of students, student records,
1650 student activities, financial assistance, and other student
1651 services.

1652 (a) Each board of trustees shall govern admission of
1653 students pursuant to s. 1007.263 and rules of the State Board of
1654 Community Colleges Education. A board of trustees may establish
1655 additional admissions criteria, which shall be included in the
1656 dual enrollment articulation agreement developed according to s.

14-00176A-17

2017374__

1657 1007.271(21), to ensure student readiness for postsecondary
1658 instruction. Each board of trustees may consider the past
1659 actions of any person applying for admission or enrollment and
1660 may deny admission or enrollment to an applicant because of
1661 misconduct if determined to be in the best interest of the
1662 Florida Community College System institution.

1663 (b) Each board of trustees shall adopt rules establishing
1664 student performance standards for the award of degrees and
1665 certificates pursuant to s. 1004.68.

1666 (c) Boards of trustees are authorized to establish
1667 intrainstitutional and interinstitutional programs to maximize
1668 articulation pursuant to s. 1007.22.

1669 (d) Boards of trustees shall identify their general
1670 education curricula pursuant to s. 1007.25(6).

1671 (e) Each board of trustees must adopt a written antihazing
1672 policy, provide a program for the enforcement of such rules, and
1673 adopt appropriate penalties for violations of such rules
1674 pursuant to the provisions of s. 1006.63.

1675 (f) Each board of trustees may establish a uniform code of
1676 conduct and appropriate penalties for violation of its rules by
1677 students and student organizations, including rules governing
1678 student academic honesty. Such penalties, unless otherwise
1679 provided by law, may include fines, the withholding of diplomas
1680 or transcripts pending compliance with rules or payment of
1681 fines, and the imposition of probation, suspension, or
1682 dismissal.

1683 (g) Each board of trustees pursuant to s. 1006.53 shall
1684 adopt a policy in accordance with rules of the State Board of
1685 Community Colleges ~~Education~~ that reasonably accommodates the

14-00176A-17

2017374__

1686 religious observance, practice, and belief of individual
1687 students in regard to admissions, class attendance, and the
1688 scheduling of examinations and work assignments.

1689 (9) A board of trustees may contract with the board of
1690 trustees of a state university for the Florida Community College
1691 System institution to provide developmental education on the
1692 state university campus.

1693 (10) Each board of trustees shall establish fees pursuant
1694 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1695 (11) Each board of trustees shall submit an institutional
1696 budget request, including a request for fixed capital outlay,
1697 and an operating budget to the State Board of Community Colleges
1698 ~~Education~~ for review in accordance with guidelines established
1699 by the State Board of Community Colleges ~~Education~~.

1700 (12) Each board of trustees shall account for expenditures
1701 of all state, local, federal, and other funds in the manner
1702 described by the State Board of Community Colleges ~~Department of~~
1703 ~~Education~~.

1704 (13) Each board of trustees is responsible for the uses for
1705 the proceeds of academic improvement trust funds pursuant to s.
1706 1011.85.

1707 (14) Each board of trustees shall develop a strategic plan
1708 specifying institutional goals and objectives for the Florida
1709 Community College System institution for recommendation to the
1710 State Board of Community Colleges ~~Education~~.

1711 (15) Each board of trustees shall develop an accountability
1712 plan pursuant to s. 1008.45.

1713 (16) Each board of trustees must expend performance funds
1714 provided for workforce education pursuant to the provisions of

14-00176A-17

2017374__

1715 s. 1011.80.

1716 (17) Each board of trustees is accountable for performance
1717 in certificate career education and diploma programs pursuant to
1718 s. 1008.43.

1719 (18) Each board of trustees shall establish the personnel
1720 program for all employees of the Florida Community College
1721 System institution, including the president, pursuant to the
1722 provisions of chapter 1012 and rules and guidelines of the State
1723 Board of Community Colleges ~~Education~~, including: compensation
1724 and other conditions of employment; recruitment and selection;
1725 nonreappointment; standards for performance and conduct;
1726 evaluation; benefits and hours of work; leave policies;
1727 recognition; inventions and work products; travel; learning
1728 opportunities; exchange programs; academic freedom and
1729 responsibility; promotion; assignment; demotion; transfer;
1730 ethical obligations and conflict of interest; restrictive
1731 covenants; disciplinary actions; complaints; appeals and
1732 grievance procedures; and separation and termination from
1733 employment.

1734 (19) Each board of trustees shall appoint, suspend, or
1735 remove the president of the Florida Community College System
1736 institution. The board of trustees may appoint a search
1737 committee. The board of trustees shall conduct annual
1738 evaluations of the president in accordance with rules of the
1739 State Board of Community Colleges ~~Education~~ and submit such
1740 evaluations to the State Board of Community Colleges ~~Education~~
1741 for review. The evaluation must address the achievement of the
1742 performance goals established by the accountability process
1743 implemented pursuant to s. 1008.45 and the performance of the

14-00176A-17

2017374__

1744 president in achieving the annual and long-term goals and
1745 objectives established in the Florida Community College System
1746 institution's employment accountability program implemented
1747 pursuant to s. 1012.86.

1748 (20) Each board of trustees is authorized to enter into
1749 contracts to provide a State Community College System Optional
1750 Retirement Program pursuant to s. 1012.875 and to enter into
1751 consortia with other boards of trustees for this purpose.

1752 (21) Each board of trustees is authorized to purchase
1753 annuities for its Florida Community College System institution
1754 personnel who have 25 or more years of creditable service and
1755 who have reached age 55 and have applied for retirement under
1756 the Florida Retirement System pursuant to the provisions of s.
1757 1012.87.

1758 (22) A board of trustees may defray all costs of defending
1759 civil actions against officers, employees, or agents of the
1760 board of trustees pursuant to s. 1012.85.

1761 (23) Each board of trustees has authority for risk
1762 management, safety, security, and law enforcement operations.
1763 Each board of trustees is authorized to employ personnel,
1764 including police officers pursuant to s. 1012.88, to carry out
1765 the duties imposed by this subsection.

1766 (24) Each board of trustees shall provide rules governing
1767 parking and the direction and flow of traffic within campus
1768 boundaries. Except for sworn law enforcement personnel, persons
1769 employed to enforce campus parking rules have no authority to
1770 arrest or issue citations for moving traffic violations. The
1771 board of trustees may adopt a uniform code of appropriate
1772 penalties for violations. Such penalties, unless otherwise

14-00176A-17

2017374__

1773 provided by law, may include the levying of fines, the
1774 withholding of diplomas or transcripts pending compliance with
1775 rules or payment of fines, and the imposition of probation,
1776 suspension, or dismissal. Moneys collected from parking rule
1777 infractions shall be deposited in appropriate funds at each
1778 Florida Community College System institution for student
1779 financial aid purposes.

1780 (25) Each board of trustees constitutes the contracting
1781 agent of the Florida Community College System institution. It
1782 may when acting as a body make contracts, sue, and be sued in
1783 the name of the board of trustees. In any suit, a change in
1784 personnel of the board of trustees shall not abate the suit,
1785 which shall proceed as if such change had not taken place.

1786 (26) Each board of trustees is authorized to contract for
1787 the purchase, sale, lease, license, or acquisition in any
1788 manner, including purchase by installment or lease-purchase
1789 contract which may provide for the payment of interest on the
1790 unpaid portion of the purchase price and for the granting of a
1791 security interest in the items purchased, subject to the
1792 provisions of subsection (38) and ss. 1009.22 and 1009.23, of
1793 goods, materials, equipment, and services required by the
1794 Florida Community College System institution. The board of
1795 trustees may choose to consolidate equipment contracts under
1796 master equipment financing agreements made pursuant to s.
1797 287.064.

1798 (27) Each board of trustees shall be responsible for
1799 managing and protecting real and personal property acquired or
1800 held in trust for use by and for the benefit of such Florida
1801 Community College System institution. To that end, any board of

14-00176A-17

2017374__

1802 trustees is authorized to be self-insured, to enter into risk
1803 management programs, or to purchase insurance for whatever
1804 coverage it may choose, or to have any combination thereof, in
1805 anticipation of any loss, damage, or destruction. A board of
1806 trustees may contract for self-insurance services pursuant to s.
1807 1004.725.

1808 (28) Each board of trustees is authorized to enter into
1809 agreements for, and accept, credit card, charge card, and debit
1810 card payments as compensation for goods, services, tuition, and
1811 fees. Each Florida Community College System institution is
1812 further authorized to establish accounts in credit card, charge
1813 card, and debit card banks for the deposit of sales invoices.

1814 (29) Each board of trustees may provide incubator
1815 facilities to eligible small business concerns pursuant to s.
1816 1004.79.

1817 (30) Each board of trustees may establish a technology
1818 transfer center for the purpose of providing institutional
1819 support to local business and industry and governmental agencies
1820 in the application of new research in technology pursuant to the
1821 provisions of s. 1004.78.

1822 (31) Each board of trustees may establish economic
1823 development centers for the purpose of serving as liaisons
1824 between Florida Community College System institutions and the
1825 business sector pursuant to the provisions of s. 1004.80.

1826 (32) Each board of trustees may establish a child
1827 development training center pursuant to s. 1004.81.

1828 (33) Each board of trustees is authorized to develop and
1829 produce work products relating to educational endeavors that are
1830 subject to trademark, copyright, or patent statutes pursuant to

14-00176A-17

2017374__

1831 chapter 1004.

1832 (34) Each board of trustees shall administer the facilities
1833 program pursuant to chapter 1013, including but not limited to:
1834 the construction of public educational and ancillary plants; the
1835 acquisition and disposal of property; compliance with building
1836 and life safety codes; submission of data and information
1837 relating to facilities and construction; use of buildings and
1838 grounds; establishment of safety and sanitation programs for the
1839 protection of building occupants; and site planning and
1840 selection.

1841 (35) Each board of trustees may exercise the right of
1842 eminent domain pursuant to the provisions of chapter 1013.

1843 (36) Each board of trustees may enter into lease-purchase
1844 arrangements with private individuals or corporations for
1845 necessary grounds and buildings for Florida Community College
1846 System institution purposes, other than dormitories, or for
1847 buildings other than dormitories to be erected for Florida
1848 Community College System institution purposes. Such arrangements
1849 shall be paid from capital outlay and debt service funds as
1850 provided by s. 1011.84(2), with terms not to exceed 30 years at
1851 a stipulated rate. The provisions of such contracts, including
1852 building plans, are subject to approval by the Department of
1853 Education, and no such contract may be entered into without such
1854 approval.

1855 (37) Each board of trustees may purchase, acquire, receive,
1856 hold, own, manage, lease, sell, dispose of, and convey title to
1857 real property, in the best interests of the Florida Community
1858 College System institution.

1859 (38) Each board of trustees is authorized to enter into

14-00176A-17

2017374__

1860 short-term loans and installment, lease-purchase, and other
1861 financing contracts for a term of not more than 5 years,
1862 including renewals, extensions, and refundings. Payments on
1863 short-term loans and installment, lease-purchase, and other
1864 financing contracts pursuant to this subsection shall be subject
1865 to annual appropriation by the board of trustees. Each board of
1866 trustees is authorized to borrow funds and incur long-term debt,
1867 including promissory notes, installment sales agreements, lease-
1868 purchase agreements, certificates of participation, and other
1869 similar long-term financing arrangements, only as specifically
1870 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At
1871 the option of the board of trustees, bonds issued pursuant to
1872 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured
1873 by a combination of revenues authorized to be pledged to bonds
1874 pursuant to such subsections. Revenue bonds may not be secured
1875 by or paid from, directly or indirectly, tuition, financial aid
1876 fees, the Florida Community College System Program Fund, or any
1877 other operating revenues of a Florida Community College System
1878 institution. Lease-purchase agreements may be secured by a
1879 combination of revenues as specifically authorized pursuant to
1880 ss. 1009.22(7) and 1009.23(10).

1881 (39) Each board of trustees shall prescribe conditions for
1882 direct-support organizations to be certified and to use Florida
1883 Community College System institution property and services.
1884 Conditions relating to certification must provide for audit
1885 review and oversight by the board of trustees.

1886 (40) Each board of trustees may adopt policies pursuant to
1887 s. 1010.02 that provide procedures for transferring to the
1888 direct-support organization of that Florida Community College

14-00176A-17

2017374__

1889 System institution for administration by such organization
1890 contributions made to the Florida Community College System
1891 institution.

1892 (41) The board of trustees shall exert every effort to
1893 collect all delinquent accounts pursuant to s. 1010.03.

1894 (42) Each board of trustees shall implement a plan, in
1895 accordance with guidelines of the State Board of Community
1896 Colleges Education, for working on a regular basis with the
1897 other Florida Community College System institution boards of
1898 trustees, representatives of the university boards of trustees,
1899 and representatives of the district school boards to achieve the
1900 goals of the seamless education system.

1901 (43) Each board of trustees has responsibility for
1902 compliance with state and federal laws, rules, regulations, and
1903 requirements.

1904 (44) Each board of trustees may adopt rules, procedures,
1905 and policies related to institutional governance,
1906 administration, and management in order to promote orderly and
1907 efficient operation, including, but not limited to, financial
1908 management, budget management, physical plant management, and
1909 property management.

1910 (45) Each board of trustees may adopt rules and procedures
1911 related to data or technology, including, but not limited to,
1912 information systems, communications systems, computer hardware
1913 and software, and networks.

1914 (46) Each board of trustees may consider the past actions
1915 of any person applying for employment and may deny employment to
1916 a person because of misconduct if determined to be in the best
1917 interest of the Florida Community College System institution.

14-00176A-17

2017374__

1918 (47) Each contract or employment agreement, or renewal or
1919 renegotiation of an existing contract or employment agreement,
1920 containing a provision for severance pay with an officer, agent,
1921 employee, or contractor must include the provisions required in
1922 s. 215.425.

1923 (48) Each board of trustees shall use purchasing agreements
1924 and state term contracts pursuant to s. 287.056 or enter into
1925 consortia and cooperative agreements to maximize the purchasing
1926 power for goods and services. A consortium or cooperative
1927 agreement may be statewide, regional, or a combination of
1928 institutions, as appropriate to achieve the lowest cost, with
1929 the goal of achieving a 5-percent savings on existing contract
1930 prices through the use of new cooperative arrangements or new
1931 consortium contracts.

1932 Section 20. Section 1001.65, Florida Statutes, is amended
1933 to read:

1934 1001.65 Florida Community College System institution
1935 presidents; powers and duties.—The president is the chief
1936 executive officer of the Florida Community College System
1937 institution, shall be corporate secretary of the Florida
1938 Community College System institution board of trustees, and is
1939 responsible for the operation and administration of the Florida
1940 Community College System institution. Each Florida Community
1941 College System institution president shall:

1942 (1) Recommend the adoption of rules, as appropriate, to the
1943 Florida Community College System institution board of trustees
1944 to implement provisions of law governing the operation and
1945 administration of the Florida Community College System
1946 institution, which shall include the specific powers and duties

14-00176A-17

2017374__

1947 enumerated in this section. Such rules shall be consistent with
1948 law, the mission of the Florida Community College System
1949 institution, and the rules and policies of the State Board of
1950 Community Colleges ~~Education~~.

1951 (2) Prepare a budget request and an operating budget
1952 pursuant to s. 1011.30 for approval by the Florida Community
1953 College System institution board of trustees at such time and in
1954 such format as the State Board of Community Colleges ~~Education~~
1955 may prescribe.

1956 (3) Establish and implement policies and procedures to
1957 recruit, appoint, transfer, promote, compensate, evaluate,
1958 reward, demote, discipline, and remove personnel, within law and
1959 rules of the State Board of Community College ~~Education~~ and in
1960 accordance with rules or policies approved by the Florida
1961 Community College System institution board of trustees.

1962 (4) Govern admissions, subject to law and rules or policies
1963 of the Florida Community College System institution board of
1964 trustees and the State Board of Community Colleges ~~Education~~.

1965 (5) Approve, execute, and administer contracts for and on
1966 behalf of the Florida Community College System institution board
1967 of trustees for licenses; the acquisition or provision of
1968 commodities, goods, equipment, and services; leases of real and
1969 personal property; and planning and construction to be rendered
1970 to or by the Florida Community College System institution,
1971 provided such contracts are within law and guidelines of the
1972 State Board of Community Colleges ~~Education~~ and in conformance
1973 with policies of the Florida Community College System
1974 institution board of trustees, and are for the implementation of
1975 approved programs of the Florida Community College System

14-00176A-17

2017374__

1976
1977
1978
1979
1980
1981
1982
1983
1984
1985
1986
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004

institution.

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

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

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

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

(10) Award degrees.

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

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

(13) Review periodically the operations of the Florida Community College System institution in order to determine how effectively and efficiently the Florida Community College System institution is being administered and whether it is meeting the

14-00176A-17

2017374__

2005 goals of its strategic plan adopted by the State Board of
2006 Community Colleges ~~Education~~.

2007 (14) Enter into agreements for student exchange programs
2008 that involve students at the Florida Community College System
2009 institution and students in other institutions of higher
2010 learning.

2011 (15) Approve the internal procedures of student government
2012 organizations and provide purchasing, contracting, and budgetary
2013 review processes for these organizations.

2014 (16) Ensure compliance with federal and state laws, rules,
2015 regulations, and other requirements that are applicable to the
2016 Florida Community College System institution.

2017 (17) Maintain all data and information pertaining to the
2018 operation of the Florida Community College System institution,
2019 and report on the attainment by the Florida Community College
2020 System institution of institutional and statewide performance
2021 accountability goals.

2022 (18) Certify to the department a project's compliance with
2023 the requirements for expenditure of PECO funds prior to release
2024 of funds pursuant to ~~the provisions of~~ chapter 1013.

2025 (19) Provide to the law enforcement agency and fire
2026 department that has jurisdiction over the Florida Community
2027 College System institution a copy of the floor plans and other
2028 relevant documents for each educational facility as defined in
2029 s. 1013.01(6). After the initial submission of the floor plans
2030 and other relevant documents, the Florida Community College
2031 System institution president shall submit, by October 1 of each
2032 year, revised floor plans and other relevant documents for each
2033 educational facility that was modified during the preceding

14-00176A-17

2017374__

2034 year.

2035 (20) Develop and implement jointly with school
 2036 superintendents a comprehensive dual enrollment articulation
 2037 agreement for the students enrolled in their respective school
 2038 districts and service areas pursuant to s. 1007.271(21).

2039 (21) Have authority, after notice to the student of the
 2040 charges and after a hearing thereon, to expel, suspend, or
 2041 otherwise discipline any student who is found to have violated
 2042 any law, ordinance, or rule or regulation of the State Board of
 2043 Community Colleges ~~Education~~ or of the board of trustees of the
 2044 Florida Community College System institution pursuant to the
 2045 provisions of s. 1006.62.

2046 (22) Submit an annual employment accountability plan to the
 2047 State Board of Community Colleges ~~Department of Education~~
 2048 pursuant to the provisions of s. 1012.86.

2049 (23) Annually evaluate, or have a designee annually
 2050 evaluate, each department chairperson, dean, provost, and vice
 2051 president in achieving the annual and long-term goals and
 2052 objectives of the Florida Community College System institution's
 2053 employment accountability plan.

2054 (24) Have vested with the president or the president's
 2055 designee the authority that is vested with the Florida Community
 2056 College System institution.

2057 Section 21. Section 1001.66, Florida Statutes, is amended
 2058 to read:

2059 1001.66 Florida Community College System Performance-Based
 2060 Incentive.—

2061 (1) A Florida Community College System Performance-Based
 2062 Incentive shall be awarded to Florida Community College System

14-00176A-17

2017374__

2063 institutions using performance-based metrics adopted by the
2064 State Board of Community Colleges ~~Education~~. The performance-
2065 based metrics must include retention rates; program completion
2066 and graduation rates; postgraduation employment, salaries, and
2067 continuing education for workforce education and baccalaureate
2068 programs, with wage thresholds that reflect the added value of
2069 the certificate or degree; and outcome measures appropriate for
2070 associate of arts degree recipients. The state board shall adopt
2071 benchmarks to evaluate each institution's performance on the
2072 metrics to measure the institution's achievement of
2073 institutional excellence or need for improvement and the minimum
2074 requirements for eligibility to receive performance funding.

2075 (2) Each fiscal year, the amount of funds available for
2076 allocation to the Florida Community College System institutions
2077 based on the performance-based funding model shall consist of
2078 the state's investment in performance funding plus institutional
2079 investments consisting of funds to be redistributed from the
2080 base funding of the Florida Community College System Program
2081 Fund as determined in the General Appropriations Act. The State
2082 Board of Community Colleges ~~Education~~ shall establish minimum
2083 performance funding eligibility thresholds for the state's
2084 investment and the institutional investments. An institution
2085 that meets the minimum institutional investment eligibility
2086 threshold, but fails to meet the minimum state investment
2087 eligibility threshold, shall have its institutional investment
2088 restored but is ineligible for a share of the state's investment
2089 in performance funding. The institutional investment shall be
2090 restored for all institutions eligible for the state's
2091 investment under the performance-based funding model.

14-00176A-17

2017374__

2092 (3) (a) Each Florida Community College System institution's
2093 share of the performance funding shall be calculated based on
2094 its relative performance on the established metrics in
2095 conjunction with the institutional size and scope.

2096 (b) A Florida Community College System institution that
2097 fails to meet the State Board of Community Colleges' ~~Education's~~
2098 minimum institutional investment performance funding eligibility
2099 threshold shall have a portion of its institutional investment
2100 withheld by the state board and must submit an improvement plan
2101 to the state board which specifies the activities and strategies
2102 for improving the institution's performance. The state board
2103 must review and approve the improvement plan and, if the plan is
2104 approved, must monitor the institution's progress in
2105 implementing the activities and strategies specified in the
2106 improvement plan. The institution shall submit monitoring
2107 reports to the state board by December 31 and May 31 of each
2108 year in which an improvement plan is in place. Beginning in the
2109 2017-2018 fiscal year, the ability of an institution to submit
2110 an improvement plan to the state board is limited to 1 fiscal
2111 year.

2112 (c) The Chancellor of the Florida Community College System
2113 ~~Commissioner of Education~~ shall withhold disbursement of the
2114 institutional investment until the monitoring report is approved
2115 by the State Board of Community Colleges ~~Education~~. A Florida
2116 Community College System institution determined by the state
2117 board to be making satisfactory progress on implementing the
2118 improvement plan shall receive no more than one-half of the
2119 withheld institutional investment in January and the balance of
2120 the withheld institutional investment in June. An institution

14-00176A-17

2017374__

2121 that fails to make satisfactory progress may not have its full
2122 institutional investment restored. Any institutional investment
2123 funds that are not restored shall be redistributed in accordance
2124 with the state board's performance-based metrics.

2125 (4) Distributions of performance funding, as provided in
2126 this section, shall be made to each of the Florida Community
2127 College System institutions listed in the Florida Community
2128 Colleges category in the General Appropriations Act.

2129 (5) By October 1 of each year, the State Board of Community
2130 Colleges ~~Education~~ shall submit to the Governor, the President
2131 of the Senate, and the Speaker of the House of Representatives a
2132 report on the previous fiscal year's performance funding
2133 allocation, which must reflect the rankings and award
2134 distributions.

2135 (6) The State Board of Community Colleges ~~Education~~ shall
2136 adopt rules to administer this section.

2137 Section 22. Section 1001.67, Florida Statutes, is amended
2138 to read:

2139 1001.67 Distinguished Florida Community College System
2140 Institution Program.—A collaborative partnership is established
2141 between the State Board of Community Colleges ~~Education~~ and the
2142 Legislature to recognize the excellence of Florida's highest-
2143 performing Florida Community College System institutions.

2144 (1) EXCELLENCE STANDARDS.—The following excellence
2145 standards are established for the program:

2146 (a) A 150 percent-of-normal-time completion rate of 50
2147 percent or higher, as calculated by the Division of Florida
2148 Colleges.

2149 (b) A 150 percent-of-normal-time completion rate for Pell

14-00176A-17

2017374__

2150 Grant recipients of 40 percent or higher, as calculated by the
2151 State Board of Community ~~Division of Florida~~ Colleges.

2152 (c) A retention rate of 70 percent or higher, as calculated
2153 by the State Board of Community ~~Division of Florida~~ Colleges.

2154 (d) A continuing education, or transfer, rate of 72 percent
2155 or higher for students graduating with an associate of arts
2156 degree, as reported by the Florida Education and Training
2157 Placement Information Program (FETPIP).

2158 (e) A licensure passage rate on the National Council
2159 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
2160 percent or higher for first-time exam takers, as reported by the
2161 Board of Nursing.

2162 (f) A job placement or continuing education rate of 88
2163 percent or higher for workforce programs, as reported by FETPIP.

2164 (g) A time-to-degree for students graduating with an
2165 associate of arts degree of 2.25 years or less for first-time-
2166 in-college students with accelerated college credits, as
2167 reported by the Southern Regional Education Board.

2168 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
2169 Community Colleges ~~Education~~ shall designate each Florida
2170 Community College System institution that meets five of the
2171 seven standards identified in subsection (1) as a distinguished
2172 college.

2173 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community
2174 College System institution designated as a distinguished college
2175 by the State Board of Community Colleges ~~Education~~ is eligible
2176 for funding as specified in the General Appropriations Act.

2177 Section 23. Subsection (9) of section 1001.706, Florida
2178 Statutes, is amended to read:

14-00176A-17

2017374__

2179 1001.706 Powers and duties of the Board of Governors.—

2180 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
2181 shall implement a plan for working on a regular basis with the
2182 State Board of Education, the State Board of Community Colleges,
2183 the Commission for Independent Education, the Higher Education
2184 Coordinating Council, the Articulation Coordinating Committee,
2185 the university boards of trustees, representatives of the
2186 Florida Community College System institution boards of trustees,
2187 representatives of the private colleges and universities, and
2188 representatives of the district school boards to achieve a
2189 seamless education system.

2190 Section 24. Subsections (1) and (18) of section 1002.34,
2191 Florida Statutes, are amended to read:

2192 1002.34 Charter technical career centers; governance,
2193 mission, and responsibilities.—

2194 (1) MISSION AND AUTHORIZATION.—

2195 (a) The primary mission of a charter technical career
2196 center is to promote ~~The Legislature finds that the~~
2197 ~~establishment of charter technical career centers can assist in~~
2198 ~~promoting~~ advances and innovations in workforce preparation and
2199 economic development. A charter technical career center may
2200 provide a learning environment that ~~better~~ serves the needs of a
2201 specific population group or a group of occupations, thus
2202 promoting diversity and choices within the public education and
2203 public postsecondary technical education community in this
2204 state. Therefore, the creation of such centers is authorized as
2205 part of the state's program of public education. A charter
2206 technical career center may be formed by creating a new school
2207 or converting an existing school district or Florida Community

14-00176A-17

2017374__

2208 College System institution program to charter technical status.

2209 (b) A charter technical career center that is operated by a
2210 district school board may not offer a college credit course or a
2211 college credit certificate or an associate degree or
2212 baccalaureate degree program.

2213 (18) RULES.—The State Board of Education, for technical
2214 centers operated by school districts, and the State Board of
2215 Community Colleges, for technical centers operated by Florida
2216 Community College System institutions, shall adopt rules,
2217 pursuant to ss. 120.536(1) and 120.54, relating to the
2218 implementation of charter technical career centers, including
2219 rules to implement a charter model application form and an
2220 evaluation instrument in accordance with this section.

2221 Section 25. Paragraph (b) of subsection (4) of section
2222 1003.491, Florida Statutes, is amended to read:

2223 1003.491 Florida Career and Professional Education Act.—The
2224 Florida Career and Professional Education Act is created to
2225 provide a statewide planning partnership between the business
2226 and education communities in order to attract, expand, and
2227 retain targeted, high-value industry and to sustain a strong,
2228 knowledge-based economy.

2229 (4) The State Board of Education shall establish a process
2230 for the continual and uninterrupted review of newly proposed
2231 core secondary courses and existing courses requested to be
2232 considered as core courses to ensure that sufficient rigor and
2233 relevance is provided for workforce skills and postsecondary
2234 education and aligned to state curriculum standards.

2235 (b) The curriculum review committee shall review newly
2236 proposed core courses electronically. Each proposed core course

14-00176A-17

2017374__

2237 shall be approved or denied within 30 days after submission by a
2238 district school board or local workforce development board. All
2239 courses approved as core courses for purposes of middle school
2240 promotion and high school graduation shall be immediately added
2241 to the Course Code Directory. Approved core courses shall also
2242 be reviewed and considered for approval for dual enrollment
2243 credit. The Board of Governors, the State Board of Community
2244 Colleges, and the Commissioner of Education shall jointly
2245 recommend an annual deadline for approval of new core courses to
2246 be included for purposes of postsecondary admissions and dual
2247 enrollment credit the following academic year. The State Board
2248 of Education shall establish an appeals process in the event
2249 that a proposed course is denied which shall require a consensus
2250 ruling by the Department of Economic Opportunity and the
2251 Commissioner of Education within 15 days.

2252 Section 26. Paragraph (b) of subsection (4) of section
2253 1003.493, Florida Statutes, is amended to read:

2254 1003.493 Career and professional academies and career-
2255 themed courses.—

2256 (4) Each career and professional academy and secondary
2257 school providing a career-themed course must:

2258 (b) Include one or more partnerships with postsecondary
2259 institutions, businesses, industry, employers, economic
2260 development organizations, or other appropriate partners from
2261 the local community. Such partnerships with postsecondary
2262 institutions shall be delineated in articulation agreements and
2263 include any career and professional academy courses or career-
2264 themed courses that earn postsecondary credit. Such agreements
2265 may include articulation between the secondary school and public

14-00176A-17

2017374__

2266 or private 2-year and 4-year postsecondary institutions and
2267 technical centers. The Department of Education, in consultation
2268 with the Board of Governors and the State Board of Community
2269 Colleges, shall establish a mechanism to ensure articulation and
2270 transfer of credits to postsecondary institutions in this state.
2271 Such partnerships must provide opportunities for:

2272 1. Instruction from highly skilled professionals who
2273 possess industry-certification credentials for courses they are
2274 teaching.

2275 2. Internships, externships, and on-the-job training.

2276 3. A postsecondary degree, diploma, or certificate.

2277 4. The highest available level of industry certification.

2278 5. Maximum articulation of credits pursuant to s. 1007.23
2279 upon program completion.

2280 Section 27. Subsections (4), (5), and (6) of section
2281 1004.015, Florida Statutes, are amended to read:

2282 1004.015 Higher Education Coordinating Council.—

2283 (4) The council shall serve as an advisory board to the
2284 Legislature, the State Board of Education, ~~and~~ the Board of
2285 Governors, and the State Board of Community Colleges.

2286 Recommendations of the council shall be consistent with the
2287 following guiding principles:

2288 (a) To achieve within existing resources a seamless
2289 academic educational system that fosters an integrated continuum
2290 of kindergarten through graduate school education for Florida's
2291 students.

2292 (b) To promote consistent education policy across all
2293 educational delivery systems, focusing on students.

2294 (c) To promote substantially improved articulation across

14-00176A-17

2017374__

2295 all educational delivery systems.

2296 (d) To promote a system that maximizes educational access
2297 and allows the opportunity for a high-quality education for all
2298 Floridians.

2299 (e) To promote a system of coordinated and consistent
2300 transfer of credit and data collection for improved
2301 accountability purposes between the educational delivery
2302 systems.

2303 (5) The council shall annually by December 31 submit to the
2304 Governor, the President of the Senate, the Speaker of the House
2305 of Representatives, the Board of Governors, the State Board of
2306 Community Colleges, and the State Board of Education a report
2307 outlining its recommendations relating to:

2308 (a) The primary core mission of public and nonpublic
2309 postsecondary education institutions in the context of state
2310 access demands and economic development goals.

2311 (b) Performance outputs and outcomes designed to meet
2312 annual and long-term state goals, including, but not limited to,
2313 increased student access, preparedness, retention, transfer, and
2314 completion. Performance measures must be consistent across
2315 sectors and allow for a comparison of the state's performance to
2316 that of other states.

2317 (c) The state's articulation policies and practices to
2318 ensure that cost benefits to the state are maximized without
2319 jeopardizing quality. The recommendations shall consider return
2320 on investment for both the state and students and propose
2321 systems to facilitate and ensure institutional compliance with
2322 state articulation policies.

2323 (d) Workforce development education, specifically

14-00176A-17

2017374__

2324 recommending improvements to the consistency of workforce
2325 education data collected and reported by Florida Community
2326 College System institutions and school districts, including the
2327 establishment of common elements and definitions for any data
2328 that is used for state and federal funding and program
2329 accountability.

2330 (6) The Office of K-20 Articulation, in collaboration with
2331 the Board of Governors and the State Board of Community Division
2332 ~~of Florida~~ Colleges, shall provide administrative support for
2333 the council.

2334 Section 28. Subsection (7) of section 1004.02, Florida
2335 Statutes, is amended to read:

2336 1004.02 Definitions.—As used in this chapter:

2337 (7) "Applied technology diploma program" means a course of
2338 study that is part of a technical degree program, is less than
2339 60 credit hours, and leads to employment in a specific
2340 occupation. An applied technology diploma program may consist of
2341 either technical credit or college credit. A public school
2342 district may offer an applied technology diploma program only as
2343 technical credit, with college credit awarded to a student upon
2344 articulation to a Florida Community College System institution.
2345 Statewide articulation among public schools and Florida
2346 Community College System institutions is guaranteed by s.
2347 1007.23, and is subject to guidelines and standards adopted by
2348 the State Board of Community Colleges Education pursuant to ss.
2349 1007.24 and 1007.25.

2350 Section 29. Subsection (2) of section 1004.03, Florida
2351 Statutes, is amended to read:

2352 1004.03 Program approval.—

14-00176A-17

2017374__

2353 (2) The State Board of Community Colleges ~~Education~~ shall
2354 establish criteria for the approval of new programs at Florida
2355 Community College System institutions, which criteria include,
2356 but are not limited to, the following:

2357 (a) New programs may not be approved unless the same
2358 objectives cannot be met through use of educational technology.

2359 (b) Unnecessary duplication of programs offered by
2360 independent institutions shall be avoided.

2361 (c) Cooperative programs, particularly within regions,
2362 should be encouraged.

2363 (d) New programs may be approved only if they are
2364 consistent with the ~~state master~~ plan adopted by the State Board
2365 of Community Colleges ~~Education~~.

2366 Section 30. Paragraph (f) of subsection (4) of section
2367 1004.04, Florida Statutes, is amended to read:

2368 1004.04 Public accountability and state approval for
2369 teacher preparation programs.—

2370 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
2371 teacher preparation program shall be based upon evidence that
2372 the program continues to implement the requirements for initial
2373 approval and upon significant, objective, and quantifiable
2374 measures of the program and the performance of the program
2375 completers.

2376 (f) By January 1 of each year, the Department of Education
2377 shall report the results of each approved program's annual
2378 progress on the performance measures in paragraph (a) as well as
2379 the current approval status of each program to:

- 2380 1. The Governor.
- 2381 2. The President of the Senate.

14-00176A-17

2017374__

- 2382 3. The Speaker of the House of Representatives.
 2383 4. The State Board of Education.
 2384 5. The Board of Governors.
 2385 6. The State Board of Community Colleges.
 2386 7. The Commissioner of Education.
 2387 ~~8.7.~~ Each Florida postsecondary teacher preparation
 2388 program.
 2389 ~~9.8.~~ Each district school superintendent.
 2390 ~~10.9.~~ The public.

2391
 2392 This report may include the results of other continued approval
 2393 requirements provided by State Board of Education rule and
 2394 recommendations for improving teacher preparation programs in
 2395 the state.

2396 Section 31. Section 1004.07, Florida Statutes, is amended
 2397 to read:

2398 1004.07 Student withdrawal from courses due to military
 2399 service; effect.—

2400 (1) Each district school board, Florida Community College
 2401 System institution board of trustees, and state university board
 2402 of trustees shall establish policies regarding currently
 2403 enrolled students who are called to, or enlist in, active
 2404 military service.

2405 (2) Such policies must ~~shall~~ provide that any student
 2406 enrolled in a postsecondary course or courses at a career
 2407 center, a Florida Community College System institution, or a
 2408 state university may ~~shall~~ not incur academic or financial
 2409 penalties by virtue of performing military service on behalf of
 2410 our country. Such student shall be permitted the option of

14-00176A-17

2017374__

2411 either completing the course or courses at a later date without
2412 penalty or withdrawing from the course or courses with a full
2413 refund of fees paid. If the student chooses to withdraw, the
2414 student's record shall reflect that the withdrawal is due to
2415 active military service.

2416 (3) Policies of district school boards must ~~and Florida~~
2417 ~~College System institution boards of trustees shall be~~
2418 established by rule and pursuant to guidelines of the State
2419 Board of Education.

2420 (4) Policies of state university boards of trustees must
2421 ~~shall~~ be established by regulation and pursuant to guidelines of
2422 the Board of Governors.

2423 (5) Policies of Florida Community College System
2424 institution boards of trustees must be established by rule and
2425 pursuant to guidelines of the State Board of Community Colleges.

2426 Section 32. Section 1004.084, Florida Statutes, is amended
2427 to read:

2428 1004.084 College affordability.—

2429 (1) The Board of Governors and the State Board of Community
2430 Colleges ~~Education~~ shall annually identify strategies to promote
2431 college affordability for all Floridians by evaluating, at a
2432 minimum, the impact of:

2433 (a) Tuition and fees on undergraduate, graduate, and
2434 professional students at public colleges and universities and
2435 graduate assistants employed by public universities.

2436 (b) Federal, state, and institutional financial aid
2437 policies on the actual cost of attendance for students and their
2438 families.

2439 (c) The costs of textbooks and instructional materials.

14-00176A-17

2017374__

2440 (2) By December 31 of each year, ~~beginning in 2016,~~ the
2441 Board of Governors and the State Board of Community Colleges
2442 ~~Education~~ shall submit a report on their respective college
2443 affordability initiatives to the Governor, the President of the
2444 Senate, and the Speaker of the House of Representatives.

2445 Section 33. Paragraph (d) of subsection (3) and subsections
2446 (6), (7), and (8) of section 1004.085, Florida Statutes, are
2447 amended to read:

2448 1004.085 Textbook and instructional materials
2449 affordability.—

2450 (3) An employee may receive:

2451 (d) Fees associated with activities such as reviewing,
2452 critiquing, or preparing support materials for textbooks or
2453 instructional materials pursuant to guidelines adopted by the
2454 State Board of Community Colleges ~~Education~~ or the Board of
2455 Governors.

2456 (6) Each Florida Community College System institution and
2457 state university shall post prominently in the course
2458 registration system and on its website, as early as is feasible,
2459 but at least 45 days before the first day of class for each
2460 term, a hyperlink to lists of required and recommended textbooks
2461 and instructional materials for at least 95 percent of all
2462 courses and course sections offered at the institution during
2463 the upcoming term. The lists must include the International
2464 Standard Book Number (ISBN) for each required and recommended
2465 textbook and instructional material or other identifying
2466 information, which must include, at a minimum, all of the
2467 following: the title, all authors listed, publishers, edition
2468 number, copyright date, published date, and other relevant

14-00176A-17

2017374__

2469 information necessary to identify the specific textbooks or
2470 instructional materials required and recommended for each
2471 course. The State Board of Community Colleges ~~Education~~ and the
2472 Board of Governors shall include in the policies, procedures,
2473 and guidelines adopted under subsection (7) certain limited
2474 exceptions to this notification requirement for classes added
2475 after the notification deadline.

2476 (7) After receiving input from students, faculty,
2477 bookstores, and publishers, the State Board of Community
2478 Colleges ~~Education~~ and the Board of Governors each shall adopt
2479 textbook and instructional materials affordability policies,
2480 procedures, and guidelines for implementation by Florida
2481 Community College System institutions and state universities,
2482 respectively, that further efforts to minimize the cost of
2483 textbooks and instructional materials for students attending
2484 such institutions while maintaining the quality of education and
2485 academic freedom. The policies, procedures, and guidelines shall
2486 address:

2487 (a) The establishment of deadlines for an instructor or
2488 department to notify the bookstore of required and recommended
2489 textbooks and instructional materials so that the bookstore may
2490 verify availability, source lower cost options when practicable,
2491 explore alternatives with faculty when academically appropriate,
2492 and maximize the availability of used textbooks and
2493 instructional materials.

2494 (b) Confirmation by the course instructor or academic
2495 department offering the course, before the textbook or
2496 instructional materials adoption is finalized, of the intent to
2497 use all items ordered, particularly each individual item sold as

14-00176A-17

2017374__

2498 part of a bundled package.

2499 (c) Determination by a course instructor or the academic
2500 department offering the course, before a textbook or
2501 instructional material is adopted, of the extent to which a new
2502 edition differs significantly and substantively from earlier
2503 versions and the value to the student of changing to a new
2504 edition or the extent to which an open-access textbook or
2505 instructional material is available.

2506 (d) The availability of required and recommended textbooks
2507 and instructional materials to students otherwise unable to
2508 afford the cost, including consideration of the extent to which
2509 an open-access textbook or instructional material may be used.

2510 (e) Participation by course instructors and academic
2511 departments in the development, adaptation, and review of open-
2512 access textbooks and instructional materials and, in particular,
2513 open-access textbooks and instructional materials for high-
2514 demand general education courses.

2515 (f) Consultation with school districts to identify
2516 practices that impact the cost of dual enrollment textbooks and
2517 instructional materials to school districts, including, but not
2518 limited to, the length of time that textbooks and instructional
2519 materials remain in use.

2520 (g) Selection of textbooks and instructional materials
2521 through cost-benefit analyses that enable students to obtain the
2522 highest-quality product at the lowest available price, by
2523 considering:

- 2524 1. Purchasing digital textbooks in bulk.
- 2525 2. Expanding the use of open-access textbooks and
2526 instructional materials.

14-00176A-17

2017374__

2527 3. Providing rental options for textbooks and instructional
2528 materials.

2529 4. Increasing the availability and use of affordable
2530 digital textbooks and learning objects.

2531 5. Developing mechanisms to assist in buying, renting,
2532 selling, and sharing textbooks and instructional materials.

2533 6. The length of time that textbooks and instructional
2534 materials remain in use.

2535 7. An evaluation of cost savings for textbooks and
2536 instructional materials which a student may realize if
2537 individual students are able to exercise opt-in provisions for
2538 the purchase of the materials.

2539 (8) The board of trustees of each Florida Community College
2540 System institution and state university shall report, by
2541 September 30 of each year, beginning in 2016, to the Chancellor
2542 of the Florida Community College System or the Chancellor of the
2543 State University System, as applicable, the textbook and
2544 instructional materials selection process for general education
2545 courses with a wide cost variance identified pursuant to
2546 subsection (4) and high-enrollment courses; specific initiatives
2547 of the institution designed to reduce the costs of textbooks and
2548 instructional materials; policies implemented in accordance with
2549 subsection (6); the number of courses and course sections that
2550 were not able to meet the textbook and instructional materials
2551 posting deadline for the previous academic year; and any
2552 additional information determined by the chancellors. By
2553 November 1 of each year, ~~beginning in 2016,~~ each chancellor
2554 shall provide a summary of the information provided by
2555 institutions to the State Board of Community Colleges ~~Education~~

14-00176A-17

2017374__

2556 and the Board of Governors, as applicable.

2557 Section 34. Section 1004.096, Florida Statutes, is amended
2558 to read:

2559 1004.096 College credit for military training and education
2560 courses.—The Board of Governors shall adopt regulations and the
2561 State Board of Community Colleges ~~Education~~ shall adopt rules
2562 that enable eligible servicemembers or veterans of the United
2563 States Armed Forces to earn academic college credit at public
2564 postsecondary educational institutions for college-level
2565 training and education acquired in the military. The regulations
2566 and rules shall include procedures for credential evaluation and
2567 the award of academic college credit, including, but not limited
2568 to, equivalency and alignment of military coursework with
2569 appropriate college courses, course descriptions, type and
2570 amount of college credit that may be awarded, and transfer of
2571 credit.

2572 Section 35. Section 1004.0961, Florida Statutes, is amended
2573 to read:

2574 1004.0961 Credit for online courses. ~~Beginning in the 2015-~~
2575 ~~2016 school year,~~ The State Board of Community Colleges
2576 ~~Education~~ shall adopt rules and the Board of Governors shall
2577 adopt regulations that enable students to earn academic credit
2578 for online courses, including massive open online courses,
2579 before initial enrollment at a postsecondary institution. The
2580 rules of the State Board of Community Colleges ~~Education~~ and
2581 regulations of the Board of Governors must include procedures
2582 for credential evaluation and the award of credit, including,
2583 but not limited to, recommendations for credit by the American
2584 Council on Education; equivalency and alignment of coursework

14-00176A-17

2017374__

2585 with appropriate courses; course descriptions; type and amount
2586 of credit that may be awarded; and transfer of credit.

2587 Section 36. Section 1004.35, Florida Statutes, is amended
2588 to read:

2589 1004.35 Broward County campuses of Florida Atlantic
2590 University; coordination with other institutions.—The State
2591 Board of Community Colleges Education, the Board of Governors,
2592 and Florida Atlantic University shall consult with Broward
2593 College and Florida International University in coordinating
2594 course offerings at the postsecondary level in Broward County.
2595 Florida Atlantic University may contract with the Board of
2596 Trustees of Broward College and with Florida International
2597 University to provide instruction in courses offered at the
2598 Southeast Campus. Florida Atlantic University shall increase
2599 course offerings at the Southeast Campus as facilities become
2600 available.

2601 Section 37. Paragraphs (c) and (d) of subsection (5) and
2602 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2603 are amended to read:

2604 1004.6495 Florida Postsecondary Comprehensive Transition
2605 Program and Florida Center for Students with Unique Abilities.—

2606 (5) CENTER RESPONSIBILITIES.—The Florida Center for
2607 Students with Unique Abilities is established within the
2608 University of Central Florida. At a minimum, the center shall:

2609 (c) Create the application for the initial approval and
2610 renewal of approval as an FPCTP for use by an eligible
2611 institution which, at a minimum, must align with the federal
2612 comprehensive transition and postsecondary program application
2613 requirements. Notwithstanding the program approval requirements

14-00176A-17

2017374__

2614 of s. 1004.03, the director shall review applications for the
 2615 initial approval of an application for, or renewal of approval
 2616 of, an FPCTP.

2617 1. Within 30 days after receipt of an application, the
 2618 director shall issue his or her recommendation regarding
 2619 approval to the Chancellor of the State University System, ~~or~~
 2620 the Chancellor of the Florida Community College System, or the
 2621 Commissioner of Education, as applicable, or shall give written
 2622 notice to the applicant of any deficiencies in the application,
 2623 which the eligible institution must be given an opportunity to
 2624 correct. Within 15 days after receipt of a notice of
 2625 deficiencies, an eligible institution that chooses to continue
 2626 to seek program approval shall correct the application
 2627 deficiencies and return the application to the center. Within 30
 2628 days after receipt of a revised application, the director shall
 2629 recommend approval or disapproval of the revised application to
 2630 the applicable chancellor ~~or the commissioner~~, as applicable.
 2631 Within 15 days after receipt of the director's recommendation,
 2632 the applicable chancellor ~~or the commissioner~~ shall approve or
 2633 disapprove the recommendation. If the applicable chancellor ~~or~~
 2634 ~~the commissioner~~ does not act on the director's recommendation
 2635 within 15 days after receipt of such recommendation, the
 2636 comprehensive transition program proposed by the institution
 2637 shall be considered approved.

2638 2. Initial approval of an application for an FPCTP that
 2639 meets the requirements of this section is valid for the 3
 2640 academic years immediately following the academic year during
 2641 which the approval is granted. An eligible institution may
 2642 submit an application to the center requesting that the initial

14-00176A-17

2017374__

2643 approval be renewed. If the approval is granted and the FPCTP
2644 continues to meet the requirements of this section, including,
2645 but not limited to, program and student performance outcomes,
2646 and federal requirements, a renewal is valid for the 5 academic
2647 years immediately following the academic year during which the
2648 renewal is granted.

2649 3. An application must, at a minimum:

2650 a. Identify a credential associated with the proposed
2651 program which will be awarded to eligible students upon
2652 completion of the FPCTP.

2653 b. Outline the program length and design, including, at a
2654 minimum, inclusive and successful experiential education
2655 practices relating to curricular, assessment, and advising
2656 structure and internship and employment opportunities, which
2657 must support students with intellectual disabilities who are
2658 seeking to continue academic, career and technical, and
2659 independent living instruction at an eligible institution,
2660 including, but not limited to, opportunities to earn industry
2661 certifications, to prepare students for gainful employment. If
2662 an eligible institution offers a credit-bearing degree program,
2663 the institution is responsible for maintaining the rigor and
2664 effectiveness of a comprehensive transition degree program at
2665 the same level as other comparable degree programs offered by
2666 the institution pursuant to applicable accreditation standards.

2667 c. Outline a plan for students with intellectual
2668 disabilities to be integrated socially and academically with
2669 nondisabled students, to the maximum extent possible, and to
2670 participate on not less than a half-time basis, as determined by
2671 the eligible institution, with such participation focusing on

14-00176A-17

2017374__

2672 academic components and occurring through one or more of the
2673 following activities with nondisabled students:

2674 (I) Regular enrollment in credit-bearing courses offered by
2675 the institution.

2676 (II) Auditing or participating in courses offered by the
2677 institution for which the student does not receive academic
2678 credit.

2679 (III) Enrollment in noncredit-bearing, nondegree courses.

2680 (IV) Participation in internships or work-based training.

2681 d. Outline a plan for partnerships with businesses to
2682 promote experiential training and employment opportunities for
2683 students with intellectual disabilities.

2684 e. Identify performance indicators pursuant to subsection
2685 (8) and other requirements identified by the center.

2686 f. Outline a 5-year plan incorporating enrollment and
2687 operational expectations for the program.

2688 (d) Provide technical assistance regarding programs and
2689 services for students with intellectual disabilities to
2690 administrators, instructors, staff, and others, as applicable,
2691 at eligible institutions by:

2692 1. Holding meetings and annual workshops to share
2693 successful practices and to address issues or concerns.

2694 2. Facilitating collaboration between eligible institutions
2695 and school districts, private schools operating pursuant to s.
2696 1002.42, and parents of students enrolled in home education
2697 programs operating pursuant to s. 1002.41 in assisting students
2698 with intellectual disabilities and their parents to plan for the
2699 transition of such students into an FPCTP or another program at
2700 an eligible institution.

14-00176A-17

2017374__

2701 3. Assisting eligible institutions with FPCTP and federal
2702 comprehensive transition and postsecondary program applications.

2703 4. Assisting eligible institutions with the identification
2704 of funding sources for an FPCTP and for student financial
2705 assistance for students enrolled in an FPCTP.

2706 5. Monitoring federal and state law relating to the
2707 comprehensive transition program and notifying the Legislature,
2708 the Governor, the Board of Governors, the State Board of
2709 Community Colleges, and the State Board of Education of any
2710 change in law which may impact the implementation of this
2711 section.

2712 (8) ACCOUNTABILITY.—

2713 (a) The center, in collaboration with the Board of
2714 Governors and the State Board of Community Colleges ~~Education~~,
2715 shall identify indicators for the satisfactory progress of a
2716 student in an FPCTP and for the performance of such programs.
2717 Each eligible institution must address the indicators identified
2718 by the center in its application for the approval of a proposed
2719 program and for the renewal of an FPCTP and in the annual report
2720 that the institution submits to the center.

2721 (b) By October 1 of each year, the center shall provide to
2722 the Governor, the President of the Senate, the Speaker of the
2723 House of Representatives, the Chancellor of the State University
2724 System, and the Chancellor of the Florida Community College
2725 System ~~Commissioner of Education~~ a report summarizing
2726 information including, but not limited to:

2727 1. The status of the statewide coordination of FPCTPs and
2728 the implementation of FPCTPs at eligible institutions including,
2729 but not limited to:

14-00176A-17

2017374__

2730 a. The number of applications approved and disapproved and
2731 the reasons for each disapproval and no action taken by the
2732 chancellor or the commissioner.

2733 b. The number and value of all scholarships awarded to
2734 students and undisbursed advances remitted to the center
2735 pursuant to subsection (7).

2736 2. Indicators identified by the center pursuant to
2737 paragraph (a) and the performance of each eligible institution
2738 based on the indicators identified in paragraph (6)(c).

2739 3. The projected number of students with intellectual
2740 disabilities who may be eligible to enroll in the FPCTPs within
2741 the next academic year.

2742 4. Education programs and services for students with
2743 intellectual disabilities which are available at eligible
2744 institutions.

2745 (c) Beginning in the 2016-2017 fiscal year, the center, in
2746 collaboration with the Board of Governors, State Board of
2747 Community Colleges Education, Higher Education Coordinating
2748 Council, and other stakeholders, by December 1 of each year,
2749 shall submit to the Governor, the President of the Senate, and
2750 the Speaker of the House of Representatives statutory and budget
2751 recommendations for improving the implementation and delivery of
2752 FPCTPs and other education programs and services for students
2753 with disabilities.

2754 (9) RULES.—The Board of Governors and the State Board of
2755 Community Colleges Education, in consultation with the center,
2756 shall expeditiously adopt any necessary regulations and rules,
2757 as applicable, to allow the center to perform its
2758 responsibilities pursuant to this section beginning in the 2016-

14-00176A-17

2017374__

2759 2017 fiscal year.

2760 Section 38. Section 1004.65, Florida Statutes, is amended
2761 to read:

2762 1004.65 Florida Community College System institutions;
2763 governance, mission, and responsibilities.—

2764 (1) Each Florida Community College System institution shall
2765 be governed by a district board of trustees under statutory
2766 authority and rules of the State Board of Community Colleges
2767 Education.

2768 (2) Each Florida Community College System institution
2769 district shall:

2770 (a) Consist of the county or counties served by the Florida
2771 Community College System institution pursuant to s. 1000.21(3).

2772 (b) Be an independent, separate, legal entity created for
2773 the operation of a Florida Community College System institution.

2774 (3) Florida Community College System institutions are
2775 locally based and governed entities with statutory and funding
2776 ties to state government. As such, the mission for Florida
2777 Community College System institutions reflects a commitment to
2778 be responsive to local educational needs and challenges. In
2779 achieving this mission, Florida Community College System
2780 institutions strive to maintain sufficient local authority and
2781 flexibility while preserving appropriate legal accountability to
2782 the state.

2783 (4) As comprehensive institutions, Florida Community
2784 College System institutions shall provide high-quality,
2785 affordable education and training opportunities, shall foster a
2786 climate of excellence, and shall provide opportunities to all
2787 while combining high standards with an open-door admission

14-00176A-17

2017374__

2788 policy for lower-division programs. Florida Community College
2789 System institutions shall, as open-access institutions, serve
2790 all who can benefit, without regard to age, race, gender, creed,
2791 or ethnic or economic background, while emphasizing the
2792 achievement of social and educational equity so that all can be
2793 prepared for full participation in society.

2794 (5) The primary mission and responsibility of Florida
2795 Community College System institutions is responding to community
2796 needs for postsecondary academic education and career degree
2797 education. This mission and responsibility includes being
2798 responsible for:

2799 (a) Providing lower-level ~~lower-level~~ undergraduate
2800 instruction and awarding associate degrees.

2801 (b) Preparing students directly for careers requiring less
2802 than baccalaureate degrees. This may include preparing for job
2803 entry, supplementing of skills and knowledge, and responding to
2804 needs in new areas of technology. Career education in a Florida
2805 Community College System institution consists ~~shall consist~~ of
2806 career certificates, nationally recognized industry
2807 certifications, credit courses leading to associate in science
2808 degrees and associate in applied science degrees, and other
2809 programs in fields requiring substantial academic work,
2810 background, or qualifications. A Florida Community College
2811 System institution may offer career education programs in fields
2812 having lesser academic or technical requirements.

2813 (c) Providing student development services, including
2814 assessment, student tracking, support for disabled students,
2815 advisement, counseling, financial aid, career development, and
2816 remedial and tutorial services, to ensure student success.

14-00176A-17

2017374__

2817 (d) Promoting economic development for the state within
2818 each Florida Community College System institution district
2819 through the provision of special programs, including, but not
2820 limited to, the:

- 2821 1. Enterprise Florida-related programs.
- 2822 2. Technology transfer centers.
- 2823 3. Economic development centers.
- 2824 4. Workforce literacy programs.

2825 (e) Providing dual enrollment instruction.

2826 ~~(f) Providing upper level instruction and awarding~~
2827 ~~baccalaureate degrees as specifically authorized by law.~~

2828 (6) A separate and secondary role for Florida Community
2829 College System institutions includes ~~the offering of programs~~
2830 ~~in:~~

2831 (a) Programs in community services that are not directly
2832 related to academic or occupational advancement.

2833 (b) Programs in adult education services, including adult
2834 basic education, adult general education, adult secondary
2835 education, and high school equivalency examination instruction.

2836 (c) Programs in recreational and leisure services.

2837 (d) Upper-level instruction and awarding baccalaureate
2838 degrees as specifically authorized by law.

2839 (7) Funding for Florida Community College System
2840 institutions must ~~shall~~ reflect their mission as follows:

2841 (a) Postsecondary academic and career education programs
2842 and adult general education programs must ~~shall~~ have first
2843 priority in Florida Community College System institution
2844 funding.

2845 (b) Community service programs shall be presented to the

14-00176A-17

2017374__

2846 Legislature with rationale for state funding. The Legislature
2847 may identify priority areas for use of these funds.

2848 (c) The resources of a Florida Community College System
2849 institution, including staff, faculty, land, and facilities, may
2850 ~~shall~~ not be used to support the establishment of a new
2851 independent nonpublic educational institution. If any
2852 institution uses resources for such purpose, the State Board of
2853 Community ~~Division of Florida~~ Colleges shall notify the
2854 President of the Senate and the Speaker of the House of
2855 Representatives.

2856 (8) Florida Community College System institutions are
2857 authorized to:

2858 (a) Offer such programs and courses as are necessary to
2859 fulfill their mission.

2860 (b) Grant associate in arts degrees, associate in science
2861 degrees, associate in applied science degrees, certificates,
2862 awards, and diplomas.

2863 (c) Make provisions for the high school equivalency
2864 examination.

2865 (d) Provide access to and award baccalaureate degrees in
2866 accordance with law.

2867

2868 Authority to offer one or more baccalaureate degree programs
2869 does not alter the governance relationship of the Florida
2870 Community College System institution with its district board of
2871 trustees or the State Board of Community Colleges ~~Education~~.

2872 Section 39. Section 1004.67, Florida Statutes, is amended
2873 to read:

2874 1004.67 Florida Community College System institutions;

14-00176A-17

2017374__

2875 legislative intent.—It is The legislative intent that Florida
2876 Community College System institutions, constituted as political
2877 subdivisions of the state, continue to be operated by Florida
2878 Community College System institution boards of trustees as
2879 provided in s. 1001.63 and that no department, bureau, division,
2880 agency, or subdivision of the state exercise any responsibility
2881 and authority to operate any Florida Community College System
2882 institution of the state except as specifically provided by law
2883 or rules of the State Board of Community Colleges Education.

2884 Section 40. Section 1004.70, Florida Statutes, is amended
2885 to read:

2886 1004.70 Florida Community College System institution
2887 direct-support organizations.—

2888 (1) DEFINITIONS.—For the purposes of this section:

2889 (a) "Florida Community College System institution direct-
2890 support organization" means an organization that is:

2891 1. A Florida corporation not for profit, incorporated under
2892 the provisions of chapter 617 and approved by the Department of
2893 State.

2894 2. Organized and operated exclusively to receive, hold,
2895 invest, and administer property and to make expenditures to, or
2896 for the benefit of, a Florida Community College System
2897 institution in this state.

2898 3. An organization that the Florida Community College
2899 System institution board of trustees, after review, has
2900 certified to be operating in a manner consistent with the goals
2901 of the Florida Community College System institution and in the
2902 best interest of the state. Any organization that is denied
2903 certification by the board of trustees may not use the name of

14-00176A-17

2017374__

2904 the Florida Community College System institution that it serves.

2905 (b) "Personal services" includes full-time or part-time
2906 personnel as well as payroll processing.

2907 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
2908 shall appoint a representative to the board of directors and the
2909 executive committee of each direct-support organization
2910 established under this section, including those established
2911 before July 1, 1998. The president of the Florida Community
2912 College System institution for which the direct-support
2913 organization is established, or the president's designee, shall
2914 also serve on the board of directors and the executive committee
2915 of the direct-support organization, including any direct-support
2916 organization established before July 1, 1998.

2917 (3) USE OF PROPERTY.—

2918 (a) The board of trustees is authorized to permit the use
2919 of property, facilities, and personal services at any Florida
2920 Community College System institution by any Florida Community
2921 College System institution direct-support organization, subject
2922 to the provisions of this section.

2923 (b) The board of trustees is authorized to prescribe by
2924 rule any condition with which a Florida Community College System
2925 institution direct-support organization must comply in order to
2926 use property, facilities, or personal services at any Florida
2927 Community College System institution.

2928 (c) The board of trustees may not permit the use of
2929 property, facilities, or personal services at any Florida
2930 Community College System institution by any Florida Community
2931 College System institution direct-support organization that does
2932 not provide equal employment opportunities to all persons

14-00176A-17

2017374__

2933 regardless of race, color, national origin, gender, age, or
2934 religion.

2935 (4) ACTIVITIES; RESTRICTIONS.—

2936 (a) A direct-support organization may, at the request of
2937 the board of trustees, provide residency opportunities on or
2938 near campus for students.

2939 (b) A direct-support organization that constructs
2940 facilities for use by a Florida Community College System
2941 institution or its students must comply with all requirements of
2942 law relating to the construction of facilities by a Florida
2943 Community College System institution, including requirements for
2944 competitive bidding.

2945 (c) Any transaction or agreement between one direct-support
2946 organization and another direct-support organization must be
2947 approved by the board of trustees.

2948 (d) A Florida Community College System institution direct-
2949 support organization is prohibited from giving, either directly
2950 or indirectly, any gift to a political committee as defined in
2951 s. 106.011 for any purpose other than those certified by a
2952 majority roll call vote of the governing board of the direct-
2953 support organization at a regularly scheduled meeting as being
2954 directly related to the educational mission of the Florida
2955 Community College System institution.

2956 (e) A Florida Community College System institution board of
2957 trustees must authorize all debt, including lease-purchase
2958 agreements, incurred by a direct-support organization.
2959 Authorization for approval of short-term loans and lease-
2960 purchase agreements for a term of not more than 5 years,
2961 including renewals, extensions, and refundings, for goods,

14-00176A-17

2017374__

2962 materials, equipment, and services may be delegated by the board
2963 of trustees to the board of directors of the direct-support
2964 organization. Trustees shall evaluate proposals for debt
2965 according to guidelines issued by the State Board of Community
2966 ~~Division of Florida~~ Colleges. Revenues of the Florida Community
2967 College System institution may not be pledged to debt issued by
2968 direct-support organizations.

2969 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
2970 organization shall submit to the board of trustees its federal
2971 Internal Revenue Service Application for Recognition of
2972 Exemption form (Form 1023) and its federal Internal Revenue
2973 Service Return of Organization Exempt from Income Tax form (Form
2974 990).

2975 (6) ANNUAL AUDIT.—Each direct-support organization shall
2976 provide for an annual financial audit in accordance with rules
2977 adopted by the Auditor General pursuant to s. 11.45(8). The
2978 annual audit report must be submitted, within 9 months after the
2979 end of the fiscal year, to the Auditor General, the State Board
2980 of Community Colleges Education, and the board of trustees for
2981 review. The board of trustees, the Auditor General, and the
2982 Office of Program Policy Analysis and Government Accountability
2983 may require and receive from the organization or from its
2984 independent auditor any detail or supplemental data relative to
2985 the operation of the organization. The identity of donors who
2986 desire to remain anonymous shall be protected, and that
2987 anonymity shall be maintained in the auditor's report. All
2988 records of the organization, other than the auditor's report,
2989 any information necessary for the auditor's report, any
2990 information related to the expenditure of funds, and any

14-00176A-17

2017374__

2991 supplemental data requested by the board of trustees, the
2992 Auditor General, and the Office of Program Policy Analysis and
2993 Government Accountability, shall be confidential and exempt from
2994 the provisions of s. 119.07(1).

2995 Section 41. Section 1004.71, Florida Statutes, is amended
2996 to read:

2997 1004.71 Statewide Florida Community College System
2998 institution direct-support organizations.—

2999 (1) DEFINITIONS.—For the purposes of this section:

3000 (a) "Statewide Florida Community College System institution
3001 direct-support organization" means an organization that is:

3002 1. A Florida corporation not for profit, incorporated under
3003 the provisions of chapter 617 and approved by the Department of
3004 State.

3005 2. Organized and operated exclusively to receive, hold,
3006 invest, and administer property and to make expenditures to, or
3007 for the benefit of, the Florida Community College System
3008 institutions in this state.

3009 3. An organization that the State Board of Community
3010 Colleges ~~Education~~, after review, has certified to be operating
3011 in a manner consistent with the goals of the Florida Community
3012 College System institutions and in the best interest of the
3013 state.

3014 (b) "Personal services" includes full-time or part-time
3015 personnel as well as payroll processing.

3016 (2) BOARD OF DIRECTORS.—The chair of the State Board of
3017 Community Colleges ~~Education~~ may appoint a representative to the
3018 board of directors and the executive committee of any statewide,
3019 direct-support organization established under this section or s.

14-00176A-17

2017374__

3020 1004.70. The chair of the State Board of Community Colleges
3021 ~~Education~~, or the chair's designee, shall also serve on the
3022 board of directors and the executive committee of any direct-
3023 support organization established to benefit Florida Community
3024 College System institutions.

3025 (3) USE OF PROPERTY.—

3026 (a) The State Board of Education may permit the use of
3027 property, facilities, and personal services of the Department of
3028 Education by any statewide Florida Community College System
3029 institution direct-support organization, subject to the
3030 provisions of this section.

3031 (b) The State Board of Education may prescribe by rule any
3032 condition with which a statewide Florida Community College
3033 System institution direct-support organization must comply in
3034 order to use property, facilities, or personal services of the
3035 Department of Education.

3036 (c) The State Board of Education may not permit the use of
3037 property, facilities, or personal services of the Department of
3038 Education by any statewide Florida Community College System
3039 institution direct-support organization that does not provide
3040 equal employment opportunities to all persons regardless of
3041 race, color, national origin, gender, age, or religion.

3042 (4) RESTRICTIONS.—

3043 (a) A statewide, direct-support organization may not use
3044 public funds to acquire, construct, maintain, or operate any
3045 facilities.

3046 (b) Any transaction or agreement between a statewide,
3047 direct-support organization and any other direct-support
3048 organization must be approved by the State Board of Community

14-00176A-17

2017374__

3049 Colleges ~~Education~~.

3050 (c) A statewide Florida Community College System
3051 institution direct-support organization is prohibited from
3052 giving, either directly or indirectly, any gift to a political
3053 committee as defined in s. 106.011 for any purpose other than
3054 those certified by a majority roll call vote of the governing
3055 board of the direct-support organization at a regularly
3056 scheduled meeting as being directly related to the educational
3057 mission of the State Board of Community Colleges ~~Education~~.

3058 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
3059 organization shall submit to the State Board of Community
3060 Colleges ~~Education~~ its federal Internal Revenue Service
3061 Application for Recognition of Exemption form (Form 1023) and
3062 its federal Internal Revenue Service Return of Organization
3063 Exempt from Income Tax form (Form 990).

3064 (6) ANNUAL AUDIT.—A statewide Florida Community College
3065 System institution direct-support organization shall provide for
3066 an annual financial audit in accordance with s. 1004.70. The
3067 identity of a donor or prospective donor who desires to remain
3068 anonymous and all information identifying such donor or
3069 prospective donor are confidential and exempt from the
3070 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
3071 Constitution. Such anonymity shall be maintained in the
3072 auditor's report.

3073 Section 42. Subsection (4) of section 1004.74, Florida
3074 Statutes, is amended to read:

3075 1004.74 Florida School of the Arts.—

3076 (4) The Council for the Florida School of the Arts shall be
3077 established to advise the Florida Community College System

14-00176A-17

2017374__

3078 institution district board of trustees on matters pertaining to
3079 the operation of the school. The council shall consist of nine
3080 members, appointed jointly by the Chancellor of the Florida
3081 Community College System and the Commissioner of Education for
3082 4-year terms. A member may serve three terms and may serve until
3083 replaced.

3084 Section 43. Section 1004.78, Florida Statutes, is amended
3085 to read:

3086 1004.78 Technology transfer centers at Florida Community
3087 College System institutions.—

3088 (1) Each Florida Community College System institution may
3089 establish a technology transfer center for the purpose of
3090 providing institutional support to local business and industry
3091 and governmental agencies in the application of new research in
3092 technology. The primary responsibilities of such centers may
3093 include: identifying technology research developed by
3094 universities, research institutions, businesses, industries, the
3095 United States Armed Forces, and other state or federal
3096 governmental agencies; determining and demonstrating the
3097 application of technologies; training workers to integrate
3098 advanced equipment and production processes; and determining for
3099 business and industry the feasibility and efficiency of
3100 accommodating advanced technologies.

3101 (2) The Florida Community College System institution board
3102 of trustees shall set such policies to regulate the activities
3103 of the technology transfer center as it may consider necessary
3104 to effectuate the purposes of this section and to administer the
3105 programs of the center in a manner which assures efficiency and
3106 effectiveness, producing the maximum benefit for the educational

14-00176A-17

2017374__

3107 programs and maximum service to the state. To this end,
3108 materials that relate to methods of manufacture or production,
3109 potential trade secrets, potentially patentable material, actual
3110 trade secrets, business transactions, or proprietary information
3111 received, generated, ascertained, or discovered during the
3112 course of activities conducted within the Florida Community
3113 College System institutions shall be confidential and exempt
3114 from the provisions of s. 119.07(1), except that a Florida
3115 Community College System institution shall make available upon
3116 request the title and description of a project, the name of the
3117 investigator, and the amount and source of funding provided for
3118 such project.

3119 (3) A technology transfer center created under the
3120 provisions of this section shall be under the supervision of the
3121 board of trustees of that Florida Community College System
3122 institution, which is authorized to appoint a director; to
3123 employ full-time and part-time staff, research personnel, and
3124 professional services; to employ on a part-time basis personnel
3125 of the Florida Community College System institution; and to
3126 employ temporary employees whose salaries are paid entirely from
3127 the permanent technology transfer fund or from that fund in
3128 combination with other nonstate sources, with such positions
3129 being exempt from the requirements of the Florida Statutes
3130 relating to salaries, except that no such appointment shall be
3131 made for a total period of longer than 1 year.

3132 (4) The board of trustees of the Florida Community College
3133 System institution in which a technology transfer center is
3134 created, or its designee, may negotiate, enter into, and execute
3135 contracts; solicit and accept grants and donations; and fix and

14-00176A-17

2017374__

3136 collect fees, other payments, and donations that may accrue by
3137 reason thereof for technology transfer activities. The board of
3138 trustees or its designee may negotiate, enter into, and execute
3139 contracts on a cost-reimbursement basis and may provide
3140 temporary financing of such costs prior to reimbursement from
3141 moneys on deposit in the technology transfer fund, except as may
3142 be prohibited elsewhere by law.

3143 (5) A technology transfer center shall be financed from the
3144 Academic Improvement Program or from moneys of a Florida
3145 Community College System institution which are on deposit or
3146 received for use in the activities conducted in the center. Such
3147 moneys shall be deposited by the Florida Community College
3148 System institution in a permanent technology transfer fund in a
3149 depository or depositories approved for the deposit of state
3150 funds and shall be accounted for and disbursed subject to audit
3151 by the Auditor General.

3152 (6) The fund balance in any existing research trust fund of
3153 a Florida Community College System institution at the time a
3154 technology transfer center is created shall be transferred to a
3155 permanent technology transfer fund established for the Florida
3156 Community College System institution, and thereafter the fund
3157 balance of the technology transfer fund at the end of any fiscal
3158 period may be used during any succeeding period pursuant to this
3159 section.

3160 (7) Moneys deposited in the permanent technology transfer
3161 fund of a Florida Community College System institution shall be
3162 disbursed in accordance with the terms of the contract, grant,
3163 or donation under which they are received. Moneys received for
3164 overhead or indirect costs and other moneys not required for the

14-00176A-17

2017374__

3165 payment of direct costs shall be applied to the cost of
3166 operating the technology transfer center.

3167 (8) All purchases of a technology transfer center shall be
3168 made in accordance with the policies and procedures of the
3169 Florida Community College System institution.

3170 (9) The Florida Community College System institution board
3171 of trustees may authorize the construction, alteration, or
3172 remodeling of buildings when the funds used are derived entirely
3173 from the technology transfer fund of a Florida Community College
3174 System institution or from that fund in combination with other
3175 nonstate sources, provided that such construction, alteration,
3176 or remodeling is for use exclusively by the center. It also may
3177 authorize the acquisition of real property when the cost is
3178 entirely from said funds. Title to all real property shall vest
3179 in the board of trustees.

3180 (10) The State Board of Community Colleges ~~Education~~ may
3181 award grants to Florida Community College System institutions,
3182 or consortia of public and private colleges and universities and
3183 other public and private entities, for the purpose of supporting
3184 the objectives of this section. Grants awarded pursuant to this
3185 subsection shall be in accordance with rules of the State Board
3186 of Community Colleges ~~Education~~. Such rules shall include the
3187 following provisions:

3188 (a) The number of centers established with state funds
3189 provided expressly for the purpose of technology transfer shall
3190 be limited, but shall be geographically located to maximize
3191 public access to center resources and services.

3192 (b) Grants to centers funded with state revenues
3193 appropriated specifically for technology transfer activities

14-00176A-17

2017374__

3194 shall be reviewed and approved by the State Board of Community
3195 Colleges Education using proposal solicitation, evaluation, and
3196 selection procedures established by the state board in
3197 consultation with Enterprise Florida, Inc. Such procedures may
3198 include designation of specific areas or applications of
3199 technology as priorities for the receipt of funding.

3200 (c) Priority for the receipt of state funds appropriated
3201 specifically for the purpose of technology transfer shall be
3202 given to grant proposals developed jointly by Florida Community
3203 College System institutions and public and private colleges and
3204 universities.

3205 (11) Each technology transfer center established under the
3206 provisions of this section shall establish a technology transfer
3207 center advisory committee. Each committee shall include
3208 representatives of a university or universities conducting
3209 research in the area of specialty of the center. Other members
3210 shall be determined by the Florida Community College System
3211 institution board of trustees.

3212 Section 44. Subsection (4) of section 1004.80, Florida
3213 Statutes, is amended to read:

3214 1004.80 Economic development centers.—

3215 (4) The State Board of Community Colleges Education may
3216 award grants to economic development centers for the purposes of
3217 this section. Grants awarded pursuant to this subsection shall
3218 be in accordance with rules established by the State Board of
3219 Community Colleges Education.

3220 Section 45. Section 1004.91, Florida Statutes, is amended
3221 to read:

3222 1004.91 Requirements for career education program basic

14-00176A-17

2017374__

3223 skills.-

3224 (1) The State Board of Education, for career centers
3225 operated by district school boards, and the State Board of
3226 Community Colleges, for career centers operated by Florida
3227 Community College System institutions, shall adopt, by rule,
3228 standards of basic skill mastery for completion of certificate
3229 career education programs. Each school district and Florida
3230 Community College System institution that conducts programs that
3231 confer career and technical certificates shall provide applied
3232 academics instruction through which students receive the basic
3233 skills instruction required pursuant to this section.

3234 (2) Students who enroll in a program offered for career
3235 credit of 450 hours or more shall complete an entry-level
3236 examination within the first 6 weeks after admission into the
3237 program. The State Board of Education and the State Board of
3238 Community Colleges shall collaborate to designate examinations
3239 that are currently in existence, the results of which are
3240 comparable across institutions, to assess student mastery of
3241 basic skills. Any student found to lack the required level of
3242 basic skills for such program shall be referred to applied
3243 academics instruction or another adult general education program
3244 for a structured program of basic skills instruction. Such
3245 instruction may include English for speakers of other languages.
3246 A student may not receive a career or technical certificate of
3247 completion without first demonstrating the basic skills required
3248 in the state curriculum frameworks for the career education
3249 program.

3250 (3) (a) An adult student with a disability may be exempted
3251 from this section.

14-00176A-17

2017374__

3252 (b) The following students are exempt from this section:

3253 1. A student who possesses a college degree at the
3254 associate in applied science level or higher.

3255 2. A student who demonstrates readiness for public
3256 postsecondary education pursuant to s. 1008.30 and applicable
3257 rules adopted by the State Board of Education and State Board of
3258 Community Colleges.

3259 3. A student who passes a state or national industry
3260 certification or licensure examination that is identified in
3261 State Board of Education or State Board of Community Colleges
3262 rules and aligned to the career education program in which the
3263 student is enrolled.

3264 4. An adult student who is enrolled in an apprenticeship
3265 program that is registered with the Department of Education in
3266 accordance with chapter 446.

3267 Section 46. Paragraph (b) of subsection (2) of section
3268 1004.92, Florida Statutes, is amended, and subsection (4) is
3269 added to that section, to read:

3270 1004.92 Purpose and responsibilities for career education.—

3271 (2)

3272 (b) Department of Education, for school districts, and the
3273 State Board of Community Colleges, for Florida Community College
3274 System institutions, have the following responsibilities related
3275 to accountability for career education ~~includes, but is not~~
3276 limited to:

3277 1. The provision of timely, accurate technical assistance
3278 to school districts and Florida Community College System
3279 institutions.

3280 2. The provision of timely, accurate information to the

14-00176A-17

2017374__

3281 State Board of Education, the Legislature, and the public.

3282 3. The development of policies, rules, and procedures that
3283 facilitate institutional attainment of the accountability
3284 standards and coordinate the efforts of all divisions within the
3285 department.

3286 4. The development of program standards and industry-driven
3287 benchmarks for career, adult, and community education programs,
3288 which must be updated every 3 years. The standards must include
3289 career, academic, and workplace skills; viability of distance
3290 learning for instruction; ~~and~~ work/learn cycles that are
3291 responsive to business and industry; and provisions that reflect
3292 the quality components of career and technical education
3293 programs.

3294 5. Overseeing school district and Florida Community College
3295 System institution compliance with ~~the provisions of~~ this
3296 chapter.

3297 6. Ensuring that the educational outcomes for the technical
3298 component of career programs are uniform and designed to provide
3299 a graduate who is capable of entering the workforce on an
3300 equally competitive basis regardless of the institution of
3301 choice.

3302 (4) The State Board of Education, for career education
3303 provided by school districts, and the State Board of Community
3304 Colleges, for career education provided by Florida Community
3305 College System institutions, shall adopt rules to administer
3306 this section.

3307 Section 47. Subsection (1) of section 1004.925, Florida
3308 Statutes, is amended to read:

3309 1004.925 Automotive service technology education programs;

14-00176A-17

2017374__

3310 certification.—

3311 (1) All automotive service technology education programs
3312 shall be industry certified in accordance with rules adopted by
3313 the State Board of Education and the State Board of Community
3314 Colleges.

3315 Section 48. Paragraphs (c) and (d) of subsection (4) and
3316 subsections (6) and (9) of section 1004.93, Florida Statutes,
3317 are amended to read:

3318 1004.93 Adult general education.—

3319 (4)

3320 (c) The State Board of Community Colleges ~~Education~~ shall
3321 define, by rule, the levels and courses of instruction to be
3322 funded through the developmental education program. The State
3323 Board of Community Colleges shall coordinate the establishment
3324 of costs for developmental education courses, the establishment
3325 of statewide standards that define required levels of
3326 competence, acceptable rates of student progress, and the
3327 maximum amount of time to be allowed for completion of
3328 developmental education. Developmental education is part of an
3329 associate in arts degree program and may not be funded as an
3330 adult career education program.

3331 (d) Expenditures for developmental education and lifelong
3332 learning students shall be reported separately. Allocations for
3333 developmental education shall be based on proportional full-time
3334 equivalent enrollment. Program review results shall be included
3335 in the determination of subsequent allocations. A student shall
3336 be funded to enroll in the same developmental education class
3337 within a skill area only twice, after which time the student
3338 shall pay 100 percent of the full cost of instruction to support

14-00176A-17

2017374__

3339 the continuous enrollment of that student in the same class;
3340 however, students who withdraw or fail a class due to
3341 extenuating circumstances may be granted an exception only once
3342 for each class, provided approval is granted according to policy
3343 established by the board of trustees. Each Florida Community
3344 College System institution shall have the authority to review
3345 and reduce payment for increased fees due to continued
3346 enrollment in a developmental education class on an individual
3347 basis contingent upon the student's financial hardship, pursuant
3348 to definitions and fee levels established by the State Board of
3349 Community Colleges Education. Developmental education and
3350 lifelong learning courses do not generate credit toward an
3351 associate or baccalaureate degree.

3352 (6) The commissioner, for school districts, and the
3353 Chancellor of the Florida Community College System, for Florida
3354 Community College System institutions, shall recommend the level
3355 of funding for public school and Florida Community College
3356 System institution adult education within the legislative budget
3357 request and make other recommendations and reports considered
3358 necessary or required by rules of the State Board of Education.

3359 (9) The State Board of Education and the State Board of
3360 Community Colleges may adopt rules necessary for the
3361 implementation of this section.

3362 Section 49. Subsection (3) of section 1006.60, Florida
3363 Statutes, is amended to read:

3364 1006.60 Codes of conduct; disciplinary measures; authority
3365 to adopt rules or regulations.—

3366 (3) Sanctions authorized by such codes of conduct may be
3367 imposed only for acts or omissions in violation of rules or

14-00176A-17

2017374__

3368 regulations adopted by the institution, including rules or
3369 regulations adopted under this section, rules of the State Board
3370 of Community Colleges regarding the Florida Community College
3371 System Education, rules or regulations of the Board of Governors
3372 regarding the State University System, county and municipal
3373 ordinances, and the laws of this state, the United States, or
3374 any other state.

3375 Section 50. Subsection (1) of section 1006.61, Florida
3376 Statutes, is amended to read:

3377 1006.61 Participation by students in disruptive activities
3378 at public postsecondary educational institution; penalties.—

3379 (1) Any person who accepts the privilege extended by the
3380 laws of this state of attendance at any public postsecondary
3381 educational institution shall, by attending such institution, be
3382 deemed to have given his or her consent to the policies of that
3383 institution, the State Board of Community Colleges regarding the
3384 Florida Community College System Education, and the Board of
3385 Governors regarding the State University System, and the laws of
3386 this state. Such policies shall include prohibition against
3387 disruptive activities at public postsecondary educational
3388 institutions.

3389 Section 51. Section 1006.62, Florida Statutes, is amended
3390 to read:

3391 1006.62 Expulsion and discipline of students of Florida
3392 Community College System institutions and state universities.—

3393 (1) Each student in a Florida Community College System
3394 institution or state university is subject to federal and state
3395 law, respective county and municipal ordinances, and all rules
3396 and regulations of the State Board of Community Colleges

14-00176A-17

2017374__

3397 regarding the Florida Community College System ~~Education~~, the
3398 Board of Governors regarding the State University System, or the
3399 board of trustees of the institution.

3400 (2) Violation of these published laws, ordinances, or rules
3401 and regulations may subject the violator to appropriate action
3402 by the institution's authorities.

3403 (3) Each president of a Florida Community College System
3404 institution or state university may, after notice to the student
3405 of the charges and after a hearing thereon, expel, suspend, or
3406 otherwise discipline any student who is found to have violated
3407 any law, ordinance, or rule or regulation of the State Board of
3408 Community Colleges regarding the Florida Community College
3409 System ~~Education~~, the Board of Governors regarding the State
3410 University System, or the board of trustees of the institution.
3411 A student may be entitled to waiver of expulsion:

3412 (a) If the student provides substantial assistance in the
3413 identification, arrest, or conviction of any of his or her
3414 accomplices, accessories, coconspirators, or principals or of
3415 any other person engaged in violations of chapter 893 within a
3416 state university or Florida Community College System
3417 institution;

3418 (b) If the student voluntarily discloses his or her
3419 violations of chapter 893 prior to his or her arrest; or

3420 (c) If the student commits himself or herself, or is
3421 referred by the court in lieu of sentence, to a state-licensed
3422 drug abuse program and successfully completes the program.

3423 Section 52. Paragraphs (c) and (g) of subsection (1),
3424 paragraph (b) of subsection (2), and subsection (3) of section
3425 1006.71, Florida Statutes, are amended to read:

14-00176A-17

2017374__

3426 1006.71 Gender equity in intercollegiate athletics.-

3427 (1) GENDER EQUITY PLAN.-

3428 (c) The Chancellor of the Florida Community College System
3429 ~~Commissioner of Education~~ shall annually assess the progress of
3430 each Florida Community College System institution's plan and
3431 advise the State Board of Community Colleges Education and the
3432 Legislature regarding compliance.

3433 (g)1. If a Florida Community College System institution is
3434 not in compliance with Title IX of the Education Amendments of
3435 1972 and the Florida Educational Equity Act, the State Board of
3436 Community Colleges Education shall:

3437 a. Declare the Florida Community College System institution
3438 ineligible for competitive state grants.

3439 b. Withhold funds sufficient to obtain compliance.

3440

3441 The Florida Community College System institution shall remain
3442 ineligible and the funds may shall not be paid until the Florida
3443 Community College System institution comes into compliance or
3444 the Chancellor of the Florida Community College System
3445 ~~Commissioner of Education~~ approves a plan for compliance.

3446 2. If a state university is not in compliance with Title IX
3447 of the Education Amendments of 1972 and the Florida Educational
3448 Equity Act, the Board of Governors shall:

3449 a. Declare the state university ineligible for competitive
3450 state grants.

3451 b. Withhold funds sufficient to obtain compliance.

3452

3453 The state university shall remain ineligible and the funds may
3454 ~~shall~~ not be paid until the state university comes into

14-00176A-17

2017374__

3455 compliance or the Board of Governors approves a plan for
3456 compliance.

3457 (2) FUNDING.—

3458 (b) The level of funding and percentage share of support
3459 for women's intercollegiate athletics for Florida Community
3460 College System institutions shall be determined by the State
3461 Board of Community Colleges ~~Education~~. The level of funding and
3462 percentage share of support for women's intercollegiate
3463 athletics for state universities shall be determined by the
3464 Board of Governors. The level of funding and percentage share
3465 attained in the 1980-1981 fiscal year shall be the minimum level
3466 and percentage maintained by each institution, except as the
3467 State Board of Community Colleges ~~Education~~ or the Board of
3468 Governors otherwise directs its respective institutions for the
3469 purpose of assuring equity. Consideration shall be given by the
3470 State Board of Community Colleges ~~Education~~ or the Board of
3471 Governors to emerging athletic programs at institutions which
3472 may not have the resources to secure external funds to provide
3473 athletic opportunities for women. It is the intent that the
3474 effect of any redistribution of funds among institutions may
3475 ~~shall~~ not negate the requirements as set forth in this section.

3476 (3) STATE BOARD OF COMMUNITY COLLEGES ~~EDUCATION~~.—The State
3477 Board of Community Colleges ~~Education~~ shall assure equal
3478 opportunity for female athletes at Florida Community College
3479 System institutions and establish:

3480 (a) In conjunction with the State Board of Education,
3481 guidelines for reporting of intercollegiate athletics data
3482 concerning financial, program, and facilities information for
3483 review by the State Board of Community Colleges ~~Education~~

14-00176A-17

2017374__

3484 annually.

3485 (b) Systematic audits for the evaluation of such data.

3486 (c) Criteria for determining and assuring equity.

3487 Section 53. Section 1007.01, Florida Statutes, is amended
3488 to read:

3489 1007.01 Articulation; legislative intent; purpose; role of
3490 the State Board of Education, the State Board of Community
3491 Colleges, and the Board of Governors; Articulation Coordinating
3492 Committee.—

3493 (1) It is the intent of the Legislature to facilitate
3494 articulation and seamless integration of the K-20 education
3495 system by building, sustaining, and strengthening relationships
3496 among K-20 public organizations, between public and private
3497 organizations, and between the education system as a whole and
3498 Florida's communities. The purpose of building, sustaining, and
3499 strengthening these relationships is to provide for the
3500 efficient and effective progression and transfer of students
3501 within the education system and to allow students to proceed
3502 toward their educational objectives as rapidly as their
3503 circumstances permit. The Legislature further intends that
3504 articulation policies and budget actions be implemented
3505 consistently in the practices of the Department of Education and
3506 postsecondary educational institutions and expressed in the
3507 collaborative policy efforts of the State Board of Education,
3508 ~~and~~ the Board of Governors, and the State Board of Community
3509 Colleges.

3510 (2) To preserve Florida's "2+2" system of articulation and
3511 improve and facilitate articulation systemwide, the State Board
3512 of Education, ~~and~~ the Board of Governors, and the State Board of

14-00176A-17

2017374__

3513 Community Colleges shall collaboratively establish and adopt
3514 policies with input from statewide K-20 advisory groups
3515 established by the Commissioner of Education, the Chancellor of
3516 the Florida Community College System, and the Chancellor of the
3517 State University System and shall recommend the policies to the
3518 Legislature. The policies shall relate to:

3519 (a) The alignment between the exit requirements of one
3520 education system and the admissions requirements of another
3521 education system into which students typically transfer.

3522 (b) The identification of common courses, the level of
3523 courses, institutional participation in a statewide course
3524 numbering system, and the transferability of credits among such
3525 institutions.

3526 (c) Identification of courses that meet general education
3527 or common degree program prerequisite requirements at public
3528 postsecondary educational institutions.

3529 (d) Dual enrollment course equivalencies.

3530 (e) Articulation agreements.

3531 (3) The Commissioner of Education, in consultation with the
3532 Chancellor of the Florida Community College System and the
3533 Chancellor of the State University System, shall establish the
3534 Articulation Coordinating Committee, which shall make
3535 recommendations related to statewide articulation policies and
3536 issues regarding access, quality, and reporting of data
3537 maintained by the K-20 data warehouse, established pursuant to
3538 ss. 1001.10 and 1008.31, to the Higher Education Coordination
3539 Council, the State Board of Education, ~~and~~ the Board of
3540 Governors, and the State Board of Community Colleges. The
3541 committee shall consist of two members each representing the

14-00176A-17

2017374__

3542 State University System, the Florida Community College System,
3543 public career and technical education, K-12 education, and
3544 nonpublic postsecondary education and one member representing
3545 students. The chair shall be elected from the membership. The
3546 Office of K-20 Articulation shall provide administrative support
3547 for the committee. The committee shall:

3548 (a) Monitor the alignment between the exit requirements of
3549 one education system and the admissions requirements of another
3550 education system into which students typically transfer and make
3551 recommendations for improvement.

3552 (b) Propose guidelines for interinstitutional agreements
3553 between and among public schools, career and technical education
3554 centers, Florida Community College System institutions, state
3555 universities, and nonpublic postsecondary institutions.

3556 (c) Annually recommend dual enrollment course and high
3557 school subject area equivalencies for approval by the State
3558 Board of Education, ~~and~~ the Board of Governors, and the State
3559 Board of Community Colleges.

3560 (d) Annually review the statewide articulation agreement
3561 pursuant to s. 1007.23 and make recommendations for revisions.

3562 (e) Annually review the statewide course numbering system,
3563 the levels of courses, and the application of transfer credit
3564 requirements among public and nonpublic institutions
3565 participating in the statewide course numbering system and
3566 identify instances of student transfer and admissions
3567 difficulties.

3568 (f) Annually publish a list of courses that meet common
3569 general education and common degree program prerequisite
3570 requirements at public postsecondary institutions identified

14-00176A-17

2017374__

3571 pursuant to s. 1007.25.

3572 (g) Foster timely collection and reporting of statewide
3573 education data to improve the K-20 education performance
3574 accountability system pursuant to ss. 1001.10 and 1008.31,
3575 including, but not limited to, data quality, accessibility, and
3576 protection of student records.

3577 (h) Recommend roles and responsibilities of public
3578 education entities in interfacing with the single, statewide
3579 computer-assisted student advising system established pursuant
3580 to s. 1006.735.

3581 (i) Make recommendations regarding the cost and
3582 requirements to develop and implement an online system for
3583 collecting and analyzing data regarding requests for transfer of
3584 credit by postsecondary education students. The online system,
3585 at a minimum, must collect information regarding the total
3586 number of credit transfer requests denied and the reason for
3587 each denial. Recommendations shall be reported to the President
3588 of the Senate and the Speaker of the House of Representatives on
3589 or before January 31, 2015.

3590 Section 54. Subsections (1) and (6) of section 1007.23,
3591 Florida Statutes, are amended, and subsection (7) is added to
3592 that section, to read:

3593 1007.23 Statewide articulation agreement.—

3594 (1) The State Board of Education, ~~and~~ and the Board of
3595 Governors, and the State Board of Community Colleges shall enter
3596 into a statewide articulation agreement which the State Board of
3597 Education and the State Board of Community Colleges shall adopt
3598 by rule. The agreement must preserve Florida's "2+2" system of
3599 articulation, facilitate the seamless articulation of student

14-00176A-17

2017374__

3600 credit across and among Florida's educational entities, and
3601 reinforce the provisions of this chapter by governing:

3602 (a) Articulation between secondary and postsecondary
3603 education;

3604 (b) Admission of associate in arts degree graduates from
3605 Florida Community College System institutions and state
3606 universities;

3607 (c) Admission of applied technology diploma program
3608 graduates from Florida Community College System institutions or
3609 career centers;

3610 (d) Admission of associate in science degree and associate
3611 in applied science degree graduates from Florida Community
3612 College System institutions;

3613 (e) The use of acceleration mechanisms, including
3614 nationally standardized examinations through which students may
3615 earn credit;

3616 (f) General education requirements and statewide course
3617 numbers as provided for in ss. 1007.24 and 1007.25; and

3618 (g) Articulation among programs in nursing.

3619 (6) The articulation agreement must guarantee the
3620 articulation of 9 credit hours toward a postsecondary degree in
3621 early childhood education for programs approved by the State
3622 Board of Community Colleges Education ~~Education~~ and the Board of Governors
3623 which:

3624 (a) Award a child development associate credential issued
3625 by the National Credentialing Program of the Council for
3626 Professional Recognition or award a credential approved under s.
3627 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
3628 child development associate credential; and

14-00176A-17

2017374__

3629 (b) Include training in emergent literacy which meets or
3630 exceeds the minimum standards for training courses for
3631 prekindergarten instructors of the Voluntary Prekindergarten
3632 Education Program in s. 1002.59.

3633 (7) To strengthen Florida's "2+2" system of articulation
3634 and improve student retention and on-time graduation, by the
3635 2018-2019 academic year, each Florida Community College System
3636 institution shall execute at least one "2+2" targeted pathway
3637 articulation agreement with one or more state universities to
3638 establish "2+2" targeted pathway programs. The agreement must
3639 provide students who graduate with an associate in arts degree
3640 and who meet specified requirements guaranteed access to the
3641 state university and a degree program at that university, in
3642 accordance with the terms of the "2+2" targeted pathway
3643 articulation agreement.

3644 (a) To participate in a "2+2" targeted pathway program, a
3645 student must:

3646 1. Enroll in the program before completing 30 credit hours,
3647 including, but not limited to, college credits earned through
3648 articulated acceleration mechanisms pursuant to s. 1007.27;

3649 2. Complete an associate in arts degree; and

3650 3. Meet the university's transfer requirements.

3651 (b) A state university that executes a "2+2" targeted
3652 pathway articulation agreement must meet the following
3653 requirements in order to implement a "2+2" targeted pathway
3654 program in collaboration with its partner Florida Community
3655 College System institution:

3656 1. Establish a 4-year on-time graduation plan for a
3657 baccalaureate degree program, including, but not limited to, a

14-00176A-17

2017374__

3658 plan for students to complete associate in arts degree programs,
3659 general education courses, common prerequisite courses, and
3660 elective courses;

3661 2. Advise students enrolled in the program about the
3662 university's transfer and degree program requirements; and

3663 3. Provide students who meet the requirements under this
3664 paragraph with access to academic advisors and campus events and
3665 with guaranteed admittance to the state university and a degree
3666 program of the state university, in accordance with the terms of
3667 the agreement.

3668 (c) To assist the state universities and Florida Community
3669 College System institutions with implementing the "2+2" targeted
3670 pathway programs effectively, the State Board of Community
3671 Colleges and the Board of Governors shall collaborate to
3672 eliminate barriers in executing "2+2" targeted pathway
3673 articulation agreements.

3674 Section 55. Subsections (1), (2), and (3) of section
3675 1007.24, Florida Statutes, are amended to read:

3676 1007.24 Statewide course numbering system.—

3677 (1) The Department of Education, in conjunction with the
3678 Board of Governors and the State Board of Community Colleges,
3679 shall develop, coordinate, and maintain a statewide course
3680 numbering system for postsecondary and dual enrollment education
3681 in school districts, public postsecondary educational
3682 institutions, and participating nonpublic postsecondary
3683 educational institutions that will improve program planning,
3684 increase communication among all delivery systems, and
3685 facilitate student acceleration and the transfer of students and
3686 credits between public school districts, public postsecondary

14-00176A-17

2017374__

3687 educational institutions, and participating nonpublic
3688 educational institutions. The continuing maintenance of the
3689 system shall be accomplished with the assistance of appropriate
3690 faculty committees representing public and participating
3691 nonpublic educational institutions.

3692 (2) The Commissioner of Education, in conjunction with the
3693 Chancellor of the Florida Community College System and the
3694 Chancellor of the State University System, shall appoint faculty
3695 committees representing faculties of participating institutions
3696 to recommend a single level for each course, including
3697 postsecondary career education courses, included in the
3698 statewide course numbering system.

3699 (a) Any course designated as an upper-division-level course
3700 must be characterized by a need for advanced academic
3701 preparation and skills that a student would be unlikely to
3702 achieve without significant prior coursework.

3703 (b) A course that is offered as part of an associate in
3704 science degree program and as an upper-division course for a
3705 baccalaureate degree shall be designated for both the lower and
3706 upper division.

3707 (c) A course designated as lower-division may be offered by
3708 any Florida Community College System institution.

3709 (3) The Commissioner of Education shall recommend to the
3710 State Board of Education the levels for the courses. The State
3711 Board of Education, with input from the Board of Governors and
3712 the State Board of Community Colleges, shall approve the levels
3713 for the courses.

3714 Section 56. Subsections (3), (5), and (8) through (11) of
3715 section 1007.25, Florida Statutes, are amended to read:

14-00176A-17

2017374__

3716 1007.25 General education courses; common prerequisites;
3717 other degree requirements.—

3718 (3) The chair of the State Board of Community Colleges
3719 ~~Education~~ and the chair of the Board of Governors, or their
3720 designees, shall jointly appoint faculty committees to identify
3721 statewide general education core course options. General
3722 education core course options shall consist of a maximum of five
3723 courses within each of the subject areas of communication,
3724 mathematics, social sciences, humanities, and natural sciences.
3725 The core courses may be revised, or the five-course maximum
3726 within each subject area may be exceeded, if approved by the
3727 State Board of Community Colleges ~~Education~~ and the Board of
3728 Governors, as recommended by the subject area faculty committee
3729 and approved by the Articulation Coordinating Committee as
3730 necessary for a subject area. Each general education core course
3731 option must contain high-level academic and critical thinking
3732 skills and common competencies that students must demonstrate to
3733 successfully complete the course. Beginning with students
3734 initially entering a Florida Community College System
3735 institution or state university in 2015-2016 and thereafter,
3736 each student must complete at least one identified core course
3737 in each subject area as part of the general education course
3738 requirements. All public postsecondary educational institutions
3739 shall accept these courses as meeting general education core
3740 course requirements. The remaining general education course
3741 requirements shall be identified by each institution and
3742 reported to the department by their statewide course number. The
3743 general education core course options shall be adopted in rule
3744 by the State Board of Community Colleges ~~Education~~ and in

14-00176A-17

2017374__

3745 regulation by the Board of Governors.

3746 (5) The department shall identify common prerequisite
3747 courses and course substitutions for degree programs across all
3748 institutions. Common degree program prerequisites shall be
3749 offered and accepted by all state universities and Florida
3750 Community College System institutions, except in cases approved
3751 by the State Board of Community Colleges, ~~Education~~ for Florida
3752 Community College System institutions, and the Board of
3753 Governors, for state universities. The department shall develop
3754 a centralized database containing the list of courses and course
3755 substitutions that meet the prerequisite requirements for each
3756 baccalaureate degree program.

3757 (8) A baccalaureate degree program shall require no more
3758 than 120 semester hours of college credit and include 36
3759 semester hours of general education coursework, unless prior
3760 approval has been granted by the Board of Governors for
3761 baccalaureate degree programs offered by state universities and
3762 by the State Board of Community Colleges ~~Education~~ for
3763 baccalaureate degree programs offered by Florida Community
3764 College System institutions.

3765 (9) A student who received an associate in arts degree for
3766 successfully completing 60 semester credit hours may continue to
3767 earn ~~additional~~ credits at a Florida Community College System
3768 institution. The university must provide credit toward the
3769 student's baccalaureate degree for a ~~an additional~~ Florida
3770 Community College System institution course if, according to the
3771 statewide course numbering, the Florida Community College System
3772 institution course is a course listed in the university catalog
3773 as required for the degree or as prerequisite to a course

14-00176A-17

2017374__

3774 required for the degree. Of the courses required for the degree,
3775 at least half of the credit hours required for the degree shall
3776 be achievable through courses designated as lower division,
3777 except in degree programs approved by the State Board of
3778 Community Colleges Education for programs offered by Florida
3779 Community College System institutions and by the Board of
3780 Governors for programs offered by state universities.

3781 (10) Students at state universities may request associate
3782 in arts certificates if they have successfully completed the
3783 minimum requirements for the degree of associate in arts (A.A.).
3784 The university must grant the student an associate in arts
3785 degree if the student has successfully completed minimum
3786 requirements for college-level communication and computation
3787 skills adopted by the State Board of Community Colleges
3788 ~~Education~~ and 60 academic semester hours or the equivalent
3789 within a degree program area, including 36 semester hours in
3790 general education courses in the subject areas of communication,
3791 mathematics, social sciences, humanities, and natural sciences,
3792 consistent with the general education requirements specified in
3793 the articulation agreement pursuant to s. 1007.23.

3794 (11) The Commissioner of Education and the Chancellor of
3795 the Florida Community College System shall jointly appoint
3796 faculty committees representing both Florida Community College
3797 System institution and public school faculties to recommend to
3798 the commissioner, or the Chancellor of the Florida Community
3799 College System, as applicable, for approval by the State Board
3800 of Education and the State Board of Community Colleges, as
3801 applicable, a standard program length and appropriate
3802 occupational completion points for each postsecondary career

14-00176A-17

2017374__

3803 certificate program, diploma, and degree offered by a school
3804 district or a Florida Community College System institution.

3805 Section 57. Section 1007.262, Florida Statutes, is amended
3806 to read:

3807 1007.262 Foreign language competence; equivalence
3808 determinations.—The Department of Education shall identify the
3809 competencies demonstrated by students upon the successful
3810 completion of 2 credits of sequential high school foreign
3811 language instruction. For the purpose of determining
3812 postsecondary equivalence, the State Board of Community Colleges
3813 ~~department~~ shall develop rules through which Florida Community
3814 College System institutions correlate such competencies to the
3815 competencies required of students in the colleges' respective
3816 courses. Based on this correlation, each Florida Community
3817 College System institution shall identify the minimum number of
3818 postsecondary credits that students must earn in order to
3819 demonstrate a level of competence in a foreign language at least
3820 equivalent to that of students who have completed 2 credits of
3821 such instruction in high school. The department may also specify
3822 alternative means by which students can demonstrate equivalent
3823 foreign language competence, including means by which a student
3824 whose native language is not English may demonstrate proficiency
3825 in the native language. A student who demonstrates proficiency
3826 in a native language other than English is exempt from a
3827 requirement of completing foreign language courses at the
3828 secondary or Florida Community College System level.

3829 Section 58. Section 1007.263, Florida Statutes, is amended
3830 to read:

3831 1007.263 Florida Community College System institutions;

14-00176A-17

2017374__

3832 admissions of students.—Each Florida Community College System
3833 institution board of trustees is authorized to adopt rules
3834 governing admissions of students subject to this section and
3835 rules of the State Board of Community Colleges ~~Education~~. These
3836 rules shall include the following:

3837 (1) Admissions counseling shall be provided to all students
3838 entering college or career credit programs. For students who are
3839 not otherwise exempt from testing under s.1008.30, counseling
3840 must use tests to measure achievement of college-level
3841 communication and computation competencies by students entering
3842 college credit programs or tests to measure achievement of basic
3843 skills for career education programs as prescribed in s.
3844 1004.91. Counseling includes providing developmental education
3845 options for students whose assessment results, determined under
3846 s. 1008.30, indicate that they need to improve communication or
3847 computation skills that are essential to perform college-level
3848 work.

3849 (2) Admission to associate degree programs is subject to
3850 minimum standards adopted by the State Board of Community
3851 Colleges ~~Education~~ and shall require:

3852 (a) A standard high school diploma, a high school
3853 equivalency diploma as prescribed in s. 1003.435, previously
3854 demonstrated competency in college credit postsecondary
3855 coursework, or, in the case of a student who is home educated, a
3856 signed affidavit submitted by the student's parent or legal
3857 guardian attesting that the student has completed a home
3858 education program pursuant to the requirements of s. 1002.41.
3859 Students who are enrolled in a dual enrollment or early
3860 admission program pursuant to s. 1007.271 are exempt from this

14-00176A-17

2017374__

3861 requirement.

3862 (b) A demonstrated level of achievement of college-level
3863 communication and computation skills.

3864 (c) Any other requirements established by the board of
3865 trustees.

3866 (3) Admission to other programs within the Florida
3867 Community College System institution shall include education
3868 requirements as established by the board of trustees.

3869 (4) A student who has been awarded a certificate of
3870 completion under s. 1003.4282 is eligible to enroll in
3871 certificate career education programs.

3872 (5) A student with a documented disability may be eligible
3873 for reasonable substitutions, as prescribed in ss. 1007.264 and
3874 1007.265.

3875

3876 Each board of trustees shall establish policies that notify
3877 students about developmental education options for improving
3878 their communication or computation skills that are essential to
3879 performing college-level work, including tutoring, extended time
3880 in gateway courses, free online courses, adult basic education,
3881 adult secondary education, or private provider instruction.

3882 Section 59. Subsection (2) of section 1007.264, Florida
3883 Statutes, is amended to read:

3884 1007.264 Persons with disabilities; admission to
3885 postsecondary educational institutions; substitute requirements;
3886 rules and regulations.—

3887 (2) The State Board of Community Colleges ~~Education~~, in
3888 consultation with the Board of Governors, shall adopt rules to
3889 implement this section for Florida Community College System

14-00176A-17

2017374__

3890 institutions and shall develop substitute admission requirements
3891 where appropriate.

3892 Section 60. Subsections (2) and (3) of section 1007.265,
3893 Florida Statutes, are amended to read:

3894 1007.265 Persons with disabilities; graduation, study
3895 program admission, and upper-division entry; substitute
3896 requirements; rules and regulations.—

3897 (2) The State Board of Community Colleges ~~Education~~, in
3898 consultation with the Board of Governors, shall adopt rules to
3899 implement this section for Florida Community College System
3900 institutions and shall develop substitute requirements where
3901 appropriate.

3902 (3) The Board of Governors, in consultation with the State
3903 Board of Community Colleges ~~Education~~, shall adopt regulations
3904 to implement this section for state universities and shall
3905 develop substitute requirements where appropriate.

3906 Section 61. Subsections (6), (7), and (8) of section
3907 1007.27, Florida Statutes, are amended to read:

3908 1007.27 Articulated acceleration mechanisms.—

3909 (6) Credit by examination shall be the program through
3910 which secondary and postsecondary students generate
3911 postsecondary credit based on the receipt of a specified minimum
3912 score on nationally standardized general or subject-area
3913 examinations. For the purpose of statewide application, such
3914 examinations and the corresponding minimum scores required for
3915 an award of credit shall be delineated by the State Board of
3916 Education, ~~and~~ the Board of Governors, and the State Board of
3917 Community Colleges in the statewide articulation agreement
3918 required by s. 1007.23(1). The maximum credit generated by a

14-00176A-17

2017374__

3919 student pursuant to this subsection shall be mitigated by any
3920 related postsecondary credit earned by the student prior to the
3921 administration of the examination. This subsection shall not
3922 preclude Florida Community College System institutions and
3923 universities from awarding credit by examination based on
3924 student performance on examinations developed within and
3925 recognized by the individual postsecondary institutions.

3926 (7) The International Baccalaureate Program shall be the
3927 curriculum in which eligible secondary students are enrolled in
3928 a program of studies offered through the International
3929 Baccalaureate Program administered by the International
3930 Baccalaureate Office. The State Board of Community Colleges
3931 ~~Education~~ and the Board of Governors shall specify in the
3932 statewide articulation agreement required by s. 1007.23(1) the
3933 cutoff scores and International Baccalaureate Examinations which
3934 will be used to grant postsecondary credit at Florida Community
3935 College System institutions and universities. Any changes to the
3936 articulation agreement, which have the effect of raising the
3937 required cutoff score or of changing the International
3938 Baccalaureate Examinations which will be used to grant
3939 postsecondary credit, shall only apply to students taking
3940 International Baccalaureate Examinations after such changes are
3941 adopted by the State Board of Community Colleges ~~Education~~ and
3942 the Board of Governors. Students shall be awarded a maximum of
3943 30 semester credit hours pursuant to this subsection. The
3944 specific course for which a student may receive such credit
3945 shall be specified in the statewide articulation agreement
3946 required by s. 1007.23(1). Students enrolled pursuant to this
3947 subsection shall be exempt from the payment of any fees for

14-00176A-17

2017374__

3948 administration of the examinations regardless of whether or not
3949 the student achieves a passing score on the examination.

3950 (8) The Advanced International Certificate of Education
3951 Program and the International General Certificate of Secondary
3952 Education (pre-AICE) Program shall be the curricula in which
3953 eligible secondary students are enrolled in programs of study
3954 offered through the Advanced International Certificate of
3955 Education Program or the International General Certificate of
3956 Secondary Education (pre-AICE) Program administered by the
3957 University of Cambridge Local Examinations Syndicate. The State
3958 Board of Community Colleges ~~Education~~ and the Board of Governors
3959 shall specify in the statewide articulation agreement required
3960 by s. 1007.23(1) the cutoff scores and Advanced International
3961 Certificate of Education examinations which will be used to
3962 grant postsecondary credit at Florida Community College System
3963 institutions and universities. Any changes to the cutoff scores,
3964 which changes have the effect of raising the required cutoff
3965 score or of changing the Advanced International Certification of
3966 Education examinations which will be used to grant postsecondary
3967 credit, shall apply to students taking Advanced International
3968 Certificate of Education examinations after such changes are
3969 adopted by the State Board of Community Colleges ~~Education~~ and
3970 the Board of Governors. Students shall be awarded a maximum of
3971 30 semester credit hours pursuant to this subsection. The
3972 specific course for which a student may receive such credit
3973 shall be determined by the Florida Community College System
3974 institution or university that accepts the student for
3975 admission. Students enrolled in either program of study pursuant
3976 to this subsection shall be exempt from the payment of any fees

14-00176A-17

2017374__

3977 for administration of the examinations regardless of whether the
3978 student achieves a passing score on the examination.

3979 Section 62. Subsections (3) and (22) of section 1007.271,
3980 Florida Statutes, are amended to read:

3981 1007.271 Dual enrollment programs.—

3982 (3) Student eligibility requirements for initial enrollment
3983 in college credit dual enrollment courses must include a 3.0
3984 unweighted high school grade point average and the minimum score
3985 on a common placement test adopted by the State Board of
3986 Education which indicates that the student is ready for college-
3987 level coursework. Student eligibility requirements for continued
3988 enrollment in college credit dual enrollment courses must
3989 include the maintenance of a 3.0 unweighted high school grade
3990 point average and the minimum postsecondary grade point average
3991 established by the postsecondary institution. Regardless of
3992 meeting student eligibility requirements for continued
3993 enrollment, a student may lose the opportunity to participate in
3994 a dual enrollment course if the student is disruptive to the
3995 learning process such that the progress of other students or the
3996 efficient administration of the course is hindered. Student
3997 eligibility requirements for initial and continued enrollment in
3998 career certificate dual enrollment courses must include a 2.0
3999 unweighted high school grade point average. Exceptions to the
4000 required grade point averages may be granted on an individual
4001 student basis if the educational entities agree and the terms of
4002 the agreement are contained within the dual enrollment
4003 articulation agreement established pursuant to subsection (21).
4004 Florida Community College System institution boards of trustees
4005 may establish additional initial student eligibility

14-00176A-17

2017374__

4006 requirements, which shall be included in the dual enrollment
 4007 articulation agreement, to ensure student readiness for
 4008 postsecondary instruction. Additional requirements included in
 4009 the agreement may not arbitrarily prohibit students who have
 4010 demonstrated the ability to master advanced courses from
 4011 participating in dual enrollment courses.

4012 (22) The Department of Education shall develop an
 4013 electronic submission system for dual enrollment articulation
 4014 agreements and shall review, for compliance, each dual
 4015 enrollment articulation agreement submitted pursuant to
 4016 subsections (13), (21), and (24). The Commissioner of Education
 4017 shall notify the district school superintendent and the Florida
 4018 Community College System institution president if the dual
 4019 enrollment articulation agreement does not comply with statutory
 4020 requirements and shall submit any dual enrollment articulation
 4021 agreement with unresolved issues of noncompliance to the State
 4022 Board of Education. The State Board of Education shall
 4023 collaborate with the State Board of Community Colleges to
 4024 resolve unresolved issues of noncompliance.

4025 Section 63. Subsection (6) of section 1007.273, Florida
 4026 Statutes, is amended to read:

4027 1007.273 Collegiate high school program.—

4028 (6) The collegiate high school program shall be funded
 4029 pursuant to ss. 1007.271 and 1011.62. The State Board of
 4030 Education shall enforce compliance with this section by
 4031 withholding the transfer of funds for the school districts ~~and~~
 4032 ~~the Florida College System institutions~~ in accordance with s.
 4033 1008.32. Annually by December 31, the State Board of Community
 4034 Colleges shall enforce compliance with this section by

14-00176A-17

2017374__

4035 withholding the transfer of funds for the Florida Community
 4036 College System institutions in accordance with s. 1001.602.

4037 Section 64. Section 1007.33, Florida Statutes, is amended
 4038 to read:

4039 1007.33 Site-determined baccalaureate degree access.—

4040 (1) (a) The Legislature recognizes that public and private
 4041 postsecondary educational institutions play an essential role in
 4042 improving the quality of life and economic well-being of the
 4043 state and its residents. The Legislature also recognizes that
 4044 economic development needs and the educational needs of place-
 4045 bound, nontraditional students have increased the demand for
 4046 local access to baccalaureate degree programs. It is therefore
 4047 the intent of the Legislature to further expand access to
 4048 baccalaureate degree programs through the use of Florida
 4049 Community College System institutions.

4050 (b) For purposes of this section, the term "district"
 4051 refers to the county or counties served by a Florida Community
 4052 College System institution pursuant to s. 1000.21(3).

4053 (2) Any Florida Community College System institution that
 4054 offers one or more baccalaureate degree programs must:

4055 (a) Maintain as its primary mission:

4056 1. Responsibility for responding to community needs for
 4057 postsecondary academic education and career degree education as
 4058 prescribed in s. 1004.65(5).

4059 2. The provision of associate degrees that provide access
 4060 to a university.

4061 (b) Maintain an open-door admission policy for associate-
 4062 level degree programs and workforce education programs.

4063 (c) Continue to provide outreach to underserved

14-00176A-17

2017374__

4064 populations.

4065 (d) Continue to provide remedial education pursuant to s.
4066 1008.30.

4067 (e) Comply with all provisions of the statewide
4068 articulation agreement which relate to 2-year and 4-year public
4069 degree-granting institutions as adopted by the State Board of
4070 Education or the State Board of Community Colleges, as
4071 applicable, pursuant to s. 1007.23.

4072 (f) Not award graduate credit.

4073 (g) Not participate in intercollegiate athletics beyond the
4074 2-year level.

4075 (3) A Florida Community College System institution may not
4076 terminate its associate in arts or associate in science degree
4077 programs as a result of being authorized to offer one or more
4078 baccalaureate degree programs. The Legislature intends that the
4079 primary responsibility of a Florida Community College System
4080 institution, including a Florida Community College System
4081 institution that offers baccalaureate degree programs, continues
4082 to be the provision of associate degrees that provide access to
4083 a university.

4084 (4) A Florida Community College System institution may:

4085 (a) Offer specified baccalaureate degree programs through
4086 formal agreements between the Florida Community College System
4087 institution and other regionally accredited postsecondary
4088 educational institutions pursuant to s. 1007.22.

4089 (b) Offer baccalaureate degree programs that are ~~were~~
4090 authorized by law ~~prior to July 1, 2009.~~

4091 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~
4092 ~~baccalaureate degree program~~ for purposes of meeting district,

14-00176A-17

2017374__

4093 regional, or statewide workforce needs if approved by the State
4094 Board of Community Colleges ~~Education~~ under this section.
4095 However, a Florida Community College System institution may not
4096 offer a bachelor of arts degree program.

4097
4098 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
4099 ~~College is authorized to establish one or more bachelor of~~
4100 ~~applied science degree programs based on an analysis of~~
4101 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
4102 ~~other counties approved by the Department of Education. For each~~
4103 ~~program selected, St. Petersburg College must offer a related~~
4104 ~~associate in science or associate in applied science degree~~
4105 ~~program, and the baccalaureate degree level program must be~~
4106 ~~designed to articulate fully with at least one associate in~~
4107 ~~science degree program. The college is encouraged to develop~~
4108 ~~articulation agreements for enrollment of graduates of related~~
4109 ~~associate in applied science degree programs. The Board of~~
4110 ~~Trustees of St. Petersburg College is authorized to establish~~
4111 ~~additional baccalaureate degree programs if it determines a~~
4112 ~~program is warranted and feasible based on each of the factors~~
4113 ~~in paragraph (5)(d). However, the Board of Trustees of St.~~
4114 ~~Petersburg College may not establish any new baccalaureate~~
4115 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~
4116 ~~to developing or proposing a new baccalaureate degree program,~~
4117 ~~St. Petersburg College shall engage in need, demand, and impact~~
4118 ~~discussions with the state university in its service district~~
4119 ~~and other local and regional, accredited postsecondary providers~~
4120 ~~in its region. Documentation, data, and other information from~~
4121 ~~inter-institutional discussions regarding program need, demand,~~

14-00176A-17

2017374__

4122 ~~and impact shall be provided to the college's board of trustees~~
4123 ~~to inform the program approval process. Employment at St.~~
4124 ~~Petersburg College is governed by the same laws that govern~~
4125 ~~Florida College System institutions, except that upper division~~
4126 ~~faculty are eligible for continuing contracts upon the~~
4127 ~~completion of the fifth year of teaching. Employee records for~~
4128 ~~all personnel shall be maintained as required by s. 1012.81.~~

4129 (5) The approval process for baccalaureate degree programs
4130 requires ~~shall require~~:

4131 (a) Each Florida Community College System institution to
4132 submit a notice of its intent to propose a baccalaureate degree
4133 program to the State Board of Community ~~Division of Florida~~
4134 ~~Colleges~~ at least 1 year ~~100 days~~ before the submission of its
4135 proposal under paragraph (c) ~~(d)~~. The notice must include a
4136 brief description of the program, the workforce demand and unmet
4137 need for graduates of the program to include evidence from
4138 entities independent of the institution, the geographic region
4139 to be served, and an estimated timeframe for implementation.
4140 Notices of intent may be submitted by a Florida Community
4141 College System institution at any time throughout the year. The
4142 notice must also include evidence that the Florida Community
4143 College System institution engaged in need, demand, and impact
4144 discussions with the state university and other regionally
4145 accredited postsecondary education providers in its service
4146 district.

4147 (b) The State Board of Community ~~Division of Florida~~
4148 ~~Colleges~~ to forward the notice of intent submitted pursuant to
4149 paragraph (a) and the justification for the proposed
4150 baccalaureate degree program submitted pursuant to paragraph (c)

14-00176A-17

2017374__

4151 within 10 business days after receiving such notice and
4152 justification to the Chancellor of the State University System,
4153 the president of the Independent Colleges and Universities of
4154 Florida, and the Executive Director of the Commission for
4155 Independent Education. State universities ~~shall~~ have 180 ~~60~~ days
4156 following receipt of the notice and justification by the
4157 Chancellor of the State University System to submit an
4158 objection, including a reason for the objection, ~~objections~~ to
4159 the proposed new program ~~or submit an alternative proposal to~~
4160 ~~offer the baccalaureate degree program.~~ The Chancellor of the
4161 State University System shall review the objection raised by a
4162 state university and inform the Board of Governors of the
4163 objection before a state university submits its objection to the
4164 State Board of Community Colleges. The State Board of Community
4165 Colleges must consult with the Chancellor of the State
4166 University System to consider the objection raised by the state
4167 university before approving or denying a Florida Community
4168 College System institution's proposal submitted pursuant to
4169 paragraph (c). ~~If a proposal from a state university is not~~
4170 ~~received within the 60-day period,~~ The State Board of Community
4171 Colleges Education shall also provide regionally accredited
4172 private colleges and universities 180 ~~30~~ days to submit
4173 objections to the proposed new program ~~or submit an alternative~~
4174 ~~proposal.~~ Objections by a regionally accredited private college
4175 or university or alternative proposals shall be submitted to the
4176 State Board of Community Division of Florida Colleges, and the
4177 state board must consider such objections before ~~and must be~~
4178 ~~considered by the State Board of Education in~~ making its
4179 decision to approve or deny a Florida Community College System

14-00176A-17

2017374__

4180 institution's proposal submitted pursuant to paragraph (c).

4181 ~~(c) An alternative proposal submitted by a state university~~
4182 ~~or private college or university to adequately address:~~

4183 ~~1. The extent to which the workforce demand and unmet need~~
4184 ~~described in the notice of intent will be met.~~

4185 ~~2. The extent to which students will be able to complete~~
4186 ~~the degree in the geographic region proposed to be served by the~~
4187 ~~Florida College System institution.~~

4188 ~~3. The level of financial commitment of the college or~~
4189 ~~university to the development, implementation, and maintenance~~
4190 ~~of the specified degree program, including timelines.~~

4191 ~~4. The extent to which faculty at both the Florida College~~
4192 ~~System institution and the college or university will~~
4193 ~~collaborate in the development and offering of the curriculum.~~

4194 ~~5. The ability of the Florida College System institution~~
4195 ~~and the college or university to develop and approve the~~
4196 ~~curriculum for the specified degree program within 6 months~~
4197 ~~after an agreement between the Florida College System~~
4198 ~~institution and the college or university is signed.~~

4199 ~~6. The extent to which the student may incur additional~~
4200 ~~costs above what the student would expect to incur if the~~
4201 ~~program were offered by the Florida College System institution.~~

4202 (c) ~~(d)~~ Each proposal submitted by a Florida Community
4203 College System institution to, at a minimum, include:

4204 1. A description of the planning process and timeline for
4205 implementation.

4206 2. A justification for the proposed baccalaureate degree
4207 program, including, at a minimum, a data-driven ~~An~~ analysis of
4208 workforce demand and unmet need for graduates of the program on

14-00176A-17

2017374__

4209 a district, regional, or statewide basis, as appropriate, and
4210 the extent to which the proposed program will meet the workforce
4211 demand and unmet need. The analysis must include workforce and
4212 employment data for the most recent 5 years and projections for
4213 the next 3 years, and a summary of degree programs similar to
4214 the proposed degree program which are currently offered by state
4215 universities or by independent nonprofit colleges or
4216 universities that are eligible to participate in a grant program
4217 pursuant to s. 1009.89 and which are located in the Florida
4218 Community College System institution's regional service area.
4219 The analysis must be verified by more than one third-party
4220 professional entity that is ~~including evidence from entities~~
4221 independent of the Florida Community College System institution.
4222 A Florida Community College System institution must submit the
4223 justification to the State Board of Community Colleges within 90
4224 days after forwarding the institution's notice of intent to
4225 propose a baccalaureate degree program. The State Board of
4226 Community Colleges must forward the justification for the
4227 proposed baccalaureate degree program within 10 business days
4228 after receiving the justification to the Chancellor of the State
4229 University System, the president of the Independent Colleges and
4230 Universities of Florida, and the Executive Director of the
4231 Commission for Independent Education.

4232 3. Identification of the facilities, equipment, and library
4233 and academic resources that will be used to deliver the program.

4234 4. The program cost analysis of creating a new
4235 baccalaureate degree when compared to ~~alternative proposals and~~
4236 other program delivery options.

4237 5. The program's admission requirements, academic content,

14-00176A-17

2017374__

4238 curriculum, faculty credentials, student-to-teacher ratios, and
4239 accreditation plan.

4240 6. The program's enrollment ~~projections~~ and funding
4241 requirements, including:

4242 a. The impact of the program's enrollment projections on
4243 compliance with the upper-level enrollment provisions under
4244 subsection (6); and

4245 b. The institution's efforts to sustain the program at the
4246 cost of tuition and fees for students who are classified as
4247 residents for tuition purposes under s. 1009.21, not to exceed
4248 \$10,000 for the entire degree program, including flexible
4249 tuition and fee rates, and the use of waivers pursuant to s.
4250 1009.26(11).

4251 7. A plan of action if the program is terminated.

4252 (d)(e) The State Board of Community ~~Division of Florida~~
4253 Colleges to review the proposal, notify the Florida Community
4254 College System institution of any deficiencies in writing within
4255 30 days following receipt of the proposal, and provide the
4256 Florida Community College System institution with an opportunity
4257 to correct the deficiencies. Within 45 days following receipt of
4258 a completed proposal by the State Board of Community ~~Division of~~
4259 ~~Florida~~ Colleges, the Chancellor of the Florida Community
4260 College System ~~Commissioner of Education~~ shall recommend
4261 approval or disapproval of the proposal to the State Board of
4262 Community Colleges ~~Education~~. The State Board of Community
4263 Colleges ~~Education~~ shall consider such recommendation, the
4264 proposal, input from the Chancellor of the State University
4265 System and the president of the Independent Colleges and
4266 Universities of Florida, and any objections ~~or alternative~~

14-00176A-17

2017374__

4267 ~~proposals~~ at its next meeting. If the State Board of Community
4268 Colleges Education disapproves the Florida Community College
4269 System institution's proposal, it shall provide the Florida
4270 Community College System institution with written reasons for
4271 that determination.

4272 (e) ~~(f)~~ The Florida Community College System institution to
4273 obtain from the Commission on Colleges of the Southern
4274 Association of Colleges and Schools accreditation as a
4275 baccalaureate-degree-granting institution if approved by the
4276 State Board of Community Colleges Education to offer its first
4277 baccalaureate degree program.

4278 (f) ~~(g)~~ The Florida Community College System institution to
4279 notify the Commission on Colleges of the Southern Association of
4280 Colleges and Schools of subsequent degree programs that are
4281 approved by the State Board of Community Colleges Education and
4282 to comply with the association's required substantive change
4283 protocols for accreditation purposes.

4284 (g) ~~(h)~~ The Florida Community College System institution to
4285 annually report to the State Board of Community Colleges, the
4286 Chancellor of the State University System, and upon request of
4287 ~~the State Board of Education, the Commissioner of Education, the~~
4288 ~~Chancellor of the Florida College System, or the Legislature,~~
4289 ~~report~~ its status using the following performance and compliance
4290 indicators:

- 4291 1. Obtaining and maintaining appropriate Southern
4292 Association of Colleges and Schools accreditation;
- 4293 2. Maintaining qualified faculty and institutional
4294 resources;
- 4295 3. Maintaining enrollment in previously approved programs;

14-00176A-17

2017374__

- 4296 4. Managing fiscal resources appropriately;
- 4297 5. Complying with the primary mission and responsibility
- 4298 requirements in subsections (2) and (3); ~~and~~
- 4299 6. Other indicators of success, including program
- 4300 completions, employment and earnings outcomes, student
- 4301 acceptance into and performance in graduate programs placements,
- 4302 and surveys of graduates and employers; and-
- 4303 7. Continuing to meet workforce demand, as provided in
- 4304 subparagraph (c)2., as demonstrated through a data-driven needs
- 4305 assessment by the Florida Community College System institution
- 4306 which is verified by more than one third-party professional
- 4307 entity that is independent of the institution.
- 4308 8. Complying with the upper-level enrollment provisions
- 4309 under subsection (6).

4310

4311 The State Board of Community Colleges Education, upon annual

4312 review of the baccalaureate degree program performance and

4313 compliance indicators and needs assessment, may require a

4314 Florida Community College System institution's board of trustees

4315 to modify or terminate a baccalaureate degree program authorized

4316 under this section. If the annual review indicates negative

4317 program performance and compliance results, and if the needs

4318 assessment fails to demonstrate a need for the program, the

4319 State Board of Community Colleges must require a Florida

4320 Community College System institution's board of trustees to

4321 terminate that baccalaureate degree program.

4322 (6) (a) If the 2015-2016 total upper-level, undergraduate

4323 full-time equivalent enrollment at a Florida Community College

4324 System institution is at or above 8 percent of the 2015-2016

14-00176A-17

2017374__

4325 combined total lower-level and upper-level full-time equivalent
4326 enrollment at that institution, the total upper-level
4327 enrollment, as a percentage of the combined enrollment, may not
4328 increase by more than 2 percentage points unless the institution
4329 obtains prior legislative approval.

4330 (b) If the 2015-2016 total upper-level, undergraduate full-
4331 time equivalent enrollment at a Florida Community College System
4332 institution is below 8 percent of the 2015-2016 combined total
4333 lower-level and upper-level full-time equivalent enrollment at
4334 that institution, the total upper-level enrollment, as a
4335 percentage of the combined enrollment, may not increase by more
4336 than 4 percentage points unless the institution obtains prior
4337 legislative approval.

4338 (c) Within the 2 percent or 4 percent growth authorized
4339 under paragraphs (a) or (b), for any planned and purposeful
4340 expansion of existing baccalaureate degree programs or creation
4341 of a new baccalaureate program, a community college must
4342 demonstrate satisfactory performance in fulfilling its primary
4343 mission pursuant to s. 1004.65, executing at least one "2+2"
4344 targeted pathway articulation agreement pursuant to s. 1007.23,
4345 and meeting or exceeding the performance standards related to
4346 on-time graduation rates under s. 1001.66 for students earning
4347 associate of arts or baccalaureate degrees. The State Board of
4348 Community Colleges may not approve a new baccalaureate degree
4349 program proposal for a community college that does not meet the
4350 conditions specified in this subsection in addition to the other
4351 requirements for approval under this section. Each community
4352 college that offers a baccalaureate degree must annually review
4353 each baccalaureate degree program and annually report to the

14-00176A-17

2017374__

4354 State Board of Community Colleges, in a format prescribed by the
4355 state board, current and projected student enrollment for such
4356 program, justification for continuation of each baccalaureate
4357 degree program, and a plan to comply with the upper-level
4358 enrollment provisions of this subsection. A Florida Community
4359 College System institution that does not comply with the
4360 requirements of this section is subject to s. 1001.602(9) and
4361 may not report for funding, the upper-level, undergraduate full-
4362 time equivalent enrollment that exceeds the upper-level
4363 enrollment percent provision of this subsection.

4364 (7) ~~(6)~~ The State Board of Community Colleges Education
4365 shall adopt rules to prescribe format and content requirements
4366 and submission procedures for notices of intent, proposals~~7~~
4367 ~~alternative proposals~~, and compliance reviews under subsection
4368 (5).

4369 Section 65. Subsections (1), (3), (4), and (5) of section
4370 1008.30, Florida Statutes, are amended to read:

4371 1008.30 Common placement testing for public postsecondary
4372 education.—

4373 (1) The State Board of Community Colleges Education, in
4374 conjunction with the Board of Governors and the State Board of
4375 Education, shall develop and implement a common placement test
4376 for the purpose of assessing the basic computation and
4377 communication skills of students who intend to enter a degree
4378 program at any public postsecondary educational institution.
4379 Alternative assessments that may be accepted in lieu of the
4380 common placement test shall also be identified in rule. Public
4381 postsecondary educational institutions shall provide appropriate
4382 modifications of the test instruments or test procedures for

14-00176A-17

2017374__

4383 students with disabilities.

4384 (3) ~~By October 31, 2013,~~ The State Board of Community
4385 Colleges, in conjunction with the Board of Governors and the
4386 State Board of Education, Education shall establish by rule the
4387 test scores a student must achieve to demonstrate readiness to
4388 perform college-level work, and the rules must specify the
4389 following:

4390 (a) A student who entered 9th grade in a Florida public
4391 school in the 2003-2004 school year, or any year thereafter, and
4392 earned a Florida standard high school diploma or a student who
4393 is serving as an active duty member of any branch of the United
4394 States Armed Services shall not be required to take the common
4395 placement test and shall not be required to enroll in
4396 developmental education instruction in a Florida Community
4397 College System institution. However, a student who is not
4398 required to take the common placement test and is not required
4399 to enroll in developmental education under this paragraph may
4400 opt to be assessed and to enroll in developmental education
4401 instruction, and the college shall provide such assessment and
4402 instruction upon the student's request.

4403 (b) A student who takes the common placement test and whose
4404 score on the test indicates a need for developmental education
4405 must be advised of all the developmental education options
4406 offered at the institution and, after advisement, shall be
4407 allowed to enroll in the developmental education option of his
4408 or her choice.

4409 (c) A student who demonstrates readiness by achieving or
4410 exceeding the test scores established by the state board and
4411 enrolls in a Florida Community College System institution within

14-00176A-17

2017374__

4412 2 years after achieving such scores shall not be required to
4413 retest or complete developmental education when admitted to any
4414 Florida Community College System institution.

4415 (4) ~~By December 31, 2013,~~ The State Board of Community
4416 Colleges Education, in consultation with the Board of Governors,
4417 shall approve a series of meta-majors and the academic pathways
4418 that identify the gateway courses associated with each meta-
4419 major. Florida Community College System institutions shall use
4420 placement test results to determine the extent to which each
4421 student demonstrates sufficient communication and computation
4422 skills to indicate readiness for his or her chosen meta-major.
4423 Florida Community College System institutions shall counsel
4424 students into college credit courses as quickly as possible,
4425 with developmental education limited to that content needed for
4426 success in the meta-major.

4427 (5) (a) Each Florida Community College System institution
4428 board of trustees shall develop a plan to implement the
4429 developmental education strategies defined in s. 1008.02 and
4430 rules established by the State Board of Community Colleges
4431 Education. The plan must be submitted to the Chancellor of the
4432 Florida Community College System for approval no later than
4433 March 1, 2014, for implementation no later than the fall
4434 semester 2014. Each plan must include, at a minimum, local
4435 policies that outline:

4436 1. Documented student achievements such as grade point
4437 averages, work history, military experience, participation in
4438 juried competitions, career interests, degree major declaration,
4439 or any combination of such achievements that the institution may
4440 consider, in addition to common placement test scores, for

14-00176A-17

2017374__

4441 advising students regarding enrollment options.

4442 2. Developmental education strategies available to
4443 students.

4444 3. A description of student costs and financial aid
4445 opportunities associated with each option.

4446 4. Provisions for the collection of student success data.

4447 5. A comprehensive plan for advising students into
4448 appropriate developmental education strategies based on student
4449 success data.

4450 (b) Beginning October 31, 2015, each Florida Community
4451 College System institution shall annually prepare an
4452 accountability report that includes student success data
4453 relating to each developmental education strategy implemented by
4454 the institution. The report shall be submitted to the State
4455 Board of Community ~~Division of Florida~~ Colleges by October 31 in
4456 a format determined by the Chancellor of the Florida Community
4457 College System. By December 31, the chancellor shall compile and
4458 submit the institutional reports to the Governor, the President
4459 of the Senate, the Speaker of the House of Representatives, and
4460 the State Board of Community Colleges ~~and the State Board of~~
4461 ~~Education~~.

4462 (c) A university board of trustees may contract with a
4463 Florida Community College System institution board of trustees
4464 for the Florida Community College System institution to provide
4465 developmental education on the state university campus. Any
4466 state university in which the percentage of incoming students
4467 requiring developmental education equals or exceeds the average
4468 percentage of such students for the Florida Community College
4469 System may offer developmental education without contracting

14-00176A-17

2017374__

4470 with a Florida Community College System institution; however,
 4471 any state university offering college-preparatory instruction as
 4472 of January 1, 1996, may continue to provide such services.

4473 Section 66. Paragraphs (d) and (e) of subsection (1) and
 4474 paragraphs (a) and (c) of subsection (3) of section 1008.31,
 4475 Florida Statutes, are amended to read:

4476 1008.31 Florida's K-20 education performance accountability
 4477 system; legislative intent; mission, goals, and systemwide
 4478 measures; data quality improvements.-

4479 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
 4480 that:

4481 (d) The State Board of Education, ~~and~~ and the Board of
 4482 Governors of the State University System, and the State Board of
 4483 Community Colleges of the Florida Community College System
 4484 recommend to the Legislature systemwide performance standards;
 4485 the Legislature establish systemwide performance measures and
 4486 standards; and the systemwide measures and standards provide
 4487 Floridians with information on what the public is receiving in
 4488 return for the funds it invests in education and how well the K-
 4489 20 system educates its students.

4490 (e)1. The State Board of Education establish performance
 4491 measures and set performance standards for individual public
 4492 schools ~~and Florida College System institutions~~, with measures
 4493 and standards based primarily on student achievement.

4494 2. The Board of Governors of the State University System
 4495 establish performance measures and set performance standards for
 4496 individual state universities, including actual completion
 4497 rates.

4498 3. The State Board of Community Colleges establish

14-00176A-17

2017374__

4499 performance measures and set performance standards for
4500 individual Florida Community College System institutions.

4501 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4502 data required to implement education performance accountability
4503 measures in state and federal law, the Commissioner of Education
4504 shall initiate and maintain strategies to improve data quality
4505 and timeliness. The Board of Governors shall make available to
4506 the department all data within the State University Database
4507 System to be integrated into the K-20 data warehouse. The
4508 commissioner shall have unlimited access to such data for the
4509 purposes of conducting studies, reporting annual and
4510 longitudinal student outcomes, and improving college readiness
4511 and articulation. All public educational institutions shall
4512 annually provide data from the prior year to the K-20 data
4513 warehouse in a format based on data elements identified by the
4514 commissioner.

4515 (a) School districts and public postsecondary educational
4516 institutions shall maintain information systems that will
4517 provide the State Board of Education, the Board of Governors of
4518 the State University System, the State Board of Community
4519 Colleges of the Florida Community College System, and the
4520 Legislature with information and reports necessary to address
4521 the specifications of the accountability system. The level of
4522 comprehensiveness and quality must be no less than that which
4523 was available as of June 30, 2001.

4524 (c) The Commissioner of Education shall determine the
4525 standards for the required data, monitor data quality, and
4526 measure improvements. The commissioner shall report annually to
4527 the State Board of Education, the Board of Governors of the

14-00176A-17

2017374__

4528 State University System, the State Board of Community Colleges
4529 of the Florida Community College System, the President of the
4530 Senate, and the Speaker of the House of Representatives data
4531 quality indicators and ratings for all school districts and
4532 public postsecondary educational institutions.

4533 Section 67. Section 1008.32, Florida Statutes, is amended
4534 to read:

4535 1008.32 State Board of Education oversight enforcement
4536 authority.—The State Board of Education shall oversee the
4537 performance of district school boards ~~and Florida College System~~
4538 ~~institution boards of trustees~~ in enforcement of all laws and
4539 rules. District school boards ~~and Florida College System~~
4540 ~~institution boards of trustees~~ shall be primarily responsible
4541 for compliance with law and state board rule.

4542 (1) In order to ensure compliance with law or state board
4543 rule, the State Board of Education shall have the authority to
4544 request and receive information, data, and reports from school
4545 districts ~~and Florida College System institutions.~~ District
4546 school superintendents ~~and Florida College System institution~~
4547 ~~presidents~~ are responsible for the accuracy of the information
4548 and data reported to the state board.

4549 (2) The Commissioner of Education may investigate
4550 allegations of noncompliance with law or state board rule and
4551 determine probable cause. The commissioner shall report
4552 determinations of probable cause to the State Board of Education
4553 which shall require the district school board ~~or Florida College~~
4554 ~~System institution board of trustees~~ to document compliance with
4555 law or state board rule.

4556 (3) If the district school board ~~or Florida College System~~

14-00176A-17

2017374__

4557 ~~institution board of trustees~~ cannot satisfactorily document
4558 compliance, the State Board of Education may order compliance
4559 within a specified timeframe.

4560 (4) If the State Board of Education determines that a
4561 district school board ~~or Florida College System institution~~
4562 ~~board of trustees~~ is unwilling or unable to comply with law or
4563 state board rule within the specified time, the state board
4564 shall have the authority to initiate any of the following
4565 actions:

4566 (a) Report to the Legislature that the school district ~~or~~
4567 ~~Florida College System institution~~ is unwilling or unable to
4568 comply with law or state board rule and recommend action to be
4569 taken by the Legislature.

4570 (b) Withhold the transfer of state funds, discretionary
4571 grant funds, discretionary lottery funds, or any other funds
4572 specified as eligible for this purpose by the Legislature until
4573 the school district ~~or Florida College System institution~~
4574 complies with the law or state board rule.

4575 (c) Declare the school district ~~or Florida College System~~
4576 ~~institution~~ ineligible for competitive grants.

4577 (d) Require monthly or periodic reporting on the situation
4578 related to noncompliance until it is remedied.

4579 (5) Nothing in this section shall be construed to create a
4580 private cause of action or create any rights for individuals or
4581 entities in addition to those provided elsewhere in law or rule.

4582 Section 68. Paragraphs (e) and (f) of subsection (7) of
4583 section 1008.345, Florida Statutes, are amended to read:

4584 1008.345 Implementation of state system of school
4585 improvement and education accountability.-

14-00176A-17

2017374__

4586 (7) As a part of the system of educational accountability,
4587 the Department of Education shall:

4588 (e) Maintain a listing of college-level communication and
4589 mathematics skills associated with successful student
4590 performance through the baccalaureate level and submit it to the
4591 State Board of Education, ~~and~~ the Board of Governors, and the
4592 State Board of Community Colleges for approval.

4593 (f) Perform any other functions that may be involved in
4594 educational planning, research, and evaluation or that may be
4595 required by the commissioner, the State Board of Education, the
4596 State Board of Community Colleges, the Board of Governors, or
4597 law.

4598 Section 69. Subsections (1) and (2) of section 1008.37,
4599 Florida Statutes, are amended to read:

4600 1008.37 Postsecondary feedback of information to high
4601 schools.—

4602 (1) The Commissioner of Education shall report to the State
4603 Board of Education, the Board of Governors, the State Board of
4604 Community Colleges, the Legislature, and the district school
4605 boards on the performance of each first-time-in-postsecondary
4606 education student from each public high school in this state who
4607 is enrolled in a public postsecondary institution or public
4608 career center. Such reports must be based on information
4609 databases maintained by the Department of Education. In
4610 addition, the public postsecondary educational institutions and
4611 career centers shall provide district school boards access to
4612 information on student performance in regular and preparatory
4613 courses and shall indicate students referred for remediation
4614 pursuant to s. 1004.91 or s. 1008.30.

14-00176A-17

2017374__

4615 (2) The Commissioner of Education shall report, by high
4616 school, to the State Board of Education, the Board of Governors,
4617 the State Board of Community Colleges, and the Legislature, no
4618 later than November 30 of each year, on the number of prior year
4619 Florida high school graduates who enrolled for the first time in
4620 public postsecondary education in this state during the previous
4621 summer, fall, or spring term, indicating the number of students
4622 whose scores on the common placement test indicated the need for
4623 developmental education under s. 1008.30 or for applied
4624 academics for adult education under s. 1004.91.

4625 Section 70. Section 1008.38, Florida Statutes, is amended
4626 to read:

4627 1008.38 Articulation accountability process.—The State
4628 Board of Education, in conjunction with the Board of Governors
4629 and the State Board of Community Colleges, shall develop
4630 articulation accountability measures which assess the status of
4631 systemwide articulation processes authorized under s. 1007.23
4632 and establish an articulation accountability process which at a
4633 minimum shall address:

4634 (1) The impact of articulation processes on ensuring
4635 educational continuity and the orderly and unobstructed
4636 transition of students between public secondary and
4637 postsecondary education systems and facilitating the transition
4638 of students between the public and private sectors.

4639 (2) The adequacy of preparation of public secondary
4640 students to smoothly articulate to a public postsecondary
4641 institution.

4642 (3) The effectiveness of articulated acceleration
4643 mechanisms available to secondary students.

14-00176A-17

2017374__

4644 (4) The smooth transfer of Florida Community College System
4645 associate degree graduates to a Florida Community College System
4646 institution or a state university.

4647 (5) An examination of degree requirements that exceed the
4648 parameters of 60 credit hours for an associate degree and 120
4649 hours for a baccalaureate degree in public postsecondary
4650 programs.

4651 (6) The relationship between student attainment of college-
4652 level academic skills and articulation to the upper division in
4653 public postsecondary institutions.

4654 Section 71. Section 1008.405, Florida Statutes, is amended
4655 to read:

4656 1008.405 Adult student information.—Each school district
4657 and Florida Community College System institution shall maintain
4658 sufficient information for each student enrolled in workforce
4659 education to allow local and state administrators to locate such
4660 student upon the termination of instruction and to determine the
4661 appropriateness of student placement in specific instructional
4662 programs. The State Board of Education and the State Board of
4663 Community Colleges shall adopt, by rule, specific information
4664 that must be maintained and acceptable means of maintaining that
4665 information.

4666 Section 72. Subsection (2) of section 1008.44, Florida
4667 Statutes, is amended to read:

4668 1008.44 CAPE Industry Certification Funding List and CAPE
4669 Postsecondary Industry Certification Funding List.—

4670 (2) The State Board of Education, for school districts, and
4671 the State Board of Community Colleges, for Florida Community
4672 College System institutions, shall approve, at least annually,

14-00176A-17

2017374__

4673 the CAPE Postsecondary Industry Certification Funding List
4674 pursuant to this section. The Commissioner of Education and the
4675 Chancellor of the Florida Community College System shall
4676 recommend, at least annually, the CAPE Postsecondary Industry
4677 Certification Funding List to the State Board of Education and
4678 the State Board of Community Colleges, respectively, and may at
4679 any time recommend adding certifications. The Chancellor of the
4680 State University System, the Chancellor of the Florida Community
4681 College System, and the Chancellor of Career and Adult Education
4682 shall work with local workforce boards, other postsecondary
4683 institutions, businesses, and industry to identify, create, and
4684 recommend to the Commissioner of Education industry
4685 certifications to be placed on the funding list. The list shall
4686 be used to determine annual performance funding distributions to
4687 school districts or Florida Community College System
4688 institutions as specified in ss. 1011.80 and 1011.81,
4689 respectively. The chancellors shall review results of the
4690 economic security report of employment and earning outcomes
4691 produced annually pursuant to s. 445.07 when determining
4692 recommended certifications for the list, as well as other
4693 reports and indicators available regarding certification needs.

4694 Section 73. Section 1008.45, Florida Statutes, is amended
4695 to read:

4696 1008.45 Florida Community College System institution
4697 accountability process.—

4698 (1) It is the intent of the Legislature that a management
4699 and accountability process be implemented which provides for the
4700 systematic, ongoing improvement and assessment of the
4701 improvement of the quality and efficiency of the Florida

14-00176A-17

2017374__

4702 Community College System institutions. Accordingly, the State
4703 Board of Community Colleges ~~Education~~ and the Florida Community
4704 College System institution boards of trustees shall develop and
4705 implement an accountability plan to improve and evaluate the
4706 instructional and administrative efficiency and effectiveness of
4707 the Florida Community College System. This plan shall be
4708 designed in consultation with staff of the Governor and the
4709 Legislature and must address the following issues:

4710 (a) Graduation rates of A.A. and A.S. degree-seeking
4711 students compared to first-time-enrolled students seeking the
4712 associate degree.

4713 (b) Minority student enrollment and retention rates.

4714 (c) Student performance, including student performance in
4715 college-level academic skills, mean grade point averages for
4716 Florida Community College System institution A.A. transfer
4717 students, and Florida Community College System institution
4718 student performance on state licensure examinations.

4719 (d) Job placement rates of Florida Community College System
4720 institution career students.

4721 (e) Student progression by admission status and program.

4722 (f) Career accountability standards identified in s.
4723 1008.42.

4724 (g) Institutional assessment efforts related to the
4725 requirements of s. III in the Criteria for Accreditation of the
4726 Commission on Colleges of the Southern Association of Colleges
4727 and Schools.

4728 (h) Other measures approved by the State Board of Community
4729 Colleges ~~Education~~.

4730 (2) The State Board of Community Colleges ~~Education~~ shall

14-00176A-17

2017374__

4731 submit an annual report, to coincide with the submission of the
4732 state board's ~~agency~~ strategic plan required by law, providing
4733 the results of initiatives taken during the prior year and the
4734 initiatives and related objective performance measures proposed
4735 for the next year.

4736 (3) The State Board of Community Colleges ~~Education~~ shall
4737 address within the annual evaluation of the performance of the
4738 chancellor ~~executive director~~, and the Florida Community College
4739 System institution boards of trustees shall address within the
4740 annual evaluation of the presidents, the achievement of the
4741 performance goals established by the accountability process.

4742 Section 74. Section 1009.21, Florida Statutes, is amended
4743 to read:

4744 1009.21 Determination of resident status for tuition
4745 purposes.—Students shall be classified as residents or
4746 nonresidents for the purpose of assessing tuition in
4747 postsecondary educational programs offered by charter technical
4748 career centers or career centers operated by school districts,
4749 in Florida Community College System institutions, and in state
4750 universities.

4751 (1) As used in this section, the term:

4752 (a) "Dependent child" means any person, whether or not
4753 living with his or her parent, who is eligible to be claimed by
4754 his or her parent as a dependent under the federal income tax
4755 code.

4756 (b) "Initial enrollment" means the first day of class at an
4757 institution of higher education.

4758 (c) "Institution of higher education" means any charter
4759 technical career center as defined in s. 1002.34, career center

14-00176A-17

2017374__

4760 operated by a school district as defined in s. 1001.44, Florida
4761 Community College System institution as defined in s.
4762 1000.21(3), or state university as defined in s. 1000.21(6).

4763 (d) "Legal resident" or "resident" means a person who has
4764 maintained his or her residence in this state for the preceding
4765 year, has purchased a home which is occupied by him or her as
4766 his or her residence, or has established a domicile in this
4767 state pursuant to s. 222.17.

4768 (e) "Nonresident for tuition purposes" means a person who
4769 does not qualify for the in-state tuition rate.

4770 (f) "Parent" means either or both parents of a student, any
4771 guardian of a student, or any person in a parental relationship
4772 to a student.

4773 (g) "Resident for tuition purposes" means a person who
4774 qualifies as provided in this section for the in-state tuition
4775 rate.

4776 (2) (a) To qualify as a resident for tuition purposes:

4777 1. A person or, if that person is a dependent child, his or
4778 her parent or parents must have established legal residence in
4779 this state and must have maintained legal residence in this
4780 state for at least 12 consecutive months immediately prior to
4781 his or her initial enrollment in an institution of higher
4782 education.

4783 2. Every applicant for admission to an institution of
4784 higher education shall be required to make a statement as to his
4785 or her length of residence in the state and, further, shall
4786 establish that his or her presence or, if the applicant is a
4787 dependent child, the presence of his or her parent or parents in
4788 the state currently is, and during the requisite 12-month

14-00176A-17

2017374__

4789 qualifying period was, for the purpose of maintaining a bona
4790 fide domicile, rather than for the purpose of maintaining a mere
4791 temporary residence or abode incident to enrollment in an
4792 institution of higher education.

4793 (b) However, with respect to a dependent child living with
4794 an adult relative other than the child's parent, such child may
4795 qualify as a resident for tuition purposes if the adult relative
4796 is a legal resident who has maintained legal residence in this
4797 state for at least 12 consecutive months immediately before the
4798 child's initial enrollment in an institution of higher
4799 education, provided the child has resided continuously with such
4800 relative for the 3 years immediately before the child's initial
4801 enrollment in an institution of higher education, during which
4802 time the adult relative has exercised day-to-day care,
4803 supervision, and control of the child.

4804 (c) The legal residence of a dependent child whose parents
4805 are divorced, separated, or otherwise living apart will be
4806 deemed to be this state if either parent is a legal resident of
4807 this state, regardless of which parent is entitled to claim, and
4808 does in fact claim, the minor as a dependent pursuant to federal
4809 individual income tax provisions.

4810 (d) A dependent child who is a United States citizen may
4811 not be denied classification as a resident for tuition purposes
4812 based solely upon the immigration status of his or her parent.

4813 (3) (a) An individual shall not be classified as a resident
4814 for tuition purposes and, thus, shall not be eligible to receive
4815 the in-state tuition rate until he or she has provided such
4816 evidence related to legal residence and its duration or, if that
4817 individual is a dependent child, evidence of his or her parent's

14-00176A-17

2017374__

4818 legal residence and its duration, as may be required by law and
4819 by officials of the institution of higher education from which
4820 he or she seeks the in-state tuition rate.

4821 (b) Except as otherwise provided in this section, evidence
4822 of legal residence and its duration shall include clear and
4823 convincing documentation that residency in this state was for a
4824 minimum of 12 consecutive months prior to a student's initial
4825 enrollment in an institution of higher education.

4826 (c) Each institution of higher education shall
4827 affirmatively determine that an applicant who has been granted
4828 admission to that institution as a Florida resident meets the
4829 residency requirements of this section at the time of initial
4830 enrollment. The residency determination must be documented by
4831 the submission of written or electronic verification that
4832 includes two or more of the documents identified in this
4833 paragraph. No single piece of evidence shall be conclusive.

4834 1. The documents must include at least one of the
4835 following:

4836 a. A Florida voter's registration card.

4837 b. A Florida driver license.

4838 c. A State of Florida identification card.

4839 d. A Florida vehicle registration.

4840 e. Proof of a permanent home in Florida which is occupied
4841 as a primary residence by the individual or by the individual's
4842 parent if the individual is a dependent child.

4843 f. Proof of a homestead exemption in Florida.

4844 g. Transcripts from a Florida high school for multiple
4845 years if the Florida high school diploma or high school
4846 equivalency diploma was earned within the last 12 months.

14-00176A-17

2017374__

4847 h. Proof of permanent full-time employment in Florida for
4848 at least 30 hours per week for a 12-month period.

4849 2. The documents may include one or more of the following:

4850 a. A declaration of domicile in Florida.

4851 b. A Florida professional or occupational license.

4852 c. Florida incorporation.

4853 d. A document evidencing family ties in Florida.

4854 e. Proof of membership in a Florida-based charitable or
4855 professional organization.

4856 f. Any other documentation that supports the student's
4857 request for resident status, including, but not limited to,
4858 utility bills and proof of 12 consecutive months of payments; a
4859 lease agreement and proof of 12 consecutive months of payments;
4860 or an official state, federal, or court document evidencing
4861 legal ties to Florida.

4862 (4) With respect to a dependent child, the legal residence
4863 of the dependent child's parent or parents is prima facie
4864 evidence of the dependent child's legal residence, which
4865 evidence may be reinforced or rebutted, relative to the age and
4866 general circumstances of the dependent child, by the other
4867 evidence of legal residence required of or presented by the
4868 dependent child. However, the legal residence of a dependent
4869 child's parent or parents who are domiciled outside this state
4870 is not prima facie evidence of the dependent child's legal
4871 residence if that dependent child has lived in this state for 5
4872 consecutive years prior to enrolling or reregistering at the
4873 institution of higher education at which resident status for
4874 tuition purposes is sought.

4875 (5) A person who physically resides in this state may be

14-00176A-17

2017374__

4876 classified as a resident for tuition purposes if he or she
4877 marries a person who meets the 12-month residency requirement
4878 under subsection (2) and who is a legal resident of this state.

4879 (6) (a) Except as otherwise provided in this section, a
4880 person who is classified as a nonresident for tuition purposes
4881 may become eligible for reclassification as a resident for
4882 tuition purposes if that person or, if that person is a
4883 dependent child, his or her parent presents clear and convincing
4884 documentation that supports permanent legal residency in this
4885 state for at least 12 consecutive months rather than temporary
4886 residency for the purpose of pursuing an education, such as
4887 documentation of full-time permanent employment for the prior 12
4888 months or the purchase of a home in this state and residence
4889 therein for the prior 12 months while not enrolled in an
4890 institution of higher education.

4891 (b) If a person who is a dependent child and his or her
4892 parent move to this state while such child is a high school
4893 student and the child graduates from a high school in this
4894 state, the child may become eligible for reclassification as a
4895 resident for tuition purposes when the parent submits evidence
4896 that the parent qualifies for permanent residency.

4897 (c) If a person who is a dependent child and his or her
4898 parent move to this state after such child graduates from high
4899 school, the child may become eligible for reclassification as a
4900 resident for tuition purposes after the parent submits evidence
4901 that he or she has established legal residence in the state and
4902 has maintained legal residence in the state for at least 12
4903 consecutive months.

4904 (d) A person who is classified as a nonresident for tuition

14-00176A-17

2017374__

4905 purposes and who marries a legal resident of the state or
4906 marries a person who becomes a legal resident of the state may,
4907 upon becoming a legal resident of the state, become eligible for
4908 reclassification as a resident for tuition purposes upon
4909 submitting evidence of his or her own legal residency in the
4910 state, evidence of his or her marriage to a person who is a
4911 legal resident of the state, and evidence of the spouse's legal
4912 residence in the state for at least 12 consecutive months
4913 immediately preceding the application for reclassification.

4914 (7) A person shall not lose his or her resident status for
4915 tuition purposes solely by reason of serving, or, if such person
4916 is a dependent child, by reason of his or her parent's or
4917 parents' serving, in the Armed Forces outside this state.

4918 (8) A person who has been properly classified as a resident
4919 for tuition purposes but who, while enrolled in an institution
4920 of higher education in this state, loses his or her resident
4921 tuition status because the person or, if he or she is a
4922 dependent child, the person's parent or parents establish
4923 domicile or legal residence elsewhere shall continue to enjoy
4924 the in-state tuition rate for a statutory grace period, which
4925 period shall be measured from the date on which the
4926 circumstances arose that culminated in the loss of resident
4927 tuition status and shall continue for 12 months. However, if the
4928 12-month grace period ends during a semester or academic term
4929 for which such former resident is enrolled, such grace period
4930 shall be extended to the end of that semester or academic term.

4931 (9) Any person who ceases to be enrolled at or who
4932 graduates from an institution of higher education while
4933 classified as a resident for tuition purposes and who

14-00176A-17

2017374__

4934 subsequently abandons his or her domicile in this state shall be
4935 permitted to reenroll at an institution of higher education in
4936 this state as a resident for tuition purposes without the
4937 necessity of meeting the 12-month durational requirement of this
4938 section if that person has reestablished his or her domicile in
4939 this state within 12 months of such abandonment and continuously
4940 maintains the reestablished domicile during the period of
4941 enrollment. The benefit of this subsection shall not be accorded
4942 more than once to any one person.

4943 (10) The following persons shall be classified as residents
4944 for tuition purposes:

4945 (a) Active duty members of the Armed Services of the United
4946 States residing or stationed in this state, their spouses, and
4947 dependent children, and active drilling members of the Florida
4948 National Guard.

4949 (b) Active duty members of the Armed Services of the United
4950 States and their spouses and dependents attending a Florida
4951 Community College System institution or state university within
4952 50 miles of the military establishment where they are stationed,
4953 if such military establishment is within a county contiguous to
4954 Florida.

4955 (c) United States citizens living on the Isthmus of Panama,
4956 who have completed 12 consecutive months of college work at the
4957 Florida State University Panama Canal Branch, and their spouses
4958 and dependent children.

4959 (d) Full-time instructional and administrative personnel
4960 employed by state public schools and institutions of higher
4961 education and their spouses and dependent children.

4962 (e) Students from Latin America and the Caribbean who

14-00176A-17

2017374__

4963 receive scholarships from the federal or state government. Any
4964 student classified pursuant to this paragraph shall attend, on a
4965 full-time basis, a Florida institution of higher education.

4966 (f) Southern Regional Education Board's Academic Common
4967 Market graduate students attending Florida's state universities.

4968 (g) Full-time employees of state agencies or political
4969 subdivisions of the state when the student fees are paid by the
4970 state agency or political subdivision for the purpose of job-
4971 related law enforcement or corrections training.

4972 (h) McKnight Doctoral Fellows and Finalists who are United
4973 States citizens.

4974 (i) United States citizens living outside the United States
4975 who are teaching at a Department of Defense Dependent School or
4976 in an American International School and who enroll in a graduate
4977 level education program which leads to a Florida teaching
4978 certificate.

4979 (j) Active duty members of the Canadian military residing
4980 or stationed in this state under the North American Air Defense
4981 (NORAD) agreement, and their spouses and dependent children,
4982 attending a Florida Community College System institution or
4983 state university within 50 miles of the military establishment
4984 where they are stationed.

4985 (k) Active duty members of a foreign nation's military who
4986 are serving as liaison officers and are residing or stationed in
4987 this state, and their spouses and dependent children, attending
4988 a Florida Community College System institution or state
4989 university within 50 miles of the military establishment where
4990 the foreign liaison officer is stationed.

4991 (11) Once a student has been classified as a resident for

14-00176A-17

2017374__

4992 tuition purposes, an institution of higher education to which
4993 the student transfers is not required to reevaluate the
4994 classification unless inconsistent information suggests that an
4995 erroneous classification was made or the student's situation has
4996 changed. However, the student must have attended the institution
4997 making the initial classification within the prior 12 months,
4998 and the residency classification must be noted on the student's
4999 transcript. The Higher Education Coordinating Council shall
5000 consider issues related to residency determinations and make
5001 recommendations relating to efficiency and effectiveness of
5002 current law.

5003 (12) Each institution of higher education shall establish a
5004 residency appeal committee comprised of at least three members
5005 to consider student appeals of residency determinations, in
5006 accordance with the institution's official appeal process. The
5007 residency appeal committee must render to the student the final
5008 residency determination in writing. The institution must advise
5009 the student of the reasons for the determination.

5010 (13) The State Board of Education, ~~and~~ the Board of
5011 Governors, and the State Board of Community Colleges shall adopt
5012 rules to implement this section.

5013 Section 75. Paragraph (e) of subsection (3) of section
5014 1009.22, Florida Statutes, is amended to read:

5015 1009.22 Workforce education postsecondary student fees.—

5016 (3)

5017 (e) The State Board of Education and the State Board of
5018 Community Colleges may adopt, by rule, the definitions and
5019 procedures that district school boards and Florida Community
5020 College System institution boards of trustees shall use in the

14-00176A-17

2017374__

5021 calculation of cost borne by students.

5022 Section 76. Section 1009.23, Florida Statutes, is amended
5023 to read:

5024 1009.23 Florida Community College System institution
5025 student fees.—

5026 (1) Unless otherwise provided, this section applies only to
5027 fees charged for college credit instruction leading to an
5028 associate in arts degree, an associate in applied science
5029 degree, an associate in science degree, or a baccalaureate
5030 degree authorized pursuant to s. 1007.33, for noncollege credit
5031 developmental education defined in s. 1004.02, and for educator
5032 preparation institute programs defined in s. 1004.85.

5033 (2) (a) All students shall be charged fees except students
5034 who are exempt from fees or students whose fees are waived.

5035 (b) Tuition and out-of-state fees for upper-division
5036 courses must reflect the fact that the Florida Community College
5037 System institution has a less expensive cost structure than that
5038 of a state university. Therefore, the board of trustees shall
5039 establish tuition and out-of-state fees for upper-division
5040 courses in baccalaureate degree programs approved pursuant to s.
5041 1007.33 consistent with law and proviso language in the General
5042 Appropriations Act. However, the board of trustees may vary
5043 tuition and out-of-state fees only as provided in subsection (6)
5044 and s. 1009.26(11).

5045 (3) (a) Effective July 1, 2014, for advanced and
5046 professional, postsecondary vocational, developmental education,
5047 and educator preparation institute programs, the standard
5048 tuition shall be \$71.98 per credit hour for residents and
5049 nonresidents, and the out-of-state fee shall be \$215.94 per

14-00176A-17

2017374__

5050 credit hour.

5051 (b) Effective July 1, 2014, for baccalaureate degree
5052 programs, the following tuition and fee rates shall apply:

5053 1. The tuition shall be \$91.79 per credit hour for students
5054 who are residents for tuition purposes.

5055 2. The sum of the tuition and the out-of-state fee per
5056 credit hour for students who are nonresidents for tuition
5057 purposes shall be no more than 85 percent of the sum of the
5058 tuition and the out-of-state fee at the state university nearest
5059 the Florida Community College System institution.

5060 (4) Each Florida Community College System institution board
5061 of trustees shall establish tuition and out-of-state fees, which
5062 may vary no more than 10 percent below and 15 percent above the
5063 combined total of the standard tuition and fees established in
5064 subsection (3).

5065 (5) Except as otherwise provided in law, the sum of
5066 nonresident student tuition and out-of-state fees must be
5067 sufficient to defray the full cost of each program.

5068 (6) (a) A Florida Community College System institution board
5069 of trustees that has a service area that borders another state
5070 may implement a plan for a differential out-of-state fee.

5071 (b) A Florida Community College System institution board of
5072 trustees may establish a differential out-of-state fee for a
5073 student who has been determined to be a nonresident for tuition
5074 purposes pursuant to s. 1009.21 and is enrolled in a distance
5075 learning course offered by the institution. A differential out-
5076 of-state fee established pursuant to this paragraph shall be
5077 applicable only to distance learning courses and must be
5078 established such that the sum of tuition and the differential

14-00176A-17

2017374__

5079 out-of-state fee is sufficient to defray the full cost of
5080 instruction.

5081 (7) Each Florida Community College System institution board
5082 of trustees may establish a separate activity and service fee
5083 not to exceed 10 percent of the tuition fee, according to rules
5084 of the State Board of Community Colleges ~~Education~~. The student
5085 activity and service fee shall be collected as a component part
5086 of the tuition and fees. The student activity and service fees
5087 shall be paid into a student activity and service fund at the
5088 Florida Community College System institution and shall be
5089 expended for lawful purposes to benefit the student body in
5090 general. These purposes include, but are not limited to, student
5091 publications and grants to duly recognized student
5092 organizations, the membership of which is open to all students
5093 at the Florida Community College System institution without
5094 regard to race, sex, or religion. No Florida Community College
5095 System institution shall be required to lower any activity and
5096 service fee approved by the board of trustees of the Florida
5097 Community College System institution and in effect prior to
5098 October 26, 2007, in order to comply with the provisions of this
5099 subsection.

5100 (8) (a) Each Florida Community College System institution
5101 board of trustees is authorized to establish a separate fee for
5102 financial aid purposes in an additional amount up to, but not to
5103 exceed, 5 percent of the total student tuition or out-of-state
5104 fees collected. Each Florida Community College System
5105 institution board of trustees may collect up to an additional 2
5106 percent if the amount generated by the total financial aid fee
5107 is less than \$500,000. If the amount generated is less than

14-00176A-17

2017374__

5108 \$500,000, a Florida Community College System institution that
5109 charges tuition and out-of-state fees at least equal to the
5110 average fees established by rule may transfer from the general
5111 current fund to the scholarship fund an amount equal to the
5112 difference between \$500,000 and the amount generated by the
5113 total financial aid fee assessment. No other transfer from the
5114 general current fund to the loan, endowment, or scholarship
5115 fund, by whatever name known, is authorized.

5116 (b) All funds collected under this program shall be placed
5117 in the loan and endowment fund or scholarship fund of the
5118 college, by whatever name known. Such funds shall be disbursed
5119 to students as quickly as possible. An amount not greater than
5120 40 percent of the fees collected in a fiscal year may be carried
5121 forward unexpended to the following fiscal year. However, funds
5122 collected prior to July 1, 1989, and placed in an endowment fund
5123 may not be considered part of the balance of funds carried
5124 forward unexpended to the following fiscal year.

5125 (c) Up to 25 percent or \$600,000, whichever is greater, of
5126 the financial aid fees collected may be used to assist students
5127 who demonstrate academic merit; who participate in athletics,
5128 public service, cultural arts, and other extracurricular
5129 programs as determined by the institution; or who are identified
5130 as members of a targeted gender or ethnic minority population.
5131 The financial aid fee revenues allocated for athletic
5132 scholarships and any fee exemptions provided to athletes
5133 pursuant to s. 1009.25(2) must be distributed equitably as
5134 required by s. 1000.05(3)(d). A minimum of 75 percent of the
5135 balance of these funds for new awards shall be used to provide
5136 financial aid based on absolute need, and the remainder of the

14-00176A-17

2017374__

5137 funds shall be used for academic merit purposes and other
5138 purposes approved by the boards of trustees. Such other purposes
5139 shall include the payment of child care fees for students with
5140 financial need. The State Board of Education shall develop
5141 criteria for making financial aid awards. Each college shall
5142 report annually to the Department of Education on the revenue
5143 collected pursuant to this paragraph, the amount carried
5144 forward, the criteria used to make awards, the amount and number
5145 of awards for each criterion, and a delineation of the
5146 distribution of such awards. The report shall include an
5147 assessment by category of the financial need of every student
5148 who receives an award, regardless of the purpose for which the
5149 award is received. Awards that are based on financial need shall
5150 be distributed in accordance with a nationally recognized system
5151 of need analysis approved by the State Board of Education. An
5152 award for academic merit requires a minimum overall grade point
5153 average of 3.0 on a 4.0 scale or the equivalent for both initial
5154 receipt of the award and renewal of the award.

5155 (d) These funds may not be used for direct or indirect
5156 administrative purposes or salaries.

5157 (9) Any Florida Community College System institution that
5158 reports students who have not paid fees in an approved manner in
5159 calculations of full-time equivalent enrollments for state
5160 funding purposes shall be penalized at a rate equal to two times
5161 the value of such enrollments. Such penalty shall be charged
5162 against the following year's allocation from the Florida
5163 Community College System Program Fund and shall revert to the
5164 General Revenue Fund.

5165 (10) Each Florida Community College System institution

14-00176A-17

2017374__

5166 board of trustees is authorized to establish a separate fee for
5167 technology, which may not exceed 5 percent of tuition per credit
5168 hour or credit-hour equivalent for resident students and may not
5169 exceed 5 percent of tuition and the out-of-state fee per credit
5170 hour or credit-hour equivalent for nonresident students.
5171 Revenues generated from the technology fee shall be used to
5172 enhance instructional technology resources for students and
5173 faculty. The technology fee may apply to both college credit and
5174 developmental education and shall not be included in any award
5175 under the Florida Bright Futures Scholarship Program. Fifty
5176 percent of technology fee revenues may be pledged by a Florida
5177 Community College System institution board of trustees as a
5178 dedicated revenue source for the repayment of debt, including
5179 lease-purchase agreements, not to exceed the useful life of the
5180 asset being financed. Revenues generated from the technology fee
5181 may not be bonded.

5182 (11) (a) Each Florida Community College System institution
5183 board of trustees may establish a separate fee for capital
5184 improvements, technology enhancements, equipping student
5185 buildings, or the acquisition of improved real property which
5186 may not exceed 20 percent of tuition for resident students or 20
5187 percent of the sum of tuition and out-of-state fees for
5188 nonresident students. The fee for resident students shall be
5189 limited to an increase of \$2 per credit hour over the prior
5190 year. Funds collected by Florida Community College System
5191 institutions through the fee may be bonded only as provided in
5192 this subsection for the purpose of financing or refinancing new
5193 construction and equipment, renovation, remodeling of
5194 educational facilities, or the acquisition and renovation or

14-00176A-17

2017374__

5195 remodeling of improved real property for use as educational
5196 facilities. The fee shall be collected as a component part of
5197 the tuition and fees, paid into a separate account, and expended
5198 only to acquire improved real property or construct and equip,
5199 maintain, improve, or enhance the educational facilities of the
5200 Florida Community College System institution. Projects and
5201 acquisitions of improved real property funded through the use of
5202 the capital improvement fee shall meet the survey and
5203 construction requirements of chapter 1013. Pursuant to s.
5204 216.0158, each Florida Community College System institution
5205 shall identify each project, including maintenance projects,
5206 proposed to be funded in whole or in part by such fee.

5207 (b) Capital improvement fee revenues may be pledged by a
5208 board of trustees as a dedicated revenue source to the repayment
5209 of debt, including lease-purchase agreements, with an overall
5210 term of not more than 7 years, including renewals, extensions,
5211 and refundings, and revenue bonds with a term not exceeding 20
5212 annual maturities and not exceeding the useful life of the asset
5213 being financed, only for financing or refinancing of the new
5214 construction and equipment, renovation, or remodeling of
5215 educational facilities. Bonds authorized pursuant to this
5216 subsection shall be requested by the Florida Community College
5217 System institution board of trustees and shall be issued by the
5218 Division of Bond Finance in compliance with s. 11(d), Art. VII
5219 of the State Constitution and the State Bond Act. The Division
5220 of Bond Finance may pledge fees collected by one or more Florida
5221 Community College System institutions to secure such bonds. Any
5222 project included in the approved educational plant survey
5223 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.

14-00176A-17

2017374__

5224 VII of the State Constitution.

5225 (c) Bonds issued pursuant to this subsection may be
5226 validated in the manner provided by chapter 75. Only the initial
5227 series of bonds is required to be validated. The complaint for
5228 such validation shall be filed in the circuit court of the
5229 county where the seat of state government is situated, the
5230 notice required to be published by s. 75.06 shall be published
5231 only in the county where the complaint is filed, and the
5232 complaint and order of the circuit court shall be served only on
5233 the state attorney of the circuit in which the action is
5234 pending.

5235 (d) A maximum of 15 percent may be allocated from the
5236 capital improvement fee for child care centers conducted by the
5237 Florida Community College System institution. The use of capital
5238 improvement fees for such purpose shall be subordinate to the
5239 payment of any bonds secured by the fees.

5240 (e) The state does hereby covenant with the holders of the
5241 bonds issued under this subsection that it will not take any
5242 action that will materially and adversely affect the rights of
5243 such holders so long as the bonds authorized by this subsection
5244 are outstanding.

5245 (12) (a) In addition to tuition, out-of-state, financial
5246 aid, capital improvement, student activity and service, and
5247 technology fees authorized in this section, each Florida
5248 Community College System institution board of trustees is
5249 authorized to establish fee schedules for the following user
5250 fees and fines: laboratory fees, which do not apply to a
5251 distance learning course; parking fees and fines; library fees
5252 and fines; fees and fines relating to facilities and equipment

14-00176A-17

2017374__

5253 use or damage; access or identification card fees; duplicating,
5254 photocopying, binding, or microfilming fees; standardized
5255 testing fees; diploma replacement fees; transcript fees;
5256 application fees; graduation fees; and late fees related to
5257 registration and payment. Such user fees and fines shall not
5258 exceed the cost of the services provided and shall only be
5259 charged to persons receiving the service. A Florida Community
5260 College System institution may not charge any fee except as
5261 authorized by law. Parking fee revenues may be pledged by a
5262 Florida Community College System institution board of trustees
5263 as a dedicated revenue source for the repayment of debt,
5264 including lease-purchase agreements, with an overall term of not
5265 more than 7 years, including renewals, extensions, and
5266 refundings, and revenue bonds with a term not exceeding 20 years
5267 and not exceeding the useful life of the asset being financed.
5268 Florida Community College System institutions shall use the
5269 services of the Division of Bond Finance of the State Board of
5270 Administration to issue any revenue bonds authorized by this
5271 subsection. Any such bonds issued by the Division of Bond
5272 Finance shall be in compliance with the provisions of the State
5273 Bond Act. Bonds issued pursuant to the State Bond Act may be
5274 validated in the manner established in chapter 75. The complaint
5275 for such validation shall be filed in the circuit court of the
5276 county where the seat of state government is situated, the
5277 notice required to be published by s. 75.06 shall be published
5278 only in the county where the complaint is filed, and the
5279 complaint and order of the circuit court shall be served only on
5280 the state attorney of the circuit in which the action is
5281 pending.

14-00176A-17

2017374__

5282 (b) The State Board of Community Colleges ~~Education~~ may
5283 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
5284 this subsection.

5285 (13) The State Board of Community Colleges ~~Education~~ shall
5286 specify, as necessary, by rule, approved methods of student fee
5287 payment. Such methods shall include, but not be limited to,
5288 student fee payment; payment through federal, state, or
5289 institutional financial aid; and employer fee payments.

5290 (14) Each Florida Community College System institution
5291 board of trustees shall report only those students who have
5292 actually enrolled in instruction provided or supervised by
5293 instructional personnel under contract with the Florida
5294 Community College System institution in calculations of actual
5295 full-time equivalent enrollments for state funding purposes. No
5296 student who has been exempted from taking a course or who has
5297 been granted academic or career credit through means other than
5298 actual coursework completed at the granting institution shall be
5299 calculated for enrollment in the course from which he or she has
5300 been exempted or granted credit. Florida Community College
5301 System institutions that report enrollments in violation of this
5302 subsection shall be penalized at a rate equal to two times the
5303 value of such enrollments. Such penalty shall be charged against
5304 the following year's allocation from the Florida Community
5305 College System Program Fund and shall revert to the General
5306 Revenue Fund.

5307 (15) Each Florida Community College System institution may
5308 assess a service charge for the payment of tuition and fees in
5309 installments and a convenience fee for the processing of
5310 automated or online credit card payments. However, the amount of

14-00176A-17

2017374__

5311 the convenience fee may not exceed the total cost charged by the
5312 credit card company to the Florida Community College System
5313 institution. Such service charge or convenience fee must be
5314 approved by the Florida Community College System institution
5315 board of trustees.

5316 (16) (a) Each Florida Community College System institution
5317 may assess a student who enrolls in a course listed in the
5318 distance learning catalog, established pursuant to s. 1006.735,
5319 a per-credit-hour distance learning course user fee. For
5320 purposes of assessing this fee, a distance learning course is a
5321 course in which at least 80 percent of the direct instruction of
5322 the course is delivered using some form of technology when the
5323 student and instructor are separated by time or space, or both.

5324 (b) The amount of the distance learning course user fee may
5325 not exceed the additional costs of the services provided which
5326 are attributable to the development and delivery of the distance
5327 learning course. If a Florida Community College System
5328 institution assesses the distance learning course user fee, the
5329 institution may not assess any other fees to cover the
5330 additional costs. By September 1 of each year, each board of
5331 trustees shall report to the State Board of Community Colleges
5332 ~~Division of Florida Colleges~~ the total amount of revenue
5333 generated by the distance learning course user fee for the prior
5334 fiscal year and how the revenue was expended.

5335 (c) If an institution assesses the distance learning fee,
5336 the institution must provide a link to the catalog within the
5337 advising and distance learning sections of the institution's
5338 website, using a graphic and description provided by the
5339 Complete Florida Plus Program, to inform students of the

14-00176A-17

2017374__

5340 catalog.

5341 (17) Each Florida Community College System institution that
5342 accepts transient students, pursuant to s. 1006.735, may
5343 establish a transient student fee not to exceed \$5 per course
5344 for processing the transient student admissions application.

5345 (18) (a) The Board of Trustees of Santa Fe College may
5346 establish a transportation access fee. Revenue from the fee may
5347 be used only to provide or improve access to transportation
5348 services for students enrolled at Santa Fe College. The fee may
5349 not exceed \$6 per credit hour. An increase in the transportation
5350 access fee may occur only once each fiscal year and must be
5351 implemented beginning with the fall term. A referendum must be
5352 held by the student government to approve the application of the
5353 fee.

5354 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
5355 the transportation access fee authorized under paragraph (a) may
5356 not be included in calculating the amount a student receives for
5357 a Florida Academic Scholars award, a Florida Medallion Scholars
5358 award, or a Florida Gold Seal Vocational Scholars award.

5359 (19) The State Board of Community Colleges ~~Education~~ shall
5360 adopt a rule specifying the definitions and procedures to be
5361 used in the calculation of the percentage of cost paid by
5362 students. The rule must provide for the calculation of the full
5363 cost of educational programs based on the allocation of all
5364 funds provided through the general current fund to programs of
5365 instruction, and other activities as provided in the annual
5366 expenditure analysis. The rule shall be developed in
5367 consultation with the Legislature.

5368 (20) Each Florida Community College System institution

14-00176A-17

2017374__

5369 shall publicly notice and notify all enrolled students of any
5370 proposal to increase tuition or fees at least 28 days before its
5371 consideration at a board of trustees meeting. The notice must:

5372 (a) Include the date and time of the meeting at which the
5373 proposal will be considered.

5374 (b) Specifically outline the details of existing tuition
5375 and fees, the rationale for the proposed increase, and how the
5376 funds from the proposed increase will be used.

5377 (c) Be posted on the institution's website and issued in a
5378 press release.

5379 Section 77. Subsection (2) of section 1009.25, Florida
5380 Statutes, is amended to read:

5381 1009.25 Fee exemptions.—

5382 (2) Each Florida Community College System institution is
5383 authorized to grant student fee exemptions from all fees adopted
5384 by the State Board of Community Colleges ~~Education~~ and the
5385 Florida Community College System institution board of trustees
5386 for up to 54 full-time equivalent students or 1 percent of the
5387 institution's total full-time equivalent enrollment, whichever
5388 is greater, at each institution.

5389 Section 78. Paragraph (b) of subsection (12), paragraphs
5390 (c) and (d) of subsection (13), and paragraph (d) of subsection
5391 (14) of section 1009.26, Florida Statutes, are amended, to read:

5392 1009.26 Fee waivers.—

5393 (12)

5394 (b) Tuition and fees charged to a student who qualifies for
5395 the out-of-state fee waiver under this subsection may not exceed
5396 the tuition and fees charged to a resident student. The waiver
5397 is applicable for 110 percent of the required credit hours of

14-00176A-17

2017374__

5398 the degree or certificate program for which the student is
5399 enrolled. Each state university, Florida Community College
5400 System institution, career center operated by a school district
5401 under s. 1001.44, and charter technical career center shall
5402 report to the Board of Governors, the State Board of Community
5403 Colleges, and the State Board of Education, respectively, the
5404 number and value of all fee waivers granted annually under this
5405 subsection. By October 1 of each year, the Board of Governors,
5406 for the state universities; ~~and~~ the State Board of Community
5407 Colleges, ~~Education~~ for Florida Community College System
5408 institutions; ~~and~~ career centers operated by a school district
5409 under s. 1001.44; ~~and~~ and charter technical career centers shall
5410 annually report for the previous academic year the percentage of
5411 resident and nonresident students enrolled systemwide.

5412 (13)

5413 (c) Each state university, Florida Community College System
5414 institution, career center operated by a school district under
5415 s. 1001.44, and charter technical career center shall report to
5416 the Board of Governors, the State Board of Community, and the
5417 State Board of Education, respectively, the number and value of
5418 all fee waivers granted annually under this subsection.

5419 (d) The Board of Governors, the State Board of Community
5420 Colleges, and the State Board of Education shall respectively
5421 adopt regulations and rules to administer this subsection.

5422 (14)

5423 (d) The Board of Governors, the State Board of Community
5424 Colleges, and the State Board of Education shall respectively
5425 adopt regulations and rules to administer this subsection.

5426 Section 79. Section 1009.28, Florida Statutes, is amended

14-00176A-17

2017374__

5427 to read:

5428 1009.28 Fees for repeated enrollment in developmental
5429 education classes.—A student enrolled in the same developmental
5430 education class more than twice shall pay 100 percent of the
5431 full cost of instruction to support continuous enrollment of
5432 that student in the same class, and the student shall not be
5433 included in calculations of full-time equivalent enrollments for
5434 state funding purposes; however, students who withdraw or fail a
5435 class due to extenuating circumstances may be granted an
5436 exception only once for each class, provided approval is granted
5437 according to policy established by the board of trustees. Each
5438 Florida Community College System institution may review and
5439 reduce fees paid by students due to continued enrollment in a
5440 developmental education class on an individual basis contingent
5441 upon the student's financial hardship, pursuant to definitions
5442 and fee levels established by the State Board of Community
5443 Colleges Education.

5444 Section 80. Subsections (9) and (12) of section 1009.90,
5445 Florida Statutes, are amended to read:

5446 1009.90 Duties of the Department of Education.—The duties
5447 of the department shall include:

5448 (9) Development and submission of a report, annually, to
5449 the State Board of Education, the Board of Governors, the State
5450 Board of Community Colleges, the President of the Senate, and
5451 the Speaker of the House of Representatives, which shall
5452 include, but not be limited to, recommendations for the
5453 distribution of state financial aid funds.

5454 (12) Calculation of the amount of need-based student
5455 financial aid required to offset fee increases recommended by

14-00176A-17

2017374__

5456 the State Board of Education, and the Board of Governors, and
5457 the State Board of Community Colleges, and inclusion of such
5458 amount within the legislative budget request for student
5459 assistance grant programs.

5460 Section 81. Subsection (4) of section 1009.91, Florida
5461 Statutes, is amended to read:

5462 1009.91 Assistance programs and activities of the
5463 department.—

5464 (4) The department shall maintain records on the student
5465 loan default rate of each Florida postsecondary institution and
5466 report that information annually to both the institution and the
5467 State Board of Education. Information relating to state
5468 universities shall also be reported annually to the Board of
5469 Governors. Information relating to Florida Community College
5470 System institutions shall be reported annually to the State
5471 Board of Community Colleges.

5472 Section 82. Subsection (2) of section 1009.971, Florida
5473 Statutes, is amended to read:

5474 1009.971 Florida Prepaid College Board.—

5475 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
5476 shall consist of seven members to be composed of the Attorney
5477 General, the Chief Financial Officer, the Chancellor of the
5478 State University System, the Chancellor of the Florida Community
5479 College System ~~Division of Florida Colleges,~~ and three members
5480 appointed by the Governor and subject to confirmation by the
5481 Senate. Each member appointed by the Governor shall possess
5482 knowledge, skill, and experience in the areas of accounting,
5483 actuary, risk management, or investment management. Each member
5484 of the board not appointed by the Governor may name a designee

14-00176A-17

2017374__

5485 to serve on the board on behalf of the member; however, any
5486 designee so named shall meet the qualifications required of
5487 gubernatorial appointees to the board. Members appointed by the
5488 Governor shall serve terms of 3 years. Any person appointed to
5489 fill a vacancy on the board shall be appointed in a like manner
5490 and shall serve for only the unexpired term. Any member shall be
5491 eligible for reappointment and shall serve until a successor
5492 qualifies. Members of the board shall serve without compensation
5493 but shall be reimbursed for per diem and travel in accordance
5494 with s. 112.061. Each member of the board shall file a full and
5495 public disclosure of his or her financial interests pursuant to
5496 s. 8, Art. II of the State Constitution and corresponding
5497 statute.

5498 Section 83. Section 1010.01, Florida Statutes, is amended
5499 to read:

5500 1010.01 Uniform records and accounts.—

5501 (1) (a) The financial records and accounts of each school
5502 district, ~~Florida College System institution,~~ and other
5503 institution or agency under the supervision of the State Board
5504 of Education shall be prepared and maintained as prescribed by
5505 law and rules of the State Board of Education.

5506 (b) The financial records and accounts of each state
5507 university under the supervision of the Board of Governors shall
5508 be prepared and maintained as prescribed by law and rules of the
5509 Board of Governors.

5510 (c) The financial records and accounts of each Florida
5511 Community College System institution under the supervision of
5512 the State Board of Community Colleges shall be prepared and
5513 maintained as prescribed by law and rules of the State Board of

14-00176A-17

2017374__

5514 Community Colleges.

5515 (2) Rules of the State Board of Education, ~~and rules of the~~
5516 Board of Governors, and the State Board of Community Colleges
5517 shall incorporate the requirements of law and accounting
5518 principles generally accepted in the United States. Such rules
5519 shall include a uniform classification of accounts.

5520 (3) Each state university shall annually file with the
5521 Board of Governors financial statements prepared in conformity
5522 with accounting principles generally accepted by the United
5523 States and the uniform classification of accounts prescribed by
5524 the Board of Governors. The Board of Governors' rules shall
5525 prescribe the filing deadline for the financial statements.

5526 (4) Required financial accounts and reports shall include
5527 provisions that are unique to each of the following: K-12 school
5528 districts, Florida Community College System institutions, and
5529 state universities, and shall provide for the data to be
5530 reported to the National Center of Educational Statistics and
5531 other governmental and professional educational data information
5532 services as appropriate.

5533 (5) Each Florida Community College System institution shall
5534 annually file with the State Board of Community Colleges
5535 financial statements prepared in conformity with accounting
5536 principles generally accepted by the United States and the
5537 uniform classification of accounts prescribed by the State Board
5538 of Community Colleges. The State Board of Community Colleges'
5539 rules shall prescribe the filing deadline for the financial
5540 statements.

5541 Section 84. Subsection (1) of section 1010.02, Florida
5542 Statutes, is amended, and subsection (3) is added to that

14-00176A-17

2017374__

5543 section, to read:

5544 1010.02 Financial accounting and expenditures.—

5545 (1) All funds accruing to a school district ~~or a Florida~~
5546 ~~College System institution~~ must be received, accounted for, and
5547 expended in accordance with law and rules of the State Board of
5548 Education.

5549 (3) All funds accruing to a Florida Community College
5550 System institution must be received, accounted for, and expended
5551 in accordance with law and rules of the State Board of Community
5552 Colleges.

5553 Section 85. Section 1010.04, Florida Statutes, is amended
5554 to read:

5555 1010.04 Purchasing.—

5556 (1) (a) Purchases and leases by school districts must ~~and~~
5557 ~~Florida College System institutions~~ shall comply with the
5558 requirements of law and rules of the State Board of Education.

5559 (b) Before purchasing nonacademic commodities and
5560 contractual services, each district school board and Florida
5561 Community College System institution board of trustees shall
5562 review the purchasing agreements and state term contracts
5563 available under s. 287.056 to determine whether it is in the
5564 school board's or the board of trustees' economic advantage to
5565 use the agreements and contracts. Each bid specification for
5566 nonacademic commodities and contractual services must include a
5567 statement indicating that the purchasing agreements and state
5568 term contracts available under s. 287.056 have been reviewed.
5569 Each district school board may also use the cooperative state
5570 purchasing programs managed through the regional consortium
5571 service organizations pursuant to their authority under s.

14-00176A-17

2017374__

5572 1001.451(3). This paragraph does not apply to services that are
5573 eligible for reimbursement under the federal E-rate program
5574 administered by the Universal Service Administrative Company.

5575 (c) Purchases and leases by state universities must ~~shall~~
5576 comply with the requirements of law and regulations of the Board
5577 of Governors.

5578 (d) Purchases and leases by Florida Community College
5579 System institutions must comply with the requirements of law and
5580 rules of the State Board of Community Colleges.

5581 (2) Each district school board and Florida Community
5582 College System institution board of trustees shall adopt rules,
5583 and each university board of trustees shall adopt regulations,
5584 to be followed in making purchases. Purchases may be made
5585 through an online procurement system, an electronic auction
5586 service, or other efficient procurement tool.

5587 (3) In districts in which the county purchasing agent is
5588 authorized by law to make purchases for the benefit of other
5589 governmental agencies within the county, the district school
5590 board and Florida Community College System institution board of
5591 trustees shall have the option to purchase from the current
5592 county contracts at the unit price stated therein if such
5593 purchase is to the economic advantage of the district school
5594 board or the Florida Community College System institution board
5595 of trustees; subject to confirmation of the items of purchase to
5596 the standards and specifications prescribed by the school
5597 district or Florida Community College System institution.

5598 (4) (a) The State Board of Education may, by rule, provide
5599 for alternative procedures for school districts ~~and Florida~~
5600 ~~College System institutions~~ for bidding or purchasing in cases

14-00176A-17

2017374__

5601 in which the character of the item requested renders competitive
5602 bidding impractical.

5603 (b) The Board of Governors may, by regulation, provide for
5604 alternative procedures for state universities for bidding or
5605 purchasing in cases in which the character of the item requested
5606 renders competitive bidding impractical.

5607 (c) The State Board of Community Colleges may, by rule,
5608 provide for alternative procedures for Florida Community College
5609 System institutions for bidding or purchasing in cases in which
5610 the character of the item requested renders competitive bidding
5611 impractical.

5612 Section 86. Section 1010.07, Florida Statutes, is amended
5613 to read:

5614 1010.07 Bonds or insurance required.—

5615 (1) Each district school board, Florida Community College
5616 System institution board of trustees, and university board of
5617 trustees shall ensure that each official and employee
5618 responsible for handling, expending, or authorizing the
5619 expenditure of funds shall be appropriately bonded or insured to
5620 protect the board and the funds involved.

5621 (2) (a) Contractors paid from school district ~~or Florida~~
5622 ~~College System institution~~ funds shall give bond for the
5623 faithful performance of their contracts in such amount and for
5624 such purposes as prescribed by s. 255.05 or by rules of the
5625 State Board of Education relating to the type of contract
5626 involved. It shall be the duty of the district school board ~~or~~
5627 ~~Florida College System institution board of trustees~~ to require
5628 from construction contractors a bond adequate to protect the
5629 board and the board's funds involved.

14-00176A-17

2017374__

5630 (b) Contractors paid from university funds shall give bond
5631 for the faithful performance of their contracts in such amount
5632 and for such purposes as prescribed by s. 255.05 or by
5633 regulations of the Board of Governors relating to the type of
5634 contract involved. It shall be the duty of the university board
5635 of trustees to require from construction contractors a bond
5636 adequate to protect the board and the board's funds involved.

5637 (c) Contractors paid from Florida Community College System
5638 institution funds shall give bonds for the faithful performance
5639 of their contracts in such amount and for such purposes as
5640 prescribed by s. 255.05 or by rules of the State Board of
5641 Community Colleges relating to the type of contract involved. It
5642 is the duty of the Florida Community College System institution
5643 board of trustees to require construction contractors to provide
5644 a bond adequate to protect the board and the board's funds
5645 involved.

5646 Section 87. Section 1010.08, Florida Statutes, is amended
5647 to read:

5648 1010.08 Promotion and public relations; funding.—

5649 (1) Each district school board and Florida College System
5650 institution board of trustees may budget and use a portion of
5651 the funds accruing to it from auxiliary enterprises and
5652 undesignated gifts for promotion and public relations as
5653 prescribed by rules of the State Board of Education. Such funds
5654 may be used to provide hospitality to business guests in the
5655 district or elsewhere. However, such hospitality expenses may
5656 not exceed the amount authorized for such contingency funds as
5657 prescribed by rules of the State Board of Education.

5658 (2) Each Florida Community College System institution board

14-00176A-17

2017374__

5659 of trustees may budget and use a portion of the funds accruing
5660 to it from auxiliary enterprises and undesignated gifts for
5661 promotion and public relations as prescribed by rules of the
5662 State Board of Community Colleges. Such funds may be used to
5663 provide hospitality to business guests in the district or
5664 elsewhere. However, such hospitality expenses may not exceed the
5665 amount authorized for such contingency funds as prescribed by
5666 rules of the State Board of Community Colleges.

5667 Section 88. Subsection (1) of section 1010.09, Florida
5668 Statutes, is amended and subsection (3) is added to that
5669 section, to read:

5670 1010.09 Direct-support organizations.—

5671 (1) ~~School district and Florida College System institution~~
5672 direct-support organizations shall be organized and conducted
5673 under the provisions of ss. 1001.453 and 1004.70 and rules of
5674 the State Board of Education, as applicable.

5675 (3) Florida Community College System institution direct-
5676 support organizations shall be organized and conducted under the
5677 provisions of s. 1004.70 and rules of the State Board of
5678 Community Colleges.

5679 Section 89. Section 1010.22, Florida Statutes, is amended
5680 to read:

5681 1010.22 Cost accounting and reporting for workforce
5682 education.—

5683 (1) (a) ~~Each school district and each Florida College System~~
5684 ~~institution~~ shall account for expenditures of all state, local,
5685 federal, and other funds in the manner prescribed by the State
5686 Board of Education.

5687 (b) Each Florida Community College System institution shall

14-00176A-17

2017374__

5688 account for expenditures of all state, local, federal, and other
5689 funds in the manner prescribed by the State Board of Community
5690 Colleges.

5691 (2) (a) Each school district ~~and each Florida College System~~
5692 ~~institution~~ shall report expenditures for workforce education in
5693 accordance with requirements prescribed by the State Board of
5694 Education.

5695 (b) Each Florida Community College System institution shall
5696 report expenditures for workforce education in accordance with
5697 requirements prescribed by the State Board of Community
5698 Colleges.

5699 (3) The Department of Education, in cooperation with school
5700 districts and Florida Community College System institutions,
5701 shall develop and maintain a database of valid comparable
5702 information on workforce education which will meet both state
5703 and local needs.

5704 Section 90. Subsection (1) of section 1010.30, Florida
5705 Statutes, is amended to read:

5706 1010.30 Audits required.—

5707 (1) School districts, ~~Florida College System institutions,~~
5708 and other institutions and agencies under the supervision of the
5709 State Board of Education, Florida Community College System
5710 institutions under the supervision of the State Board of
5711 Community Colleges, and state universities under the supervision
5712 of the Board of Governors are subject to the audit provisions of
5713 ss. 11.45 and 218.39.

5714 Section 91. Section 1010.58, Florida Statutes, is amended
5715 to read:

5716 1010.58 Procedure for determining number of instruction

14-00176A-17

2017374__

5717 units for Florida Community College System institutions.—The
5718 number of instruction units for Florida Community College System
5719 institutions shall be determined from the full-time equivalent
5720 students in the Florida Community College System institution,
5721 provided that full-time equivalent students may not be counted
5722 more than once in determining instruction units. Instruction
5723 units for Florida Community College System institutions shall be
5724 computed as follows:

5725 (1) One unit for each 12 full-time equivalent students at a
5726 Florida Community College System institution for the first 420
5727 students and one unit for each 15 full-time equivalent students
5728 for all over 420 students, in other than career education
5729 programs as defined by rules of the State Board of Community
5730 Colleges Education, and one unit for each 10 full-time
5731 equivalent students in career education programs and
5732 compensatory education programs as defined by rules of the State
5733 Board of Community Colleges Education. Full-time equivalent
5734 students enrolled in a Florida Community College System
5735 institution shall be defined by rules of the State Board of
5736 Community Colleges Education.

5737 (2) For each 8 instruction units in a Florida Community
5738 College System institution, 1 instruction unit or proportionate
5739 fraction of a unit shall be allowed for administrative and
5740 special instructional services, and for each 20 instruction
5741 units, 1 instruction unit or proportionate fraction of a unit
5742 shall be allowed for student personnel services.

5743 Section 92. Section 1011.01, Florida Statutes, is amended
5744 to read:

5745 1011.01 Budget system established.—

14-00176A-17

2017374__

5746 (1) The State Board of Education shall prepare and submit a
5747 coordinated K-20 education annual legislative budget request to
5748 the Governor and the Legislature on or before the date provided
5749 by the Governor and the Legislature. The board's legislative
5750 budget request must clearly define the needs of school
5751 districts, Florida Community College System institutions,
5752 universities, other institutions, organizations, programs, and
5753 activities under the supervision of the board and that are
5754 assigned by law or the General Appropriations Act to the
5755 Department of Education.

5756 (2) (a) There is ~~shall be~~ established in each school
5757 district ~~and Florida College System institution~~ a budget system
5758 as prescribed by law and rules of the State Board of Education.

5759 (b) There is ~~shall be~~ established in each state university
5760 a budget system as prescribed by law and rules of the Board of
5761 Governors.

5762 (c) There is established in each Florida Community College
5763 System institution a budget system as prescribed by law and
5764 rules of the State Board of Community Colleges.

5765 (3) (a) Each district school board ~~and each Florida College~~
5766 ~~System institution board of trustees~~ shall prepare, adopt, and
5767 submit to the Commissioner of Education an annual operating
5768 budget. Operating budgets must ~~shall~~ be prepared and submitted
5769 in accordance with the provisions of law, rules of the State
5770 Board of Education, the General Appropriations Act, and for
5771 district school boards in accordance with the provisions of ss.
5772 200.065 and 1011.64.

5773 (b) Each state university board of trustees shall prepare,
5774 adopt, and submit to the Chancellor of the State University

14-00176A-17

2017374__

5775 System for review an annual operating budget in accordance with
5776 provisions of law, rules of the Board of Governors, and the
5777 General Appropriations Act.

5778 (c) Each Florida Community College System institution board
5779 of trustees shall prepare, adopt, and submit to the State Board
5780 of Community Colleges an annual operating budget in accordance
5781 with provisions of law, rules of the State Board of Community
5782 Colleges, and the General Appropriations Act.

5783 (4) The State Board of Education shall coordinate with the
5784 Board of Governors and the State Board of Community Colleges to
5785 facilitate the budget system requirements of this section. The
5786 State Board of Community College exclusively retains the review
5787 and approval powers of this section for Florida Community
5788 College System institutions. The Board of Governors exclusively
5789 retains the review and approval powers of this section for state
5790 universities.

5791 Section 93. Section 1011.011, Florida Statutes, is amended
5792 to read:

5793 1011.011 Legislative capital outlay budget request.—The
5794 State Board of Education shall submit an integrated,
5795 comprehensive budget request for educational facilities
5796 construction and fixed capital outlay needs for school
5797 districts, and, in conjunction with the State Board of Community
5798 Colleges for Florida Community College System institutions, ~~and~~
5799 ~~in conjunction~~ with the Board of Governors for state
5800 universities, pursuant to this section and s. 1013.46 and
5801 applicable provisions of chapter 216.

5802 Section 94. Section 1011.30, Florida Statutes, is amended
5803 to read:

14-00176A-17

2017374__

5804 1011.30 Budgets for Florida Community College System
5805 institutions.—Each Florida Community College System institution
5806 president shall recommend to the Florida Community College
5807 System institution board of trustees a budget of income and
5808 expenditures at such time and in such form as the State Board of
5809 Community Colleges ~~Education~~ may prescribe. Upon approval of a
5810 budget by the Florida Community College System institution board
5811 of trustees, such budget must ~~shall~~ be transmitted to the State
5812 Board of Community Colleges ~~Department of Education~~ for review.
5813 Rules of the State Board of Community Colleges must ~~Education~~
5814 ~~shall~~ prescribe procedures for effecting budget amendments
5815 subsequent to the final approval of a budget for a given year.

5816 Section 95. Section 1011.32, Florida Statutes, is amended
5817 to read:

5818 1011.32 Florida Community College System Institution
5819 Facility Enhancement Challenge Grant Program.—

5820 (1) The Legislature recognizes that ~~the~~ Florida Community
5821 College System institutions do not have sufficient physical
5822 facilities to meet the current demands of their instructional
5823 and community programs. It further recognizes that, to
5824 strengthen and enhance Florida Community College System
5825 institutions, it is necessary to provide facilities in addition
5826 to those currently available from existing revenue sources. It
5827 further recognizes that there are sources of private support
5828 that, if matched with state support, can assist in constructing
5829 much needed facilities and strengthen the commitment of citizens
5830 and organizations in promoting excellence at each Florida
5831 Community College System institution. Therefore, it is the
5832 intent of the Legislature to establish a program to provide the

14-00176A-17

2017374__

5833 opportunity for each Florida Community College System
5834 institution through its direct-support organization to receive
5835 and match challenge grants for instructional and community-
5836 related capital facilities within the Florida Community College
5837 System institution.

5838 (2) There is established the Florida Community College
5839 System Institution Facility Enhancement Challenge Grant Program
5840 for the purpose of assisting the Florida Community College
5841 System institutions in building high priority instructional and
5842 community-related capital facilities consistent with s. 1004.65,
5843 including common areas connecting such facilities. The direct-
5844 support organizations that serve the Florida Community College
5845 System institutions shall solicit gifts from private sources to
5846 provide matching funds for capital facilities. For the purposes
5847 of this section, private sources of funds shall not include any
5848 federal or state government funds that a Florida Community
5849 College System institution may receive.

5850 (3) The Florida Community College System Institution
5851 Capital Facilities Matching Program shall provide funds to match
5852 private contributions for the development of high priority
5853 instructional and community-related capital facilities,
5854 including common areas connecting such facilities, within the
5855 Florida Community College System institutions.

5856 (4) Within the direct-support organization of each Florida
5857 Community College System institution there must be established a
5858 separate capital facilities matching account for the purpose of
5859 providing matching funds from the direct-support organization's
5860 unrestricted donations or other private contributions for the
5861 development of high priority instructional and community-related

14-00176A-17

2017374__

5862 capital facilities, including common areas connecting such
5863 facilities. The Legislature shall appropriate funds for
5864 distribution to a Florida Community College System institution
5865 after matching funds are certified by the direct-support
5866 organization and Florida Community College System institution.
5867 The Public Education Capital Outlay and Debt Service Trust Fund
5868 shall not be used as the source of the state match for private
5869 contributions.

5870 (5) A project may not be initiated unless all private funds
5871 for planning, construction, and equipping the facility have been
5872 received and deposited in the direct-support organization's
5873 matching account for this purpose. However, this requirement
5874 does not preclude the Florida Community College System
5875 institution or direct-support organization from expending
5876 available funds from private sources to develop a prospectus,
5877 including preliminary architectural schematics or models, for
5878 use in its efforts to raise private funds for a facility and for
5879 site preparation, planning, and construction. The Legislature
5880 may appropriate the state's matching funds in one or more fiscal
5881 years for the planning, construction, and equipping of an
5882 eligible facility. Each Florida Community College System
5883 institution shall notify all donors of private funds of a
5884 substantial delay in the availability of state matching funds
5885 for this program.

5886 (6) To be eligible to participate in the Florida Community
5887 College System Institution Facility Enhancement Challenge Grant
5888 Program, a Florida Community College System institution, through
5889 its direct-support organization, shall raise a contribution
5890 equal to one-half of the total cost of a facilities construction

14-00176A-17

2017374__

5891 project from private sources which shall be matched by a state
5892 appropriation equal to the amount raised for a facilities
5893 construction project, subject to the General Appropriations Act.

5894 (7) If the state's share of the required match is
5895 insufficient to meet the requirements of subsection (6), the
5896 Florida Community College System institution shall renegotiate
5897 the terms of the contribution with the donors. If the project is
5898 terminated, each private donation, plus accrued interest,
5899 reverts to the direct-support organization for remittance to the
5900 donor.

5901 (8) By October 15 of each year, the State Board of
5902 Community Colleges ~~Education~~ shall transmit to the Governor and
5903 the Legislature a list of projects that meet all eligibility
5904 requirements to participate in the Florida Community College
5905 System Institution Facility Enhancement Challenge Grant Program
5906 and a budget request that includes the recommended schedule
5907 necessary to complete each project.

5908 (9) In order for a project to be eligible under this
5909 program, it must be survey recommended under the provisions of
5910 s. 1013.31 and included in the Florida Community College System
5911 institution's 5-year capital improvement plan, and it must
5912 receive approval from the State Board of Community Colleges
5913 ~~Education~~ or the Legislature.

5914 (10) A Florida Community College System institution project
5915 may not be removed from the approved 3-year PECO priority list
5916 because of its successful participation in this program until
5917 approved by the Legislature and provided for in the General
5918 Appropriations Act. When such a project is completed and removed
5919 from the list, all other projects shall move up on the 3-year

14-00176A-17

2017374__

5920 PECO priority list.

5921 (11) Any private matching funds for a project which are
5922 unexpended after the project is completed shall revert to the
5923 Florida Community College System institution's direct-support
5924 organization capital facilities matching account. The balance of
5925 any unexpended state matching funds shall be returned to the
5926 fund from which those funds were appropriated.

5927 (12) The surveys, architectural plans, facility, and
5928 equipment shall be the property of the participating Florida
5929 Community College System institution. A facility constructed
5930 under this section may be named in honor of a donor at the
5931 option of the Florida Community College System institution
5932 district board of trustees. A facility may not be named after a
5933 living person without prior approval by the State Board of
5934 Community Colleges ~~Education~~.

5935 (13) Effective July 1, 2011, state matching funds are
5936 temporarily suspended for donations received for the program on
5937 or after June 30, 2011. Existing eligible donations remain
5938 eligible for future matching funds. The program may be restarted
5939 after \$200 million of the backlog for programs under this
5940 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

5941 Section 96. Subsection (2), paragraph (b) of subsection
5942 (5), and subsections (8), (9), and (11) of section 1011.80,
5943 Florida Statutes, are amended to read:

5944 1011.80 Funds for operation of workforce education
5945 programs.—

5946 (2) Any workforce education program may be conducted by a
5947 Florida Community College System institution or a school
5948 district, except that college credit in an associate in applied

14-00176A-17

2017374__

5949 science or an associate in science degree may be awarded only by
5950 a Florida Community College System institution. However, if an
5951 associate in applied science or an associate in science degree
5952 program contains within it an occupational completion point that
5953 confers a certificate or an applied technology diploma, that
5954 portion of the program may be conducted by a school district
5955 career center. Any instruction designed to articulate to a
5956 degree program is subject to guidelines and standards adopted by
5957 the State Board of Community Colleges ~~Education~~ pursuant to s.
5958 1007.25.

5959 (5) State funding and student fees for workforce education
5960 instruction shall be established as follows:

5961 (b) For all other workforce education programs, state
5962 funding shall equal 75 percent of the average cost of
5963 instruction with the remaining 25 percent made up from student
5964 fees. Fees for courses within a program shall not vary according
5965 to the cost of the individual program, but instead shall be
5966 based on a uniform fee calculated and set at the state level, as
5967 adopted by the State Board of Education, for school districts
5968 and the State Board of Community Colleges, for Florida Community
5969 College System institutions, unless otherwise specified in the
5970 General Appropriations Act.

5971 (8) The State Board of Education, the State Board of
5972 Community Colleges, and CareerSource Florida, Inc., shall
5973 provide the Legislature with recommended formulas, criteria,
5974 timeframes, and mechanisms for distributing performance funds.
5975 The commissioner shall consolidate the recommendations and
5976 develop a consensus proposal for funding. The Legislature shall
5977 adopt a formula and distribute the performance funds to the

14-00176A-17

2017374__

5978 State Board of Community Colleges ~~Education~~ for Florida
5979 Community College System institutions and to the State Board of
5980 Education for school districts through the General

5981 Appropriations Act. These recommendations shall be based on
5982 formulas that would discourage low-performing or low-demand
5983 programs and encourage through performance-funding awards:

5984 (a) Programs that prepare people to enter high-wage
5985 occupations identified by the Workforce Estimating Conference
5986 created by s. 216.136 and other programs as approved by
5987 CareerSource Florida, Inc. At a minimum, performance incentives
5988 shall be calculated for adults who reach completion points or
5989 complete programs that lead to specified high-wage employment
5990 and to their placement in that employment.

5991 (b) Programs that successfully prepare adults who are
5992 eligible for public assistance, economically disadvantaged,
5993 disabled, not proficient in English, or dislocated workers for
5994 high-wage occupations. At a minimum, performance incentives
5995 shall be calculated at an enhanced value for the completion of
5996 adults identified in this paragraph and job placement of such
5997 adults upon completion. In addition, adjustments may be made in
5998 payments for job placements for areas of high unemployment.

5999 (c) Programs that are specifically designed to be
6000 consistent with the workforce needs of private enterprise and
6001 regional economic development strategies, as defined in
6002 guidelines set by CareerSource Florida, Inc. CareerSource
6003 Florida, Inc., shall develop guidelines to identify such needs
6004 and strategies based on localized research of private employers
6005 and economic development practitioners.

6006 (d) Programs identified by CareerSource Florida, Inc., as

14-00176A-17

2017374__

6007 increasing the effectiveness and cost efficiency of education.

6008 (9) School districts shall report full-time equivalent
6009 students by discipline category for the programs specified in
6010 subsection (1). There shall be an annual cost analysis for the
6011 school district workforce education programs that reports cost
6012 by discipline category consistent with the reporting for full-
6013 time equivalent students. The annual financial reports submitted
6014 by the school districts must accurately report on the student
6015 fee revenues by fee type according to the programs specified in
6016 subsection (1). The Department of Education and the State Board
6017 of Community Colleges shall develop a plan for comparable
6018 reporting of program, student, facility, personnel, and
6019 financial data between the Florida Community College System
6020 institutions and the school district workforce education
6021 programs.

6022 (11) The State Board of Education and the State Board of
6023 Community Colleges may adopt rules to administer this section.

6024 Section 97. Section 1011.801, Florida Statutes, is amended
6025 to read:

6026 1011.801 Workforce Development Capitalization Incentive
6027 Grant Program.—The Legislature recognizes that the need for
6028 school districts and Florida Community College System
6029 institutions to be able to respond to emerging local or
6030 statewide economic development needs is critical to the
6031 workforce development system. The Workforce Development
6032 Capitalization Incentive Grant Program is created to provide
6033 grants to school districts and Florida Community College System
6034 institutions on a competitive basis to fund some or all of the
6035 costs associated with the creation or expansion of workforce

14-00176A-17

2017374__

6036 development programs that serve specific employment workforce
6037 needs.

6038 (1) Funds awarded for a workforce development
6039 capitalization incentive grant may be used for instructional
6040 equipment, laboratory equipment, supplies, personnel, student
6041 services, or other expenses associated with the creation or
6042 expansion of a workforce development program. Expansion of a
6043 program may include either the expansion of enrollments in a
6044 program or expansion into new areas of specialization within a
6045 program. No grant funds may be used for recurring instructional
6046 costs or for institutions' indirect costs.

6047 (2) The State Board of Education shall accept applications
6048 from school districts, and the State Board of Community Colleges
6049 shall accept applications from ~~or~~ Florida Community College
6050 System institutions, for workforce development capitalization
6051 incentive grants. Applications from school districts or Florida
6052 Community College System institutions must ~~shall~~ contain
6053 projected enrollments and projected costs for the new or
6054 expanded workforce development program. The State Board of
6055 Education or the State Board of Community Colleges, as
6056 appropriate, in consultation with CareerSource Florida, Inc.,
6057 shall review and rank each application for a grant according to
6058 subsection (3) and shall submit to the Legislature a list in
6059 priority order of applications recommended for a grant award.

6060 (3) The State Board of Education or the State Board of
6061 Community Colleges, as appropriate, shall give highest priority
6062 to programs that train people to enter high-skill, high-wage
6063 occupations identified by the Workforce Estimating Conference
6064 and other programs approved by CareerSource Florida, Inc.;

14-00176A-17

2017374__

6065 programs that train people to enter occupations under the
6066 welfare transition program; or programs that train for the
6067 workforce adults who are eligible for public assistance,
6068 economically disadvantaged, disabled, not proficient in English,
6069 or dislocated workers. The State Board of Education or the State
6070 Board of Community Colleges, as appropriate, shall consider the
6071 statewide geographic dispersion of grant funds in ranking the
6072 applications and shall give priority to applications from
6073 education agencies that are making maximum use of their
6074 workforce development funding by offering high-performing, high-
6075 demand programs.

6076 Section 98. Section 1011.81, Florida Statutes, is amended
6077 to read:

6078 1011.81 Florida Community College System Program Fund.—

6079 (1) There is established a Florida Community College System
6080 Program Fund. This fund shall comprise all appropriations made
6081 by the Legislature for the support of the current operating
6082 program and shall be apportioned and distributed to the Florida
6083 Community College System institution districts of the state on
6084 the basis of procedures established by law and rules of the
6085 State Board of Education. The annual apportionment for each
6086 Florida Community College System institution district shall be
6087 distributed monthly in payments as nearly equal as possible.

6088 (2) Performance funding for industry certifications for
6089 Florida Community College System institutions is contingent upon
6090 specific appropriation in the General Appropriations Act and
6091 shall be determined as follows:

6092 (a) Occupational areas for which industry certifications
6093 may be earned, as established in the General Appropriations Act,

14-00176A-17

2017374__

6094 are eligible for performance funding. Priority shall be given to
6095 the occupational areas emphasized in state, national, or
6096 corporate grants provided to Florida educational institutions.

6097 (b) The Chancellor of the Florida Community College System,
6098 for the Florida Community College System institutions, shall
6099 identify the industry certifications eligible for funding on the
6100 CAPE Postsecondary Industry Certification Funding List approved
6101 by the State Board of Community Colleges ~~Education~~ pursuant to
6102 s. 1008.44, based on the occupational areas specified in the
6103 General Appropriations Act.

6104 (c) Each Florida Community College System institution shall
6105 be provided \$1,000 for each industry certification earned by a
6106 student. The maximum amount of funding appropriated for
6107 performance funding pursuant to this subsection shall be limited
6108 to \$15 million annually. If funds are insufficient to fully fund
6109 the calculated total award, such funds shall be prorated.

6110 (3) None of the funds made available in the Florida
6111 Community College System Program Fund, or funds made available
6112 to Florida Community College System institutions outside the
6113 Florida Community College System Program Fund, may be used to
6114 implement, organize, direct, coordinate, or administer, or to
6115 support the implementation, organization, direction,
6116 coordination, or administration of, activities related to, or
6117 involving, travel to a terrorist state. For purposes of this
6118 section, "terrorist state" is defined as any state, country, or
6119 nation designated by the United States Department of State as a
6120 state sponsor of terrorism.

6121 (4) State funds provided for the Florida Community College
6122 System Program Fund may not be expended for the education of

14-00176A-17

2017374__

6123 state or federal inmates.

6124 Section 99. Section 1011.82, Florida Statutes, is amended
6125 to read:

6126 1011.82 Requirements for participation in Florida Community
6127 College System Program Fund.—Each Florida Community College
6128 System institution district which participates in the state
6129 appropriations for the Florida Community College System Program
6130 Fund shall provide evidence of its effort to maintain an
6131 adequate Florida Community College System institution program
6132 which shall:

6133 (1) Meet the minimum standards prescribed by the State
6134 Board of Community Colleges ~~Education~~ in accordance with s.
6135 1001.602(5) ~~s. 1001.02(6)~~.

6136 (2) Effectively fulfill the mission of the Florida
6137 Community College System institutions in accordance with s.
6138 1004.65.

6139 Section 100. Section 1011.83, Florida Statutes, is amended
6140 to read:

6141 1011.83 Financial support of Florida Community College
6142 System institutions.—

6143 (1) Each Florida Community College System institution that
6144 ~~has been approved by the Department of Education and~~ meets the
6145 requirements of law and rules of the State Board of Community
6146 Colleges ~~Education~~ shall participate in the Florida Community
6147 College System Program Fund. However, funds to support workforce
6148 education programs conducted by Florida Community College System
6149 institutions shall be provided pursuant to s. 1011.80.

6150 (2) A student in a baccalaureate degree program approved
6151 pursuant to s. 1007.33 who is not classified as a resident for

14-00176A-17

2017374__

6152 tuition purposes pursuant to s. 1009.21 may not be included in
6153 calculations of full-time equivalent enrollments for state
6154 funding purposes.

6155 Section 101. Section 1011.84, Florida Statutes, is amended
6156 to read:

6157 1011.84 Procedure for determining state financial support
6158 and annual apportionment of state funds to each Florida
6159 Community College System institution district.—The procedure for
6160 determining state financial support and the annual apportionment
6161 to each Florida Community College System institution district
6162 authorized to operate a Florida Community College System
6163 institution under the provisions of s. 1001.61 shall be as
6164 follows:

6165 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
6166 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING
6167 PROGRAM.—

6168 (a) The State Board of Community Colleges ~~Department of~~
6169 ~~Education~~ shall determine annually, from an analysis of
6170 operating costs, ~~prepared in the manner prescribed by rules of~~
6171 ~~the State Board of Education~~, the costs per full-time equivalent
6172 student served in courses and fields of study offered in Florida
6173 Community College System institutions. This information and
6174 current college operating budgets shall be submitted to the
6175 Executive Office of the Governor with the legislative budget
6176 request prior to each regular session of the Legislature.

6177 (b) The allocation of funds for Florida Community College
6178 System institutions must ~~shall~~ be based on advanced and
6179 professional disciplines, developmental education, and other
6180 programs for adults funded pursuant to s. 1011.80.

14-00176A-17

2017374__

6181 (c) The category of lifelong learning is for students
6182 enrolled pursuant to s. 1004.93. A student shall also be
6183 reported as a lifelong learning student for his or her
6184 enrollment in any course that he or she has previously taken,
6185 unless it is a credit course in which the student earned a grade
6186 of D or F.

6187 (d) If an adult student has been determined to be a
6188 disabled student eligible for an approved educational program
6189 for disabled adults provided pursuant to s. 1004.93 and rules of
6190 the State Board of Community Colleges Education and is enrolled
6191 in a class with curriculum frameworks developed for the program,
6192 state funding for that student shall be provided at a level
6193 double that of a student enrolled in a special adult general
6194 education program provided by a Florida Community College System
6195 institution.

6196 (e) All state inmate education provided by Florida
6197 Community College System institutions shall be reported by
6198 program, FTE expenditure, and revenue source. These enrollments,
6199 expenditures, and revenues shall be reported and projected
6200 separately. Instruction of state inmates may ~~shall~~ not be
6201 included in the full-time equivalent student enrollment for
6202 funding through the Florida Community College System Program
6203 Fund.

6204 (f) When a public educational institution has been fully
6205 funded by an external agency for direct instructional costs of
6206 any course or program, the FTE generated may ~~shall~~ not be
6207 reported for state funding.

6208 (g) The State Board of Education shall adopt rules to
6209 implement s. 9(d)(8)f., Art. XII of the State Constitution.

14-00176A-17

2017374__

6210 These rules shall provide for the use of the funds available
6211 under s. 9(d)(8)f., Art. XII by an individual Florida Community
6212 College System institution for operating expense in any fiscal
6213 year during which the State Board of Education has determined
6214 that all major capital outlay needs have been met. Highest
6215 priority for the use of these funds for purposes other than
6216 financing approved capital outlay projects shall be for the
6217 proper maintenance and repair of existing facilities for
6218 projects approved by the State Board of Education. However, in
6219 any fiscal year in which funds from this source are authorized
6220 for operating expense other than approved maintenance and repair
6221 projects, the allocation of Florida Community College System
6222 institution program funds shall be reduced by an amount equal to
6223 the sum used for such operating expense for that Florida
6224 Community College System institution that year, and that amount
6225 shall not be released or allocated among the other Florida
6226 Community College System institutions that year.

6227 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
6228 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay
6229 and debt service shall be as determined and provided in s. 18,
6230 Art. XII of the State Constitution of 1885, as adopted by s.
6231 9(d), Art. XII of the 1968 revised State Constitution and State
6232 Board of Education rules.

6233 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6234 (a) By December 15 of each year, the State Board of
6235 Community Colleges ~~Department of Education~~ shall estimate the
6236 annual enrollment of each Florida Community College System
6237 institution for the current fiscal year and for the 3 subsequent
6238 fiscal years. These estimates shall be based upon prior years'

14-00176A-17

2017374__

6239 enrollments, upon the initial fall term enrollments for the
6240 current fiscal year for each college, and upon each college's
6241 estimated current enrollment and demographic changes in the
6242 respective Florida Community College System institution
6243 districts. Upper-division enrollment shall be estimated
6244 separately from lower-division enrollment.

6245 (b) The apportionment to each Florida Community College
6246 System institution from the Florida Community College System
6247 Program Fund shall be determined annually in the General
6248 Appropriations Act. In determining each college's apportionment,
6249 the Legislature shall consider the following components:

6250 1. Base budget, which includes the state appropriation to
6251 the Florida Community College System Program Fund in the current
6252 year plus the related student tuition and out-of-state fees
6253 assigned in the current General Appropriations Act.

6254 2. The cost-to-continue allocation, which consists of
6255 incremental changes to the base budget, including salaries,
6256 price levels, and other related costs allocated through a
6257 funding model approved by the Legislature which may recognize
6258 differing economic factors arising from the individual
6259 educational approaches of the various Florida Community College
6260 System institutions, including, but not limited to:

6261 a. Direct Instructional Funding, including class size,
6262 faculty productivity factors, average faculty salary, ratio of
6263 full-time to part-time faculty, costs of programs, and
6264 enrollment factors.

6265 b. Academic Support, including small colleges factor,
6266 multicampus factor, and enrollment factor.

6267 c. Student Services Support, including headcount of

14-00176A-17

2017374__

6268 students as well as FTE count and enrollment factors.

6269 d. Library Support, including volume and other
6270 materials/audiovisual requirements.

6271 e. Special Projects.

6272 f. Operations and Maintenance of Plant, including square
6273 footage and utilization factors.

6274 g. District Cost Differential.

6275 3. Students enrolled in a recreation and leisure program
6276 and students enrolled in a lifelong learning program who may not
6277 be counted as full-time equivalent enrollments for purposes of
6278 enrollment workload adjustments.

6279 4. Operating costs of new facilities adjustments, which
6280 shall be provided, from funds available, for each new facility
6281 that is owned by the college and is recommended in accordance
6282 with s. 1013.31.

6283 5. New and improved program enhancements, which shall be
6284 determined by the Legislature.

6285

6286 Student fees in the base budget plus student fee revenues
6287 generated by increases in fee rates shall be deducted from the
6288 sum of the components determined in subparagraphs 1.-5. The
6289 amount remaining shall be the net annual state apportionment to
6290 each college.

6291 (c) A ~~No~~ Florida Community College System institution may
6292 not ~~shall~~ commit funds for the employment of personnel or
6293 resources in excess of those required to continue the same level
6294 of support for either the previously approved enrollment or the
6295 revised enrollment, whichever is lower.

6296 (d) The apportionment to each Florida Community College

14-00176A-17

2017374__

6297 System institution district for capital outlay and debt service
6298 shall be the amount determined in accordance with subsection
6299 (2). This amount, less any amount determined as necessary for
6300 administrative expense by the State Board of Education and any
6301 amount necessary for debt service on bonds issued by the State
6302 Board of Education, shall be transmitted to the Florida
6303 Community College System institution board of trustees to be
6304 expended in a manner prescribed by rules of the State Board of
6305 Education.

6306 (e) If at any time the unencumbered balance in the general
6307 fund of the Florida Community College System institution board
6308 of trustees approved operating budget goes below 5 percent, the
6309 president shall provide written notification to the State Board
6310 of Education.

6311 (f) Expenditures for apprenticeship programs must ~~shall~~ be
6312 reported separately.

6313 (g) Expenditures for upper-division enrollment in a Florida
6314 Community College System institution that grants baccalaureate
6315 degrees must ~~shall~~ be reported separately from expenditures for
6316 lower-division enrollment, in accordance with law and State
6317 Board of Education rule.

6318 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
6319 herein to any Florida Community College System institution must
6320 ~~shall~~ be expended only for the purpose of supporting that
6321 Florida Community College System institution.

6322 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida
6323 Community College System institution board of trustees shall
6324 report, as a separate item in its annual cost accounting system,
6325 the volume and cost of developmental education options provided

14-00176A-17

2017374__

6326 to help students attain the communication and computation skills
6327 that are essential for college-level work pursuant to s.
6328 1008.30.

6329 Section 102. Section 1011.85, Florida Statutes, is amended
6330 to read:

6331 1011.85 Dr. Philip Benjamin Matching Grant Program for
6332 Florida Community College System Institutions.-

6333 (1) There is created the Dr. Philip Benjamin Matching Grant
6334 Program for Florida Community College System Institutions as a
6335 single matching gifts program that encompasses the goals
6336 originally set out in the Academic Improvement Program, the
6337 Scholarship Matching Program, and the Health Care Education
6338 Quality Enhancement Challenge Grant. The program shall be
6339 administered according to rules of the State Board of Community
6340 Colleges ~~Education~~ and used to encourage private support in
6341 enhancing Florida Community College System institutions by
6342 providing the Florida Community College System with the
6343 opportunity to receive and match challenge grants. Funds
6344 received prior to the effective date of this act for each of the
6345 three programs shall be retained in the separate account for
6346 which it was designated.

6347 (2) Each Florida Community College System institution board
6348 of trustees receiving state appropriations under this program
6349 shall approve each gift to ensure alignment with the unique
6350 mission of the Florida Community College System institution. The
6351 board of trustees must link all requests for a state match to
6352 the goals and mission statement. The Florida Community College
6353 System Institution Foundation Board receiving state
6354 appropriations under this program shall approve each gift to

14-00176A-17

2017374__

6355 ensure alignment with its goals and mission statement. Funds
6356 received from community events and festivals are not eligible
6357 for state matching funds under this program.

6358 (3) Upon approval by the Florida Community College System
6359 institution board of trustees and the State Board of Community
6360 Colleges Education, the ordering of donations for priority
6361 listing of unmatched gifts should be determined by the
6362 submitting Florida Community College System institution.

6363 (4) Each year, eligible contributions received by a Florida
6364 Community College System institution's foundation or the State
6365 Board of Community Colleges Education by February 1 shall be
6366 eligible for state matching funds.

6367 (a) Each Florida Community College System institution board
6368 of trustees and, when applicable, the Florida Community College
6369 System Institution Foundation Board, receiving state
6370 appropriations under this program shall also certify in an
6371 annual report to the State Board of Community Colleges Education
6372 the receipt of eligible cash contributions that were previously
6373 unmatched by the state. The State Board of Education shall adopt
6374 rules providing all Florida Community College System
6375 institutions with an opportunity to apply for excess funds
6376 before the awarding of such funds.

6377 (b) Florida Community College System institutions must
6378 submit to the State Board of Community Colleges Education an
6379 annual expenditure report tracking the use of all matching
6380 funds.

6381 (c) The audit of each foundation receiving state funds from
6382 this program must include a certification of accuracy in the
6383 amount reported for matching funds.

14-00176A-17

2017374__

6384 (5) The matching ratio for donations that are specifically
6385 designated to support scholarships, including scholarships for
6386 first-generation-in-college students, student loans, or need-
6387 based grants shall be \$1 of state funds to \$1 of local private
6388 funds.

6389 (6) Otherwise, funds must ~~shall~~ be proportionately
6390 allocated to the Florida Community College System institutions
6391 on the basis of matching each \$6 of local or private funds with
6392 \$4 of state funds. To be eligible, a minimum of \$4,500 must be
6393 raised from private sources.

6394 (7) The Florida Community College System institution board
6395 of trustees, in conjunction with the donor, shall determine ~~make~~
6396 ~~the determination of~~ whether scholarships established pursuant
6397 to this program are endowed.

6398 (8) (a) Funds sufficient to provide the match shall be
6399 transferred from the state appropriations to the local Florida
6400 Community College System institution foundation or the statewide
6401 Florida Community College System institution foundation upon
6402 notification that a proportionate amount has been received and
6403 deposited by a Florida Community College System institution in
6404 its own trust fund.

6405 (b) If state funds appropriated for the program are
6406 insufficient to match contributions, the amount allocated must
6407 ~~shall~~ be reduced in proportion to its share of the total
6408 eligible contributions. However, in making proportional
6409 reductions, every Florida Community College System institution
6410 shall receive a minimum of \$75,000 in state matching funds if
6411 its eligible contributions would have generated an amount at
6412 least equal to \$75,000. All unmet contributions must ~~shall~~ be

14-00176A-17

2017374__

6413 eligible for state matching funds in subsequent fiscal years.

6414 (9) Each Florida Community College System institution
6415 entity shall establish its own matching grant program fund as a
6416 depository for the private contributions and matching state
6417 funds provided under this section. Florida Community College
6418 System institution foundations are responsible for the
6419 maintenance, investment, and administration of their matching
6420 grant program funds.

6421 (10) The State Board of Community Colleges ~~Education~~ may
6422 receive submissions of requests for matching funds and
6423 documentation relating to those requests, may approve requests
6424 for matching funds, and may allocate such funds to the Florida
6425 Community College System institutions.

6426 (11) The board of trustees of the Florida Community College
6427 System institution and the State Board of Community Colleges
6428 ~~Education~~ are responsible for determining the uses for the
6429 proceeds of their respective trust funds. Such use of the
6430 proceeds shall include, but not be limited to, expenditure of
6431 the funds for:

6432 (a) Scientific and technical equipment.

6433 (b) Scholarships, loans, or need-based grants.

6434 (c) Other activities that will benefit future students as
6435 well as students currently enrolled at the Florida Community
6436 College System institution, will improve the quality of
6437 education at the Florida Community College System institution,
6438 or will enhance economic development in the community.

6439 (12) Each Florida Community College System institution
6440 shall notify all donors of private funds of a substantial delay
6441 in the availability of state matching funds for this program.

14-00176A-17

2017374__

6442 (13) Effective July 1, 2011, state matching funds are
6443 temporarily suspended for donations received for this program on
6444 or after June 30, 2011. Existing eligible donations remain
6445 eligible for future matching funds. The program may be restarted
6446 after \$200 million of the backlog for programs under this
6447 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6448 Section 103. Subsection (1) of section 1012.01, Florida
6449 Statutes, is amended to read:

6450 1012.01 Definitions.—As used in this chapter, the following
6451 terms have the following meanings:

6452 (1) SCHOOL OFFICERS.—The officers of the state system of
6453 public K-12 ~~and Florida College System institution~~ education
6454 shall be the Commissioner of Education and the members of the
6455 State Board of Education; for the Florida Community College
6456 System, the officers shall be the Chancellor of the Florida
6457 Community College System and the members of the State Board of
6458 Community Colleges; for each district school system, the
6459 officers shall be the district school superintendent and members
6460 of the district school board; and for each Florida Community
6461 College System institution, the officers shall be the Florida
6462 Community College System institution president and members of
6463 the Florida Community College System institution board of
6464 trustees.

6465 Section 104. Paragraph (a) of subsection (1) of section
6466 1012.80, Florida Statutes, is amended to read:

6467 1012.80 Participation by employees in disruptive activities
6468 at public postsecondary educational institutions; penalties.—

6469 (1) (a) Any person who accepts the privilege extended by the
6470 laws of this state of employment at any Florida Community

14-00176A-17

2017374__

6471 College System institution shall, by working at such
6472 institution, be deemed to have given his or her consent to the
6473 policies of that institution, the policies of the State Board of
6474 Community Colleges Education, and the laws of this state. Such
6475 policies shall include prohibition against disruptive activities
6476 at Florida Community College System institutions.

6477 Section 105. Subsection (1) of section 1012.81, Florida
6478 Statutes, is amended to read:

6479 1012.81 Personnel records.—

6480 (1) The State Board of Community Colleges Education shall
6481 adopt rules prescribing the content and custody of limited-
6482 access records that a Florida Community College System
6483 institution may maintain on its employees. Limited-access
6484 employee records are confidential and exempt from ~~the provisions~~
6485 ~~of~~ s. 119.07(1). Limited-access records include only the
6486 following:

6487 (a) Records containing information reflecting academic
6488 evaluations of employee performance; however, the employee and
6489 officials of the institution responsible for supervision of the
6490 employee shall have access to such records.

6491 (b) Records maintained for the purposes of any
6492 investigation of employee misconduct, including, but not limited
6493 to, a complaint against an employee and all information obtained
6494 pursuant to the investigation of such complaint; however, these
6495 records become public after the investigation ceases to be
6496 active or when the institution provides written notice to the
6497 employee who is the subject of the complaint that the
6498 institution has either:

6499 1. Concluded the investigation with a finding not to

14-00176A-17

2017374__

6500 proceed with disciplinary action;

6501 2. Concluded the investigation with a finding to proceed
6502 with disciplinary action; or

6503 3. Issued a letter of discipline.

6504

6505 For the purpose of this paragraph, an investigation shall be
6506 considered active as long as it is continuing with a reasonable,
6507 good faith anticipation that a finding will be made in the
6508 foreseeable future. An investigation shall be presumed to be
6509 inactive if no finding is made within 90 days after the
6510 complaint is filed.

6511 Section 106. Subsection (1) of section 1012.83, Florida
6512 Statutes, is amended to read:

6513 1012.83 Contracts with administrative and instructional
6514 staff.—

6515 (1) Each person employed in an administrative or
6516 instructional capacity in a Florida Community College System
6517 institution shall be entitled to a contract as provided by rules
6518 of the State Board of Community Colleges ~~Education~~.

6519 Section 107. Section 1012.855, Florida Statutes, is amended
6520 to read:

6521 1012.855 Employment of Florida Community College System
6522 institution personnel; discrimination in granting salary
6523 prohibited.—

6524 (1) (a) Employment of all personnel in each Florida
6525 Community College System institution shall be upon
6526 recommendation of the president, subject to rejection for cause
6527 by the Florida Community College System institution board of
6528 trustees; to the rules of the State Board of Community Colleges

14-00176A-17

2017374__

6529 ~~Education~~ relative to certification, tenure, leaves of absence
6530 of all types, including sabbaticals, remuneration, and such
6531 other conditions of employment as the State Board of Community
6532 Colleges ~~Education~~ deems necessary and proper; and to policies
6533 of the Florida Community College System institution board of
6534 trustees not inconsistent with law.

6535 (b) Any internal auditor employed by a Florida Community
6536 College System institution shall be hired by the Florida
6537 Community College System institution board of trustees and shall
6538 report directly to the board.

6539 (2) Each Florida Community College System institution board
6540 of trustees shall undertake a program to eradicate any
6541 discrimination on the basis of gender, race, or physical
6542 handicap in the granting of salaries to employees.

6543 Section 108. Section 1012.86, Florida Statutes, is amended
6544 to read:

6545 1012.86 Florida Community College System institution
6546 employment equity accountability program.—

6547 (1) Each Florida Community College System institution shall
6548 include in its annual equity update a plan for increasing the
6549 representation of women and minorities in senior-level
6550 administrative positions and in full-time faculty positions, and
6551 for increasing the representation of women and minorities who
6552 have attained continuing-contract status. Positions shall be
6553 defined in the personnel data element directory of the
6554 Department of Education. The plan must include specific
6555 measurable goals and objectives, specific strategies and
6556 timelines for accomplishing these goals and objectives, and
6557 comparable national standards as provided by the Department of

14-00176A-17

2017374__

6558 Education. The goals and objectives shall be based on meeting or
6559 exceeding comparable national standards and shall be reviewed
6560 and recommended by the State Board of Community Colleges
6561 ~~Education~~ as appropriate. Such plans shall be maintained until
6562 appropriate representation has been achieved and maintained for
6563 at least 3 consecutive reporting years.

6564 (2) (a) On or before May 1 of each year, each Florida
6565 Community College System institution president shall submit an
6566 annual employment accountability plan to the Chancellor of the
6567 Florida Community College System and the State Board of
6568 Community Colleges ~~Commissioner of Education and the State Board~~
6569 ~~of Education~~. The accountability plan must show faculty and
6570 administrator employment data according to requirements
6571 specified on the federal Equal Employment Opportunity (EEO-6)
6572 report.

6573 (b) The plan must show the following information for those
6574 positions including, but not limited to:

6575 1. Job classification title.

6576 2. Gender.

6577 3. Ethnicity.

6578 4. Appointment status.

6579 5. Salary information. At each Florida Community College
6580 System institution, salary information shall also include the
6581 salary ranges in which new hires were employed compared to the
6582 salary ranges for employees with comparable experience and
6583 qualifications.

6584 6. Other comparative information including, but not limited
6585 to, composite information regarding the total number of
6586 positions within the particular job title classification for the

14-00176A-17

2017374__

6587 Florida Community College System institution by race, gender,
6588 and salary range compared to the number of new hires.

6589 7. A statement certifying diversity and balance in the
6590 gender and ethnic composition of the selection committee for
6591 each vacancy, including a brief description of guidelines used
6592 for ensuring balanced and diverse membership on selection and
6593 review committees.

6594 (c) The annual employment accountability plan shall also
6595 include an analysis and an assessment of the Florida Community
6596 College System institution's attainment of annual goals and of
6597 long-range goals for increasing the number of women and
6598 minorities in faculty and senior-level administrative positions,
6599 and a corrective action plan for addressing underrepresentation.

6600 (d) Each Florida Community College System institution's
6601 employment accountability plan must also include:

6602 1. The requirements for receiving a continuing contract.

6603 2. A brief description of the process used to grant
6604 continuing-contract status.

6605 3. A brief description of the process used to annually
6606 apprise each eligible faculty member of progress toward
6607 attainment of continuing-contract status.

6608 (3) Florida Community College System institution presidents
6609 and the heads of each major administrative division shall be
6610 evaluated annually on the progress made toward meeting the goals
6611 and objectives of the Florida Community College System
6612 institution's employment accountability plan.

6613 (a) The Florida Community College System institution
6614 presidents, or the presidents' designees, shall annually
6615 evaluate each department chairperson, dean, provost, and vice

14-00176A-17

2017374__

6616 president in achieving the annual and long-term goals and
6617 objectives. A summary of the results of such evaluations shall
6618 be reported annually by the Florida Community College System
6619 institution president to the Florida Community College System
6620 institution board of trustees. Annual budget allocations by the
6621 Florida Community College System institution board of trustees
6622 for positions and funding must take into consideration these
6623 evaluations.

6624 (b) Florida Community College System institution boards of
6625 trustees shall annually evaluate the performance of the Florida
6626 Community College System institution presidents in achieving the
6627 annual and long-term goals and objectives. A summary of the
6628 results of such evaluations shall be reported to the State Board
6629 of Community Colleges ~~Commissioner of Education and the State~~
6630 ~~Board of Education~~ as part of the Florida Community College
6631 System institution's annual employment accountability plan, and
6632 to the Legislature as part of the annual equity progress report
6633 submitted by the State Board of Community Colleges ~~Education~~.

6634 (4) The State Board of Community Colleges ~~Education~~ shall
6635 submit an annual equity progress report to the President of the
6636 Senate and the Speaker of the House of Representatives on or
6637 before January 1 of each year.

6638 (5) Each Florida Community College System institution shall
6639 develop a budgetary incentive plan to support and ensure
6640 attainment of the goals developed pursuant to this section. The
6641 plan shall specify, at a minimum, how resources shall be
6642 allocated to support the achievement of goals and the
6643 implementation of strategies in a timely manner. After prior
6644 review and approval by the Florida Community College System

14-00176A-17

2017374__

6645 institution president and the Florida Community College System
6646 institution board of trustees, the plan shall be submitted as
6647 part of the annual employment accountability plan submitted by
6648 each Florida Community College System institution to the State
6649 Board of Community Colleges ~~Education~~.

6650 (6) Subject to available funding, the Legislature shall
6651 provide an annual appropriation to the State Board of Community
6652 Colleges ~~Education~~ to be allocated to Florida Community College
6653 System institution presidents, faculty, and administrative
6654 personnel to further enhance equity initiatives and related
6655 priorities that support the mission of colleges and departments
6656 in recognition of the attainment of the equity goals and
6657 objectives.

6658 Section 109. Subsection (3) of section 1013.01, Florida
6659 Statutes, is amended to read:

6660 1013.01 Definitions.—The following terms shall be defined
6661 as follows for the purpose of this chapter:

6662 (3) "Board," unless otherwise specified, means a district
6663 school board, a Florida Community College System institution
6664 board of trustees, a university board of trustees, and the Board
6665 of Trustees for the Florida School for the Deaf and the Blind.
6666 The term "board" does not include the State Board of Education,
6667 ~~or~~ the Board of Governors, or the State Board of Community
6668 Colleges.

6669 Section 110. Subsection (2) of section 1013.02, Florida
6670 Statutes, is amended to read:

6671 1013.02 Purpose; rules and regulations.—

6672 (2) (a) The State Board of Education shall adopt rules
6673 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~

14-00176A-17

2017374__

6674 ~~provisions of this chapter for school districts and Florida~~
6675 ~~College System institutions.~~

6676 (b) The Board of Governors shall adopt regulations pursuant
6677 to its regulation development procedure to implement ~~the~~
6678 ~~provisions of this chapter for state universities.~~

6679 (c) The State Board of Community Colleges shall adopt rules
6680 pursuant to ss. 120.536(1) and 120.54 to implement this chapter
6681 for Florida Community College System institutions.

6682 Section 111. Section 1013.03, Florida Statutes, is amended
6683 to read:

6684 1013.03 Functions of the department, the State Board of
6685 Community Colleges, and the Board of Governors.—The functions of
6686 the Department of Education as it pertains to educational
6687 facilities of school districts, of the State Board of Community
6688 Colleges as it pertains to educational facilities of ~~and Florida~~
6689 Community College System institutions, and of the Board of
6690 Governors as it pertains to educational facilities of state
6691 universities shall include, but not be limited to, the
6692 following:

6693 (1) Establish recommended minimum and maximum square
6694 footage standards for different functions and areas and
6695 procedures for determining the gross square footage for each
6696 educational facility to be funded in whole or in part by the
6697 state, including public broadcasting stations but excluding
6698 postsecondary special purpose laboratory space. The gross square
6699 footage determination standards may be exceeded when the core
6700 facility space of an educational facility is constructed or
6701 renovated to accommodate the future addition of classrooms to
6702 meet projected increases in student enrollment. The department,

14-00176A-17

2017374__

6703 the State Board of Community Colleges, and the Board of
6704 Governors shall encourage multiple use of facilities and spaces
6705 in educational plants.

6706 (2) Establish, for the purpose of determining need,
6707 equitably uniform utilization standards for all types of like
6708 space, regardless of the level of education. These standards
6709 shall also establish, for postsecondary education classrooms, a
6710 minimum room utilization rate of 40 hours per week and a minimum
6711 station utilization rate of 60 percent. These rates shall be
6712 subject to increase based on national norms for utilization of
6713 postsecondary education classrooms.

6714 (3) Require boards to submit other educational plant
6715 inventories data and statistical data or information relevant to
6716 construction, capital improvements, and related costs.

6717 (4) Require each board and other appropriate agencies to
6718 submit complete and accurate financial data as to the amounts of
6719 funds from all sources that are available and spent for
6720 construction and capital improvements. The commissioner shall
6721 prescribe the format and the date for the submission of this
6722 data and any other educational facilities data. If any district
6723 does not submit the required educational facilities fiscal data
6724 by the prescribed date, the Commissioner of Education shall
6725 notify the district school board of this fact and, if
6726 appropriate action is not taken to immediately submit the
6727 required report, the district school board shall be directed to
6728 proceed pursuant to s. 1001.42(13)(b). If any Florida Community
6729 College System institution or university does not submit the
6730 required educational facilities fiscal data by the prescribed
6731 date, the same policy prescribed in this subsection for school

14-00176A-17

2017374__

6732 districts shall be implemented.

6733 (5) Administer, under the supervision of the Commissioner
6734 of Education, the Public Education Capital Outlay and Debt
6735 Service Trust Fund and the School District and Community College
6736 District Capital Outlay and Debt Service Trust Fund.

6737 (6) Develop, review, update, revise, and recommend a
6738 mandatory portion of the Florida Building Code for educational
6739 facilities construction and capital improvement by Florida
6740 Community College System institution boards and district school
6741 boards.

6742 (7) Provide training, technical assistance, and building
6743 code interpretation for requirements of the mandatory Florida
6744 Building Code for the educational facilities construction and
6745 capital improvement programs of ~~the Florida College System~~
6746 ~~institution boards and~~ district school boards and, upon request,
6747 approve phase III construction documents for remodeling,
6748 renovation, or new construction of educational plants or
6749 ancillary facilities, except that Florida Community College
6750 System institutions and university boards of trustees shall
6751 approve specifications and construction documents for their
6752 respective institutions pursuant to guidelines of the Board of
6753 Governors or State Board of Community Colleges, as applicable.
6754 The Department of Management Services may, upon request, provide
6755 similar services for the Florida School for the Deaf and the
6756 Blind and shall use the Florida Building Code and the Florida
6757 Fire Prevention Code.

6758 (8) Provide minimum criteria, procedures, and training to
6759 boards to conduct educational plant surveys and document the
6760 determination of future needs.

14-00176A-17

2017374__

6761 (9) Make available to boards technical assistance,
6762 awareness training, and research and technical publications
6763 relating to lifesafety, casualty, sanitation, environmental,
6764 maintenance, and custodial issues; and, as needed, technical
6765 assistance for survey, planning, design, construction,
6766 operation, and evaluation of educational and ancillary
6767 facilities and plants, facilities administrative procedures
6768 review, and training for new administrators.

6769 (10) (a) Review and validate surveys proposed or amended by
6770 the boards and recommend to the Commissioner of Education, the
6771 Chancellor of the Florida Community College System, or the
6772 Chancellor of the State University System, as appropriate, for
6773 approval, surveys that meet the requirements of this chapter.

6774 1. The term "validate" as applied to surveys by school
6775 districts means to review inventory data as submitted to the
6776 department by district school boards; provide for review and
6777 inspection, where required, of student stations and aggregate
6778 square feet of inventory changed from satisfactory to
6779 unsatisfactory or changed from unsatisfactory to satisfactory;
6780 compare new school inventory to allocation limits provided by
6781 this chapter; review cost projections for conformity with cost
6782 limits set by s. 1013.64(6); compare total capital outlay full-
6783 time equivalent enrollment projections in the survey with the
6784 department's projections; review facilities lists to verify that
6785 student station and auxiliary facility space allocations do not
6786 exceed the limits provided by this chapter and related rules;
6787 review and confirm the application of uniform facility
6788 utilization factors, where provided by this chapter or related
6789 rules; use ~~utilize~~ the documentation of programs offered per

14-00176A-17

2017374__

6790 site, as submitted by the board, to analyze facility needs;
6791 confirm that need projections for career and adult educational
6792 programs comply with needs documented by the Department of
6793 Education; and confirm the assignment of full-time student
6794 stations to all space except auxiliary facilities, which, for
6795 purposes of exemption from student station assignment, include
6796 the following:

- 6797 a. Cafeterias.
- 6798 b. Multipurpose dining areas.
- 6799 c. Media centers.
- 6800 d. Auditoriums.
- 6801 e. Administration.
- 6802 f. Elementary, middle, and high school resource rooms, up
6803 to the number of such rooms recommended for the applicable
6804 occupant and space design capacity of the educational plant in
6805 the State Requirements for Educational Facilities, beyond which
6806 student stations must be assigned.
- 6807 g. Elementary school skills labs, up to the number of such
6808 rooms recommended for the applicable occupant and space design
6809 capacity of the educational plant in the State Requirements for
6810 Educational Facilities, beyond which student stations must be
6811 assigned.
- 6812 h. Elementary school art and music rooms.

6813
6814 The Commissioner of Education may grant a waiver from the
6815 requirements of this subparagraph if a district school board
6816 determines that such waiver will make possible a substantial
6817 savings of funds or will be advantageous to the welfare of the
6818 educational system. The district school board shall present a

14-00176A-17

2017374__

6819 full statement to the commissioner which sets forth the facts
6820 that warrant the waiver. If the commissioner denies a request
6821 for a waiver, the district school board may appeal such decision
6822 to the State Board of Education.

6823 2. The term "validate" as applied to surveys by Florida
6824 Community College System institutions and universities means to
6825 review and document the approval of each new site and official
6826 designation, where applicable; review the inventory database as
6827 submitted by each board to the department, including noncareer,
6828 and total capital outlay full-time equivalent enrollment
6829 projections per site and per college; provide for the review and
6830 inspection, where required, of student stations and aggregate
6831 square feet of space changed from satisfactory to
6832 unsatisfactory; use ~~utilize~~ and review the documentation of
6833 programs offered per site submitted by the boards as accurate
6834 for analysis of space requirements and needs; confirm that needs
6835 projected for career and adult educational programs comply with
6836 needs documented by the Department of Education; compare new
6837 facility inventory to allocations limits as provided in this
6838 chapter; review cost projections for conformity with state
6839 averages or limits designated by this chapter; compare student
6840 enrollment projections in the survey to the department's
6841 projections; review facilities lists to verify that area
6842 allocations and space factors for generating space needs do not
6843 exceed the limits as provided by this chapter and related rules;
6844 confirm the application of facility utilization factors as
6845 provided by this chapter and related rules; and review, as
6846 submitted, documentation of how survey recommendations will
6847 implement the detail of current campus master plans and

14-00176A-17

2017374__

6848 integrate with local comprehensive plans and development
6849 regulations.

6850 (b) Recommend priority of projects to be funded.

6851 (11) Prepare the commissioner's comprehensive fixed capital
6852 outlay legislative budget request and provide annually an
6853 estimate of the funds available for developing required 3-year
6854 priority lists. This amount shall be based upon the average
6855 percentage for the 5 prior years of funds appropriated by the
6856 Legislature for fixed capital outlay to each level of public
6857 education: public schools, Florida Community College System
6858 institutions, and universities.

6859 (12) Perform any other functions that may be involved in
6860 educational facilities construction and capital improvement
6861 which shall ensure that the intent of the Legislature is
6862 implemented.

6863 Section 112. Section 1013.28, Florida Statutes, is amended
6864 to read:

6865 1013.28 Disposal of property.—

6866 (1) REAL PROPERTY.—

6867 (a) Subject to rules of the State Board of Education, a
6868 district school board or, the Board of Trustees for the Florida
6869 School for the Deaf and the Blind, ~~or a Florida College System~~
6870 ~~institution board of trustees~~ may dispose of any land or real
6871 property to which the board holds title which is, by resolution
6872 of the board, determined to be unnecessary for educational
6873 purposes as recommended in an educational plant survey. A
6874 district school board or, the Board of Trustees for the Florida
6875 School for the Deaf and the Blind, ~~or a Florida College System~~
6876 ~~institution board of trustees~~ shall take diligent measures to

14-00176A-17

2017374__

6877 dispose of educational property only in the best interests of
6878 the public. However, appraisals may be obtained by the district
6879 school board or, the Board of Trustees for the Florida School
6880 for the Deaf and the Blind before, ~~or the Florida College System~~
6881 ~~institution board of trustees prior to~~ or simultaneously with
6882 the receipt of bids.

6883 (b) Subject to regulations of the Board of Governors, a
6884 state university board of trustees may dispose of any land or
6885 real property to which it holds valid title which is, by
6886 resolution of the state university board of trustees, determined
6887 to be unnecessary for educational purposes as recommended in an
6888 educational plant survey. A state university board of trustees
6889 shall take diligent measures to dispose of educational property
6890 only in the best interests of the public. However, appraisals
6891 may be obtained by the state university board of trustees prior
6892 to or simultaneously with the receipt of bids.

6893 (c) Subject to rules of the State Board of Community
6894 Colleges, a Florida Community College System institution board
6895 of trustees may dispose of any land or real property to which it
6896 holds valid title which is, by resolution of the Florida
6897 Community College System institution board of trustees,
6898 determined to be unnecessary for educational purposes as
6899 recommended in an educational plant survey. A Florida Community
6900 College System institution board of trustees shall take diligent
6901 measures to dispose of educational property only in the best
6902 interests of the public. However, appraisals may be obtained by
6903 the Florida Community College System institution board of
6904 trustees prior to or simultaneously with the receipt of bids.

6905 (2) TANGIBLE PERSONAL PROPERTY.-

14-00176A-17

2017374__

6906 (a) Tangible personal property that has been properly
6907 classified as surplus by a district school board ~~or Florida~~
6908 ~~College System institution board of trustees~~ shall be disposed
6909 of in accordance with the procedure established by chapter 274.
6910 However, the provisions of chapter 274 shall not be applicable
6911 to a motor vehicle used in driver education to which title is
6912 obtained for a token amount from an automobile dealer or
6913 manufacturer. In such cases, the disposal of the vehicle shall
6914 be as prescribed in the contractual agreement between the
6915 automotive agency or manufacturer and the board.

6916 (b) Tangible personal property that has been properly
6917 classified as surplus by a state university board of trustees
6918 shall be disposed of in accordance with the procedure
6919 established by chapter 273.

6920 (c) Tangible personal property that has been properly
6921 classified as surplus by a Florida Community College System
6922 institution board of trustees shall be disposed of in accordance
6923 with the procedure established by chapter 273.

6924 Section 113. Subsection (1) of section 1013.31, Florida
6925 Statutes, is amended to read:

6926 1013.31 Educational plant survey; localized need
6927 assessment; PECO project funding.—

6928 (1) At least every 5 years, each board shall arrange for an
6929 educational plant survey, to aid in formulating plans for
6930 housing the educational program and student population, faculty,
6931 administrators, staff, and auxiliary and ancillary services of
6932 the district or campus, including consideration of the local
6933 comprehensive plan. The Department of Education, for school
6934 districts, and the State Board of Community Colleges, for the

14-00176A-17

2017374__

6935 Florida Community College System, shall document the need for
6936 additional career and adult education programs and the
6937 continuation of existing programs before facility construction
6938 or renovation related to career or adult education may be
6939 included in the educational plant survey of a school district or
6940 Florida Community College System institution that delivers
6941 career or adult education programs. Information used by the
6942 Department of Education or State Board of Community Colleges to
6943 establish facility needs must include, but need not be limited
6944 to, labor market data, needs analysis, and information submitted
6945 by the school district or Florida Community College System
6946 institution.

6947 (a) *Survey preparation and required data.*—Each survey shall
6948 be conducted by the board or an agency employed by the board.
6949 Surveys shall be reviewed and approved by the board, and a file
6950 copy shall be submitted to the Department of Education, the
6951 Chancellor of the Florida Community College System, or the
6952 Chancellor of the State University System, as appropriate. The
6953 survey report shall include at least an inventory of existing
6954 educational and ancillary plants, including safe access
6955 facilities; recommendations for existing educational and
6956 ancillary plants; recommendations for new educational or
6957 ancillary plants, including the general location of each in
6958 coordination with the land use plan and safe access facilities;
6959 campus master plan update and detail for Florida Community
6960 College System institutions; the use ~~utilization~~ of school
6961 plants based on an extended school day or year-round operation;
6962 and such other information as may be required by the Department
6963 of Education. This report may be amended, if conditions warrant,

14-00176A-17

2017374__

6964 at the request of the department or commissioner.

6965 (b) *Required need assessment criteria for district, Florida*
6966 *Community College System institution, state university, and*
6967 *Florida School for the Deaf and the Blind plant surveys.*—
6968 Educational plant surveys must use uniform data sources and
6969 criteria specified in this paragraph. Each revised educational
6970 plant survey and each new educational plant survey supersedes
6971 previous surveys.

6972 1. The school district's survey must be submitted as a part
6973 of the district educational facilities plan defined in s.
6974 1013.35. To ensure that the data reported to the Department of
6975 Education as required by this section is correct, the department
6976 shall annually conduct an onsite review of 5 percent of the
6977 facilities reported for each school district completing a new
6978 survey that year. If the department's review finds the data
6979 reported by a district is less than 95 percent accurate, within
6980 1 year from the time of notification by the department the
6981 district must submit revised reports correcting its data. If a
6982 district fails to correct its reports, the commissioner may
6983 direct that future fixed capital outlay funds be withheld until
6984 such time as the district has corrected its reports so that they
6985 are not less than 95 percent accurate.

6986 2. Each survey of a special facility, joint-use facility,
6987 or cooperative career education facility must be based on
6988 capital outlay full-time equivalent student enrollment data
6989 prepared by the department for school districts and Florida
6990 Community College System institutions and by the Chancellor of
6991 the State University System for universities. A survey of space
6992 needs of a joint-use facility shall be based upon the respective

14-00176A-17

2017374__

6993 space needs of the school districts, Florida Community College
6994 System institutions, and universities, as appropriate.
6995 Projections of a school district's facility space needs may not
6996 exceed the norm space and occupant design criteria established
6997 by the State Requirements for Educational Facilities.

6998 3. Each Florida Community College System institution's
6999 survey must reflect the capacity of existing facilities as
7000 specified in the inventory maintained and validated by the
7001 Chancellor of the Florida Community College System ~~by the~~
7002 ~~Department of Education~~. Projections of facility space needs
7003 must comply with standards for determining space needs as
7004 specified by rule of the State Board of Community Colleges
7005 ~~Education~~. The 5-year projection of capital outlay student
7006 enrollment must be consistent with the annual report of capital
7007 outlay full-time student enrollment prepared by the Department
7008 of Education.

7009 4. Each state university's survey must reflect the capacity
7010 of existing facilities as specified in the inventory maintained
7011 and validated by the Chancellor of the State University System.
7012 Projections of facility space needs must be consistent with
7013 standards for determining space needs as specified by regulation
7014 of the Board of Governors. The projected capital outlay full-
7015 time equivalent student enrollment must be consistent with the
7016 5-year planned enrollment cycle for the State University System
7017 approved by the Board of Governors.

7018 5. The district educational facilities plan of a school
7019 district and the educational plant survey of a Florida Community
7020 College System institution, state university, or the Florida
7021 School for the Deaf and the Blind may include space needs that

14-00176A-17

2017374__

7022 deviate from approved standards for determining space needs if
7023 the deviation is justified by the district or institution and
7024 approved by the department, the State Board of Community
7025 Colleges, or the Board of Governors, as appropriate, as
7026 necessary for the delivery of an approved educational program.

7027 (c) *Review and validation.*—The Department of Education
7028 shall review and validate the surveys of school districts, the
7029 Chancellor of the Florida Community College System shall review
7030 and validate the surveys of ~~and~~ Florida Community College System
7031 institutions, and the Chancellor of the State University System
7032 shall review and validate the surveys of universities, and any
7033 amendments thereto for compliance with the requirements of this
7034 chapter and shall recommend those in compliance for approval by
7035 the State Board of Education, the State Board of Community
7036 Colleges, or the Board of Governors, as appropriate. Annually,
7037 the department shall perform an in-depth analysis of a
7038 representative sample of each survey of recommended needs for
7039 five districts selected by the commissioner from among districts
7040 with the largest need-to-revenue ratio. For the purpose of this
7041 subsection, the need-to-revenue ratio is determined by dividing
7042 the total 5-year cost of projects listed on the district survey
7043 by the total 5-year fixed capital outlay revenue projections
7044 from state and local sources as determined by the department.
7045 The commissioner may direct fixed capital outlay funds to be
7046 withheld from districts until such time as the survey accurately
7047 projects facilities needs.

7048 (d) *Periodic update of Florida Inventory of School Houses.*—
7049 School districts shall periodically update their inventory of
7050 educational facilities as new capacity becomes available and as

14-00176A-17

2017374__

7051 unsatisfactory space is eliminated. The State Board of Education
7052 shall adopt rules to determine the timeframe in which districts
7053 must provide a periodic update.

7054 Section 114. Subsections (1) and (3) of section 1013.36,
7055 Florida Statutes, are amended to read:

7056 1013.36 Site planning and selection.—

7057 (1) Before acquiring property for sites, each district
7058 school board and Florida Community College System institution
7059 board of trustees shall determine the location of proposed
7060 educational centers or campuses. In making this determination,
7061 the board shall consider existing and anticipated site needs and
7062 the most economical and practicable locations of sites. The
7063 board shall coordinate with the long-range or comprehensive
7064 plans of local, regional, and state governmental agencies to
7065 assure the consistency of such plans. Boards are encouraged to
7066 locate district educational facilities proximate to urban
7067 residential areas to the extent possible, and shall seek to
7068 collocate district educational facilities with other public
7069 facilities, such as parks, libraries, and community centers, to
7070 the extent possible and to encourage using elementary schools as
7071 focal points for neighborhoods.

7072 (3) Sites recommended for purchase or purchased must meet
7073 standards prescribed in law and such supplementary standards as
7074 the State Board of Education or State Board of Community
7075 Colleges, as appropriate, prescribes to promote the educational
7076 interests of the students. Each site must be well drained and
7077 suitable for outdoor educational purposes as appropriate for the
7078 educational program or collocated with facilities to serve this
7079 purpose. As provided in s. 333.03, the site must not be located

14-00176A-17

2017374__

7080 within any path of flight approach of any airport. Insofar as is
7081 practicable, the site must not adjoin a right-of-way of any
7082 railroad or through highway and must not be adjacent to any
7083 factory or other property from which noise, odors, or other
7084 disturbances, or at which conditions, would be likely to
7085 interfere with the educational program. To the extent
7086 practicable, sites must be chosen which will provide safe access
7087 from neighborhoods to schools.

7088 Section 115. Subsections (3) and (4) of section 1013.37,
7089 Florida Statutes, are amended to read:

7090 1013.37 State uniform building code for public educational
7091 facilities construction.—

7092 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
7093 Chancellor of the Florida Community College System, as
7094 appropriate, shall cooperate with the Florida Building
7095 Commission in addressing all questions, disputes, or
7096 interpretations involving the provisions of the Florida Building
7097 Code which govern the construction of public educational and
7098 ancillary facilities, and any objections to decisions made by
7099 the inspectors or the department must be submitted in writing.

7100 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
7101 department, for school districts, and the State Board of
7102 Community Colleges, for Florida Community College System
7103 institutions, shall biennially review and recommend to the
7104 Florida Building Commission updates and revisions to the
7105 provisions of the Florida Building Code which govern the
7106 construction of public educational and ancillary facilities. The
7107 department, for school districts, and the State Board of
7108 Community Colleges, for Florida Community College System

14-00176A-17

2017374__

7109 institutions, shall publish and make available to each board at
7110 no cost copies of the State Requirements for Educational
7111 Facilities and each amendment and revision thereto. The
7112 department and state board shall make additional copies
7113 available to all interested persons at a price sufficient to
7114 recover costs.

7115 Section 116. Section 1013.40, Florida Statutes, is amended
7116 to read:

7117 1013.40 Planning and construction of Florida Community
7118 College System institution facilities; property acquisition.—

7119 (1) The need for Florida Community College System
7120 institution facilities shall be established by a survey
7121 conducted pursuant to this chapter. The facilities recommended
7122 by such survey must be approved by the State Board of Community
7123 Colleges Education, and the projects must be constructed
7124 according to the provisions of this chapter and State Board of
7125 Community Colleges Education rules.

7126 (2) A ~~Ne~~ Florida Community College System institution may
7127 not expend public funds for the acquisition of additional
7128 property without the specific approval of the Legislature.

7129 (3) A ~~Ne~~ facility may not be acquired or constructed by a
7130 Florida Community College System institution or its direct-
7131 support organization if such facility requires general revenue
7132 funds for operation or maintenance upon project completion or in
7133 subsequent years of operation, unless prior approval is received
7134 from the Legislature.

7135 (4) The campus of a Florida Community College System
7136 institution within a municipality designated as an area of
7137 critical state concern, as defined in s. 380.05, and having a

14-00176A-17

2017374__

7138 comprehensive plan and land development regulations containing a
7139 building permit allocation system that limits annual growth, may
7140 construct dormitories for up to 300 beds for Florida Community
7141 College System institution students. Such dormitories are exempt
7142 from the building permit allocation system and may be
7143 constructed up to 45 feet in height if the dormitories are
7144 otherwise consistent with the comprehensive plan, the Florida
7145 Community College System institution has a hurricane evacuation
7146 plan that requires all dormitory occupants to be evacuated 48
7147 hours in advance of tropical force winds, and transportation is
7148 provided for dormitory occupants during an evacuation. State
7149 funds and tuition and fee revenues may not be used for
7150 construction, debt service payments, maintenance, or operation
7151 of such dormitories. Additional dormitory beds constructed after
7152 July 1, 2016, may not be financed through the issuance of a
7153 bond.

7154 Section 117. Section 1013.47, Florida Statutes, is amended
7155 to read:

7156 1013.47 Substance of contract; contractors to give bond;
7157 penalties.—Each board shall develop contracts consistent with
7158 this chapter and statutes governing public facilities. Such a
7159 contract must contain the drawings and specifications of the
7160 work to be done and the material to be furnished, the time limit
7161 in which the construction is to be completed, the time and
7162 method by which payments are to be made upon the contract, and
7163 the penalty to be paid by the contractor for a failure to comply
7164 with the terms of the contract. The board may require the
7165 contractor to pay a penalty for any failure to comply with the
7166 terms of the contract and may provide an incentive for early

14-00176A-17

2017374__

7167 completion. Upon accepting a satisfactory bid, the board shall
7168 enter into a contract with the party or parties whose bid has
7169 been accepted. The contractor shall furnish the board with a
7170 performance and payment bond as set forth in s. 255.05. A board
7171 or other public entity may not require a contractor to secure a
7172 surety bond under s. 255.05 from a specific agent or bonding
7173 company. A person, firm, or corporation that constructs any part
7174 of any educational plant, or addition thereto, on the basis of
7175 any unapproved plans or in violation of any plans approved in
7176 accordance with the provisions of this chapter and rules of the
7177 State Board of Education or State Board of Community Colleges or
7178 regulations of the Board of Governors relating to building
7179 standards or specifications is subject to forfeiture of the
7180 surety bond and unpaid compensation in an amount sufficient to
7181 reimburse the board for any costs that will need to be incurred
7182 in making any changes necessary to assure that all requirements
7183 are met and is also guilty of a misdemeanor of the second
7184 degree, punishable as provided in s. 775.082 or s. 775.083, for
7185 each separate violation.

7186 Section 118. Section 1013.52, Florida Statutes, is amended
7187 to read:

7188 1013.52 Cooperative development and joint use of facilities
7189 by two or more boards.—

7190 (1) Two or more boards, including district school boards,
7191 Florida Community College System institution boards of trustees,
7192 the Board of Trustees for the Florida School for the Deaf and
7193 the Blind, and university boards of trustees, desiring to
7194 cooperatively establish a common educational facility to
7195 accommodate students shall:

14-00176A-17

2017374__

7196 (a) Jointly request a formal assessment by the Commissioner
7197 of Education, ~~or~~ the Chancellor of the State University System,
7198 or the Chancellor of the State Board of Community Colleges, as
7199 appropriate, of the academic program need and the need to build
7200 new joint-use facilities to house approved programs. Completion
7201 of the assessment and approval of the project by the State Board
7202 of Education, the State Board of Community Colleges, the
7203 Chancellor of the Florida Community College System, the Board of
7204 Governors, the Chancellor of the State University System, or the
7205 Commissioner of Education, as appropriate, should be done prior
7206 to conducting an educational facilities survey.

7207 (b) Demonstrate the need for construction of new joint-use
7208 facilities involving postsecondary institutions by those
7209 institutions presenting evidence of the presence of sufficient
7210 actual full-time equivalent enrollments in the locale in leased,
7211 rented, or borrowed spaces to justify the requested facility for
7212 the programs identified in the formal assessment rather than
7213 using projected or anticipated future full-time equivalent
7214 enrollments as justification. If the decision is made to
7215 construct new facilities to meet this demonstrated need, then
7216 building plans should consider full-time equivalent enrollment
7217 growth facilitated by this new construction and subsequent new
7218 program offerings made possible by the existence of the new
7219 facilities.

7220 (c) Adopt and submit to the Commissioner of Education, the
7221 Chancellor of the Florida Community College System, or ~~and~~ the
7222 Chancellor of the State University System, as appropriate, if
7223 the joint request involves a state university, a joint
7224 resolution of the participating boards indicating their

14-00176A-17

2017374__

7225 commitment to the utilization of the requested facility and
7226 designating the locale of the proposed facility. The joint
7227 resolution shall contain a statement of determination by the
7228 participating boards that alternate options, including the use
7229 of leased, rented, or borrowed space, were considered and found
7230 less appropriate than construction of the proposed facility. The
7231 joint resolution shall contain assurance that the development of
7232 the proposed facility has been examined in conjunction with the
7233 programs offered by neighboring public educational facilities
7234 offering instruction at the same level. The joint resolution
7235 also shall contain assurance that each participating board shall
7236 provide for continuity of educational progression. All joint
7237 resolutions shall be submitted by August 1 for consideration of
7238 funding by the subsequent Legislature.

7239 (d) Submit requests for funding of joint-use facilities
7240 projects involving state universities and Florida Community
7241 College System institutions for approval by the Chancellor of
7242 the Florida Community College System ~~Commissioner of Education~~
7243 and the Chancellor of the State University System. The
7244 Chancellor of the Florida Community College System ~~Commissioner~~
7245 ~~of Education~~ and the Chancellor of the State University System
7246 shall jointly determine the priority for funding these projects
7247 in relation to the priority of all other capital outlay projects
7248 under their consideration. To be eligible for funding from the
7249 Public Education Capital Outlay and Debt Service Trust Fund
7250 under the provisions of this section, projects involving both
7251 state universities and Florida Community College System
7252 institutions shall appear on the 3-year capital outlay priority
7253 lists of Florida Community College System institutions and of

14-00176A-17

2017374__

7254 universities required by s. 1013.64. Projects involving a state
7255 university, a Florida Community College System institution, and
7256 a public school, and in which the larger share of the proposed
7257 facility is for the use of the state university or the Florida
7258 Community College System institution, shall appear on the 3-year
7259 capital outlay priority lists of the Florida Community College
7260 System institutions or of the universities, as applicable.

7261 (e) Include in their joint resolution for the joint-use
7262 facilities, comprehensive plans for the operation and management
7263 of the facility upon completion. Institutional responsibilities
7264 for specific functions shall be identified, including
7265 designation of one participating board as sole owner of the
7266 facility. Operational funding arrangements shall be clearly
7267 defined.

7268 (2) An educational plant survey must be conducted within 90
7269 days after submission of the joint resolution and substantiating
7270 data describing the benefits to be obtained, the programs to be
7271 offered, and the estimated cost of the proposed project. Upon
7272 completion of the educational plant survey, the participating
7273 boards may include the recommended projects in their plan as
7274 provided in s. 1013.31. Upon approval of the project by the
7275 commissioner, the Chancellor of the Florida Community College
7276 System, or the Chancellor of the State University System, as
7277 appropriate, 25 percent of the total cost of the project, or the
7278 pro rata share based on space utilization of 25 percent of the
7279 cost, must be included in the department's legislative capital
7280 outlay budget request as provided in s. 1013.60 for educational
7281 plants. The participating boards must include in their joint
7282 resolution a commitment to finance the remaining funds necessary

14-00176A-17

2017374__

7283 to complete the planning, construction, and equipping of the
7284 facility. Funds from the Public Education Capital Outlay and
7285 Debt Service Trust Fund may not be expended on any project
7286 unless specifically authorized by the Legislature.

7287 (3) Included in all proposals for joint-use facilities must
7288 be documentation that the proposed new campus or new joint-use
7289 facility has been reviewed by the State Board of Education, the
7290 State Board of Community Colleges, or the Board of Governors, as
7291 appropriate, and has been formally requested for authorization
7292 by the Legislature.

7293 (4) A ~~No~~ district school board, Florida Community College
7294 System institution, or state university may not ~~shall~~ receive
7295 funding for more than one approved joint-use facility per campus
7296 in any 3-year period.

7297 Section 119. Subsection (1) of section 1013.65, Florida
7298 Statutes, is amended to read:

7299 1013.65 Educational and ancillary plant construction funds;
7300 Public Education Capital Outlay and Debt Service Trust Fund;
7301 allocation of funds.—

7302 (1) The commissioner, through the department, shall
7303 administer the Public Education Capital Outlay and Debt Service
7304 Trust Fund. The commissioner shall allocate or reallocate funds
7305 as authorized by the Legislature. Copies of each allocation or
7306 reallocation shall be provided to members of the State Board of
7307 Education, the State Board of Community Colleges, and the Board
7308 of Governors and to the chairs of the House of Representatives
7309 and Senate appropriations committees. The commissioner shall
7310 provide for timely encumbrances of funds for duly authorized
7311 projects. Encumbrances may include proceeds to be received under

14-00176A-17

2017374__

7312 a resolution approved by the State Board of Education
7313 authorizing the issuance of public education capital outlay
7314 bonds pursuant to s. 9(a)(2), Art. XII of the State
7315 Constitution, s. 215.61, and other applicable law. The
7316 commissioner shall provide for the timely disbursement of moneys
7317 necessary to meet the encumbrance authorizations of the boards.
7318 Records shall be maintained by the department to identify
7319 legislative appropriations, allocations, encumbrance
7320 authorizations, disbursements, transfers, investments, sinking
7321 funds, and revenue receipts by source. The Department of
7322 Education shall pay the administrative costs of the Public
7323 Education Capital Outlay and Debt Service Trust Fund from the
7324 funds which comprise the trust fund.

7325 Section 120. The State Board of Community Colleges, in
7326 collaboration with the Board of Governors, shall evaluate and
7327 report on the status of Florida's "2+2" system of articulation
7328 using the accountability measures required pursuant to s.
7329 1008.38, Florida Statutes, and any other applicable state law.
7330 By December 31, 2017, the state board and the Board of Governors
7331 shall submit their report to the Governor, the President of the
7332 Senate, and the Speaker of the House of Representatives. The
7333 report must include findings regarding the effectiveness of
7334 Florida's "2+2" system of articulation and recommendations for
7335 improvement.

7336 Section 121. The Division of Law Revision and Information
7337 is directed to prepare a reviser's bill for the 2018 Regular
7338 Session to substitute the term "Florida Community College
7339 System" for "Florida College System" and the term "Florida
7340 Community College System institution" for "Florida College

14-00176A-17

2017374__

7341 System institution" where those terms appear in the Florida
7342 Statutes.

7343 Section 122. Except as otherwise expressly provided in this
7344 act, this act shall take effect October 1, 2017.