

<b>Tab 1</b>	<b>CS/SB 374 by ED, Hukill (CO-INTRODUCERS) Galvano, Simpson; (Identical to H 00929) Postsecondary Education</b>					
696026	A	S	RCS	AHE, Galvano	Delete L.309 - 339:	03/17 03:35 PM
337956	A	S	RCS	AHE, Galvano	btw L.407 - 408:	03/17 03:35 PM
749050	A	S	RCS	AHE, Galvano	In directory clause, de	03/17 03:35 PM
917714	A	S	RCS	AHE, Galvano	Delete L.1200 - 1209:	03/17 03:35 PM
231608	A	S	RCS	AHE, Galvano	Delete L.3229:	03/17 03:35 PM
959542	A	S	RCS	AHE, Galvano	Delete L.3295 - 3307:	03/17 03:35 PM
917820	A	S	RCS	AHE, Galvano	Delete L.4131 - 4370:	03/17 03:35 PM
743182	AA	S L	RCS	AHE, Farmer	Delete L.208 - 222:	03/17 03:35 PM
248140	A	S	RCS	AHE, Galvano	Delete L.4674:	03/17 03:35 PM
696568	A	S	RCS	AHE, Galvano	Delete L.6925:	03/17 03:35 PM
189024	A	S	RCS	AHE, Galvano	Delete L.7345 - 7346:	03/17 03:35 PM
<del>320988</del>	A	S L	WD	AHE, Farmer	Delete L.4326 - 4338:	03/17 03:35 PM

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**  
**APPROPRIATIONS SUBCOMMITTEE ON HIGHER**  
**EDUCATION**  
**Senator Galvano, Chair**  
**Senator Simmons, Vice Chair**

**MEETING DATE:** Wednesday, March 15, 2017  
**TIME:** 4:00—6:00 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building

**MEMBERS:** Senator Galvano, Chair; Senator Simmons, Vice Chair; Senators Bradley, Clemens, Farmer, and Lee

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>CS/SB 374</b> Education / Hukill (Identical H 929, Compare H 3, CS/CS/S 2)	Postsecondary Education; Citing this act as the "College Competitiveness Act of 2017"; renaming the Florida College System as the Florida Community College System; creating the State Board of Community Colleges; revising the function and mission of the Florida K-20 education system; providing the primary mission of a career center operated by a district school board; providing that the State Board of Community Colleges, instead of the State Board of Education, provide guidelines for Florida Community College System institution boards of trustees' policies, etc.  ED 02/06/2017 Fav/CS AHE 03/15/2017 Fav/CS AP	Fav/CS Yeas 6 Nays 0

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Subcommittee on Higher Education

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BILL: PCS/CS/SB 374 (724756)

INTRODUCER: Appropriations Subcommittee on Higher Education; Education Committee; and Senator Hukill and others

SUBJECT: Postsecondary Education

DATE: March 15, 2017

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Graf</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AHE</u>	<u>Recommend: Fav/CS</u>
3.	_____	_____	<u>AP</u>	_____

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Technical Changes

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**I. Summary:**

PCS/CS/SB 374 creates the “College Competitiveness Act of 2017” which restructures the governance of the Florida College System and modifies the mission of the system and its institutions. Specifically, the bill:

- Strengthens public college-to-university articulation by establishing the “2+2” targeted pathway program to provide to students guaranteed access to baccalaureate degree programs at state universities.
- Modifies the governance of the Florida Community College System (FCCS) by:
  - Renaming the Florida College System as the FCCS, and
  - Establishing a State Board of Community Colleges (SBCC), and transferring responsibilities regarding Florida’s community colleges from the State Board of Education (SBE) to the SBCC.
- Clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions, and:
  - Aligns the baccalaureate approval process for St. Petersburg College with the approval process for other FCCS institutions.
  - Establishes a cap on upper-level, undergraduate full-time equivalent (FTE) enrollment at Florida’s community colleges, but provides flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met.

- Clarifies the K-20 education system mission by emphasizing the mission must be to avoid wasteful duplication of programs, and reinforces the distinct mission of Florida's community colleges and technical centers in meeting Florida's labor market demands and regional needs.

Implementation of this bill requires the transfer of 34 existing positions and \$2.8 million from the State Board of Education budget for the creation of the State Board of Community Colleges. The State Board of Community Colleges will also need an additional 14 positions and \$1.7 million for necessary positions such as a General Counsel, Inspector General, Board Secretary, and others.

The bill takes effect October 1, 2017, except as otherwise expressly provided.

## II. Present Situation:

Public higher education in Florida is delivered by school district-operated technical centers, Florida College System (FCS) institutions, and state universities. It is the intent of the Legislature to facilitate articulation and seamless integration of the K-20 education system by building, sustaining, and strengthening relationships among the various education sectors and delivery systems within the state.<sup>1</sup>

### 2+2 Articulation

The State Board of Education (SBE) and the Board of Governors of the State University System (BOG) are required to enter into a statewide articulation agreement to preserve Florida's "2+2" system of articulation, facilitate the seamless articulation of student credit among Florida's education entities, and reinforce the articulation and admission policies specified in law.<sup>2</sup>

The articulation agreement must provide that every associate in arts graduate of an FCS institution has met all general education requirements, has indicated a baccalaureate degree offered by an institution of interest by the time the student earns 30 semester hours, and must be granted admission to the upper division, with certain exceptions,<sup>3</sup> of a state university or an FCS institution that offers a baccalaureate degree.<sup>4</sup> However, eligibility for admission to a state university does not provide to a transfer student guaranteed admission to the specific university or degree program that the student chooses.<sup>5</sup>

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<sup>1</sup> Section 1007.01(1), F.S.

<sup>2</sup> Section 1007.23(1), F.S.

<sup>3</sup> Exceptions include limited access programs, teacher certification programs, and those requiring an audition.

<sup>4</sup> Section 1007.23(2)-(3), F.S.

<sup>5</sup> Board of Governors Regulation 6.004.

## Community College Governance

### *State Board of Education*

The SBE<sup>6</sup> is the “chief implementing and coordinating body of public education in Florida, except for the State University System” and is authorized to adopt rules to implement the provisions of law conferring duties upon the SBE to improve the state system of K-20 public education, except for the state university system.<sup>7</sup> As such, the SBE has authority over the FCS institutions, and is authorized to delegate SBE’s general powers to the Commissioner of Education (Commissioner) or the directors of the divisions of the Florida Department of Education (DOE or department).<sup>8</sup>

### Department of Education

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.<sup>9</sup> The Commissioner is appointed by the SBE and serves as the executive director of the department.<sup>10</sup> Within the DOE, the Division of Florida Colleges (DFC)<sup>11</sup> is directed by the Chancellor of the DFC,<sup>12</sup> who reports directly to the Commissioner.<sup>13</sup>

### Florida College System

The Legislature established the system of governance for the FCS to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state’s employment needs.<sup>14</sup>

The FCS is comprised of 28 FCS institutions and the regional service areas for such institutions are specified in law.<sup>15</sup> Each FCS institution is governed by a local board of trustees (BOT).<sup>16</sup> The FCS BOT members are appointed by the Governor to staggered four-year terms, and confirmed

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<sup>6</sup> The State Board of Education is established in Art. IX, s. 2, Fla. Const., as “a body corporate and have such supervision of the system of free public education as is provided by law.”

<sup>7</sup> Section 1001.02(1), F.S.

<sup>8</sup> *Id.*

<sup>9</sup> Section 1001.20(1), F.S.

<sup>10</sup> Section 20.15(2), F.S.

<sup>11</sup> *Id.* at (3)(a).

<sup>12</sup> *Id.* at (4).

<sup>13</sup> Email, Florida Department of Education, *2017 Agency Analysis of SB 374* (Feb. 2, 2017) at 10.

<sup>14</sup> Section 1001.60(1), F.S.

<sup>15</sup> The 28 Florida College System (FCS) institutions are Eastern Florida State College, Broward College, College of Central Florida, Chipola College, Daytona State College, Florida SouthWestern State College, Florida State College at Jacksonville, Florida Keys Community College, Gulf Coast State College, Hillsborough Community College, Indian River State College, Florida Gateway College, Lake-Sumter State College, State College of Florida, Manatee-Sarasota, Miami Dade College, North Florida Community College, Northwest Florida State College, Palm Beach State College, Pasco-Hernando State College, Pensacola State College, Polk State College, St. Johns River State College, St. Petersburg College, Santa Fe College, Seminole State College of Florida, South Florida State College, Tallahassee Community College, and Valencia College. Section 1000.21(3), F.S.

<sup>16</sup> Sections 1001.60(3), 1001.61(1), and 1004.65(1), F.S. FCS institutions are statutorily designated as political subdivisions of the state. Section 1004.67, F.S.

by the Senate.<sup>17</sup> Each FCS BOT is responsible for cost-effective policy decisions regarding the FCS institution's mission, the implementation and maintenance of high-quality education programs within law and rules of the SBE, the measurement of performance, the reporting of information, and the provision of input on state policy, budgeting, and education standards.<sup>18</sup> FCS boards of trustees are authorized to adopt rules, procedures, and policies regarding admissions, programs, administration, personnel, contracts, and facilities.<sup>19</sup>

All 28 FCS institutions are regionally accredited by SACS.<sup>20</sup>

### **Community College Baccalaureate Approval Process**

The Legislature created the site-determined baccalaureate degree access program in 1999 to authorize FCS institutions to offer baccalaureate degrees to meet the economic development and educational needs of place-bound, nontraditional students in areas of the state that are underserved by 4-year institutions.<sup>21</sup> However, the primary responsibility of FCS institutions is the provision of associate degrees that provide access to a university.<sup>22</sup>

In 2001, the Legislature redesignated St. Petersburg Junior College as St. Petersburg College (SPC) and authorized community colleges to offer baccalaureate degrees in populous counties that are underserved by public baccalaureate degree granting institutions.<sup>23</sup> The legislative intent to provide access to baccalaureate degrees was to “address the state’s workforce needs, especially the need for teachers, nurses, and business managers in agencies and firms that require expertise in technology.”<sup>24</sup> The Legislature specified the purpose for authorizing SPC to offer high quality undergraduate education at affordable prices is to “promote economic development by preparing people for occupations that require a bachelor’s degree and are in demand by existing or emerging public and private employers in this state.”<sup>25</sup>

The SBE is responsible for reviewing and approving proposals by FCS institutions to offer baccalaureate degree programs.<sup>26</sup> As a part of the approval process:

- FCS institutions must submit a notice of intent to the DFC regarding the proposed baccalaureate degree program 100 days before the submission of the program proposal.<sup>27</sup>
- Within 10 days after receipt of the notice, the DFC must forward the notice of intent to the Chancellor of the State University System (SUS), the President of Independent Colleges and

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<sup>17</sup> Section 1001.61(2), F.S.

<sup>18</sup> Section 1001.64(1), F.S.

<sup>19</sup> *Id.* at (4).

<sup>20</sup> Southern Association of Colleges and Schools, Commission on Colleges, *SACSCOC Member and Candidate List*, available at <http://www.sacscoc.org/pdf/webmemlist.pdf>.

<sup>21</sup> Section 1, ch. 99-290, L.O.F.

<sup>22</sup> Section 1007.33(3), F.S.

<sup>23</sup> Section 40, ch. 2001-170, L.O.F.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> Section 1001.03(15), F.S.

<sup>27</sup> Section 1007.33(5)(a), F.S.

Universities of Florida, and the Executive Director of the Commission for Independent Education.<sup>28</sup>

- State universities have 60 days, after receipt of the notice by the Chancellor of the SUS, to submit objections to the proposed program or submit an alternative proposal to offer the baccalaureate degree program.
- If the SBE does not receive a proposal from a state university within the 60-day period, the SBE must provide regionally accredited private colleges and universities 30 days to submit objections to the proposed program or submit an alternative proposal.
- Objections and alternative proposals must be submitted to the DFC, and must be considered by the SBE in making its decision to approve or deny a FCS institution's baccalaureate degree program proposal.<sup>29</sup>
- The DFC must notify the FCS institution of any deficiencies in writing within 30 days following receipt of the proposal, and provide the FCS institution with an opportunity to correct the deficiencies.
- Within 45 days following receipt of a completed proposal by the DFC, the Commissioner must recommend approval or disapproval of the proposal to the SBE.
- The SBE must consider such recommendation, the proposal, and any objections or alternative proposals at its next meeting, and the SBE must provide to the FCS institution written reasons for any disapproval of baccalaureate degree proposals.

Currently, 27 FCS institutions offer 179 baccalaureate degree programs.<sup>30</sup> Since August 2015, 10 baccalaureate degree proposals have been approved, the DFC has withdrawn 11 baccalaureate degree proposals from consideration for SBE approval, and FCS institutions have submitted 14 new baccalaureate proposals to the DFC for approval by the SBE.<sup>31</sup>

In 2015-16, funded full-time-equivalent (FTE) enrollment in FCS upper-division programs was 15,281, which represented 4.7 percent of the total funded FCS FTE enrollment of 327,992.<sup>32</sup>

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<sup>28</sup> *Id.* at (5)(b).

<sup>29</sup> *Id.*

<sup>30</sup> The 27 colleges authorized to offer baccalaureate degree programs are Broward College, Chipola College, College of Central Florida, Daytona State College, Eastern Florida State College, Florida Gateway College, Florida Keys Community College, Florida SouthWestern State College, Florida State College at Jacksonville, Gulf Coast State College, Indian River State College, Lake-Sumter State College, Miami Dade College, North Florida Community College, Northwest Florida State College, Palm Beach State College, Pasco-Hernando State College, Pensacola State College, Polk State College, Santa Fe College, Seminole State College of Florida, South Florida State College, St. Johns River State College, St. Petersburg College, State College of Florida, Manatee-Sarasota, Tallahassee Community College, and Valencia College. Florida College System, *Baccalaureate Programs as of October 2016*, available at [http://www.fldoe.org/core/fileparse.php/5592/urlt/0082821-program\\_list.xls](http://www.fldoe.org/core/fileparse.php/5592/urlt/0082821-program_list.xls).

<sup>31</sup> Email, Florida Department of Education (Jan. 18, 2017).

<sup>32</sup> Office of Economic & Demographic Research, Education Estimating Conference, Dec. 8, 2016, p. 2 of 39, available at [http://edr.state.fl.us/Content/conferences/communitycolleges/DOE\\_Handout\\_120816.pdf](http://edr.state.fl.us/Content/conferences/communitycolleges/DOE_Handout_120816.pdf).

Funded FTE enrollment in upper division programs in the FCS has risen by approximately 102 percent from 7,584 in 2010-11<sup>33</sup> to 15,281 in 2015-16.<sup>34</sup>

### **Mission**

The mission of Florida's K-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities in accordance with the mission statement and requirements of the K-20 education performance accountability system.<sup>35</sup>

### ***Florida College System***

The primary mission and responsibility of FCS institutions is responding to community needs for postsecondary academic education and career degree education.<sup>36</sup> Florida law specifies the following as the primary mission of FCS institutions:<sup>37</sup>

- Providing lower-level undergraduate instruction and awarding associate degrees.
- Preparing students directly for careers requiring less than baccalaureate degrees.
- Providing student development services to ensure student success.
- Promoting economic development for the state through special programs (e.g., Enterprise Florida-related programs and workforce literacy programs).
- Providing dual enrollment instruction.
- Providing upper-level instruction and awarding baccalaureate degrees authorized by law.

Additionally, a secondary mission of FCS institutions includes offering programs in:<sup>38</sup>

- Community services that are not directly related to academic or occupational advancement.
- Adult education services.
- Recreational and leisure services.

### ***Technical Centers***

Florida law does not provide a specific mission for the career centers.<sup>39</sup> However, the law specifies that career centers, under the control of district school boards,<sup>40</sup> must offer terminal courses of a technical nature and courses for out-of-school youth and adults.<sup>41</sup>

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<sup>33</sup> Florida Department of Education, *The Fact Book, Report for the Florida College System, 2016*, Fact Book 3.1F Florida College System FTE Enrollment (Funded) by Program Area, 2010-11 through 2014-15, available at <http://www.fldoe.org/core/fileparse.php/15267/urlt/FactBook2016.pdf>.

<sup>34</sup> Office of Economic & Demographic Research, Education Estimating Conference, Dec. 8, 2016, p. 2 of 39, available at [http://edr.state.fl.us/Content/conferences/communitycolleges/DOE\\_Handout\\_120816.pdf](http://edr.state.fl.us/Content/conferences/communitycolleges/DOE_Handout_120816.pdf).

<sup>35</sup> Section 1000.03(4), F.S.

<sup>36</sup> Section 1004.65(5), F.S.

<sup>37</sup> *Id.*

<sup>38</sup> Section 1004.65(6), F.S.

<sup>39</sup> Section 1001.44, F.S.

<sup>40</sup> There are 48 Council on Occupational Education-accredited career centers operated by school districts, 1 of which is a charter technical career center. Email, Department of Education (Jan. 18, 2017).

<sup>41</sup> Section 1001.44(3)(a), F.S.



The purpose of charter technical career centers is to:<sup>42</sup>

- Develop a competitive workforce to support local business and industry and economic development.
- Create a training and education model that is reflective of marketplace realities.
- Offer a continuum of career educational opportunities using school-to-work, tech-prep, technical academy, and magnet school model.
- Provide career pathways for lifelong learning and career mobility.
- Enhance career and technical training.

### III. Effect of Proposed Changes:

PCS/CS/SB 374 restructures the governance of the Florida College System and modifies the mission of the system and its institutions. Specifically, the bill:

- Strengthens public college-to-university articulation by establishing the “2+2” targeted pathway program to provide to students guaranteed access to baccalaureate degree programs at state universities.
- Modifies the governance of the Florida Community College System (FCCS) by:
  - Renaming the Florida College System as the FCCS.
  - Establishing a State Board of Community Colleges (SBCC), and transferring responsibilities regarding Florida’s community colleges from the State Board of Education (SBE) to the SBCC.
  - Removing the Division of Florida Colleges (DFC) as a division within the Department of Education (DOE).
- Clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions, and:
  - Aligns the baccalaureate approval process for St. Petersburg College with the approval process for other FCCS institutions.
  - Establishes a cap on upper-level, undergraduate FTE enrollment at Florida’s community colleges, but provides flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met.
- Clarifies the K-20 education system mission by emphasizing the mission must be to avoid wasteful duplication of programs, and reinforces the distinct mission of Florida’s community colleges and technical centers in meeting Florida’s labor market demands and community and regional needs. The bill also:
  - Changes providing upper-level instruction and awarding baccalaureate degrees from a primary mission to a secondary mission of Florida’s community colleges.
  - Establishes the primary mission of technical centers to promote workforce preparation and economic development and prohibits technical centers from offering college credit courses, college credit certificates, associate degrees, and baccalaureate degrees.

#### **2+2 Articulation (Sections 55, 56, and 122)**

Section 56 of the bill strengthens “2+2” articulation by creating a mechanism for expanding locally-developed “2+2” articulation agreements to include guaranteed pathways to

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<sup>42</sup> Section 1002.34(2), F.S. Currently, Lake Technical College is the only charter technical career center. Email, Florida Department of Education, *2017 Agency Analysis of SB 374* (Feb. 2, 2017), at 11.

baccalaureate degree programs at state universities for students enrolled in associate in arts (AA) degree programs at FCCS institutions. Specifically, the bill:

- Requires each FCCS institution to execute at least one “2+2” targeted pathway articulation agreement to establish a “2+2” targeted pathway program with one or more state universities.
- Requires the “2+2” targeted pathway articulation agreement to provide to students who meet specified requirements guaranteed access to the state university and baccalaureate degree program in accordance with the terms of the agreement.
- Establishes student eligibility criteria to participate in a “2+2” targeted pathway articulation program. A student must:
  - Enroll in the program before completing 30 credit hours;
  - Complete an AA degree; and
  - Meet the university’s transfer requirements.
- Establishes requirements for state universities that execute “2+2” targeted pathway articulation agreements with their partner public college. A state university must:
  - Establish a 4-year on-time graduation plan for a baccalaureate degree program;
  - Advise students enrolled in the program about the university’s transfer and degree program requirements; and
  - Provide students access to academic advisors and campus events, and guarantee admittance to the state university and degree program in accordance with the terms of the agreement.
- Requires the SBCC and Board of Governors of the State University System of Florida (BOG) to collaborate to eliminate barriers to executing “2+2” targeted pathway articulation agreements.

The “2+2” targeted pathway program is consistent with recent efforts by state universities to strengthen regional articulation. The statewide “2+2” articulation agreement established in law<sup>43</sup> does not require a 4-year graduation plan and does not guarantee access to a university or degree program of a student’s choice. To provide students a path to on-time graduation in four years with a baccalaureate degree, some state universities have established articulation agreements with regional public colleges.<sup>44</sup> For instance, the “DirectConnect to UCF”<sup>45</sup> guarantees admission to the University of Central Florida (UCF) with an associate degree from a partner institution, and offers university advising to develop an academic plan and access to UCF campuses for services and events. Similarly, the University of South Florida’s (USF) “FUSE” program<sup>46</sup> offers students guaranteed admission to a USF System institution. The FUSE program creates an academic pathway that provides a map for taking required courses, advising at USF and the partner institution regarding university requirements, a specially-designed orientation session for “2+2” students at the beginning of the program, and access to USF facilities and events.

<sup>43</sup> Section 1007.23(2), F.S.

<sup>44</sup> Board of Governors, *Enhancement Programs & Partnerships at State Universities* (Jan. 25, 2017), available at [http://www.flbog.edu/documents\\_meetings/0260\\_1037\\_7837\\_2.2.2%20+2EnhancementPrograms.pdf](http://www.flbog.edu/documents_meetings/0260_1037_7837_2.2.2%20+2EnhancementPrograms.pdf).

<sup>45</sup> University of Central Florida, Presentation to the Senate Committee on Education, *DirectConnect to UCF* (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

<sup>46</sup> University of South Florida, Presentation to the Senate Committee on Education, *FUSE* (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

The value of such targeted “2+2” agreements is to assist AA-degree graduates to transfer to a state university and graduate on time in 4 years with a baccalaureate degree. In 2014-15, more than 36 percent of AA graduates from the FCS did not apply to the SUS. Forty-five percent of AA graduates from the FCS ultimately enrolled in the SUS.<sup>47</sup> The graduation rate for a 2011 cohort of AA transfer students to the SUS (those who transferred with an AA and graduated in two more years) was 25 percent.<sup>48</sup>

Additionally, section 55 of the bill clarifies that to preserve Florida’s “2+2” system of articulation, the SBE, the BOG, and the SBCC must collaboratively establish and adopt articulation policies with input from relevant statewide advisory groups, and make recommendations to the Legislature. Section 122 of the bill also requires the SBCC to collaborate with the BOG to evaluate and report on the status of Florida’s “2+2” system of articulation using the articulation accountability measures established in law,<sup>49</sup> and include in the report due to the Governor and the Legislature by December 31, 2017, findings and recommendations for improvement.

### **Community College Governance (Sections 2 through 6, 18, 19, and 123)**

The bill modifies the governance of the FCCS under a SBCC. Specifically, section 2 of the bill provides that:

- Effective July 1, 2017:
  - The Florida College System is renamed as the Florida Community College System.
  - The SBCC, administratively housed within the DOE, is created to oversee and coordinate the FCCS, and requires the Governor to appoint the membership of the SBCC in time for the board’s organizational meeting by September 30, 2017.
  - The DFC must provide administrative support to the SBCC until September 30, 2017.
  - Beginning September 1, 2017, SBCC staggered membership terms are established.
  - The SBCC is required to appoint a Chancellor of the FCCS by November 1, 2017. The Chancellor of the DFC must serve as the Chancellor of the FCCS until the SBCC selects a chancellor.
- Effective October 1, 2017:
  - FCS- and DFC-related powers and duties, functions, personnel, funds, contracts, and administrative rules are transferred, by type 2 transfer, to the SBCC.
  - The DOE must provide support services to the SBCC, consistent with the ongoing support services that the DOE provides to the BOG.
  - The Division of Florida Colleges is removed as a division within the DOE.
  - SBE approvals, policies, guidance, and appointments remain in effect unless acted upon by the SBCC.

<sup>47</sup> Board of Governors, *Associate in Arts Transfer Students in the State University System*, Presentation to the BOG Select Committee on 2+2 Articulation, (Mar. 17, 2016), available at [http://www.flbog.edu/documents\\_meetings/0199\\_0978\\_7295\\_6.3.2%202+2%2003b\\_AA%20Transfer%20data%20points\\_JML.pdf](http://www.flbog.edu/documents_meetings/0199_0978_7295_6.3.2%202+2%2003b_AA%20Transfer%20data%20points_JML.pdf).

<sup>48</sup> Office of Program Policy Analysis and Government Accountability, *State University System Undergraduate Student Success Overview*, Presentation to the Committee on Education, The Florida Senate (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

<sup>49</sup> Section 1008.38, F.S.

In addition, sections 2 through 4 of the bill include technical and conforming provisions related to the transfer of responsibilities regarding Florida's community colleges, effective October 1, 2017. Specifically, the bill:

- Transfers general and specific powers and duties relating to the FCCS from the SBE to the SBCC.<sup>50</sup>
- Removes the DFC as a division within the DOE, and transfers the division's duties to the SBCC or Chancellor of the FCCS.<sup>51</sup>
- Transfers specific powers and duties relating to the FCCS from the Commissioner of Education (Commissioner) to the Chancellor of the FCCS.<sup>52</sup>
- Transfers general and specific powers and duties relating to the FCCS from the Commissioner to the SBCC.<sup>53</sup>
- Transfers specific powers and duties relating to the FCCS from the DOE to the SBCC.<sup>54</sup>
- Adds an SBCC role in specific duties currently performed by the SBE and BOG.<sup>55</sup>
- Adds a Chancellor of the FCCS role in specific duties currently performed by multiple entities (i.e., the Commissioner and the Chancellor of the BOG).<sup>56</sup>

Section 18 of the bill creates a new SBCC as a governing board for community colleges similar to the board that existed prior to 2003. The 1983 Legislature created the State Board of Community Colleges (former SBCC) as a coordinating board for the FCCS.<sup>57</sup> The law<sup>58</sup> charged the former SBCC with providing "statewide leadership in overseeing and coordinating the individually governed public community colleges."<sup>59</sup> The former SBCC was subject to the overall supervision of the State Board of Education.<sup>60</sup>

<sup>50</sup> Sections 1000.03, 1000.05, 1001.02, 1001.03, 1001.60, 1001.602, 1001.61, 1001.64, 1001.65, 1001.66, 1001.67, 1002.34, 1004.02, 1004.03, 1004.07, 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, 1004.6495, 1004.65, 1004.67, 1004.70, 1004.71, 1004.78, 1004.80, 1004.91, 1004.92, 1004.925, 1004.93, 1006.60, 1006.61, 1006.62, 1006.71, 1007.25, 1007.263, 1007.264, 1007.265, 1007.27, 1007.273, 1007.33, 1008.30, 1008.31, 1008.32, 1008.405, 1008.44, 1008.45, 1009.21, 1009.22, 1009.23, 1009.25, 1009.26, 1009.28, 1010.01, 1010.02, 1010.04, 1010.07, 1010.08, 1010.09, 1010.22, 1010.30, 1010.58, 1011.01, 1011.30, 1011.32, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1012.01, 1012.80, 1012.81, 1012.83, 1012.855, 1012.86, 1013.02, 1013.28, 1013.31, 1013.36, 1013.4, and 1013.47, F.S.

<sup>51</sup> Sections 20.15, 1001.67, 1004.015, 1004.65, 1004.7, 1007.33, 1008.30, 1009.23, and 1009.971, F.S.

<sup>52</sup> Sections 1000.05, 1001.64, 1001.66, 1004.6495, 1004.93, 1006.71, 1012.86, and 1013.52, F.S.

<sup>53</sup> Sections 1001.10, 1001.11, 1001.20, 1001.602, 1008.32, and 1013.03, F.S.

<sup>54</sup> Sections 1001.20 and 1001.602, F.S.

<sup>55</sup> Sections 20.15, 1001.02, 1001.03, 1001.10, 1001.11, 1001.28, 1001.706, 1003.491, 1003.493, 1004.015, 1004.04, 1004.6495, 1004.91, 1007.01, 1007.23, 1007.24, 1007.27, 1007.271, 1007.33, 1008.30, 1008.31, 1008.345, 1008.37, 1008.38, 1009.26, 1009.90, 1009.91, 1010.01, 1011.01, 1011.011, 1011.80, 1012.01, 1013.01, 1013.03, 1013.31, 1013.52, and 1013.65, F.S.

<sup>56</sup> Sections 1004.74, 1007.01, 1007.24, 1007.25, 1007.33, 1008.44, 1012.01, 1013.03, 1013.31, and 1013.37, F.S.

<sup>57</sup> See s. 15, ch. 83-326, L.O.F., amending s. 240.305, F.S., to redesignate the State Community College Coordinating Board as the State Board of Community Colleges.

<sup>58</sup> Section 240.305, F.S. (1983).

<sup>59</sup> *Id.*

<sup>60</sup> *Id.*

In 1998, a constitutional amendment replaced the State Board of Education,<sup>61</sup> composed of the elected governor and cabinet, with a new State Board of Education (SBE) appointed by the Governor.<sup>62</sup> To implement this change in governance structure and achieve a seamless system of education,<sup>63</sup> the 2000 Legislature enacted the Florida Governance Reorganization Act of 2000,<sup>64</sup> which repealed the former SBCC and transferred governance of the FCCS to the new Governor-appointed SBE, effective January 7, 2003. The 2001 Legislature continued to make necessary changes to Florida education governance and created the Division of Community Colleges (DCC) and a Chancellor of Community Colleges within the DOE.<sup>65</sup>

The following table shows the governance of the community college system in Florida since 1983.

<b>Governance of Florida’s Community Colleges</b>			
	<b>1983 – 2003</b>	<b>Current</b>	<b>Proposed</b>
System	Florida Community College System <sup>66</sup>	Florida College System <sup>67</sup>	Florida Community College System
Board	SBCC as Coordinating Board <sup>68</sup>	SBE as Governing Board <sup>69</sup>	SBCC as Governing Board
Board Oversight	Commissioner of Education <sup>70</sup> and SBE <sup>71,72</sup>	Appointed by Governor <sup>73</sup>	Governor
Board Membership	Commissioner of Education, 1 student, 11 lay citizens; appointed by the Governor, approved by the SBE, and confirmed by the Senate <sup>74</sup>	Seven members appointed by the Governor and confirmed by the Senate <sup>75</sup>	Commissioner of Education, 1 student and 1 faculty member, 10 lay citizens; appointed by the Governor, in a manner that provides equitable geographical representation. Except for the student member, all members must reside and be registered to vote in Florida and be confirmed by the Senate

<sup>61</sup> Art. IX, s. 2, Fla. Const. (1968).

<sup>62</sup> Art. IX, s. 2, Fla. Const. (Amended 1998). See also Preamble, ch. 2000-321, L.O.F.

<sup>63</sup> Section 2, ch. 2000-321, L.O.F.

<sup>64</sup> Section 6, ch. 2000-321, L.O.F.

<sup>65</sup> Section 3, ch. 2001-170, L.O.F.

<sup>66</sup> Section 240.3031, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.

<sup>67</sup> The Florida Community College System was renamed the Florida College System by s. 2, ch. 2008-52, L.O.F.

<sup>68</sup> Section 240.305, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

<sup>69</sup> Section 1001.02(4), F.S.

<sup>70</sup> Art. IV, s. 5, Fla. Const. (1968).

<sup>71</sup> Art. IX, s. 1, Fla. Const. (1968).

<sup>72</sup> Section 240.305, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

<sup>73</sup> The SBE is a body established in the Florida Constitution. Art. IX, s. 2, Fla. Const.

<sup>74</sup> Section 240.307(1), F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

<sup>75</sup> Art. IV, s. 2, Fla. Const. See also s. 1001.01(1), F.S.

Staff	DCC <sup>76</sup>	DFC <sup>77</sup>	SBCC
Staff Leadership	Executive Director of the Community College System <sup>78</sup>	Chancellor of the DFC <sup>79</sup>	Chancellor of the FCCS
Administrative Location	DOE	DOE	DOE (administrative assignment only; SBCC operates independently)
Institution Governance	Institution Board of Trustees <sup>80</sup>	Institution Board of Trustees <sup>81</sup>	Institution Board of Trustees

Sections 5 and 6 of the bill provide parallel standards of conduct for members of the SBCC and members of a FCCS board of trustees, which mirror the requirements for the BOG and members of a state university board of trustees. Section 5 of the bill prohibits SBCC members and members of a FCCS board of trustees from being employed as a legislative lobbyist. Section 6 of the bill requires SBCC members and members of a FCCS board of trustees to disclose their financial interests.

Finally, section 123 of the bill directs the Division of Law Revision and Information to develop reviser's bill for the 2018 Regular Session to substitute the term "Florida Community College System" for "Florida College System" and the term "Florida Community College System institutions" for "Florida College System institutions" where those terms appear in the Florida Statutes.

### **Community College Baccalaureate Degree Approval Process (Sections 66)**

Section 66 of the bill clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions. Specifically, the bill:

- Modifies the FCCS institution baccalaureate degree approval process to:
  - Require FCCS institutions to submit a notice of interest into a shared postsecondary database at least 180 days before submission of the notice of intent.
  - Require FCCS institutions to submit a notice of intent and justification for the proposed baccalaureate degree at least 100 days before submitting the baccalaureate degree proposal.
  - Specify that the required justification for the proposed baccalaureate degree include a data-driven analysis of workforce demand, including employment data and projections by the Department of Economic Opportunity, which must be verified by the Chancellor of the FCCS.

<sup>76</sup> Section 240.3031, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

<sup>77</sup> Section 20.15(3), F.S.

<sup>78</sup> The executive director of the community college system served as the executive officer and as secretary to the former SBCC. Section 240.311(4), F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.

<sup>79</sup> Section 20.15(4), F.S.

<sup>80</sup> Section 240.313, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

<sup>81</sup> Section 1001.64(3), F.S.

- Extend the timeframe from 30 days to 60 days for private regionally-accredited colleges and universities, to submit their objections to the proposed baccalaureate degree programs and provide reasons for such objections.
- Eliminate the requirement for state universities and private colleges and universities to submit alternative proposals to the proposed baccalaureate degree programs.
- Require the SBCC consider input from the Chancellor of the SUS and the president of the Independent Colleges and Universities of Florida, and any objections before approving or denying a college's proposal.
- Aligns the baccalaureate degree approval process for St. Petersburg College with the approval process for other FCCS institutions.

Section 66 of the bill reinforces state oversight responsibilities by requiring the SBCC to direct an FCCS institution's board of trustees to terminate a baccalaureate degree program if the state's review indicates negative performance and compliance results, and the college fails to demonstrate a need for the program.

Additionally, this section prohibits the community colleges from offering bachelor of arts degrees<sup>82</sup> and establishes a cap on upper-level, undergraduate FTE enrollment at FCCS institutions while providing flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met. The bill requires FCCS institutions to obtain legislative approval for exceeding the specified upper-level, undergraduate FTE enrollment cap. Specifically, the bill:

- Provides that if the 2015-2016 total upper-level, undergraduate FTE enrollment at an FCCS institution is:
  - At or above 10 percent<sup>83</sup> of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the combined enrollment, may not increase by more than 4 percentage points unless the institution obtains prior legislative approval.
  - Below 10 percent<sup>84</sup> of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the

<sup>82</sup> Currently, there are no bachelor of arts degrees offered by community colleges. Email, Florida Department of Education, *2017 Agency Analysis of SB 374* (Feb. 2, 2017).

<sup>83</sup> Community colleges at or above the 8 percent threshold in 2015-16 were Chipola College, Daytona Beach State College, Florida State College at Jacksonville, Indian River State College, Polk State College, and St. Petersburg College. The Florida Senate staff analysis, Florida Department of Education, *Florida College System FTE Enrollment: Funded-30, Lower and Upper Division, 2015-16 FTE-3*, available at <http://fldoe.org/core/fileparse.php/15267/urlt/1516FTE3EnrollmentReport.pdf>.

<sup>84</sup> Community colleges below the 8 percent threshold in 2015-16 were Broward College, College of Central Florida, Eastern Florida State College, Florida SouthWestern State College, Florida Gateway College, Florida Keys Community College, Gulf Coast State College, Hillsborough Community College, Lake Sumter State College, Miami Dade College, Northwest Florida State College, North Florida Community College, Palm Beach State College, Pasco Hernando State College, Pensacola State College, Santa Fe College, Seminole State College, South Florida State College, State College of Florida-Manatee, Sarasota, St. Johns River State College, Tallahassee Community College, and Valencia College. The Florida Senate staff analysis, Florida Department of Education, *Florida College System FTE Enrollment: Funded-30, Lower and Upper Division, 2015-16 FTE-3*, available at <http://fldoe.org/core/fileparse.php/15267/urlt/1516FTE3EnrollmentReport.pdf>.

- combined enrollment, may not increase by more than 8 percentage points unless the institution obtains prior legislative approval.
- Specifies that the total upper-level enrollment at any institution may not exceed 15 percent, of the combined upper- and lower-level enrollment.
  - Emphasizes that within the 4 percent or 8 percent authorized growth, for any planned and purposeful expansion of existing baccalaureate degree programs or creation of a new baccalaureate program, an FCCS institution must demonstrate satisfactory performance in:
    - Fulfilling its primary mission as specified in law;<sup>85</sup>
    - Executing at least one “2+2” targeted pathway articulation agreement specified in law;<sup>86</sup> and
    - Meeting or exceeding the performance standards related to on-time graduation rates for students earning associate in arts or baccalaureate degrees.<sup>87</sup>
  - Establishes reporting requirements relating to upper-level enrollment, provides a mechanism for the SBCC to ensure compliance, and prohibits community colleges from reporting for funding, the upper-level, undergraduate full-time equivalent enrollment that exceeds the upper-level enrollment percent specified in the bill.

This section also reinforces the state’s expectation of college affordability by requiring the college’s program enrollment projections and funding requirements to include the college’s efforts to sustain the program at a cost of tuition and fees for Florida residents not to exceed \$10,000 for the entire degree program, including flexible tuition and fee rates, and the use of waivers authorized by law.<sup>88</sup>

### **Mission of Florida’s Public K-20 Education System (Section 7, 15, 16, 26, 40, and 48)**

Section 7 of the bill reinforces the state’s expectation that institutions within Florida’s K-20 education system avoid wasteful duplication of programs offered by state universities, FCCS institutions, and career centers operated by district school boards.

The bill also clarifies the mission of Florida’s public K-20 education system. Specifically,

- Section 40 of the bill changes the provision of upper-level instruction and awarding baccalaureate degrees from a primary mission to a secondary mission of FCCS institutions.
- Sections 16 and 26 of the bill specify that the primary mission of a career center or a charter technical career center is to promote advances and innovations in workforce preparation and economic development; except that a career center or charter technical career center may not award college credit.

The bill modifies the scope and responsibilities for career education in school districts and FCCS institutions. Specifically,

- Section 40 of the bill expands the scope of career education at an FCCS institution to include nationally recognized industry certifications.

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<sup>85</sup> Section 1004.65, F.S.

<sup>86</sup> Section 1007.23, F.S.

<sup>87</sup> Section 1001.66, F.S.

<sup>88</sup> Section 1009.26(11), F.S.



- Section 48 of the bill modifies the accountability for career education to specify that such accountability must reflect the quality components of career and technical education programs in developing program standards and industry-driven benchmarks for career, adult, and community education programs.

The bill takes effect October 1, 2017, except as otherwise expressly provided.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

PCS/CS/SB 374 may result in education-related cost savings<sup>89</sup> for students with an associate in arts degree who pursue a baccalaureate degree under the targeted “2+2” articulation pathway program and graduate on time in 4 years.

C. Government Sector Impact:

Implementation of this bill requires the transfer of 34 existing positions and \$2.8 million from the State Board of Education budget for the creation of the State Board of Community Colleges. The State Board of Community Colleges will also need an additional 14 positions and \$1.7 million for necessary positions such as a General Counsel, Inspector General, Board Secretary, and others.

#### **VI. Technical Deficiencies:**

None.

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<sup>89</sup> The average annual cost of attendance in 2016-2017 at a state university is \$21,534.08. Board of Governors, *Fall/Spring Cost of Attendance On-Campus for Full-Time Undergraduate Florida Residents 2016-17*, available at [http://www.flbog.edu/about/doc/budget/attendance/CostAttendance2016\\_17\\_FINAL.xlsx](http://www.flbog.edu/about/doc/budget/attendance/CostAttendance2016_17_FINAL.xlsx).

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes:

20.15, 112.313, 112.3145, 1000.03, 1000.05, 1001.02, 1001.03, 1001.10, 1001.11, 1001.20, 1001.28, 1001.42, 1001.44, 1001.60, 1001.61, 1001.64, 1001.65, 1001.66, 1001.67, 1001.706, 1002.34, 1003.491, 1003.493, 1004.015, 1004.02, 1004.03, 1004.04, 1004.07, 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, 1004.6495, 1004.65, 1004.67, 1004.70, 1004.71, 1004.74, 1004.78, 1004.80, 1004.91, 1004.92, 1004.925, 1004.93, 1006.60, 1006.61, 1006.62, 1006.71, 1007.01, 1007.23, 1007.24, 1007.25, 1007.262, 1007.263, 1007.264, 1007.265, 1007.27, 1007.271, 1007.273, 1007.33, 1008.30, 1008.31, 1008.32, 1008.345, 1008.37, 1008.38, 1008.405, 1008.44, 1008.45, 1009.21, 1009.22, 1009.23, 1009.25, 1009.26, 1009.28, 1009.90, 1009.91, 1009.971, 1010.01, 1010.02, 1010.04, 1010.07, 1010.08, 1010.09, 1010.22, 1010.30, 1010.58, 1011.01, 1011.011, 1011.30, 1011.32, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1012.01, 1012.80, 1012.81, 1012.83, 1012.855, 1012.86, 1013.01, 1013.02, 1013.03, 1013.28, 1013.31, 1013.36, 1013.37, 1013.40, 1013.47, 1013.52, and 1013.65, F.S.

This bill creates the following sections of the Florida Statutes: 20.156, 1001.601, and 1001.602, F.S.

This bill creates two undesignated sections of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:****Recommended CS for CS by Appropriations Subcommittee on Higher Education on March 15, 2017:**

The committee substitute:

- Adds parallel standards of conduct language for State Board of Community Colleges (SBCC) and Florida Community College System (FCCS) institution board of trustees members that:
  - Prohibits appointed members from being employed as a legislative lobbyist, and
  - Requires disclosure of financial interests.
- Modifies the SBCC appointments by:
  - Including geographical representation,
  - Including a faculty member representative,
  - Changing the student member term to one year and exempting the student member from Senate confirmation,

- Requiring that, except for the student member, each member must reside and be registered to vote in Florida, and Removing the limit on the on the number of four-year terms for reappointment.
- Modifies the community college baccalaureate degree approval process to shorten the approval time and:
  - Include a new notice of interest, which must be submitted into a share postsecondary database at least 180 days before submission of the notice of intent,
  - Require a notice of intent and justification to be submitted at least 100 days before the degree proposal,
  - Require the justification for the degree program to include employment data and projections from the Department of Economic Opportunity,
  - Provide a consistent 60-day timeframe for state universities, and private institutions to provide feedback on a degree proposal, and
  - Modify SBCC rulemaking authority to prescribe requirements for various notices, proposals, and objections.
- Modifies the baccalaureate degree enrollment caps to specify that if the 2015-2016 baccalaureate degree program full-time equivalent (FTE) enrollment at an FCCS institution is:
  - At or above 10 percent of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the combined enrollment, may not increase by more than 4 percentage points unless the institution obtains prior legislative approval.
  - Below 10 percent of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the combined enrollment, may not increase by more than 8 percentage points unless the institution obtains prior legislative approval.
- Sets a 15 percent maximum baccalaureate program enrollment cap for all FCCS institutions.
- Clarifies that the SBCC and State Board of Education should collaborate on career education issues and standards.
- Makes technical changes regarding the effective dates of certain sections of the bill and the bill as a whole.

**CS by Education on February 6, 2017:**

The committee substitute clarifies that:

- The authorization to conduct an investigation of a community college president's actions rests with the inspector general of the State Board of Community Colleges instead of the inspector general of the Florida Department of Education.

The State Board of Community Colleges must be responsible for charter technical career centers operated by Florida Community College System institutions regarding the adoption of standards of basic skill mastery for completion of certificate career education programs.



696026

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 309 - 339

and insert:

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

1001.6001 Florida Community College System governance.-

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

(2) The State Board of Community Colleges is created



696026

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

16 (3) The Division of Florida Colleges shall provide  
17 administrative support to the State Board of Community Colleges  
18 until September 30, 2017.

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

27 (5) The State Board of Community Colleges shall appoint a  
28 Chancellor of the Florida Community College System by November  
29 1, 2017, to aid the board in the implementation of its  
30 responsibilities.

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

35  
36 ===== T I T L E A M E N D M E N T =====

37 And the title is amended as follows:

38 Delete line 3

39 and insert:



696026

40  
41

a short title; creating s. 1001.6001, F.S.; renaming  
the Florida College System as



337956

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment (with title amendment)**

Between lines 407 and 408

insert:

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

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

(18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF  
TRUSTEES.—A citizen member of the State Board of Community



337956

11 Colleges or a citizen member of a Florida Community College  
12 System institution board of trustees may not have or hold an  
13 employment or contractual relationship as a legislative lobbyist  
14 requiring annual registration and reporting pursuant to s.  
15 11.045.

16 Section 6. Paragraph (c) of subsection (1) of section  
17 112.3145, Florida Statutes, is amended to read:

18 112.3145 Disclosure of financial interests and clients  
19 represented before agencies.—

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

22 (c) "State officer" means:

23 1. Any elected public officer, excluding those elected to  
24 the United States Senate and House of Representatives, not  
25 covered elsewhere in this part and any person who is appointed  
26 to fill a vacancy for an unexpired term in such an elective  
27 office.

28 2. An appointed member of each board, commission,  
29 authority, or council having statewide jurisdiction, excluding a  
30 member of an advisory body.

31 3. A member of the Board of Governors of the State  
32 University System or a state university board of trustees, the  
33 Chancellor and Vice Chancellors of the State University System,  
34 and the president of a state university; or a member of the  
35 State Board of Community Colleges and the Chancellor of the  
36 Florida Community College System.

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

39





337956

40 ===== T I T L E A M E N D M E N T =====

41 And the title is amended as follows:

42 Delete line 26

43 and insert:

44 specified date; amending s. 112.313, F.S.; prohibiting  
45 citizen members of the State Board of Community  
46 Colleges or Florida Community College System  
47 institution boards of trustees from having an  
48 employment or contractual relationship as specified  
49 lobbyists; amending s. 112.3145, F.S.; revising the  
50 term "state officer" to include certain Florida  
51 Community College System personnel; amending s.  
52 1000.03, F.S.; revising



749050

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment**

In directory clause, delete line 1137  
and insert:

Section 15. Effective July 1, 2017, section 1001.60,  
Florida Statutes, is amended



917714

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment**

Delete lines 1200 - 1209  
and insert:

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

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



917714

11 enrolled in a Florida Community College System institution and a  
12 faculty member employed at a Florida Community College System  
13 institution.

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

17 (c) Except for the student member, who shall serve a 1-year  
18 term, appointed citizen members shall serve staggered 4-year  
19 terms. In order to achieve staggered terms, beginning September  
20 1, 2017, of the initial appointments, 3 members shall serve 2-  
21 year terms, 4 members shall serve 3-year terms, and 4 members  
22 shall serve 4-year terms.



231608

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete line 3229  
and insert:  
collaborate to adopt, by rule, standards of basic skill mastery  
for completion

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 127 - 128



231608

11 and insert:  
12       of Community Colleges to collaborate with the State  
13       Board of Education to provide certain rules for  
14       Florida



959542

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 3295 - 3307  
and insert:  
programs. The Department of Education and the State Board of  
Community Colleges shall collaborate to develop a common set of  
standards and benchmarks as specified under this subparagraph  
for the programs that are offered by both the school districts  
and Florida Community College System institutions.

5. Overseeing school district and Florida Community College



11 System institution compliance with ~~the provisions of~~ this  
12 chapter.

13 6. Ensuring that the educational outcomes for the technical  
14 component of career programs are uniform and designed to provide  
15 a graduate who is capable of entering the workforce on an  
16 equally competitive basis regardless of the institution of  
17 choice.

18 (4) The State Board of Education, for career education  
19 provided by school districts, and the State Board of Community  
20 Colleges, for career education provided by Florida Community  
21 College System institutions, shall collaborate to adopt rules to  
22 administer

23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 Delete lines 135 - 136

26 and insert:

27 department and the State Board of Community Colleges  
28 to collaborate to develop certain standards and  
29 benchmarks; requiring the State Board of Education and  
30 the State Board of Community Colleges to collaborate  
31 to adopt rules; amending s.





917820

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment**

Delete lines 4131 - 4370  
and insert:

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

(a) Each Florida Community College System institution to  
submit a notice of interest at least 180 days before submitting  
a notice of ~~its~~ intent to propose a baccalaureate degree program  
~~to the Division of Florida Colleges at least 100 days before the~~



917820

11 ~~submission of its proposal under paragraph (d).~~ The notice of  
12 interest must be submitted into a shared postsecondary database  
13 that allows other postsecondary institutions to preview and  
14 provide feedback on the notice of interest. A written notice of  
15 intent must be submitted to the Chancellor of the Florida  
16 Community College System at least 100 days before the submission  
17 of a baccalaureate degree program proposal under paragraph (c).  
18 The notice of intent must include a brief description of the  
19 program, the workforce demand and unmet need for graduates of  
20 the program to include evidence from entities independent of the  
21 institution, the geographic region to be served, and an  
22 estimated timeframe for implementation. Notices of interest and  
23 intent may be submitted by a Florida Community College System  
24 institution at any time throughout the year. The notice of  
25 intent must also include evidence that the Florida Community  
26 College System institution engaged in need, demand, and impact  
27 discussions with the state university and other regionally  
28 accredited postsecondary education providers in its service  
29 district.

30 (b) The Chancellor of the Florida Community College System  
31 Division of Florida Colleges to forward the notice of intent  
32 submitted pursuant to paragraph (a) and the justification for  
33 the proposed baccalaureate degree program required under  
34 paragraph (c) within 10 business days after receiving such  
35 notice and justification to the Chancellor of the State  
36 University System, the president of the Independent Colleges and  
37 Universities of Florida, and the Executive Director of the  
38 Commission for Independent Education. State universities ~~shall~~  
39 have 60 days following receipt of the notice of intent and



917820

40 justification by the Chancellor of the State University System  
41 to submit an objection and a reason for the objection to the  
42 proposed baccalaureate degree program, which may include  
43 ~~objections to the proposed new program or submit~~ an alternative  
44 proposal to offer the baccalaureate degree program. The  
45 Chancellor of the State University System shall review the  
46 objection raised by a state university and inform the Board of  
47 Governors of the objection before a state university submits its  
48 objection to the Chancellor of the Florida Community College  
49 System. The Chancellor of the Florida Community College System  
50 must consult with the Chancellor of the State University System  
51 to consider the objection raised by the state university before  
52 the State Board of Community Colleges approves or denies a  
53 Florida Community College System institution's proposal  
54 submitted pursuant to paragraph (c). ~~If a proposal from a state~~  
55 ~~university is not received within the 60-day period,~~ The  
56 Chancellor of the Florida Community College System State Board  
57 ~~of Education~~ shall also provide regionally accredited private  
58 colleges and universities 60 ~~30~~ days to submit an objection and  
59 a reason for the objection to the proposed baccalaureate degree  
60 program, which may include an alternative proposal to offer a  
61 baccalaureate degree program ~~objections to the proposed new~~  
62 ~~program or submit an alternative proposal.~~ Objections by a  
63 regionally accredited private college or university ~~or~~  
64 ~~alternative proposals~~ shall be submitted to the Chancellor of  
65 the Florida Community College System, and the state board must  
66 consider such objections before ~~Division of Florida Colleges and~~  
67 ~~must be considered by the State Board of Education in~~ making its  
68 decision to approve or deny a Florida Community College System



917820

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

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

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

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

77 ~~3. The level of financial commitment of the college or~~  
78 ~~university to the development, implementation, and maintenance~~  
79 ~~of the specified degree program, including timelines.~~

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

83 ~~5. The ability of the Florida College System institution~~  
84 ~~and the college or university to develop and approve the~~  
85 ~~curriculum for the specified degree program within 6 months~~  
86 ~~after an agreement between the Florida College System~~  
87 ~~institution and the college or university is signed.~~

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

91 (c)(d) Each Florida Community College System institution to  
92 submit a baccalaureate degree program proposal at least 100 days  
93 after submitting the notice of intent. Each proposal must  
94 ~~submitted by a Florida College System institution to, at a~~  
95 ~~minimum, include:~~

96 ~~1. A description of the planning process and timeline for~~  
97 ~~implementation.~~



917820

98           2. A justification for the proposed baccalaureate degree  
99 program, including, at a minimum, a data-driven ~~An~~ analysis of  
100 workforce demand and unmet need for graduates of the program on  
101 a district, regional, or statewide basis, as appropriate, and  
102 the extent to which the proposed program will meet the workforce  
103 demand and unmet need. The analysis must include workforce and  
104 employment data for the most recent years and projections by the  
105 Department of Economic Opportunity for future years, and a  
106 summary of degree programs similar to the proposed degree  
107 program which are currently offered by state universities or by  
108 independent nonprofit colleges or universities that are eligible  
109 to participate in a grant program pursuant to s. 1009.89 and  
110 which are located in the Florida Community College System  
111 institution's regional service area. The analysis and evidence  
112 must be verified by the Chancellor of the Florida Community  
113 College System ~~including evidence from entities independent of~~  
114 the institution.

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

117           4. The program cost analysis of creating a new  
118 baccalaureate degree when compared to ~~alternative proposals and~~  
119 other program delivery options.

120           5. The program's admission requirements, academic content,  
121 curriculum, faculty credentials, student-to-teacher ratios, and  
122 accreditation plan.

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

125           a. The impact of the program's enrollment projections on  
126 compliance with the upper-level enrollment provisions under



917820

127 subsection (6); and

128 b. The institution's efforts to sustain the program at the  
129 cost of tuition and fees for students who are classified as  
130 residents for tuition purposes under s. 1009.21, not to exceed  
131 \$10,000 for the entire degree program, including flexible  
132 tuition and fee rates, and the use of waivers pursuant to s.  
133 1009.26(11).

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

135 (d)(e) The State Board of Community Division of Florida  
136 Colleges to review the proposal, notify the Florida Community  
137 College System institution of any deficiencies in writing within  
138 30 days following receipt of the proposal, and provide the  
139 Florida Community College System institution with an opportunity  
140 to correct the deficiencies. Within 45 days following receipt of  
141 a completed proposal by the State Board of Community Division of  
142 Florida Colleges, the Chancellor of the Florida Community  
143 College System Commissioner of Education shall recommend  
144 approval or disapproval of the proposal to the State Board of  
145 Community Colleges Education. The State Board of Community  
146 Colleges Education shall consider such recommendation, the  
147 proposal, input from the Chancellor of the State University  
148 System and the president of the Independent Colleges and  
149 Universities of Florida, and any objections or alternative  
150 proposals at its next meeting. If the State Board of Community  
151 Colleges Education disapproves the Florida Community College  
152 System institution's proposal, it shall provide the Florida  
153 Community College System institution with written reasons for  
154 that determination.

155 (e)(f) The Florida Community College System institution to



917820

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

161 ~~(f)~~ ~~(g)~~ The Florida Community College System institution to  
162 notify the Commission on Colleges of the Southern Association of  
163 Colleges and Schools of subsequent degree programs that are  
164 approved by the State Board of Community Colleges ~~Education~~ and  
165 to comply with the association's required substantive change  
166 protocols for accreditation purposes.

167 ~~(g)~~ ~~(h)~~ The Florida Community College System institution to  
168 annually report to the State Board of Community Colleges, the  
169 Chancellor of the State University System, and upon request of  
170 ~~the State Board of Education, the Commissioner of Education, the~~  
171 ~~Chancellor of the Florida College System, or the Legislature,~~  
172 ~~report~~ its status using the following performance and compliance  
173 indicators:

- 174 1. Obtaining and maintaining appropriate Southern  
175 Association of Colleges and Schools accreditation;
- 176 2. Maintaining qualified faculty and institutional  
177 resources;
- 178 3. Maintaining student enrollment in previously approved  
179 programs;
- 180 4. Managing fiscal resources appropriately;
- 181 5. Complying with the primary mission and responsibility  
182 requirements in subsections (2) and (3); ~~and~~
- 183 6. Other indicators of success, including program  
184 completions, employment and earnings outcomes, student



917820

185 acceptance into and performance in graduate programs placements,  
186 and surveys of graduates and employers; and-

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

192 8. Complying with the upper-level enrollment provisions  
193 under subsection (6).

194  
195 The State Board of Community Colleges Education, upon annual  
196 review of the baccalaureate degree program performance and  
197 compliance indicators and needs assessment, may require a  
198 Florida Community College System institution's board of trustees  
199 to modify or terminate a baccalaureate degree program authorized  
200 under this section. If the annual review indicates negative  
201 program performance and compliance results, and if the needs  
202 assessment fails to demonstrate a need for the program, the  
203 State Board of Community Colleges must require a Florida  
204 Community College System institution's board of trustees to  
205 terminate that baccalaureate degree program.

206 (6) (a) If the 2015-2016 total upper-level, undergraduate  
207 full-time equivalent enrollment at a Florida Community College  
208 System institution is at or above 8 percent of the 2015-2016  
209 combined total lower-level and upper-level full-time equivalent  
210 enrollment at that institution, the total upper-level  
211 enrollment, as a percentage of the combined enrollment, may not  
212 increase by more than 2 percentage points unless the institution  
213 obtains prior legislative approval.





214 (b) If the 2015-2016 total upper-level, undergraduate full-  
215 time equivalent enrollment at a Florida Community College System  
216 institution is below 8 percent of the 2015-2016 combined total  
217 lower-level and upper-level full-time equivalent enrollment at  
218 that institution, the total upper-level enrollment, as a  
219 percentage of the combined enrollment, may not increase by more  
220 than 4 percentage points unless the institution obtains prior  
221 legislative approval.

222 (c) Within the 2 percent or 4 percent growth authorized  
223 under paragraph (a) or paragraph (b), for any planned and  
224 purposeful expansion of existing baccalaureate degree programs  
225 or creation of a new baccalaureate program, a community college  
226 must demonstrate satisfactory performance in fulfilling its  
227 primary mission pursuant to s. 1004.65, executing at least one  
228 "2+2" targeted pathway articulation agreement pursuant to s.  
229 1007.23, and meeting or exceeding the performance standards  
230 related to on-time completion and graduation rates under s.  
231 1001.66 for students earning associate of arts or baccalaureate  
232 degrees. The State Board of Community Colleges may not approve a  
233 new baccalaureate degree program proposal for a community  
234 college that does not meet the conditions specified in this  
235 subsection in addition to the other requirements for approval  
236 under this section. Each community college that offers a  
237 baccalaureate degree must annually review each baccalaureate  
238 degree program and annually report to the State Board of  
239 Community Colleges, in a format prescribed by the state board,  
240 current and projected student enrollment for such program,  
241 justification for continuation of each baccalaureate degree  
242 program, and a plan to comply with the upper-level enrollment



917820

243 provisions of this subsection. A Florida Community College  
244 System institution that does not comply with the requirements of  
245 this section is subject to s. 1001.602(9) and may not report for  
246 funding, the upper-level, undergraduate full-time equivalent  
247 enrollment that exceeds the upper-level enrollment percent  
248 provision of this subsection.

249 (7)-(6) The State Board of Community Colleges Education  
250 shall adopt rules to prescribe format and content requirements  
251 and submission procedures for notices of interest and intent,  
252 baccalaureate degree program proposals, objections, proposals,  
253 alternative proposals, and compliance reviews under subsection  
254 (5).



743182

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Farmer)  
recommended the following:

**Senate Amendment to Amendment (917820)**

Delete lines 208 - 222

and insert:

System institution is at or above 10 percent of the 2015-2016  
combined total lower-level and upper-level full-time equivalent  
enrollment at that institution, the total upper-level  
enrollment, as a percentage of the combined enrollment, may not  
increase by more than 4 percentage points unless the institution  
obtains prior legislative approval.



743182

11       (b) If the 2015-2016 total upper-level, undergraduate full-  
12 time equivalent enrollment at a Florida Community College System  
13 institution is below 10 percent of the 2015-2016 combined total  
14 lower-level and upper-level full-time equivalent enrollment at  
15 that institution, the total upper-level enrollment, as a  
16 percentage of the combined enrollment, may not increase by more  
17 than 8 percentage points unless the institution obtains prior  
18 legislative approval.

19       (c) Notwithstanding enrollment provisions in paragraphs (a)  
20 and (b), the upper-level, undergraduate full-time equivalent  
21 enrollment at a Florida Community College System institution may  
22 not exceed 15 percent of the combined total lower-level and  
23 upper-level full-time equivalent enrollment at that institution.

24       (d) Within the 4 percent or 8 percent growth authorized



248140

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment**

Delete line 4674  
and insert:  
College System institutions, shall collaborate to approve, at  
least annually,



696568

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment**

Delete line 6925  
and insert:  
with the procedure established by chapter 274.



189024

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Galvano)  
recommended the following:

**Senate Amendment**

Delete lines 7345 - 7346

and insert:

Section 122. Except as otherwise expressly provided in this act, and except for this section, which shall take effect upon becoming a law, this act shall take effect October 1, 2017.



320988

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/17/2017	.	
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Appropriations Subcommittee on Higher Education (Farmer)  
recommended the following:

**Senate Amendment**

Delete lines 4326 - 4338

and insert:

System institution is at or above 10 percent of the 2015-2016  
combined total lower-level and upper-level full-time equivalent  
enrollment at that institution, the total upper-level  
enrollment, as a percentage of the combined enrollment, may not  
increase by more than 4 percentage points unless the institution  
obtains prior legislative approval.





320988

11           (b) If the 2015-2016 total upper-level, undergraduate full-  
12 time equivalent enrollment at a Florida Community College System  
13 institution is below 10 percent of the 2015-2016 combined total  
14 lower-level and upper-level full-time equivalent enrollment at  
15 that institution, the total upper-level enrollment, as a  
16 percentage of the combined enrollment, may not increase by more  
17 than 8 percentage points unless the institution obtains prior

By the Committee on Education; and Senators Hukill, Galvano, and Simpson

581-01712-17

2017374c1

A bill to be entitled

1 An act relating to postsecondary education; providing  
 2 a short title; renaming the Florida College System as  
 3 the Florida Community College System; creating the  
 4 State Board of Community Colleges; requiring the  
 5 Governor to appoint the membership of the board;  
 6 providing that the appointments are subject to  
 7 confirmation by the Senate; requiring the Division of  
 8 Florida Colleges to provide administrative support to  
 9 the board until a specified date; transferring the  
 10 Florida College System and the Division of Florida  
 11 Colleges to the State Board of Community Colleges by a  
 12 specified date; requiring the State Board of Community  
 13 Colleges to appoint a Chancellor of the Florida  
 14 Community College System by a specified date; amending  
 15 s. 20.15, F.S.; removing the Division of Florida  
 16 Colleges from within the Department of Education;  
 17 requiring the department to provide support to the  
 18 State Board of Community Colleges; creating s. 20.156,  
 19 F.S.; creating the State Board of Community Colleges  
 20 and assigning and housing it for administrative  
 21 purposes, only, within the department; providing the  
 22 personnel for the state board; providing the powers  
 23 and duties of the state board; requiring the state  
 24 board to conduct an organizational meeting by a  
 25 specified date; amending s. 1000.03, F.S.; revising  
 26 the function and mission of the Florida K-20 education  
 27 system; requiring the State Board of Community  
 28 Colleges to oversee enforcement of Florida Community  
 29 College System laws and rules; amending s. 1000.05,  
 30 F.S.; requiring the State Board of Community Colleges,  
 31

Page 1 of 254

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

581-01712-17

2017374c1

32 instead of the Commissioner of Education, to make  
 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

Page 2 of 254

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

581-01712-17

2017374c1

61 career center operated by a district school board;  
 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

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

581-01712-17

2017374c1

90 Colleges; amending s. 1004.015, F.S.; providing that  
 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

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581-01712-17

2017374c1

119 1004.71, F.S.; conforming provisions to changes made  
 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

Page 5 of 254

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

581-01712-17

2017374c1

148 the State Board of Education and the Board of  
 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

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177 of Trustees of St. Petersburg College to establish  
 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

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206 requiring the department to maintain a listing of  
 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

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235 each Florida Community College System institution to  
 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

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264 of Community Colleges regarding funds for the  
 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

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293 Colleges with regard to the cooperative development  
 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

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322 administrative support to the State Board of Community Colleges  
 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)~~ ~~(c)~~ Division of Career and Adult Education.

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

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

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

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



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409 Florida Statutes, are amended to read:

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.

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438 1008.31, and to avoid wasteful duplication of programs offered  
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

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467 of members of both genders.

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.

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

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

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525 submit data and information necessary to determine compliance  
 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

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

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

575 1001.02 General powers of State Board of Education.—

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

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583 it for the improvement of the state system of K-20 public  
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

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612 the academic skills necessary to succeed in postsecondary  
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

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641 nonpublic agencies for the improvement of conditions relating to  
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

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670 except as otherwise provided by law.

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

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699 be formulated in conjunction with plans of the Board of  
 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

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728 financial aid for Florida students and shall be updated every 5  
 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~~

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757 concerning the institutions are conducted, as necessary, for  
 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~~

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786 the Florida College System institution mission. At a minimum,  
 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.~~

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815 ~~An agreement may provide for concurrent enrollment at the~~  
 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

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844 University System and the Florida Community College System, in  
 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

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873 institution's mission. The results of the program reviews shall  
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,

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902 employment, transfer rates, licensure passage, excess hours,  
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:

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

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960 ~~practice.~~

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

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989 criteria:

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.

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

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1047 private sources and from fees derived from services and  
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,

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1076 budget and funding allocations, and the development with local  
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,

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1105 thus promoting diversity and choices within the public technical  
 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.

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1134 Courses shall be delineated by the course prefix and title  
 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

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1163 institution by the Commission on Colleges of the Southern  
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."

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

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1221 rules pursuant to ss. 120.536(1) and 120.54 to implement  
 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

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1250 skills generally associated with successful performance and  
 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

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1279 institution, before registration, to provide each enrolled  
 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.

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1308 (t) Establish criteria for making recommendations  
 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 1001.67, 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



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1337 statements of the Florida Community College System and each  
 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

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1366 include recommendations for repealing or modifying existing  
 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:

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1395 (a) Personnel.  
 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

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1424 Community College System institution and the state university  
 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.

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

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1482 College System institution board of trustees is unwilling or  
 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

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1511 inspector general shall conduct, coordinate, or request  
 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

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1540 board districts, as provided by rules of the State Board of  
 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

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1569 the institution and all aspects of its operation are responsible  
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 State Board of Community College's  
1597 department's inspector general if the board considers such

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1598 investigation necessary. The inspector general shall provide a  
1599 report detailing each issue under investigation and shall  
1600 recommend corrective action. If the inspector general identifies  
1601 potential legal violations, he or she shall refer the potential  
1602 legal violations to the Commission on Ethics, the Department of  
1603 Law Enforcement, the Attorney General, or another appropriate  
1604 authority.

1605 (4) (a) The board of trustees, after considering  
1606 recommendations submitted by the Florida Community College  
1607 System institution president, may adopt rules pursuant to ss.  
1608 120.536(1) and 120.54 to implement the provisions of law  
1609 conferring duties upon it. These rules may supplement those  
1610 prescribed by the State Board of Community Colleges Education if  
1611 they will contribute to the more orderly and efficient operation  
1612 of Florida Community College System institutions.

1613 (b) Each board of trustees is specifically authorized to  
1614 adopt rules, procedures, and policies, consistent with law and  
1615 rules of the State Board of Community Colleges Education,  
1616 related to its mission and responsibilities as set forth in s.  
1617 1004.65, its governance, personnel, budget and finance,  
1618 administration, programs, curriculum and instruction, buildings  
1619 and grounds, travel and purchasing, technology, students,  
1620 contracts and grants, or college property.

1621 (5) Each board of trustees shall have responsibility for  
1622 the use, maintenance, protection, and control of Florida  
1623 Community College System institution owned or Florida Community  
1624 College System institution controlled buildings and grounds,  
1625 property and equipment, name, trademarks and other proprietary  
1626 marks, and the financial and other resources of the Florida

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1627 Community College System institution. Such authority may include  
 1628 placing restrictions on activities and on access to facilities,  
 1629 firearms, food, tobacco, alcoholic beverages, distribution of  
 1630 printed materials, commercial solicitation, animals, and sound.

1631 (6) Each board of trustees has responsibility for the  
 1632 establishment and discontinuance of program and course offerings  
 1633 in accordance with law and rule; provision for instructional and  
 1634 noninstructional community services, location of classes, and  
 1635 services provided; and dissemination of information concerning  
 1636 such programs and services. New programs must be approved  
 1637 pursuant to s. 1004.03.

1638 (7) Each board of trustees has responsibility for+ ensuring  
 1639 that students have access to general education courses as  
 1640 identified in rule; requiring no more than 60 semester hours of  
 1641 degree program coursework, including 36 semester hours of  
 1642 general education coursework, for an associate in arts degree;  
 1643 notifying students that earned hours in excess of 60 semester  
 1644 hours may not be accepted by state universities; notifying  
 1645 students of unique program prerequisites; and ensuring that  
 1646 degree program coursework beyond general education coursework is  
 1647 consistent with degree program prerequisite requirements adopted  
 1648 pursuant to s. 1007.25(5).

1649 (8) Each board of trustees has authority for policies  
 1650 related to students, enrollment of students, student records,  
 1651 student activities, financial assistance, and other student  
 1652 services.

1653 (a) Each board of trustees shall govern admission of  
 1654 students pursuant to s. 1007.263 and rules of the State Board of  
 1655 Community Colleges Education. A board of trustees may establish

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1656 additional admissions criteria, which shall be included in the  
 1657 dual enrollment articulation agreement developed according to s.  
 1658 1007.271(21), to ensure student readiness for postsecondary  
 1659 instruction. Each board of trustees may consider the past  
 1660 actions of any person applying for admission or enrollment and  
 1661 may deny admission or enrollment to an applicant because of  
 1662 misconduct if determined to be in the best interest of the  
 1663 Florida Community College System institution.

1664 (b) Each board of trustees shall adopt rules establishing  
 1665 student performance standards for the award of degrees and  
 1666 certificates pursuant to s. 1004.68.

1667 (c) Boards of trustees are authorized to establish  
 1668 intrainstitutional and interinstitutional programs to maximize  
 1669 articulation pursuant to s. 1007.22.

1670 (d) Boards of trustees shall identify their general  
 1671 education curricula pursuant to s. 1007.25(6).

1672 (e) Each board of trustees must adopt a written antihazing  
 1673 policy, provide a program for the enforcement of such rules, and  
 1674 adopt appropriate penalties for violations of such rules  
 1675 pursuant to the provisions of s. 1006.63.

1676 (f) Each board of trustees may establish a uniform code of  
 1677 conduct and appropriate penalties for violation of its rules by  
 1678 students and student organizations, including rules governing  
 1679 student academic honesty. Such penalties, unless otherwise  
 1680 provided by law, may include fines, the withholding of diplomas  
 1681 or transcripts pending compliance with rules or payment of  
 1682 fines, and the imposition of probation, suspension, or  
 1683 dismissal.

1684 (g) Each board of trustees pursuant to s. 1006.53 shall

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1685 adopt a policy in accordance with rules of the State Board of  
 1686 Community Colleges Education that reasonably accommodates the  
 1687 religious observance, practice, and belief of individual  
 1688 students in regard to admissions, class attendance, and the  
 1689 scheduling of examinations and work assignments.

1690 (9) A board of trustees may contract with the board of  
 1691 trustees of a state university for the Florida Community College  
 1692 System institution to provide developmental education on the  
 1693 state university campus.

1694 (10) Each board of trustees shall establish fees pursuant  
 1695 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1696 (11) Each board of trustees shall submit an institutional  
 1697 budget request, including a request for fixed capital outlay,  
 1698 and an operating budget to the State Board of Community Colleges  
 1699 Education for review in accordance with guidelines established  
 1700 by the State Board of Community Colleges Education.

1701 (12) Each board of trustees shall account for expenditures  
 1702 of all state, local, federal, and other funds in the manner  
 1703 described by the State Board of Community Colleges Department of  
 1704 Education.

1705 (13) Each board of trustees is responsible for the uses for  
 1706 the proceeds of academic improvement trust funds pursuant to s.  
 1707 1011.85.

1708 (14) Each board of trustees shall develop a strategic plan  
 1709 specifying institutional goals and objectives for the Florida  
 1710 Community College System institution for recommendation to the  
 1711 State Board of Community Colleges Education.

1712 (15) Each board of trustees shall develop an accountability  
 1713 plan pursuant to s. 1008.45.

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1714 (16) Each board of trustees must expend performance funds  
 1715 provided for workforce education pursuant to the provisions of  
 1716 s. 1011.80.

1717 (17) Each board of trustees is accountable for performance  
 1718 in certificate career education and diploma programs pursuant to  
 1719 s. 1008.43.

1720 (18) Each board of trustees shall establish the personnel  
 1721 program for all employees of the Florida Community College  
 1722 System institution, including the president, pursuant to the  
 1723 provisions of chapter 1012 and rules and guidelines of the State  
 1724 Board of Community Colleges Education, including: compensation  
 1725 and other conditions of employment; recruitment and selection;  
 1726 nonreappointment; standards for performance and conduct;  
 1727 evaluation; benefits and hours of work; leave policies;  
 1728 recognition; inventions and work products; travel; learning  
 1729 opportunities; exchange programs; academic freedom and  
 1730 responsibility; promotion; assignment; demotion; transfer;  
 1731 ethical obligations and conflict of interest; restrictive  
 1732 covenants; disciplinary actions; complaints; appeals and  
 1733 grievance procedures; and separation and termination from  
 1734 employment.

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

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1743 performance goals established by the accountability process  
 1744 implemented pursuant to s. 1008.45 and the performance of the  
 1745 president in achieving the annual and long-term goals and  
 1746 objectives established in the Florida Community College System  
 1747 institution's employment accountability program implemented  
 1748 pursuant to s. 1012.86.

1749 (20) Each board of trustees is authorized to enter into  
 1750 contracts to provide a State Community College System Optional  
 1751 Retirement Program pursuant to s. 1012.875 and to enter into  
 1752 consortia with other boards of trustees for this purpose.

1753 (21) Each board of trustees is authorized to purchase  
 1754 annuities for its Florida Community College System institution  
 1755 personnel who have 25 or more years of creditable service and  
 1756 who have reached age 55 and have applied for retirement under  
 1757 the Florida Retirement System pursuant to the provisions of s.  
 1758 1012.87.

1759 (22) A board of trustees may defray all costs of defending  
 1760 civil actions against officers, employees, or agents of the  
 1761 board of trustees pursuant to s. 1012.85.

1762 (23) Each board of trustees has authority for risk  
 1763 management, safety, security, and law enforcement operations.  
 1764 Each board of trustees is authorized to employ personnel,  
 1765 including police officers pursuant to s. 1012.88, to carry out  
 1766 the duties imposed by this subsection.

1767 (24) Each board of trustees shall provide rules governing  
 1768 parking and the direction and flow of traffic within campus  
 1769 boundaries. Except for sworn law enforcement personnel, persons  
 1770 employed to enforce campus parking rules have no authority to  
 1771 arrest or issue citations for moving traffic violations. The

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1772 board of trustees may adopt a uniform code of appropriate  
 1773 penalties for violations. Such penalties, unless otherwise  
 1774 provided by law, may include the levying of fines, the  
 1775 withholding of diplomas or transcripts pending compliance with  
 1776 rules or payment of fines, and the imposition of probation,  
 1777 suspension, or dismissal. Moneys collected from parking rule  
 1778 infractions shall be deposited in appropriate funds at each  
 1779 Florida Community College System institution for student  
 1780 financial aid purposes.

1781 (25) Each board of trustees constitutes the contracting  
 1782 agent of the Florida Community College System institution. It  
 1783 may when acting as a body make contracts, sue, and be sued in  
 1784 the name of the board of trustees. In any suit, a change in  
 1785 personnel of the board of trustees shall not abate the suit,  
 1786 which shall proceed as if such change had not taken place.

1787 (26) Each board of trustees is authorized to contract for  
 1788 the purchase, sale, lease, license, or acquisition in any  
 1789 manner, including purchase by installment or lease-purchase  
 1790 contract which may provide for the payment of interest on the  
 1791 unpaid portion of the purchase price and for the granting of a  
 1792 security interest in the items purchased, subject to the  
 1793 provisions of subsection (38) and ss. 1009.22 and 1009.23, of  
 1794 goods, materials, equipment, and services required by the  
 1795 Florida Community College System institution. The board of  
 1796 trustees may choose to consolidate equipment contracts under  
 1797 master equipment financing agreements made pursuant to s.  
 1798 287.064.

1799 (27) Each board of trustees shall be responsible for  
 1800 managing and protecting real and personal property acquired or

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1801 held in trust for use by and for the benefit of such Florida  
 1802 Community College System institution. To that end, any board of  
 1803 trustees is authorized to be self-insured, to enter into risk  
 1804 management programs, or to purchase insurance for whatever  
 1805 coverage it may choose, or to have any combination thereof, in  
 1806 anticipation of any loss, damage, or destruction. A board of  
 1807 trustees may contract for self-insurance services pursuant to s.  
 1808 1004.725.

1809 (28) Each board of trustees is authorized to enter into  
 1810 agreements for, and accept, credit card, charge card, and debit  
 1811 card payments as compensation for goods, services, tuition, and  
 1812 fees. Each Florida Community College System institution is  
 1813 further authorized to establish accounts in credit card, charge  
 1814 card, and debit card banks for the deposit of sales invoices.

1815 (29) Each board of trustees may provide incubator  
 1816 facilities to eligible small business concerns pursuant to s.  
 1817 1004.79.

1818 (30) Each board of trustees may establish a technology  
 1819 transfer center for the purpose of providing institutional  
 1820 support to local business and industry and governmental agencies  
 1821 in the application of new research in technology pursuant to the  
 1822 provisions of s. 1004.78.

1823 (31) Each board of trustees may establish economic  
 1824 development centers for the purpose of serving as liaisons  
 1825 between Florida Community College System institutions and the  
 1826 business sector pursuant to the provisions of s. 1004.80.

1827 (32) Each board of trustees may establish a child  
 1828 development training center pursuant to s. 1004.81.

1829 (33) Each board of trustees is authorized to develop and

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1830 produce work products relating to educational endeavors that are  
 1831 subject to trademark, copyright, or patent statutes pursuant to  
 1832 chapter 1004.

1833 (34) Each board of trustees shall administer the facilities  
 1834 program pursuant to chapter 1013, including but not limited to:  
 1835 the construction of public educational and ancillary plants; the  
 1836 acquisition and disposal of property; compliance with building  
 1837 and life safety codes; submission of data and information  
 1838 relating to facilities and construction; use of buildings and  
 1839 grounds; establishment of safety and sanitation programs for the  
 1840 protection of building occupants; and site planning and  
 1841 selection.

1842 (35) Each board of trustees may exercise the right of  
 1843 eminent domain pursuant to the provisions of chapter 1013.

1844 (36) Each board of trustees may enter into lease-purchase  
 1845 arrangements with private individuals or corporations for  
 1846 necessary grounds and buildings for Florida Community College  
 1847 System institution purposes, other than dormitories, or for  
 1848 buildings other than dormitories to be erected for Florida  
 1849 Community College System institution purposes. Such arrangements  
 1850 shall be paid from capital outlay and debt service funds as  
 1851 provided by s. 1011.84(2), with terms not to exceed 30 years at  
 1852 a stipulated rate. The provisions of such contracts, including  
 1853 building plans, are subject to approval by the Department of  
 1854 Education, and no such contract may be entered into without such  
 1855 approval.

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

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1859 College System institution.

1860 (38) Each board of trustees is authorized to enter into  
 1861 short-term loans and installment, lease-purchase, and other  
 1862 financing contracts for a term of not more than 5 years,  
 1863 including renewals, extensions, and refundings. Payments on  
 1864 short-term loans and installment, lease-purchase, and other  
 1865 financing contracts pursuant to this subsection shall be subject  
 1866 to annual appropriation by the board of trustees. Each board of  
 1867 trustees is authorized to borrow funds and incur long-term debt,  
 1868 including promissory notes, installment sales agreements, lease-  
 1869 purchase agreements, certificates of participation, and other  
 1870 similar long-term financing arrangements, only as specifically  
 1871 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At  
 1872 the option of the board of trustees, bonds issued pursuant to  
 1873 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured  
 1874 by a combination of revenues authorized to be pledged to bonds  
 1875 pursuant to such subsections. Revenue bonds may not be secured  
 1876 by or paid from, directly or indirectly, tuition, financial aid  
 1877 fees, the Florida Community College System Program Fund, or any  
 1878 other operating revenues of a Florida Community College System  
 1879 institution. Lease-purchase agreements may be secured by a  
 1880 combination of revenues as specifically authorized pursuant to  
 1881 ss. 1009.22(7) and 1009.23(10).

1882 (39) Each board of trustees shall prescribe conditions for  
 1883 direct-support organizations to be certified and to use Florida  
 1884 Community College System institution property and services.  
 1885 Conditions relating to certification must provide for audit  
 1886 review and oversight by the board of trustees.

1887 (40) Each board of trustees may adopt policies pursuant to

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1888 s. 1010.02 that provide procedures for transferring to the  
 1889 direct-support organization of that Florida Community College  
 1890 System institution for administration by such organization  
 1891 contributions made to the Florida Community College System  
 1892 institution.

1893 (41) The board of trustees shall exert every effort to  
 1894 collect all delinquent accounts pursuant to s. 1010.03.

1895 (42) Each board of trustees shall implement a plan, in  
 1896 accordance with guidelines of the State Board of Community  
 1897 Colleges ~~Education~~, for working on a regular basis with the  
 1898 other Florida Community College System institution boards of  
 1899 trustees, representatives of the university boards of trustees,  
 1900 and representatives of the district school boards to achieve the  
 1901 goals of the seamless education system.

1902 (43) Each board of trustees has responsibility for  
 1903 compliance with state and federal laws, rules, regulations, and  
 1904 requirements.

1905 (44) Each board of trustees may adopt rules, procedures,  
 1906 and policies related to institutional governance,  
 1907 administration, and management in order to promote orderly and  
 1908 efficient operation, including, but not limited to, financial  
 1909 management, budget management, physical plant management, and  
 1910 property management.

1911 (45) Each board of trustees may adopt rules and procedures  
 1912 related to data or technology, including, but not limited to,  
 1913 information systems, communications systems, computer hardware  
 1914 and software, and networks.

1915 (46) Each board of trustees may consider the past actions  
 1916 of any person applying for employment and may deny employment to

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1917 a person because of misconduct if determined to be in the best  
1918 interest of the Florida Community College System institution.

1919 (47) Each contract or employment agreement, or renewal or  
1920 renegotiation of an existing contract or employment agreement,  
1921 containing a provision for severance pay with an officer, agent,  
1922 employee, or contractor must include the provisions required in  
1923 s. 215.425.

1924 (48) Each board of trustees shall use purchasing agreements  
1925 and state term contracts pursuant to s. 287.056 or enter into  
1926 consortia and cooperative agreements to maximize the purchasing  
1927 power for goods and services. A consortium or cooperative  
1928 agreement may be statewide, regional, or a combination of  
1929 institutions, as appropriate to achieve the lowest cost, with  
1930 the goal of achieving a 5-percent savings on existing contract  
1931 prices through the use of new cooperative arrangements or new  
1932 consortium contracts.

1933 Section 20. Section 1001.65, Florida Statutes, is amended  
1934 to read:

1935 1001.65 Florida Community College System institution  
1936 presidents; powers and duties.—The president is the chief  
1937 executive officer of the Florida Community College System  
1938 institution, shall be corporate secretary of the Florida  
1939 Community College System institution board of trustees, and is  
1940 responsible for the operation and administration of the Florida  
1941 Community College System institution. Each Florida Community  
1942 College System institution president shall:

1943 (1) Recommend the adoption of rules, as appropriate, to the  
1944 Florida Community College System institution board of trustees  
1945 to implement provisions of law governing the operation and

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1946 administration of the Florida Community College System  
1947 institution, which shall include the specific powers and duties  
1948 enumerated in this section. Such rules shall be consistent with  
1949 law, the mission of the Florida Community College System  
1950 institution, and the rules and policies of the State Board of  
1951 Community Colleges Education.

1952 (2) Prepare a budget request and an operating budget  
1953 pursuant to s. 1011.30 for approval by the Florida Community  
1954 College System institution board of trustees at such time and in  
1955 such format as the State Board of Community Colleges Education  
1956 may prescribe.

1957 (3) Establish and implement policies and procedures to  
1958 recruit, appoint, transfer, promote, compensate, evaluate,  
1959 reward, demote, discipline, and remove personnel, within law and  
1960 rules of the State Board of Community College Education and in  
1961 accordance with rules or policies approved by the Florida  
1962 Community College System institution board of trustees.

1963 (4) Govern admissions, subject to law and rules or policies  
1964 of the Florida Community College System institution board of  
1965 trustees and the State Board of Community Colleges Education.

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

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1975 institution board of trustees, and are for the implementation of  
 1976 approved programs of the Florida Community College System  
 1977 institution.

1978 (6) Act for the Florida Community College System  
 1979 institution board of trustees as custodian of all Florida  
 1980 Community College System institution property and financial  
 1981 resources. The authority vested in the Florida Community College  
 1982 System institution president under this subsection includes the  
 1983 authority to prioritize the use of Florida Community College  
 1984 System institution space, property, equipment, and resources and  
 1985 the authority to impose charges for the use of those items.

1986 (7) Establish the internal academic calendar of the Florida  
 1987 Community College System institution within general guidelines  
 1988 of the State Board of Community Colleges ~~Education~~.

1989 (8) Administer the Florida Community College System  
 1990 institution's program of intercollegiate athletics.

1991 (9) Recommend to the board of trustees the establishment  
 1992 and termination of programs within the approved role and scope  
 1993 of the Florida Community College System institution.

1994 (10) Award degrees.

1995 (11) Recommend to the board of trustees a schedule of  
 1996 tuition and fees to be charged by the Florida Community College  
 1997 System institution, within law and rules of the State Board of  
 1998 Community Colleges ~~Education~~.

1999 (12) Organize the Florida Community College System  
 2000 institution to efficiently and effectively achieve the goals of  
 2001 the Florida Community College System institution.

2002 (13) Review periodically the operations of the Florida  
 2003 Community College System institution in order to determine how

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2004 effectively and efficiently the Florida Community College System  
 2005 institution is being administered and whether it is meeting the  
 2006 goals of its strategic plan adopted by the State Board of  
 2007 Community Colleges ~~Education~~.

2008 (14) Enter into agreements for student exchange programs  
 2009 that involve students at the Florida Community College System  
 2010 institution and students in other institutions of higher  
 2011 learning.

2012 (15) Approve the internal procedures of student government  
 2013 organizations and provide purchasing, contracting, and budgetary  
 2014 review processes for these organizations.

2015 (16) Ensure compliance with federal and state laws, rules,  
 2016 regulations, and other requirements that are applicable to the  
 2017 Florida Community College System institution.

2018 (17) Maintain all data and information pertaining to the  
 2019 operation of the Florida Community College System institution,  
 2020 and report on the attainment by the Florida Community College  
 2021 System institution of institutional and statewide performance  
 2022 accountability goals.

2023 (18) Certify to the department a project's compliance with  
 2024 the requirements for expenditure of PECO funds prior to release  
 2025 of funds pursuant to ~~the provisions of~~ chapter 1013.

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

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2033 year, revised floor plans and other relevant documents for each  
2034 educational facility that was modified during the preceding  
2035 year.

2036 (20) Develop and implement jointly with school  
2037 superintendents a comprehensive dual enrollment articulation  
2038 agreement for the students enrolled in their respective school  
2039 districts and service areas pursuant to s. 1007.271(21).

2040 (21) Have authority, after notice to the student of the  
2041 charges and after a hearing thereon, to expel, suspend, or  
2042 otherwise discipline any student who is found to have violated  
2043 any law, ordinance, or rule or regulation of the State Board of  
2044 Community Colleges Education or of the board of trustees of the  
2045 Florida Community College System institution pursuant to the  
2046 provisions of s. 1006.62.

2047 (22) Submit an annual employment accountability plan to the  
2048 State Board of Community Colleges Department of Education  
2049 pursuant to the provisions of s. 1012.86.

2050 (23) Annually evaluate, or have a designee annually  
2051 evaluate, each department chairperson, dean, provost, and vice  
2052 president in achieving the annual and long-term goals and  
2053 objectives of the Florida Community College System institution's  
2054 employment accountability plan.

2055 (24) Have vested with the president or the president's  
2056 designee the authority that is vested with the Florida Community  
2057 College System institution.

2058 Section 21. Section 1001.66, Florida Statutes, is amended  
2059 to read:

2060 1001.66 Florida Community College System Performance-Based  
2061 Incentive.-

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2062 (1) A Florida Community College System Performance-Based  
2063 Incentive shall be awarded to Florida Community College System  
2064 institutions using performance-based metrics adopted by the  
2065 State Board of Community Colleges Education. The performance-  
2066 based metrics must include retention rates; program completion  
2067 and graduation rates; postgraduation employment, salaries, and  
2068 continuing education for workforce education and baccalaureate  
2069 programs, with wage thresholds that reflect the added value of  
2070 the certificate or degree; and outcome measures appropriate for  
2071 associate of arts degree recipients. The state board shall adopt  
2072 benchmarks to evaluate each institution's performance on the  
2073 metrics to measure the institution's achievement of  
2074 institutional excellence or need for improvement and the minimum  
2075 requirements for eligibility to receive performance funding.

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

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2091 restored for all institutions eligible for the state's  
2092 investment under the performance-based funding model.

2093 (3) (a) Each Florida Community College System institution's  
2094 share of the performance funding shall be calculated based on  
2095 its relative performance on the established metrics in  
2096 conjunction with the institutional size and scope.

2097 (b) A Florida Community College System institution that  
2098 fails to meet the State Board of Community Colleges' Education's  
2099 minimum institutional investment performance funding eligibility  
2100 threshold shall have a portion of its institutional investment  
2101 withheld by the state board and must submit an improvement plan  
2102 to the state board which specifies the activities and strategies  
2103 for improving the institution's performance. The state board  
2104 must review and approve the improvement plan and, if the plan is  
2105 approved, must monitor the institution's progress in  
2106 implementing the activities and strategies specified in the  
2107 improvement plan. The institution shall submit monitoring  
2108 reports to the state board by December 31 and May 31 of each  
2109 year in which an improvement plan is in place. Beginning in the  
2110 2017-2018 fiscal year, the ability of an institution to submit  
2111 an improvement plan to the state board is limited to 1 fiscal  
2112 year.

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

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2120 withheld institutional investment in January and the balance of  
2121 the withheld institutional investment in June. An institution  
2122 that fails to make satisfactory progress may not have its full  
2123 institutional investment restored. Any institutional investment  
2124 funds that are not restored shall be redistributed in accordance  
2125 with the state board's performance-based metrics.

2126 (4) Distributions of performance funding, as provided in  
2127 this section, shall be made to each of the Florida Community  
2128 College System institutions listed in the Florida Community  
2129 Colleges category in the General Appropriations Act.

2130 (5) By October 1 of each year, the State Board of Community  
2131 Colleges Education shall submit to the Governor, the President  
2132 of the Senate, and the Speaker of the House of Representatives a  
2133 report on the previous fiscal year's performance funding  
2134 allocation, which must reflect the rankings and award  
2135 distributions.

2136 (6) The State Board of Community Colleges Education shall  
2137 adopt rules to administer this section.

2138 Section 22. Section 1001.67, Florida Statutes, is amended  
2139 to read:

2140 1001.67 Distinguished Florida Community College System  
2141 Institution Program.—A collaborative partnership is established  
2142 between the State Board of Community Colleges Education and the  
2143 Legislature to recognize the excellence of Florida's highest-  
2144 performing Florida Community College System institutions.

2145 (1) EXCELLENCE STANDARDS.—The following excellence  
2146 standards are established for the program:

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

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2149 Colleges.

2150 (b) A 150 percent-of-normal-time completion rate for Pell  
2151 Grant recipients of 40 percent or higher, as calculated by the  
2152 State Board of Community Division of Florida Colleges.

2153 (c) A retention rate of 70 percent or higher, as calculated  
2154 by the State Board of Community Division of Florida Colleges.

2155 (d) A continuing education, or transfer, rate of 72 percent  
2156 or higher for students graduating with an associate of arts  
2157 degree, as reported by the Florida Education and Training  
2158 Placement Information Program (FETPIP).

2159 (e) A licensure passage rate on the National Council  
2160 Licensure Examination for Registered Nurses (NCLEX-RN) of 90  
2161 percent or higher for first-time exam takers, as reported by the  
2162 Board of Nursing.

2163 (f) A job placement or continuing education rate of 88  
2164 percent or higher for workforce programs, as reported by FETPIP.

2165 (g) A time-to-degree for students graduating with an  
2166 associate of arts degree of 2.25 years or less for first-time-  
2167 in-college students with accelerated college credits, as  
2168 reported by the Southern Regional Education Board.

2169 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of  
2170 Community Colleges Education shall designate each Florida  
2171 Community College System institution that meets five of the  
2172 seven standards identified in subsection (1) as a distinguished  
2173 college.

2174 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community  
2175 College System institution designated as a distinguished college  
2176 by the State Board of Community Colleges Education is eligible  
2177 for funding as specified in the General Appropriations Act.

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2178 Section 23. Subsection (9) of section 1001.706, Florida  
2179 Statutes, is amended to read:

2180 1001.706 Powers and duties of the Board of Governors.—

2181 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors  
2182 shall implement a plan for working on a regular basis with the  
2183 State Board of Education, the State Board of Community Colleges,  
2184 the Commission for Independent Education, the Higher Education  
2185 Coordinating Council, the Articulation Coordinating Committee,  
2186 the university boards of trustees, representatives of the  
2187 Florida Community College System institution boards of trustees,  
2188 representatives of the private colleges and universities, and  
2189 representatives of the district school boards to achieve a  
2190 seamless education system.

2191 Section 24. Subsections (1) and (18) of section 1002.34,  
2192 Florida Statutes, are amended to read:

2193 1002.34 Charter technical career centers; governance,  
2194 mission, and responsibilities.—

2195 (1) MISSION AND AUTHORIZATION.—

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

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2207 technical career center may be formed by creating a new school  
 2208 or converting an existing school district or Florida Community  
 2209 College System institution program to charter technical status.

2210 (b) A charter technical career center that is operated by a  
 2211 district school board may not offer a college credit course or a  
 2212 college credit certificate or an associate degree or  
 2213 baccalaureate degree program.

2214 (18) RULES.—The State Board of Education, for technical  
 2215 centers operated by school districts, and the State Board of  
 2216 Community Colleges, for technical centers operated by Florida  
 2217 Community College System institutions, shall adopt rules,  
 2218 pursuant to ss. 120.536(1) and 120.54, relating to the  
 2219 implementation of charter technical career centers, including  
 2220 rules to implement a charter model application form and an  
 2221 evaluation instrument in accordance with this section.

2222 Section 25. Paragraph (b) of subsection (4) of section  
 2223 1003.491, Florida Statutes, is amended to read:

2224 1003.491 Florida Career and Professional Education Act.—The  
 2225 Florida Career and Professional Education Act is created to  
 2226 provide a statewide planning partnership between the business  
 2227 and education communities in order to attract, expand, and  
 2228 retain targeted, high-value industry and to sustain a strong,  
 2229 knowledge-based economy.

2230 (4) The State Board of Education shall establish a process  
 2231 for the continual and uninterrupted review of newly proposed  
 2232 core secondary courses and existing courses requested to be  
 2233 considered as core courses to ensure that sufficient rigor and  
 2234 relevance is provided for workforce skills and postsecondary  
 2235 education and aligned to state curriculum standards.

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2236 (b) The curriculum review committee shall review newly  
 2237 proposed core courses electronically. Each proposed core course  
 2238 shall be approved or denied within 30 days after submission by a  
 2239 district school board or local workforce development board. All  
 2240 courses approved as core courses for purposes of middle school  
 2241 promotion and high school graduation shall be immediately added  
 2242 to the Course Code Directory. Approved core courses shall also  
 2243 be reviewed and considered for approval for dual enrollment  
 2244 credit. The Board of Governors, the State Board of Community  
 2245 Colleges, and the Commissioner of Education shall jointly  
 2246 recommend an annual deadline for approval of new core courses to  
 2247 be included for purposes of postsecondary admissions and dual  
 2248 enrollment credit the following academic year. The State Board  
 2249 of Education shall establish an appeals process in the event  
 2250 that a proposed course is denied which shall require a consensus  
 2251 ruling by the Department of Economic Opportunity and the  
 2252 Commissioner of Education within 15 days.

2253 Section 26. Paragraph (b) of subsection (4) of section  
 2254 1003.493, Florida Statutes, is amended to read:

2255 1003.493 Career and professional academies and career-  
 2256 themed courses.—

2257 (4) Each career and professional academy and secondary  
 2258 school providing a career-themed course must:

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

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2265 themed courses that earn postsecondary credit. Such agreements  
 2266 may include articulation between the secondary school and public  
 2267 or private 2-year and 4-year postsecondary institutions and  
 2268 technical centers. The Department of Education, in consultation  
 2269 with the Board of Governors and the State Board of Community  
 2270 Colleges, shall establish a mechanism to ensure articulation and  
 2271 transfer of credits to postsecondary institutions in this state.  
 2272 Such partnerships must provide opportunities for:

- 2273 1. Instruction from highly skilled professionals who
- 2274 possess industry-certification credentials for courses they are
- 2275 teaching.
- 2276 2. Internships, externships, and on-the-job training.
- 2277 3. A postsecondary degree, diploma, or certificate.
- 2278 4. The highest available level of industry certification.
- 2279 5. Maximum articulation of credits pursuant to s. 1007.23
- 2280 upon program completion.

2281 Section 27. Subsections (4), (5), and (6) of section  
 2282 1004.015, Florida Statutes, are amended to read:

2283 1004.015 Higher Education Coordinating Council.—

2284 (4) The council shall serve as an advisory board to the  
 2285 Legislature, the State Board of Education, ~~and~~ the Board of  
 2286 Governors, and the State Board of Community Colleges.  
 2287 Recommendations of the council shall be consistent with the  
 2288 following guiding principles:

- 2289 (a) To achieve within existing resources a seamless
- 2290 academic educational system that fosters an integrated continuum
- 2291 of kindergarten through graduate school education for Florida's
- 2292 students.
- 2293 (b) To promote consistent education policy across all

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2294 educational delivery systems, focusing on students.

2295 (c) To promote substantially improved articulation across  
 2296 all educational delivery systems.

2297 (d) To promote a system that maximizes educational access  
 2298 and allows the opportunity for a high-quality education for all  
 2299 Floridians.

2300 (e) To promote a system of coordinated and consistent  
 2301 transfer of credit and data collection for improved  
 2302 accountability purposes between the educational delivery  
 2303 systems.

2304 (5) The council shall annually by December 31 submit to the  
 2305 Governor, the President of the Senate, the Speaker of the House  
 2306 of Representatives, the Board of Governors, the State Board of  
 2307 Community Colleges, and the State Board of Education a report  
 2308 outlining its recommendations relating to:

2309 (a) The primary core mission of public and nonpublic  
 2310 postsecondary education institutions in the context of state  
 2311 access demands and economic development goals.

2312 (b) Performance outputs and outcomes designed to meet  
 2313 annual and long-term state goals, including, but not limited to,  
 2314 increased student access, preparedness, retention, transfer, and  
 2315 completion. Performance measures must be consistent across  
 2316 sectors and allow for a comparison of the state's performance to  
 2317 that of other states.

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

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2323 state articulation policies.

2324 (d) Workforce development education, specifically  
2325 recommending improvements to the consistency of workforce  
2326 education data collected and reported by Florida Community  
2327 College System institutions and school districts, including the  
2328 establishment of common elements and definitions for any data  
2329 that is used for state and federal funding and program  
2330 accountability.

2331 (6) The Office of K-20 Articulation, in collaboration with  
2332 the Board of Governors and the State Board of Community Division  
2333 ~~of Florida~~ Colleges, shall provide administrative support for  
2334 the council.

2335 Section 28. Subsection (7) of section 1004.02, Florida  
2336 Statutes, is amended to read:

2337 1004.02 Definitions.—As used in this chapter:

2338 (7) "Applied technology diploma program" means a course of  
2339 study that is part of a technical degree program, is less than  
2340 60 credit hours, and leads to employment in a specific  
2341 occupation. An applied technology diploma program may consist of  
2342 either technical credit or college credit. A public school  
2343 district may offer an applied technology diploma program only as  
2344 technical credit, with college credit awarded to a student upon  
2345 articulation to a Florida Community College System institution.  
2346 Statewide articulation among public schools and Florida  
2347 Community College System institutions is guaranteed by s.  
2348 1007.23, and is subject to guidelines and standards adopted by  
2349 the State Board of Community Colleges Education pursuant to ss.  
2350 1007.24 and 1007.25.

2351 Section 29. Subsection (2) of section 1004.03, Florida

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2352 Statutes, is amended to read:

2353 1004.03 Program approval.—

2354 (2) The State Board of Community Colleges Education shall  
2355 establish criteria for the approval of new programs at Florida  
2356 Community College System institutions, which criteria include,  
2357 but are not limited to, the following:

2358 (a) New programs may not be approved unless the same  
2359 objectives cannot be met through use of educational technology.

2360 (b) Unnecessary duplication of programs offered by  
2361 independent institutions shall be avoided.

2362 (c) Cooperative programs, particularly within regions,  
2363 should be encouraged.

2364 (d) New programs may be approved only if they are  
2365 consistent with the ~~state master~~ plan adopted by the State Board  
2366 of Community Colleges Education.

2367 Section 30. Paragraph (f) of subsection (4) of section  
2368 1004.04, Florida Statutes, is amended to read:

2369 1004.04 Public accountability and state approval for  
2370 teacher preparation programs.—

2371 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a  
2372 teacher preparation program shall be based upon evidence that  
2373 the program continues to implement the requirements for initial  
2374 approval and upon significant, objective, and quantifiable  
2375 measures of the program and the performance of the program  
2376 completers.

2377 (f) By January 1 of each year, the Department of Education  
2378 shall report the results of each approved program's annual  
2379 progress on the performance measures in paragraph (a) as well as  
2380 the current approval status of each program to:

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2381 1. The Governor.  
 2382 2. The President of the Senate.  
 2383 3. The Speaker of the House of Representatives.  
 2384 4. The State Board of Education.  
 2385 5. The Board of Governors.  
 2386 6. The State Board of Community Colleges.  
 2387 7. The Commissioner of Education.  
 2388 ~~8.7-~~ Each Florida postsecondary teacher preparation  
 2389 program.  
 2390 ~~9.8-~~ Each district school superintendent.  
 2391 ~~10.9-~~ The public.  
 2392  
 2393 This report may include the results of other continued approval  
 2394 requirements provided by State Board of Education rule and  
 2395 recommendations for improving teacher preparation programs in  
 2396 the state.  
 2397 Section 31. Section 1004.07, Florida Statutes, is amended  
 2398 to read:  
 2399 1004.07 Student withdrawal from courses due to military  
 2400 service; effect.—  
 2401 (1) Each district school board, Florida Community College  
 2402 System institution board of trustees, and state university board  
 2403 of trustees shall establish policies regarding currently  
 2404 enrolled students who are called to, or enlist in, active  
 2405 military service.  
 2406 (2) Such policies must ~~shall~~ provide that any student  
 2407 enrolled in a postsecondary course or courses at a career  
 2408 center, a Florida Community College System institution, or a  
 2409 state university may ~~shall~~ not incur academic or financial

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2410 penalties by virtue of performing military service on behalf of  
 2411 our country. Such student shall be permitted the option of  
 2412 either completing the course or courses at a later date without  
 2413 penalty or withdrawing from the course or courses with a full  
 2414 refund of fees paid. If the student chooses to withdraw, the  
 2415 student's record shall reflect that the withdrawal is due to  
 2416 active military service.  
 2417 (3) Policies of district school boards must ~~and Florida~~  
 2418 ~~College System institution boards of trustees shall~~ be  
 2419 established by rule and pursuant to guidelines of the State  
 2420 Board of Education.  
 2421 (4) Policies of state university boards of trustees must  
 2422 ~~shall~~ be established by regulation and pursuant to guidelines of  
 2423 the Board of Governors.  
 2424 (5) Policies of Florida Community College System  
 2425 institution boards of trustees must be established by rule and  
 2426 pursuant to guidelines of the State Board of Community Colleges.  
 2427 Section 32. Section 1004.084, Florida Statutes, is amended  
 2428 to read:  
 2429 1004.084 College affordability.—  
 2430 (1) The Board of Governors and the State Board of Community  
 2431 Colleges Education shall annually identify strategies to promote  
 2432 college affordability for all Floridians by evaluating, at a  
 2433 minimum, the impact of:  
 2434 (a) Tuition and fees on undergraduate, graduate, and  
 2435 professional students at public colleges and universities and  
 2436 graduate assistants employed by public universities.  
 2437 (b) Federal, state, and institutional financial aid  
 2438 policies on the actual cost of attendance for students and their

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2439 families.

2440 (c) The costs of textbooks and instructional materials.

2441 (2) By December 31 of each year, ~~beginning in 2016,~~ the2442 Board of Governors and the State Board of Community Colleges2443 ~~Education~~ shall submit a report on their respective college

2444 affordability initiatives to the Governor, the President of the

2445 Senate, and the Speaker of the House of Representatives.

2446 Section 33. Paragraph (d) of subsection (3) and subsections

2447 (6), (7), and (8) of section 1004.085, Florida Statutes, are

2448 amended to read:

2449 1004.085 Textbook and instructional materials

2450 affordability.-

2451 (3) An employee may receive:

2452 (d) Fees associated with activities such as reviewing,

2453 critiquing, or preparing support materials for textbooks or

2454 instructional materials pursuant to guidelines adopted by the

2455 State Board of Community Colleges ~~Education~~ or the Board of

2456 Governors.

2457 (6) Each Florida Community College System institution and

2458 state university shall post prominently in the course

2459 registration system and on its website, as early as is feasible,

2460 but at least 45 days before the first day of class for each

2461 term, a hyperlink to lists of required and recommended textbooks

2462 and instructional materials for at least 95 percent of all

2463 courses and course sections offered at the institution during

2464 the upcoming term. The lists must include the International

2465 Standard Book Number (ISBN) for each required and recommended

2466 textbook and instructional material or other identifying

2467 information, which must include, at a minimum, all of the

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2468 following: the title, all authors listed, publishers, edition

2469 number, copyright date, published date, and other relevant

2470 information necessary to identify the specific textbooks or

2471 instructional materials required and recommended for each

2472 course. The State Board of Community Colleges ~~Education~~ and the

2473 Board of Governors shall include in the policies, procedures,

2474 and guidelines adopted under subsection (7) certain limited

2475 exceptions to this notification requirement for classes added

2476 after the notification deadline.

2477 (7) After receiving input from students, faculty,

2478 bookstores, and publishers, the State Board of Community2479 Colleges ~~Education~~ and the Board of Governors each shall adopt

2480 textbook and instructional materials affordability policies,

2481 procedures, and guidelines for implementation by Florida

2482 Community College System institutions and state universities,

2483 respectively, that further efforts to minimize the cost of

2484 textbooks and instructional materials for students attending

2485 such institutions while maintaining the quality of education and

2486 academic freedom. The policies, procedures, and guidelines shall

2487 address:

2488 (a) The establishment of deadlines for an instructor or

2489 department to notify the bookstore of required and recommended

2490 textbooks and instructional materials so that the bookstore may

2491 verify availability, source lower cost options when practicable,

2492 explore alternatives with faculty when academically appropriate,

2493 and maximize the availability of used textbooks and

2494 instructional materials.

2495 (b) Confirmation by the course instructor or academic

2496 department offering the course, before the textbook or

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2497 instructional materials adoption is finalized, of the intent to  
 2498 use all items ordered, particularly each individual item sold as  
 2499 part of a bundled package.

2500 (c) Determination by a course instructor or the academic  
 2501 department offering the course, before a textbook or  
 2502 instructional material is adopted, of the extent to which a new  
 2503 edition differs significantly and substantively from earlier  
 2504 versions and the value to the student of changing to a new  
 2505 edition or the extent to which an open-access textbook or  
 2506 instructional material is available.

2507 (d) The availability of required and recommended textbooks  
 2508 and instructional materials to students otherwise unable to  
 2509 afford the cost, including consideration of the extent to which  
 2510 an open-access textbook or instructional material may be used.

2511 (e) Participation by course instructors and academic  
 2512 departments in the development, adaptation, and review of open-  
 2513 access textbooks and instructional materials and, in particular,  
 2514 open-access textbooks and instructional materials for high-  
 2515 demand general education courses.

2516 (f) Consultation with school districts to identify  
 2517 practices that impact the cost of dual enrollment textbooks and  
 2518 instructional materials to school districts, including, but not  
 2519 limited to, the length of time that textbooks and instructional  
 2520 materials remain in use.

2521 (g) Selection of textbooks and instructional materials  
 2522 through cost-benefit analyses that enable students to obtain the  
 2523 highest-quality product at the lowest available price, by  
 2524 considering:

2525 1. Purchasing digital textbooks in bulk.

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2526 2. Expanding the use of open-access textbooks and  
 2527 instructional materials.

2528 3. Providing rental options for textbooks and instructional  
 2529 materials.

2530 4. Increasing the availability and use of affordable  
 2531 digital textbooks and learning objects.

2532 5. Developing mechanisms to assist in buying, renting,  
 2533 selling, and sharing textbooks and instructional materials.

2534 6. The length of time that textbooks and instructional  
 2535 materials remain in use.

2536 7. An evaluation of cost savings for textbooks and  
 2537 instructional materials which a student may realize if  
 2538 individual students are able to exercise opt-in provisions for  
 2539 the purchase of the materials.

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

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2555 shall provide a summary of the information provided by  
 2556 institutions to the State Board of Community Colleges ~~Education~~  
 2557 and the Board of Governors, as applicable.

2558 Section 34. Section 1004.096, Florida Statutes, is amended  
 2559 to read:

2560 1004.096 College credit for military training and education  
 2561 courses.—The Board of Governors shall adopt regulations and the  
 2562 State Board of Community Colleges ~~Education~~ shall adopt rules  
 2563 that enable eligible servicemembers or veterans of the United  
 2564 States Armed Forces to earn academic college credit at public  
 2565 postsecondary educational institutions for college-level  
 2566 training and education acquired in the military. The regulations  
 2567 and rules shall include procedures for credential evaluation and  
 2568 the award of academic college credit, including, but not limited  
 2569 to, equivalency and alignment of military coursework with  
 2570 appropriate college courses, course descriptions, type and  
 2571 amount of college credit that may be awarded, and transfer of  
 2572 credit.

2573 Section 35. Section 1004.0961, Florida Statutes, is amended  
 2574 to read:

2575 1004.0961 Credit for online courses.—~~Beginning in the 2015-~~  
 2576 ~~2016 school year,~~ The State Board of Community Colleges  
 2577 ~~Education~~ shall adopt rules and the Board of Governors shall  
 2578 adopt regulations that enable students to earn academic credit  
 2579 for online courses, including massive open online courses,  
 2580 before initial enrollment at a postsecondary institution. The  
 2581 rules of the State Board of Community Colleges ~~Education~~ and  
 2582 regulations of the Board of Governors must include procedures  
 2583 for credential evaluation and the award of credit, including,

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2584 but not limited to, recommendations for credit by the American  
 2585 Council on Education; equivalency and alignment of coursework  
 2586 with appropriate courses; course descriptions; type and amount  
 2587 of credit that may be awarded; and transfer of credit.

2588 Section 36. Section 1004.35, Florida Statutes, is amended  
 2589 to read:

2590 1004.35 Broward County campuses of Florida Atlantic  
 2591 University; coordination with other institutions.—The State  
 2592 Board of Community Colleges ~~Education~~, the Board of Governors,  
 2593 and Florida Atlantic University shall consult with Broward  
 2594 College and Florida International University in coordinating  
 2595 course offerings at the postsecondary level in Broward County.  
 2596 Florida Atlantic University may contract with the Board of  
 2597 Trustees of Broward College and with Florida International  
 2598 University to provide instruction in courses offered at the  
 2599 Southeast Campus. Florida Atlantic University shall increase  
 2600 course offerings at the Southeast Campus as facilities become  
 2601 available.

2602 Section 37. Paragraphs (c) and (d) of subsection (5) and  
 2603 subsections (8) and (9) of section 1004.6495, Florida Statutes,  
 2604 are amended to read:

2605 1004.6495 Florida Postsecondary Comprehensive Transition  
 2606 Program and Florida Center for Students with Unique Abilities.—

2607 (5) CENTER RESPONSIBILITIES.—The Florida Center for  
 2608 Students with Unique Abilities is established within the  
 2609 University of Central Florida. At a minimum, the center shall:

2610 (c) Create the application for the initial approval and  
 2611 renewal of approval as an FPCTP for use by an eligible  
 2612 institution which, at a minimum, must align with the federal

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2613 comprehensive transition and postsecondary program application  
 2614 requirements. Notwithstanding the program approval requirements  
 2615 of s. 1004.03, the director shall review applications for the  
 2616 initial approval of an application for, or renewal of approval  
 2617 of, an FPCTP.

2618 1. Within 30 days after receipt of an application, the  
 2619 director shall issue his or her recommendation regarding  
 2620 approval to the Chancellor of the State University System, ~~or~~  
 2621 the Chancellor of the Florida Community College System, or the  
 2622 Commissioner of Education, as applicable, or shall give written  
 2623 notice to the applicant of any deficiencies in the application,  
 2624 which the eligible institution must be given an opportunity to  
 2625 correct. Within 15 days after receipt of a notice of  
 2626 deficiencies, an eligible institution that chooses to continue  
 2627 to seek program approval shall correct the application  
 2628 deficiencies and return the application to the center. Within 30  
 2629 days after receipt of a revised application, the director shall  
 2630 recommend approval or disapproval of the revised application to  
 2631 the applicable chancellor ~~or the commissioner, as applicable.~~  
 2632 Within 15 days after receipt of the director's recommendation,  
 2633 the applicable chancellor ~~or the commissioner~~ shall approve or  
 2634 disapprove the recommendation. If the applicable chancellor ~~or~~  
 2635 ~~the commissioner~~ does not act on the director's recommendation  
 2636 within 15 days after receipt of such recommendation, the  
 2637 comprehensive transition program proposed by the institution  
 2638 shall be considered approved.

2639 2. Initial approval of an application for an FPCTP that  
 2640 meets the requirements of this section is valid for the 3  
 2641 academic years immediately following the academic year during

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2642 which the approval is granted. An eligible institution may  
 2643 submit an application to the center requesting that the initial  
 2644 approval be renewed. If the approval is granted and the FPCTP  
 2645 continues to meet the requirements of this section, including,  
 2646 but not limited to, program and student performance outcomes,  
 2647 and federal requirements, a renewal is valid for the 5 academic  
 2648 years immediately following the academic year during which the  
 2649 renewal is granted.

2650 3. An application must, at a minimum:

- 2651 a. Identify a credential associated with the proposed  
 2652 program which will be awarded to eligible students upon  
 2653 completion of the FPCTP.
- 2654 b. Outline the program length and design, including, at a  
 2655 minimum, inclusive and successful experiential education  
 2656 practices relating to curricular, assessment, and advising  
 2657 structure and internship and employment opportunities, which  
 2658 must support students with intellectual disabilities who are  
 2659 seeking to continue academic, career and technical, and  
 2660 independent living instruction at an eligible institution,  
 2661 including, but not limited to, opportunities to earn industry  
 2662 certifications, to prepare students for gainful employment. If  
 2663 an eligible institution offers a credit-bearing degree program,  
 2664 the institution is responsible for maintaining the rigor and  
 2665 effectiveness of a comprehensive transition degree program at  
 2666 the same level as other comparable degree programs offered by  
 2667 the institution pursuant to applicable accreditation standards.
- 2668 c. Outline a plan for students with intellectual  
 2669 disabilities to be integrated socially and academically with  
 2670 nondisabled students, to the maximum extent possible, and to

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2671 participate on not less than a half-time basis, as determined by  
 2672 the eligible institution, with such participation focusing on  
 2673 academic components and occurring through one or more of the  
 2674 following activities with nondisabled students:

2675 (I) Regular enrollment in credit-bearing courses offered by  
 2676 the institution.

2677 (II) Auditing or participating in courses offered by the  
 2678 institution for which the student does not receive academic  
 2679 credit.

2680 (III) Enrollment in noncredit-bearing, nondegree courses.

2681 (IV) Participation in internships or work-based training.

2682 d. Outline a plan for partnerships with businesses to  
 2683 promote experiential training and employment opportunities for  
 2684 students with intellectual disabilities.

2685 e. Identify performance indicators pursuant to subsection  
 2686 (8) and other requirements identified by the center.

2687 f. Outline a 5-year plan incorporating enrollment and  
 2688 operational expectations for the program.

2689 (d) Provide technical assistance regarding programs and  
 2690 services for students with intellectual disabilities to  
 2691 administrators, instructors, staff, and others, as applicable,  
 2692 at eligible institutions by:

2693 1. Holding meetings and annual workshops to share  
 2694 successful practices and to address issues or concerns.

2695 2. Facilitating collaboration between eligible institutions  
 2696 and school districts, private schools operating pursuant to s.  
 2697 1002.42, and parents of students enrolled in home education  
 2698 programs operating pursuant to s. 1002.41 in assisting students  
 2699 with intellectual disabilities and their parents to plan for the

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2700 transition of such students into an FPCTP or another program at  
 2701 an eligible institution.

2702 3. Assisting eligible institutions with FPCTP and federal  
 2703 comprehensive transition and postsecondary program applications.

2704 4. Assisting eligible institutions with the identification  
 2705 of funding sources for an FPCTP and for student financial  
 2706 assistance for students enrolled in an FPCTP.

2707 5. Monitoring federal and state law relating to the  
 2708 comprehensive transition program and notifying the Legislature,  
 2709 the Governor, the Board of Governors, the State Board of  
 2710 Community Colleges, and the State Board of Education of any  
 2711 change in law which may impact the implementation of this  
 2712 section.

2713 (8) ACCOUNTABILITY.—

2714 (a) The center, in collaboration with the Board of  
 2715 Governors and the State Board of Community Colleges Education,  
 2716 shall identify indicators for the satisfactory progress of a  
 2717 student in an FPCTP and for the performance of such programs.  
 2718 Each eligible institution must address the indicators identified  
 2719 by the center in its application for the approval of a proposed  
 2720 program and for the renewal of an FPCTP and in the annual report  
 2721 that the institution submits to the center.

2722 (b) By October 1 of each year, the center shall provide to  
 2723 the Governor, the President of the Senate, the Speaker of the  
 2724 House of Representatives, the Chancellor of the State University  
 2725 System, and the Chancellor of the Florida Community College  
 2726 System ~~Commissioner of Education~~ a report summarizing  
 2727 information including, but not limited to:

2728 1. The status of the statewide coordination of FPCTPs and



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2729 the implementation of FPCTPs at eligible institutions including,  
2730 but not limited to:

2731 a. The number of applications approved and disapproved and  
2732 the reasons for each disapproval and no action taken by the  
2733 chancellor or the commissioner.

2734 b. The number and value of all scholarships awarded to  
2735 students and undisbursed advances remitted to the center  
2736 pursuant to subsection (7).

2737 2. Indicators identified by the center pursuant to  
2738 paragraph (a) and the performance of each eligible institution  
2739 based on the indicators identified in paragraph (6)(c).

2740 3. The projected number of students with intellectual  
2741 disabilities who may be eligible to enroll in the FPCTPs within  
2742 the next academic year.

2743 4. Education programs and services for students with  
2744 intellectual disabilities which are available at eligible  
2745 institutions.

2746 (c) Beginning in the 2016-2017 fiscal year, the center, in  
2747 collaboration with the Board of Governors, State Board of  
2748 Community Colleges Education, Higher Education Coordinating  
2749 Council, and other stakeholders, by December 1 of each year,  
2750 shall submit to the Governor, the President of the Senate, and  
2751 the Speaker of the House of Representatives statutory and budget  
2752 recommendations for improving the implementation and delivery of  
2753 FPCTPs and other education programs and services for students  
2754 with disabilities.

2755 (9) RULES.—The Board of Governors and the State Board of  
2756 Community Colleges Education, in consultation with the center,  
2757 shall expeditiously adopt any necessary regulations and rules,

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2758 as applicable, to allow the center to perform its  
2759 responsibilities pursuant to this section beginning in the 2016-  
2760 2017 fiscal year.

2761 Section 38. Section 1004.65, Florida Statutes, is amended  
2762 to read:

2763 1004.65 Florida Community College System institutions;  
2764 governance, mission, and responsibilities.—

2765 (1) Each Florida Community College System institution shall  
2766 be governed by a district board of trustees under statutory  
2767 authority and rules of the State Board of Community Colleges  
2768 Education.

2769 (2) Each Florida Community College System institution  
2770 district shall:

2771 (a) Consist of the county or counties served by the Florida  
2772 Community College System institution pursuant to s. 1000.21(3).

2773 (b) Be an independent, separate, legal entity created for  
2774 the operation of a Florida Community College System institution.

2775 (3) Florida Community College System institutions are  
2776 locally based and governed entities with statutory and funding  
2777 ties to state government. As such, the mission for Florida  
2778 Community College System institutions reflects a commitment to  
2779 be responsive to local educational needs and challenges. In  
2780 achieving this mission, Florida Community College System  
2781 institutions strive to maintain sufficient local authority and  
2782 flexibility while preserving appropriate legal accountability to  
2783 the state.

2784 (4) As comprehensive institutions, Florida Community  
2785 College System institutions shall provide high-quality,  
2786 affordable education and training opportunities, shall foster a

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2787 climate of excellence, and shall provide opportunities to all  
 2788 while combining high standards with an open-door admission  
 2789 policy for lower-division programs. Florida Community College  
 2790 System institutions shall, as open-access institutions, serve  
 2791 all who can benefit, without regard to age, race, gender, creed,  
 2792 or ethnic or economic background, while emphasizing the  
 2793 achievement of social and educational equity so that all can be  
 2794 prepared for full participation in society.

2795 (5) The primary mission and responsibility of Florida  
 2796 Community College System institutions is responding to community  
 2797 needs for postsecondary academic education and career degree  
 2798 education. This mission and responsibility includes being  
 2799 responsible for:

2800 (a) Providing lower-level ~~lower level~~ undergraduate  
 2801 instruction and awarding associate degrees.

2802 (b) Preparing students directly for careers requiring less  
 2803 than baccalaureate degrees. This may include preparing for job  
 2804 entry, supplementing of skills and knowledge, and responding to  
 2805 needs in new areas of technology. Career education in a Florida  
 2806 Community College System institution consists ~~shall consist~~ of  
 2807 career certificates, nationally recognized industry  
 2808 certifications, credit courses leading to associate in science  
 2809 degrees and associate in applied science degrees, and other  
 2810 programs in fields requiring substantial academic work,  
 2811 background, or qualifications. A Florida Community College  
 2812 System institution may offer career education programs in fields  
 2813 having lesser academic or technical requirements.

2814 (c) Providing student development services, including  
 2815 assessment, student tracking, support for disabled students,

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2816 advisement, counseling, financial aid, career development, and  
 2817 remedial and tutorial services, to ensure student success.

2818 (d) Promoting economic development for the state within  
 2819 each Florida Community College System institution district  
 2820 through the provision of special programs, including, but not  
 2821 limited to, the:

- 2822 1. Enterprise Florida-related programs.
- 2823 2. Technology transfer centers.
- 2824 3. Economic development centers.
- 2825 4. Workforce literacy programs.

2826 (e) Providing dual enrollment instruction.

2827 ~~(f) Providing upper level instruction and awarding~~  
 2828 ~~baccalaureate degrees as specifically authorized by law.~~

2829 (6) A separate and secondary role for Florida Community  
 2830 College System institutions includes ~~the offering of programs~~  
 2831 ~~is~~:

2832 (a) Programs in community services that are not directly  
 2833 related to academic or occupational advancement.

2834 (b) Programs in adult education services, including adult  
 2835 basic education, adult general education, adult secondary  
 2836 education, and high school equivalency examination instruction.

2837 (c) Programs in recreational and leisure services.

2838 (d) Upper-level instruction and awarding baccalaureate  
 2839 degrees as specifically authorized by law.

2840 (7) Funding for Florida Community College System  
 2841 institutions must ~~shall~~ reflect their mission as follows:

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

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2845 funding.

2846 (b) Community service programs shall be presented to the  
2847 Legislature with rationale for state funding. The Legislature  
2848 may identify priority areas for use of these funds.

2849 (c) The resources of a Florida Community College System  
2850 institution, including staff, faculty, land, and facilities, may  
2851 ~~shall~~ not be used to support the establishment of a new  
2852 independent nonpublic educational institution. If any  
2853 institution uses resources for such purpose, the State Board of  
2854 Community Division of Florida Colleges shall notify the  
2855 President of the Senate and the Speaker of the House of  
2856 Representatives.

2857 (8) Florida Community College System institutions are  
2858 authorized to:

2859 (a) Offer such programs and courses as are necessary to  
2860 fulfill their mission.

2861 (b) Grant associate in arts degrees, associate in science  
2862 degrees, associate in applied science degrees, certificates,  
2863 awards, and diplomas.

2864 (c) Make provisions for the high school equivalency  
2865 examination.

2866 (d) Provide access to and award baccalaureate degrees in  
2867 accordance with law.

2868  
2869 Authority to offer one or more baccalaureate degree programs  
2870 does not alter the governance relationship of the Florida  
2871 Community College System institution with its district board of  
2872 trustees or the State Board of Community Colleges Education.

2873 Section 39. Section 1004.67, Florida Statutes, is amended

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2874 to read:

2875 1004.67 Florida Community College System institutions;  
2876 legislative intent.—It is The legislative intent that Florida  
2877 Community College System institutions, constituted as political  
2878 subdivisions of the state, continue to be operated by Florida  
2879 Community College System institution boards of trustees as  
2880 provided in s. 1001.63 and that no department, bureau, division,  
2881 agency, or subdivision of the state exercise any responsibility  
2882 and authority to operate any Florida Community College System  
2883 institution of the state except as specifically provided by law  
2884 or rules of the State Board of Community Colleges Education.

2885 Section 40. Section 1004.70, Florida Statutes, is amended  
2886 to read:

2887 1004.70 Florida Community College System institution  
2888 direct-support organizations.—

2889 (1) DEFINITIONS.—For the purposes of this section:

2890 (a) "Florida Community College System institution direct-  
2891 support organization" means an organization that is:

2892 1. A Florida corporation not for profit, incorporated under  
2893 the provisions of chapter 617 and approved by the Department of  
2894 State.

2895 2. Organized and operated exclusively to receive, hold,  
2896 invest, and administer property and to make expenditures to, or  
2897 for the benefit of, a Florida Community College System  
2898 institution in this state.

2899 3. An organization that the Florida Community College  
2900 System institution board of trustees, after review, has  
2901 certified to be operating in a manner consistent with the goals  
2902 of the Florida Community College System institution and in the

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2903 best interest of the state. Any organization that is denied  
 2904 certification by the board of trustees may not use the name of  
 2905 the Florida Community College System institution that it serves.

2906 (b) "Personal services" includes full-time or part-time  
 2907 personnel as well as payroll processing.

2908 (2) BOARD OF DIRECTORS.—The chair of the board of trustees  
 2909 shall appoint a representative to the board of directors and the  
 2910 executive committee of each direct-support organization  
 2911 established under this section, including those established  
 2912 before July 1, 1998. The president of the Florida Community  
 2913 College System institution for which the direct-support  
 2914 organization is established, or the president's designee, shall  
 2915 also serve on the board of directors and the executive committee  
 2916 of the direct-support organization, including any direct-support  
 2917 organization established before July 1, 1998.

2918 (3) USE OF PROPERTY.—

2919 (a) The board of trustees is authorized to permit the use  
 2920 of property, facilities, and personal services at any Florida  
 2921 Community College System institution by any Florida Community  
 2922 College System institution direct-support organization, subject  
 2923 to the provisions of this section.

2924 (b) The board of trustees is authorized to prescribe by  
 2925 rule any condition with which a Florida Community College System  
 2926 institution direct-support organization must comply in order to  
 2927 use property, facilities, or personal services at any Florida  
 2928 Community College System institution.

2929 (c) The board of trustees may not permit the use of  
 2930 property, facilities, or personal services at any Florida  
 2931 Community College System institution by any Florida Community

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2932 College System institution direct-support organization that does  
 2933 not provide equal employment opportunities to all persons  
 2934 regardless of race, color, national origin, gender, age, or  
 2935 religion.

2936 (4) ACTIVITIES; RESTRICTIONS.—

2937 (a) A direct-support organization may, at the request of  
 2938 the board of trustees, provide residency opportunities on or  
 2939 near campus for students.

2940 (b) A direct-support organization that constructs  
 2941 facilities for use by a Florida Community College System  
 2942 institution or its students must comply with all requirements of  
 2943 law relating to the construction of facilities by a Florida  
 2944 Community College System institution, including requirements for  
 2945 competitive bidding.

2946 (c) Any transaction or agreement between one direct-support  
 2947 organization and another direct-support organization must be  
 2948 approved by the board of trustees.

2949 (d) A Florida Community College System institution direct-  
 2950 support organization is prohibited from giving, either directly  
 2951 or indirectly, any gift to a political committee as defined in  
 2952 s. 106.011 for any purpose other than those certified by a  
 2953 majority roll call vote of the governing board of the direct-  
 2954 support organization at a regularly scheduled meeting as being  
 2955 directly related to the educational mission of the Florida  
 2956 Community College System institution.

2957 (e) A Florida Community College System institution board of  
 2958 trustees must authorize all debt, including lease-purchase  
 2959 agreements, incurred by a direct-support organization.  
 2960 Authorization for approval of short-term loans and lease-

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2961 purchase agreements for a term of not more than 5 years,  
 2962 including renewals, extensions, and refundings, for goods,  
 2963 materials, equipment, and services may be delegated by the board  
 2964 of trustees to the board of directors of the direct-support  
 2965 organization. Trustees shall evaluate proposals for debt  
 2966 according to guidelines issued by the State Board of Community  
 2967 ~~Division of Florida~~ Colleges. Revenues of the Florida Community  
 2968 College System institution may not be pledged to debt issued by  
 2969 direct-support organizations.

2970 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support  
 2971 organization shall submit to the board of trustees its federal  
 2972 Internal Revenue Service Application for Recognition of  
 2973 Exemption form (Form 1023) and its federal Internal Revenue  
 2974 Service Return of Organization Exempt from Income Tax form (Form  
 2975 990).

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

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2990 any information necessary for the auditor's report, any  
 2991 information related to the expenditure of funds, and any  
 2992 supplemental data requested by the board of trustees, the  
 2993 Auditor General, and the Office of Program Policy Analysis and  
 2994 Government Accountability, shall be confidential and exempt from  
 2995 the provisions of s. 119.07(1).

2996 Section 41. Section 1004.71, Florida Statutes, is amended  
 2997 to read:

2998 1004.71 Statewide Florida Community College System  
 2999 institution direct-support organizations.—

3000 (1) DEFINITIONS.—For the purposes of this section:

3001 (a) "Statewide Florida Community College System institution  
 3002 direct-support organization" means an organization that is:

3003 1. A Florida corporation not for profit, incorporated under  
 3004 the provisions of chapter 617 and approved by the Department of  
 3005 State.

3006 2. Organized and operated exclusively to receive, hold,  
 3007 invest, and administer property and to make expenditures to, or  
 3008 for the benefit of, the Florida Community College System  
 3009 institutions in this state.

3010 3. An organization that the State Board of Community  
 3011 Colleges Education, after review, has certified to be operating  
 3012 in a manner consistent with the goals of the Florida Community  
 3013 College System institutions and in the best interest of the  
 3014 state.

3015 (b) "Personal services" includes full-time or part-time  
 3016 personnel as well as payroll processing.

3017 (2) BOARD OF DIRECTORS.—The chair of the State Board of  
 3018 Community Colleges Education may appoint a representative to the

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3019 board of directors and the executive committee of any statewide,  
 3020 direct-support organization established under this section or s.  
 3021 1004.70. The chair of the State Board of Community Colleges  
 3022 ~~Education~~, or the chair's designee, shall also serve on the  
 3023 board of directors and the executive committee of any direct-  
 3024 support organization established to benefit Florida Community  
 3025 College System institutions.

## (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.

3032 (b) The State Board of Education may prescribe by rule any  
 3033 condition with which a statewide Florida Community College  
 3034 System institution direct-support organization must comply in  
 3035 order to use property, facilities, or personal services of the  
 3036 Department of Education.

3037 (c) The State Board of Education may not permit the use of  
 3038 property, facilities, or personal services of the Department of  
 3039 Education by any statewide Florida Community College System  
 3040 institution direct-support organization that does not provide  
 3041 equal employment opportunities to all persons regardless of  
 3042 race, color, national origin, gender, age, or religion.

## (4) RESTRICTIONS.—

3044 (a) A statewide, direct-support organization may not use  
 3045 public funds to acquire, construct, maintain, or operate any  
 3046 facilities.

3047 (b) Any transaction or agreement between a statewide,

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3048 direct-support organization and any other direct-support  
 3049 organization must be approved by the State Board of Community  
 3050 Colleges Education.

3051 (c) A statewide Florida Community College System  
 3052 institution direct-support organization is prohibited from  
 3053 giving, either directly or indirectly, any gift to a political  
 3054 committee as defined in s. 106.011 for any purpose other than  
 3055 those certified by a majority roll call vote of the governing  
 3056 board of the direct-support organization at a regularly  
 3057 scheduled meeting as being directly related to the educational  
 3058 mission of the State Board of Community Colleges Education.

3059 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support  
 3060 organization shall submit to the State Board of Community  
 3061 Colleges Education its federal Internal Revenue Service  
 3062 Application for Recognition of Exemption form (Form 1023) and  
 3063 its federal Internal Revenue Service Return of Organization  
 3064 Exempt from Income Tax form (Form 990).

3065 (6) ANNUAL AUDIT.—A statewide Florida Community College  
 3066 System institution direct-support organization shall provide for  
 3067 an annual financial audit in accordance with s. 1004.70. The  
 3068 identity of a donor or prospective donor who desires to remain  
 3069 anonymous and all information identifying such donor or  
 3070 prospective donor are confidential and exempt from the  
 3071 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 3072 Constitution. Such anonymity shall be maintained in the  
 3073 auditor's report.

3074 Section 42. Subsection (4) of section 1004.74, Florida  
 3075 Statutes, is amended to read:

3076 1004.74 Florida School of the Arts.—

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3077 (4) The Council for the Florida School of the Arts shall be  
 3078 established to advise the Florida Community College System  
 3079 institution district board of trustees on matters pertaining to  
 3080 the operation of the school. The council shall consist of nine  
 3081 members, appointed jointly by the Chancellor of the Florida  
 3082 Community College System and the Commissioner of Education for  
 3083 4-year terms. A member may serve three terms and may serve until  
 3084 replaced.

3085 Section 43. Section 1004.78, Florida Statutes, is amended  
 3086 to read:

3087 1004.78 Technology transfer centers at Florida Community  
 3088 College System institutions.-

3089 (1) Each Florida Community College System institution may  
 3090 establish a technology transfer center for the purpose of  
 3091 providing institutional support to local business and industry  
 3092 and governmental agencies in the application of new research in  
 3093 technology. The primary responsibilities of such centers may  
 3094 include: identifying technology research developed by  
 3095 universities, research institutions, businesses, industries, the  
 3096 United States Armed Forces, and other state or federal  
 3097 governmental agencies; determining and demonstrating the  
 3098 application of technologies; training workers to integrate  
 3099 advanced equipment and production processes; and determining for  
 3100 business and industry the feasibility and efficiency of  
 3101 accommodating advanced technologies.

3102 (2) The Florida Community College System institution board  
 3103 of trustees shall set such policies to regulate the activities  
 3104 of the technology transfer center as it may consider necessary  
 3105 to effectuate the purposes of this section and to administer the

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3106 programs of the center in a manner which assures efficiency and  
 3107 effectiveness, producing the maximum benefit for the educational  
 3108 programs and maximum service to the state. To this end,  
 3109 materials that relate to methods of manufacture or production,  
 3110 potential trade secrets, potentially patentable material, actual  
 3111 trade secrets, business transactions, or proprietary information  
 3112 received, generated, ascertained, or discovered during the  
 3113 course of activities conducted within the Florida Community  
 3114 College System institutions shall be confidential and exempt  
 3115 from the provisions of s. 119.07(1), except that a Florida  
 3116 Community College System institution shall make available upon  
 3117 request the title and description of a project, the name of the  
 3118 investigator, and the amount and source of funding provided for  
 3119 such project.

3120 (3) A technology transfer center created under the  
 3121 provisions of this section shall be under the supervision of the  
 3122 board of trustees of that Florida Community College System  
 3123 institution, which is authorized to appoint a director; to  
 3124 employ full-time and part-time staff, research personnel, and  
 3125 professional services; to employ on a part-time basis personnel  
 3126 of the Florida Community College System institution; and to  
 3127 employ temporary employees whose salaries are paid entirely from  
 3128 the permanent technology transfer fund or from that fund in  
 3129 combination with other nonstate sources, with such positions  
 3130 being exempt from the requirements of the Florida Statutes  
 3131 relating to salaries, except that no such appointment shall be  
 3132 made for a total period of longer than 1 year.

3133 (4) The board of trustees of the Florida Community College  
 3134 System institution in which a technology transfer center is

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3135 created, or its designee, may negotiate, enter into, and execute  
 3136 contracts; solicit and accept grants and donations; and fix and  
 3137 collect fees, other payments, and donations that may accrue by  
 3138 reason thereof for technology transfer activities. The board of  
 3139 trustees or its designee may negotiate, enter into, and execute  
 3140 contracts on a cost-reimbursement basis and may provide  
 3141 temporary financing of such costs prior to reimbursement from  
 3142 moneys on deposit in the technology transfer fund, except as may  
 3143 be prohibited elsewhere by law.

3144 (5) A technology transfer center shall be financed from the  
 3145 Academic Improvement Program or from moneys of a Florida  
 3146 Community College System institution which are on deposit or  
 3147 received for use in the activities conducted in the center. Such  
 3148 moneys shall be deposited by the Florida Community College  
 3149 System institution in a permanent technology transfer fund in a  
 3150 depository or depositories approved for the deposit of state  
 3151 funds and shall be accounted for and disbursed subject to audit  
 3152 by the Auditor General.

3153 (6) The fund balance in any existing research trust fund of  
 3154 a Florida Community College System institution at the time a  
 3155 technology transfer center is created shall be transferred to a  
 3156 permanent technology transfer fund established for the Florida  
 3157 Community College System institution, and thereafter the fund  
 3158 balance of the technology transfer fund at the end of any fiscal  
 3159 period may be used during any succeeding period pursuant to this  
 3160 section.

3161 (7) Moneys deposited in the permanent technology transfer  
 3162 fund of a Florida Community College System institution shall be  
 3163 disbursed in accordance with the terms of the contract, grant,

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3164 or donation under which they are received. Moneys received for  
 3165 overhead or indirect costs and other moneys not required for the  
 3166 payment of direct costs shall be applied to the cost of  
 3167 operating the technology transfer center.

3168 (8) All purchases of a technology transfer center shall be  
 3169 made in accordance with the policies and procedures of the  
 3170 Florida Community College System institution.

3171 (9) The Florida Community College System institution board  
 3172 of trustees may authorize the construction, alteration, or  
 3173 remodeling of buildings when the funds used are derived entirely  
 3174 from the technology transfer fund of a Florida Community College  
 3175 System institution or from that fund in combination with other  
 3176 nonstate sources, provided that such construction, alteration,  
 3177 or remodeling is for use exclusively by the center. It also may  
 3178 authorize the acquisition of real property when the cost is  
 3179 entirely from said funds. Title to all real property shall vest  
 3180 in the board of trustees.

3181 (10) The State Board of Community Colleges ~~Education~~ may  
 3182 award grants to Florida Community College System institutions,  
 3183 or consortia of public and private colleges and universities and  
 3184 other public and private entities, for the purpose of supporting  
 3185 the objectives of this section. Grants awarded pursuant to this  
 3186 subsection shall be in accordance with rules of the State Board  
 3187 of Community Colleges ~~Education~~. Such rules shall include the  
 3188 following provisions:

3189 (a) The number of centers established with state funds  
 3190 provided expressly for the purpose of technology transfer shall  
 3191 be limited, but shall be geographically located to maximize  
 3192 public access to center resources and services.

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3193 (b) Grants to centers funded with state revenues  
 3194 appropriated specifically for technology transfer activities  
 3195 shall be reviewed and approved by the State Board of Community  
 3196 ~~Colleges Education~~ using proposal solicitation, evaluation, and  
 3197 selection procedures established by the state board in  
 3198 consultation with Enterprise Florida, Inc. Such procedures may  
 3199 include designation of specific areas or applications of  
 3200 technology as priorities for the receipt of funding.

3201 (c) Priority for the receipt of state funds appropriated  
 3202 specifically for the purpose of technology transfer shall be  
 3203 given to grant proposals developed jointly by Florida Community  
 3204 College System institutions and public and private colleges and  
 3205 universities.

3206 (11) Each technology transfer center established under the  
 3207 provisions of this section shall establish a technology transfer  
 3208 center advisory committee. Each committee shall include  
 3209 representatives of a university or universities conducting  
 3210 research in the area of specialty of the center. Other members  
 3211 shall be determined by the Florida Community College System  
 3212 institution board of trustees.

3213 Section 44. Subsection (4) of section 1004.80, Florida  
 3214 Statutes, is amended to read:

3215 1004.80 Economic development centers.—

3216 (4) The State Board of Community Colleges Education may  
 3217 award grants to economic development centers for the purposes of  
 3218 this section. Grants awarded pursuant to this subsection shall  
 3219 be in accordance with rules established by the State Board of  
 3220 Community Colleges Education.

3221 Section 45. Section 1004.91, Florida Statutes, is amended

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3222 to read:

3223 1004.91 Requirements for career education program basic  
 3224 skills.—

3225 (1) The State Board of Education, for career centers  
 3226 operated by district school boards, and the State Board of  
 3227 Community Colleges, for charter technical career centers  
 3228 operated by Florida Community College System institutions, shall  
 3229 adopt, by rule, standards of basic skill mastery for completion  
 3230 of certificate career education programs. Each school district  
 3231 and Florida Community College System institution that conducts  
 3232 programs that confer career and technical certificates shall  
 3233 provide applied academics instruction through which students  
 3234 receive the basic skills instruction required pursuant to this  
 3235 section.

3236 (2) Students who enroll in a program offered for career  
 3237 credit of 450 hours or more shall complete an entry-level  
 3238 examination within the first 6 weeks after admission into the  
 3239 program. The State Board of Education and the State Board of  
 3240 Community Colleges shall collaborate to designate examinations  
 3241 that are currently in existence, the results of which are  
 3242 comparable across institutions, to assess student mastery of  
 3243 basic skills. Any student found to lack the required level of  
 3244 basic skills for such program shall be referred to applied  
 3245 academics instruction or another adult general education program  
 3246 for a structured program of basic skills instruction. Such  
 3247 instruction may include English for speakers of other languages.  
 3248 A student may not receive a career or technical certificate of  
 3249 completion without first demonstrating the basic skills required  
 3250 in the state curriculum frameworks for the career education

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3251 program.

3252 (3) (a) An adult student with a disability may be exempted  
3253 from this section.

3254 (b) The following students are exempt from this section:

3255 1. A student who possesses a college degree at the  
3256 associate in applied science level or higher.

3257 2. A student who demonstrates readiness for public  
3258 postsecondary education pursuant to s. 1008.30 and applicable  
3259 rules adopted by the State Board of Education and State Board of  
3260 Community Colleges.

3261 3. A student who passes a state or national industry  
3262 certification or licensure examination that is identified in  
3263 State Board of Education or State Board of Community Colleges  
3264 rules and aligned to the career education program in which the  
3265 student is enrolled.

3266 4. An adult student who is enrolled in an apprenticeship  
3267 program that is registered with the Department of Education in  
3268 accordance with chapter 446.

3269 Section 46. Paragraph (b) of subsection (2) of section  
3270 1004.92, Florida Statutes, is amended, and subsection (4) is  
3271 added to that section, to read:

3272 1004.92 Purpose and responsibilities for career education.-

3273 (2)

3274 (b) Department of Education, for school districts, and the  
3275 State Board of Community Colleges, for Florida Community College  
3276 System institutions, have the following responsibilities related  
3277 to accountability for career education ~~includes, but is not~~  
3278 limited to:

3279 1. The provision of timely, accurate technical assistance

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3280 to school districts and Florida Community College System  
3281 institutions.

3282 2. The provision of timely, accurate information to the  
3283 State Board of Education, the Legislature, and the public.

3284 3. The development of policies, rules, and procedures that  
3285 facilitate institutional attainment of the accountability  
3286 standards and coordinate the efforts of all divisions within the  
3287 department.

3288 4. The development of program standards and industry-driven  
3289 benchmarks for career, adult, and community education programs,  
3290 which must be updated every 3 years. The standards must include  
3291 career, academic, and workplace skills; viability of distance  
3292 learning for instruction; ~~and~~ work/learn cycles that are  
3293 responsive to business and industry; and provisions that reflect  
3294 the quality components of career and technical education  
3295 programs.

3296 5. Overseeing school district and Florida Community College  
3297 System institution compliance with ~~the provisions of~~ this  
3298 chapter.

3299 6. Ensuring that the educational outcomes for the technical  
3300 component of career programs are uniform and designed to provide  
3301 a graduate who is capable of entering the workforce on an  
3302 equally competitive basis regardless of the institution of  
3303 choice.

3304 (4) The State Board of Education, for career education  
3305 provided by school districts, and the State Board of Community  
3306 Colleges, for career education provided by Florida Community  
3307 College System institutions, shall adopt rules to administer  
3308 this section.

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3309 Section 47. Subsection (1) of section 1004.925, Florida  
3310 Statutes, is amended to read:

3311 1004.925 Automotive service technology education programs;  
3312 certification.-

3313 (1) All automotive service technology education programs  
3314 shall be industry certified in accordance with rules adopted by  
3315 the State Board of Education and the State Board of Community  
3316 Colleges.

3317 Section 48. Paragraphs (c) and (d) of subsection (4) and  
3318 subsections (6) and (9) of section 1004.93, Florida Statutes,  
3319 are amended to read:

3320 1004.93 Adult general education.-

3321 (4)

3322 (c) The State Board of Community Colleges ~~Education~~ shall  
3323 define, by rule, the levels and courses of instruction to be  
3324 funded through the developmental education program. The State  
3325 Board of Community Colleges shall coordinate the establishment  
3326 of costs for developmental education courses, the establishment  
3327 of statewide standards that define required levels of  
3328 competence, acceptable rates of student progress, and the  
3329 maximum amount of time to be allowed for completion of  
3330 developmental education. Developmental education is part of an  
3331 associate in arts degree program and may not be funded as an  
3332 adult career education program.

3333 (d) Expenditures for developmental education and lifelong  
3334 learning students shall be reported separately. Allocations for  
3335 developmental education shall be based on proportional full-time  
3336 equivalent enrollment. Program review results shall be included  
3337 in the determination of subsequent allocations. A student shall

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3338 be funded to enroll in the same developmental education class  
3339 within a skill area only twice, after which time the student  
3340 shall pay 100 percent of the full cost of instruction to support  
3341 the continuous enrollment of that student in the same class;  
3342 however, students who withdraw or fail a class due to  
3343 extenuating circumstances may be granted an exception only once  
3344 for each class, provided approval is granted according to policy  
3345 established by the board of trustees. Each Florida Community  
3346 College System institution shall have the authority to review  
3347 and reduce payment for increased fees due to continued  
3348 enrollment in a developmental education class on an individual  
3349 basis contingent upon the student's financial hardship, pursuant  
3350 to definitions and fee levels established by the State Board of  
3351 Community Colleges ~~Education~~. Developmental education and  
3352 lifelong learning courses do not generate credit toward an  
3353 associate or baccalaureate degree.

3354 (6) The commissioner, for school districts, and the  
3355 Chancellor of the Florida Community College System, for Florida  
3356 Community College System institutions, shall recommend the level  
3357 of funding for public school and Florida Community College  
3358 System institution adult education within the legislative budget  
3359 request and make other recommendations and reports considered  
3360 necessary or required by rules of the State Board of Education.

3361 (9) The State Board of Education and the State Board of  
3362 Community Colleges may adopt rules necessary for the  
3363 implementation of this section.

3364 Section 49. Subsection (3) of section 1006.60, Florida  
3365 Statutes, is amended to read:

3366 1006.60 Codes of conduct; disciplinary measures; authority

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3367 to adopt rules or regulations.-

3368 (3) Sanctions authorized by such codes of conduct may be  
 3369 imposed only for acts or omissions in violation of rules or  
 3370 regulations adopted by the institution, including rules or  
 3371 regulations adopted under this section, rules of the State Board  
 3372 of Community Colleges regarding the Florida Community College  
 3373 System Education, rules or regulations of the Board of Governors  
 3374 regarding the State University System, county and municipal  
 3375 ordinances, and the laws of this state, the United States, or  
 3376 any other state.

3377 Section 50. Subsection (1) of section 1006.61, Florida  
 3378 Statutes, is amended to read:

3379 1006.61 Participation by students in disruptive activities  
 3380 at public postsecondary educational institution; penalties.-

3381 (1) Any person who accepts the privilege extended by the  
 3382 laws of this state of attendance at any public postsecondary  
 3383 educational institution shall, by attending such institution, be  
 3384 deemed to have given his or her consent to the policies of that  
 3385 institution, the State Board of Community Colleges regarding the  
 3386 Florida Community College System Education, and the Board of  
 3387 Governors regarding the State University System, and the laws of  
 3388 this state. Such policies shall include prohibition against  
 3389 disruptive activities at public postsecondary educational  
 3390 institutions.

3391 Section 51. Section 1006.62, Florida Statutes, is amended  
 3392 to read:

3393 1006.62 Expulsion and discipline of students of Florida  
 3394 Community College System institutions and state universities.-

3395 (1) Each student in a Florida Community College System

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3396 institution or state university is subject to federal and state  
 3397 law, respective county and municipal ordinances, and all rules  
 3398 and regulations of the State Board of Community Colleges  
 3399 regarding the Florida Community College System Education, the  
 3400 Board of Governors regarding the State University System, or the  
 3401 board of trustees of the institution.

3402 (2) Violation of these published laws, ordinances, or rules  
 3403 and regulations may subject the violator to appropriate action  
 3404 by the institution's authorities.

3405 (3) Each president of a Florida Community College System  
 3406 institution or state university may, after notice to the student  
 3407 of the charges and after a hearing thereon, expel, suspend, or  
 3408 otherwise discipline any student who is found to have violated  
 3409 any law, ordinance, or rule or regulation of the State Board of  
 3410 Community Colleges regarding the Florida Community College  
 3411 System Education, the Board of Governors regarding the State  
 3412 University System, or the board of trustees of the institution.  
 3413 A student may be entitled to waiver of expulsion:

3414 (a) If the student provides substantial assistance in the  
 3415 identification, arrest, or conviction of any of his or her  
 3416 accomplices, accessories, coconspirators, or principals or of  
 3417 any other person engaged in violations of chapter 893 within a  
 3418 state university or Florida Community College System  
 3419 institution;

3420 (b) If the student voluntarily discloses his or her  
 3421 violations of chapter 893 prior to his or her arrest; or

3422 (c) If the student commits himself or herself, or is  
 3423 referred by the court in lieu of sentence, to a state-licensed  
 3424 drug abuse program and successfully completes the program.

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3425 Section 52. Paragraphs (c) and (g) of subsection (1),  
 3426 paragraph (b) of subsection (2), and subsection (3) of section  
 3427 1006.71, Florida Statutes, are amended to read:

3428 1006.71 Gender equity in intercollegiate athletics.—

3429 (1) GENDER EQUITY PLAN.—

3430 (c) The Chancellor of the Florida Community College System  
 3431 ~~Commissioner of Education~~ shall annually assess the progress of  
 3432 each Florida Community College System institution's plan and  
 3433 advise the State Board of Community Colleges Education and the  
 3434 Legislature regarding compliance.

3435 (g)1. If a Florida Community College System institution is  
 3436 not in compliance with Title IX of the Education Amendments of  
 3437 1972 and the Florida Educational Equity Act, the State Board of  
 3438 Community Colleges Education shall:

3439 a. Declare the Florida Community College System institution  
 3440 ineligible for competitive state grants.

3441 b. Withhold funds sufficient to obtain compliance.

3442  
 3443 The Florida Community College System institution shall remain  
 3444 ineligible and the funds may ~~shall~~ not be paid until the Florida  
 3445 Community College System institution comes into compliance or  
 3446 the Chancellor of the Florida Community College System  
 3447 ~~Commissioner of Education~~ approves a plan for compliance.

3448 2. If a state university is not in compliance with Title IX  
 3449 of the Education Amendments of 1972 and the Florida Educational  
 3450 Equity Act, the Board of Governors shall:

3451 a. Declare the state university ineligible for competitive  
 3452 state grants.

3453 b. Withhold funds sufficient to obtain compliance.

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3454  
 3455 The state university shall remain ineligible and the funds may  
 3456 ~~shall~~ not be paid until the state university comes into  
 3457 compliance or the Board of Governors approves a plan for  
 3458 compliance.

3459 (2) FUNDING.—

3460 (b) The level of funding and percentage share of support  
 3461 for women's intercollegiate athletics for Florida Community  
 3462 College System institutions shall be determined by the State  
 3463 Board of Community Colleges Education. The level of funding and  
 3464 percentage share of support for women's intercollegiate  
 3465 athletics for state universities shall be determined by the  
 3466 Board of Governors. The level of funding and percentage share  
 3467 attained in the 1980-1981 fiscal year shall be the minimum level  
 3468 and percentage maintained by each institution, except as the  
 3469 State Board of Community Colleges Education or the Board of  
 3470 Governors otherwise directs its respective institutions for the  
 3471 purpose of assuring equity. Consideration shall be given by the  
 3472 State Board of Community Colleges Education or the Board of  
 3473 Governors to emerging athletic programs at institutions which  
 3474 may not have the resources to secure external funds to provide  
 3475 athletic opportunities for women. It is the intent that the  
 3476 effect of any redistribution of funds among institutions may  
 3477 ~~shall~~ not negate the requirements as set forth in this section.

3478 (3) STATE BOARD OF COMMUNITY COLLEGES EDUCATION.—The State  
 3479 Board of Community Colleges Education shall assure equal  
 3480 opportunity for female athletes at Florida Community College  
 3481 System institutions and establish:

3482 (a) In conjunction with the State Board of Education,

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3483 guidelines for reporting of intercollegiate athletics data  
 3484 concerning financial, program, and facilities information for  
 3485 review by the State Board of Community Colleges Education  
 3486 annually.

3487 (b) Systematic audits for the evaluation of such data.

3488 (c) Criteria for determining and assuring equity.

3489 Section 53. Section 1007.01, Florida Statutes, is amended  
 3490 to read:

3491 1007.01 Articulation; legislative intent; purpose; role of  
 3492 the State Board of Education, the State Board of Community  
 3493 Colleges, and the Board of Governors; Articulation Coordinating  
 3494 Committee.—

3495 (1) It is the intent of the Legislature to facilitate  
 3496 articulation and seamless integration of the K-20 education  
 3497 system by building, sustaining, and strengthening relationships  
 3498 among K-20 public organizations, between public and private  
 3499 organizations, and between the education system as a whole and  
 3500 Florida's communities. The purpose of building, sustaining, and  
 3501 strengthening these relationships is to provide for the  
 3502 efficient and effective progression and transfer of students  
 3503 within the education system and to allow students to proceed  
 3504 toward their educational objectives as rapidly as their  
 3505 circumstances permit. The Legislature further intends that  
 3506 articulation policies and budget actions be implemented  
 3507 consistently in the practices of the Department of Education and  
 3508 postsecondary educational institutions and expressed in the  
 3509 collaborative policy efforts of the State Board of Education,  
 3510 ~~and the Board of Governors, and the State Board of Community~~  
 3511 Colleges.

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3512 (2) To preserve Florida's "2+2" system of articulation and  
 3513 improve and facilitate articulation systemwide, the State Board  
 3514 of Education, ~~and the Board of Governors, and the State Board of~~  
 3515 Community Colleges shall collaboratively establish and adopt  
 3516 policies with input from statewide K-20 advisory groups  
 3517 established by the Commissioner of Education, the Chancellor of  
 3518 the Florida Community College System, and the Chancellor of the  
 3519 State University System and shall recommend the policies to the  
 3520 Legislature. The policies shall relate to:

3521 (a) The alignment between the exit requirements of one  
 3522 education system and the admissions requirements of another  
 3523 education system into which students typically transfer.

3524 (b) The identification of common courses, the level of  
 3525 courses, institutional participation in a statewide course  
 3526 numbering system, and the transferability of credits among such  
 3527 institutions.

3528 (c) Identification of courses that meet general education  
 3529 or common degree program prerequisite requirements at public  
 3530 postsecondary educational institutions.

3531 (d) Dual enrollment course equivalencies.

3532 (e) Articulation agreements.

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

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3541 Council, the State Board of Education, ~~and~~ the Board of  
 3542 Governors, and the State Board of Community Colleges. The  
 3543 committee shall consist of two members each representing the  
 3544 State University System, the Florida Community College System,  
 3545 public career and technical education, K-12 education, and  
 3546 nonpublic postsecondary education and one member representing  
 3547 students. The chair shall be elected from the membership. The  
 3548 Office of K-20 Articulation shall provide administrative support  
 3549 for the committee. The committee shall:

3550 (a) Monitor the alignment between the exit requirements of  
 3551 one education system and the admissions requirements of another  
 3552 education system into which students typically transfer and make  
 3553 recommendations for improvement.

3554 (b) Propose guidelines for interinstitutional agreements  
 3555 between and among public schools, career and technical education  
 3556 centers, Florida Community College System institutions, state  
 3557 universities, and nonpublic postsecondary institutions.

3558 (c) Annually recommend dual enrollment course and high  
 3559 school subject area equivalencies for approval by the State  
 3560 Board of Education, ~~and~~ the Board of Governors, and the State  
 3561 Board of Community Colleges.

3562 (d) Annually review the statewide articulation agreement  
 3563 pursuant to s. 1007.23 and make recommendations for revisions.

3564 (e) Annually review the statewide course numbering system,  
 3565 the levels of courses, and the application of transfer credit  
 3566 requirements among public and nonpublic institutions  
 3567 participating in the statewide course numbering system and  
 3568 identify instances of student transfer and admissions  
 3569 difficulties.

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3570 (f) Annually publish a list of courses that meet common  
 3571 general education and common degree program prerequisite  
 3572 requirements at public postsecondary institutions identified  
 3573 pursuant to s. 1007.25.

3574 (g) Foster timely collection and reporting of statewide  
 3575 education data to improve the K-20 education performance  
 3576 accountability system pursuant to ss. 1001.10 and 1008.31,  
 3577 including, but not limited to, data quality, accessibility, and  
 3578 protection of student records.

3579 (h) Recommend roles and responsibilities of public  
 3580 education entities in interfacing with the single, statewide  
 3581 computer-assisted student advising system established pursuant  
 3582 to s. 1006.735.

3583 (i) Make recommendations regarding the cost and  
 3584 requirements to develop and implement an online system for  
 3585 collecting and analyzing data regarding requests for transfer of  
 3586 credit by postsecondary education students. The online system,  
 3587 at a minimum, must collect information regarding the total  
 3588 number of credit transfer requests denied and the reason for  
 3589 each denial. Recommendations shall be reported to the President  
 3590 of the Senate and the Speaker of the House of Representatives on  
 3591 or before January 31, 2015.

3592 Section 54. Subsections (1) and (6) of section 1007.23,  
 3593 Florida Statutes, are amended, and subsection (7) is added to  
 3594 that section, to read:

3595 1007.23 Statewide articulation agreement.—

3596 (1) The State Board of Education, ~~and~~ the Board of  
 3597 Governors, and the State Board of Community Colleges shall enter  
 3598 into a statewide articulation agreement which the State Board of

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3599 Education ~~and the State Board of Community Colleges~~ shall adopt  
 3600 by rule. The agreement must preserve Florida's "2+2" system of  
 3601 articulation, facilitate the seamless articulation of student  
 3602 credit across and among Florida's educational entities, and  
 3603 reinforce the provisions of this chapter by governing:  
 3604 (a) Articulation between secondary and postsecondary  
 3605 education;  
 3606 (b) Admission of associate in arts degree graduates from  
 3607 Florida Community College System institutions and state  
 3608 universities;  
 3609 (c) Admission of applied technology diploma program  
 3610 graduates from Florida Community College System institutions or  
 3611 career centers;  
 3612 (d) Admission of associate in science degree and associate  
 3613 in applied science degree graduates from Florida Community  
 3614 College System institutions;  
 3615 (e) The use of acceleration mechanisms, including  
 3616 nationally standardized examinations through which students may  
 3617 earn credit;  
 3618 (f) General education requirements and statewide course  
 3619 numbers as provided for in ss. 1007.24 and 1007.25; and  
 3620 (g) Articulation among programs in nursing.  
 3621 (6) The articulation agreement must guarantee the  
 3622 articulation of 9 credit hours toward a postsecondary degree in  
 3623 early childhood education for programs approved by the State  
 3624 Board of Community Colleges ~~Education~~ and the Board of Governors  
 3625 which:  
 3626 (a) Award a child development associate credential issued  
 3627 by the National Credentialing Program of the Council for

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3628 Professional Recognition or award a credential approved under s.  
 3629 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the  
 3630 child development associate credential; and  
 3631 (b) Include training in emergent literacy which meets or  
 3632 exceeds the minimum standards for training courses for  
 3633 prekindergarten instructors of the Voluntary Prekindergarten  
 3634 Education Program in s. 1002.59.  
 3635 (7) To strengthen Florida's "2+2" system of articulation  
 3636 and improve student retention and on-time graduation, by the  
 3637 2018-2019 academic year, each Florida Community College System  
 3638 institution shall execute at least one "2+2" targeted pathway  
 3639 articulation agreement with one or more state universities to  
 3640 establish "2+2" targeted pathway programs. The agreement must  
 3641 provide students who graduate with an associate in arts degree  
 3642 and who meet specified requirements guaranteed access to the  
 3643 state university and a degree program at that university, in  
 3644 accordance with the terms of the "2+2" targeted pathway  
 3645 articulation agreement.  
 3646 (a) To participate in a "2+2" targeted pathway program, a  
 3647 student must:  
 3648 1. Enroll in the program before completing 30 credit hours,  
 3649 including, but not limited to, college credits earned through  
 3650 articulated acceleration mechanisms pursuant to s. 1007.27;  
 3651 2. Complete an associate in arts degree; and  
 3652 3. Meet the university's transfer requirements.  
 3653 (b) A state university that executes a "2+2" targeted  
 3654 pathway articulation agreement must meet the following  
 3655 requirements in order to implement a "2+2" targeted pathway  
 3656 program in collaboration with its partner Florida Community

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3657 College System institution:

3658 1. Establish a 4-year on-time graduation plan for a  
 3659 baccalaureate degree program, including, but not limited to, a  
 3660 plan for students to complete associate in arts degree programs,  
 3661 general education courses, common prerequisite courses, and  
 3662 elective courses;

3663 2. Advise students enrolled in the program about the  
 3664 university's transfer and degree program requirements; and

3665 3. Provide students who meet the requirements under this  
 3666 paragraph with access to academic advisors and campus events and  
 3667 with guaranteed admittance to the state university and a degree  
 3668 program of the state university, in accordance with the terms of  
 3669 the agreement.

3670 (c) To assist the state universities and Florida Community  
 3671 College System institutions with implementing the "2+2" targeted  
 3672 pathway programs effectively, the State Board of Community  
 3673 Colleges and the Board of Governors shall collaborate to  
 3674 eliminate barriers in executing "2+2" targeted pathway  
 3675 articulation agreements.

3676 Section 55. Subsections (1), (2), and (3) of section  
 3677 1007.24, Florida Statutes, are amended to read:

3678 1007.24 Statewide course numbering system.—

3679 (1) The Department of Education, in conjunction with the  
 3680 Board of Governors and the State Board of Community Colleges,  
 3681 shall develop, coordinate, and maintain a statewide course  
 3682 numbering system for postsecondary and dual enrollment education  
 3683 in school districts, public postsecondary educational  
 3684 institutions, and participating nonpublic postsecondary  
 3685 educational institutions that will improve program planning,

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3686 increase communication among all delivery systems, and  
 3687 facilitate student acceleration and the transfer of students and  
 3688 credits between public school districts, public postsecondary  
 3689 educational institutions, and participating nonpublic  
 3690 educational institutions. The continuing maintenance of the  
 3691 system shall be accomplished with the assistance of appropriate  
 3692 faculty committees representing public and participating  
 3693 nonpublic educational institutions.

3694 (2) The Commissioner of Education, in conjunction with the  
 3695 Chancellor of the Florida Community College System and the  
 3696 Chancellor of the State University System, shall appoint faculty  
 3697 committees representing faculties of participating institutions  
 3698 to recommend a single level for each course, including  
 3699 postsecondary career education courses, included in the  
 3700 statewide course numbering system.

3701 (a) Any course designated as an upper-division-level course  
 3702 must be characterized by a need for advanced academic  
 3703 preparation and skills that a student would be unlikely to  
 3704 achieve without significant prior coursework.

3705 (b) A course that is offered as part of an associate in  
 3706 science degree program and as an upper-division course for a  
 3707 baccalaureate degree shall be designated for both the lower and  
 3708 upper division.

3709 (c) A course designated as lower-division may be offered by  
 3710 any Florida Community College System institution.

3711 (3) The Commissioner of Education shall recommend to the  
 3712 State Board of Education the levels for the courses. The State  
 3713 Board of Education, with input from the Board of Governors and  
 3714 the State Board of Community Colleges, shall approve the levels

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3715 for the courses.

3716 Section 56. Subsections (3), (5), and (8) through (11) of  
3717 section 1007.25, Florida Statutes, are amended to read:3718 1007.25 General education courses; common prerequisites;  
3719 other degree requirements.-

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

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3744 reported to the department by their statewide course number. The  
3745 general education core course options shall be adopted in rule  
3746 by the State Board of Community Colleges ~~Education~~ and in  
3747 regulation by the Board of Governors.

3748 (5) The department shall identify common prerequisite  
3749 courses and course substitutions for degree programs across all  
3750 institutions. Common degree program prerequisites shall be  
3751 offered and accepted by all state universities and Florida  
3752 Community College System institutions, except in cases approved  
3753 by the State Board of Community Colleges, ~~Education~~ for Florida  
3754 Community College System institutions, and the Board of  
3755 Governors, for state universities. The department shall develop  
3756 a centralized database containing the list of courses and course  
3757 substitutions that meet the prerequisite requirements for each  
3758 baccalaureate degree program.

3759 (8) A baccalaureate degree program shall require no more  
3760 than 120 semester hours of college credit and include 36  
3761 semester hours of general education coursework, unless prior  
3762 approval has been granted by the Board of Governors for  
3763 baccalaureate degree programs offered by state universities and  
3764 by the State Board of Community Colleges ~~Education~~ for  
3765 baccalaureate degree programs offered by Florida Community  
3766 College System institutions.

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

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3773 statewide course numbering, the Florida Community College System  
 3774 institution course is a course listed in the university catalog  
 3775 as required for the degree or as prerequisite to a course  
 3776 required for the degree. Of the courses required for the degree,  
 3777 at least half of the credit hours required for the degree shall  
 3778 be achievable through courses designated as lower division,  
 3779 except in degree programs approved by the State Board of  
 3780 Community Colleges ~~Education~~ for programs offered by Florida  
 3781 Community College System institutions and by the Board of  
 3782 Governors for programs offered by state universities.

3783 (10) Students at state universities may request associate  
 3784 in arts certificates if they have successfully completed the  
 3785 minimum requirements for the degree of associate in arts (A.A.).  
 3786 The university must grant the student an associate in arts  
 3787 degree if the student has successfully completed minimum  
 3788 requirements for college-level communication and computation  
 3789 skills adopted by the State Board of Community Colleges  
 3790 ~~Education~~ and 60 academic semester hours or the equivalent  
 3791 within a degree program area, including 36 semester hours in  
 3792 general education courses in the subject areas of communication,  
 3793 mathematics, social sciences, humanities, and natural sciences,  
 3794 consistent with the general education requirements specified in  
 3795 the articulation agreement pursuant to s. 1007.23.

3796 (11) The Commissioner of Education and the Chancellor of  
 3797 the Florida Community College System shall jointly appoint  
 3798 faculty committees representing both Florida Community College  
 3799 System institution and public school faculties to recommend to  
 3800 the commissioner, or the Chancellor of the Florida Community  
 3801 College System, as applicable, for approval by the State Board

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3802 of Education and the State Board of Community Colleges, as  
 3803 applicable, a standard program length and appropriate  
 3804 occupational completion points for each postsecondary career  
 3805 certificate program, diploma, and degree offered by a school  
 3806 district or a Florida Community College System institution.

3807 Section 57. Section 1007.262, Florida Statutes, is amended  
 3808 to read:

3809 1007.262 Foreign language competence; equivalence  
 3810 determinations.—The Department of Education shall identify the  
 3811 competencies demonstrated by students upon the successful  
 3812 completion of 2 credits of sequential high school foreign  
 3813 language instruction. For the purpose of determining  
 3814 postsecondary equivalence, the State Board of Community Colleges  
 3815 ~~department~~ shall develop rules through which Florida Community  
 3816 College System institutions correlate such competencies to the  
 3817 competencies required of students in the colleges' respective  
 3818 courses. Based on this correlation, each Florida Community  
 3819 College System institution shall identify the minimum number of  
 3820 postsecondary credits that students must earn in order to  
 3821 demonstrate a level of competence in a foreign language at least  
 3822 equivalent to that of students who have completed 2 credits of  
 3823 such instruction in high school. The department may also specify  
 3824 alternative means by which students can demonstrate equivalent  
 3825 foreign language competence, including means by which a student  
 3826 whose native language is not English may demonstrate proficiency  
 3827 in the native language. A student who demonstrates proficiency  
 3828 in a native language other than English is exempt from a  
 3829 requirement of completing foreign language courses at the  
 3830 secondary or Florida Community College System level.

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3831 Section 58. Section 1007.263, Florida Statutes, is amended  
3832 to read:

3833 1007.263 Florida Community College System institutions;  
3834 admissions of students.—Each Florida Community College System  
3835 institution board of trustees is authorized to adopt rules  
3836 governing admissions of students subject to this section and  
3837 rules of the State Board of Community Colleges Education. These  
3838 rules shall include the following:

3839 (1) Admissions counseling shall be provided to all students  
3840 entering college or career credit programs. For students who are  
3841 not otherwise exempt from testing under s. 1008.30, counseling  
3842 must use tests to measure achievement of college-level  
3843 communication and computation competencies by students entering  
3844 college credit programs or tests to measure achievement of basic  
3845 skills for career education programs as prescribed in s.  
3846 1004.91. Counseling includes providing developmental education  
3847 options for students whose assessment results, determined under  
3848 s. 1008.30, indicate that they need to improve communication or  
3849 computation skills that are essential to perform college-level  
3850 work.

3851 (2) Admission to associate degree programs is subject to  
3852 minimum standards adopted by the State Board of Community  
3853 Colleges Education and shall require:

3854 (a) A standard high school diploma, a high school  
3855 equivalency diploma as prescribed in s. 1003.435, previously  
3856 demonstrated competency in college credit postsecondary  
3857 coursework, or, in the case of a student who is home educated, a  
3858 signed affidavit submitted by the student's parent or legal  
3859 guardian attesting that the student has completed a home

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3860 education program pursuant to the requirements of s. 1002.41.  
3861 Students who are enrolled in a dual enrollment or early  
3862 admission program pursuant to s. 1007.271 are exempt from this  
3863 requirement.

3864 (b) A demonstrated level of achievement of college-level  
3865 communication and computation skills.

3866 (c) Any other requirements established by the board of  
3867 trustees.

3868 (3) Admission to other programs within the Florida  
3869 Community College System institution shall include education  
3870 requirements as established by the board of trustees.

3871 (4) A student who has been awarded a certificate of  
3872 completion under s. 1003.4282 is eligible to enroll in  
3873 certificate career education programs.

3874 (5) A student with a documented disability may be eligible  
3875 for reasonable substitutions, as prescribed in ss. 1007.264 and  
3876 1007.265.

3877  
3878 Each board of trustees shall establish policies that notify  
3879 students about developmental education options for improving  
3880 their communication or computation skills that are essential to  
3881 performing college-level work, including tutoring, extended time  
3882 in gateway courses, free online courses, adult basic education,  
3883 adult secondary education, or private provider instruction.

3884 Section 59. Subsection (2) of section 1007.264, Florida  
3885 Statutes, is amended to read:

3886 1007.264 Persons with disabilities; admission to  
3887 postsecondary educational institutions; substitute requirements;  
3888 rules and regulations.—

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3889 (2) The State Board of Community Colleges Education, in  
 3890 consultation with the Board of Governors, shall adopt rules to  
 3891 implement this section for Florida Community College System  
 3892 institutions and shall develop substitute admission requirements  
 3893 where appropriate.

3894 Section 60. Subsections (2) and (3) of section 1007.265,  
 3895 Florida Statutes, are amended to read:

3896 1007.265 Persons with disabilities; graduation, study  
 3897 program admission, and upper-division entry; substitute  
 3898 requirements; rules and regulations.—

3899 (2) The State Board of Community Colleges Education, in  
 3900 consultation with the Board of Governors, shall adopt rules to  
 3901 implement this section for Florida Community College System  
 3902 institutions and shall develop substitute requirements where  
 3903 appropriate.

3904 (3) The Board of Governors, in consultation with the State  
 3905 Board of Community Colleges Education, shall adopt regulations  
 3906 to implement this section for state universities and shall  
 3907 develop substitute requirements where appropriate.

3908 Section 61. Subsections (6), (7), and (8) of section  
 3909 1007.27, Florida Statutes, are amended to read:

3910 1007.27 Articulated acceleration mechanisms.—

3911 (6) Credit by examination shall be the program through  
 3912 which secondary and postsecondary students generate  
 3913 postsecondary credit based on the receipt of a specified minimum  
 3914 score on nationally standardized general or subject-area  
 3915 examinations. For the purpose of statewide application, such  
 3916 examinations and the corresponding minimum scores required for  
 3917 an award of credit shall be delineated by the State Board of

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3918 Education, ~~and~~ the Board of Governors, ~~and the State Board of~~  
 3919 Community Colleges in the statewide articulation agreement  
 3920 required by s. 1007.23(1). The maximum credit generated by a  
 3921 student pursuant to this subsection shall be mitigated by any  
 3922 related postsecondary credit earned by the student prior to the  
 3923 administration of the examination. This subsection shall not  
 3924 preclude Florida Community College System institutions and  
 3925 universities from awarding credit by examination based on  
 3926 student performance on examinations developed within and  
 3927 recognized by the individual postsecondary institutions.

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

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3947 shall be specified in the statewide articulation agreement  
 3948 required by s. 1007.23(1). Students enrolled pursuant to this  
 3949 subsection shall be exempt from the payment of any fees for  
 3950 administration of the examinations regardless of whether or not  
 3951 the student achieves a passing score on the examination.

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

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3976 institution or university that accepts the student for  
 3977 admission. Students enrolled in either program of study pursuant  
 3978 to this subsection shall be exempt from the payment of any fees  
 3979 for administration of the examinations regardless of whether the  
 3980 student achieves a passing score on the examination.

3981 Section 62. Subsections (3) and (22) of section 1007.271,  
 3982 Florida Statutes, are amended to read:

3983 1007.271 Dual enrollment programs.—

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

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4005 articulation agreement established pursuant to subsection (21).  
 4006 Florida Community College System institution boards of trustees  
 4007 may establish additional initial student eligibility  
 4008 requirements, which shall be included in the dual enrollment  
 4009 articulation agreement, to ensure student readiness for  
 4010 postsecondary instruction. Additional requirements included in  
 4011 the agreement may not arbitrarily prohibit students who have  
 4012 demonstrated the ability to master advanced courses from  
 4013 participating in dual enrollment courses.

4014 (22) The Department of Education shall develop an  
 4015 electronic submission system for dual enrollment articulation  
 4016 agreements and shall review, for compliance, each dual  
 4017 enrollment articulation agreement submitted pursuant to  
 4018 subsections (13), (21), and (24). The Commissioner of Education  
 4019 shall notify the district school superintendent and the Florida  
 4020 Community College System institution president if the dual  
 4021 enrollment articulation agreement does not comply with statutory  
 4022 requirements and shall submit any dual enrollment articulation  
 4023 agreement with unresolved issues of noncompliance to the State  
 4024 Board of Education. The State Board of Education shall  
 4025 collaborate with the State Board of Community Colleges to  
 4026 resolve unresolved issues of noncompliance.

4027 Section 63. Subsection (6) of section 1007.273, Florida  
 4028 Statutes, is amended to read:

4029 1007.273 Collegiate high school program.—

4030 (6) The collegiate high school program shall be funded  
 4031 pursuant to ss. 1007.271 and 1011.62. The State Board of  
 4032 Education shall enforce compliance with this section by  
 4033 withholding the transfer of funds for the school districts ~~and~~

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4034 ~~the Florida College System institutions~~ in accordance with s.  
 4035 1008.32. Annually by December 31, the State Board of Community  
 4036 Colleges shall enforce compliance with this section by  
 4037 withholding the transfer of funds for the Florida Community  
 4038 College System institutions in accordance with s. 1001.602.

4039 Section 64. Section 1007.33, Florida Statutes, is amended  
 4040 to read:

4041 1007.33 Site-determined baccalaureate degree access.—

4042 (1) (a) The Legislature recognizes that public and private  
 4043 postsecondary educational institutions play an essential role in  
 4044 improving the quality of life and economic well-being of the  
 4045 state and its residents. The Legislature also recognizes that  
 4046 economic development needs and the educational needs of place-  
 4047 bound, nontraditional students have increased the demand for  
 4048 local access to baccalaureate degree programs. It is therefore  
 4049 the intent of the Legislature to further expand access to  
 4050 baccalaureate degree programs through the use of Florida  
 4051 Community College System institutions.

4052 (b) For purposes of this section, the term "district"  
 4053 refers to the county or counties served by a Florida Community  
 4054 College System institution pursuant to s. 1000.21(3).

4055 (2) Any Florida Community College System institution that  
 4056 offers one or more baccalaureate degree programs must:

4057 (a) Maintain as its primary mission:

4058 1. Responsibility for responding to community needs for  
 4059 postsecondary academic education and career degree education as  
 4060 prescribed in s. 1004.65(5).

4061 2. The provision of associate degrees that provide access  
 4062 to a university.

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4063 (b) Maintain an open-door admission policy for associate-  
4064 level degree programs and workforce education programs.

4065 (c) Continue to provide outreach to underserved  
4066 populations.

4067 (d) Continue to provide remedial education pursuant to s.  
4068 1008.30.

4069 (e) Comply with all provisions of the statewide  
4070 articulation agreement which relate to 2-year and 4-year public  
4071 degree-granting institutions as adopted by the State Board of  
4072 Education or the State Board of Community Colleges, as  
4073 applicable, pursuant to s. 1007.23.

4074 (f) Not award graduate credit.

4075 (g) Not participate in intercollegiate athletics beyond the  
4076 2-year level.

4077 (3) A Florida Community College System institution may not  
4078 terminate its associate in arts or associate in science degree  
4079 programs as a result of being authorized to offer one or more  
4080 baccalaureate degree programs. The Legislature intends that the  
4081 primary responsibility of a Florida Community College System  
4082 institution, including a Florida Community College System  
4083 institution that offers baccalaureate degree programs, continues  
4084 to be the provision of associate degrees that provide access to  
4085 a university.

4086 (4) A Florida Community College System institution may:

4087 (a) Offer specified baccalaureate degree programs through  
4088 formal agreements between the Florida Community College System  
4089 institution and other regionally accredited postsecondary  
4090 educational institutions pursuant to s. 1007.22.

4091 (b) Offer baccalaureate degree programs that are ~~were~~

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4092 authorized by law ~~prior to July 1, 2009.~~

4093 ~~(e) Beginning July 1, 2009, establish a first or subsequent~~  
4094 ~~baccalaureate degree program~~ for purposes of meeting district,  
4095 regional, or statewide workforce needs if approved by the State  
4096 Board of Community Colleges Education under this section.  
4097 However, a Florida Community College System institution may not  
4098 offer a bachelor of arts degree program.

4099 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~  
4100 ~~College is authorized to establish one or more bachelor of~~  
4101 ~~applied science degree programs based on an analysis of~~  
4102 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~  
4103 ~~other counties approved by the Department of Education. For each~~  
4104 ~~program selected, St. Petersburg College must offer a related~~  
4105 ~~associate in science or associate in applied science degree~~  
4106 ~~program, and the baccalaureate degree level program must be~~  
4107 ~~designed to articulate fully with at least one associate in~~  
4108 ~~science degree program. The college is encouraged to develop~~  
4109 ~~articulation agreements for enrollment of graduates of related~~  
4110 ~~associate in applied science degree programs. The Board of~~  
4111 ~~Trustees of St. Petersburg College is authorized to establish~~  
4112 ~~additional baccalaureate degree programs if it determines a~~  
4113 ~~program is warranted and feasible based on each of the factors~~  
4114 ~~in paragraph (5)(d). However, the Board of Trustees of St.~~  
4115 ~~Petersburg College may not establish any new baccalaureate~~  
4116 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~  
4117 ~~to developing or proposing a new baccalaureate degree program,~~  
4118 ~~St. Petersburg College shall engage in need, demand, and impact~~  
4119 ~~discussions with the state university in its service district~~  
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4121 ~~and other local and regional, accredited postsecondary providers~~  
 4122 ~~in its region. Documentation, data, and other information from~~  
 4123 ~~inter-institutional discussions regarding program need, demand,~~  
 4124 ~~and impact shall be provided to the college's board of trustees~~  
 4125 ~~to inform the program approval process. Employment at St.~~  
 4126 ~~Petersburg College is governed by the same laws that govern~~  
 4127 ~~Florida College System institutions, except that upper-division~~  
 4128 ~~faculty are eligible for continuing contracts upon the~~  
 4129 ~~completion of the fifth year of teaching. Employee records for~~  
 4130 ~~all personnel shall be maintained as required by s. 1012.81.~~

4131 (5) The approval process for baccalaureate degree programs  
 4132 requires shall require:

4133 (a) Each Florida Community College System institution to  
 4134 submit a notice of its intent to propose a baccalaureate degree  
 4135 program to the State Board of Community Division of Florida  
 4136 Colleges at least 1 year ~~100 days~~ before the submission of its  
 4137 proposal under paragraph (c) ~~(d)~~. The notice must include a  
 4138 brief description of the program, the workforce demand and unmet  
 4139 need for graduates of the program to include evidence from  
 4140 entities independent of the institution, the geographic region  
 4141 to be served, and an estimated timeframe for implementation.  
 4142 Notices of intent may be submitted by a Florida Community  
 4143 College System institution at any time throughout the year. The  
 4144 notice must also include evidence that the Florida Community  
 4145 College System institution engaged in need, demand, and impact  
 4146 discussions with the state university and other regionally  
 4147 accredited postsecondary education providers in its service  
 4148 district.

4149 (b) The State Board of Community Division of Florida

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4150 Colleges to forward the notice of intent submitted pursuant to  
 4151 paragraph (a) and the justification for the proposed  
 4152 baccalaureate degree program submitted pursuant to paragraph (c)  
 4153 within 10 business days after receiving such notice and  
 4154 justification to the Chancellor of the State University System,  
 4155 the president of the Independent Colleges and Universities of  
 4156 Florida, and the Executive Director of the Commission for  
 4157 Independent Education. State universities ~~shall~~ have 180 ~~60~~ days  
 4158 following receipt of the notice and justification by the  
 4159 Chancellor of the State University System to submit an  
 4160 objection, including a reason for the objection, objections to  
 4161 the proposed new program or submit an alternative proposal to  
 4162 offer the baccalaureate degree program. The Chancellor of the  
 4163 State University System shall review the objection raised by a  
 4164 state university and inform the Board of Governors of the  
 4165 objection before a state university submits its objection to the  
 4166 State Board of Community Colleges. The State Board of Community  
 4167 Colleges must consult with the Chancellor of the State  
 4168 University System to consider the objection raised by the state  
 4169 university before approving or denying a Florida Community  
 4170 College System institution's proposal submitted pursuant to  
 4171 paragraph (c). If a proposal from a state university is not  
 4172 received within the 60-day period, The State Board of Community  
 4173 Colleges Education shall also provide regionally accredited  
 4174 private colleges and universities 180 ~~30~~ days to submit  
 4175 objections to the proposed new program ~~or submit an alternative~~  
 4176 proposal. Objections by a regionally accredited private college  
 4177 or university or alternative proposals shall be submitted to the  
 4178 State Board of Community Division of Florida Colleges, and the

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4179 ~~state board must consider such objections before and must be~~  
 4180 ~~considered by the State Board of Education in making its~~  
 4181 ~~decision to approve or deny a Florida Community College System~~  
 4182 ~~institution's proposal submitted pursuant to paragraph (c).~~

4183 ~~(c) An alternative proposal submitted by a state university~~  
 4184 ~~or private college or university to adequately address:~~

4185 ~~1. The extent to which the workforce demand and unmet need~~  
 4186 ~~described in the notice of intent will be met.~~

4187 ~~2. The extent to which students will be able to complete~~  
 4188 ~~the degree in the geographic region proposed to be served by the~~  
 4189 ~~Florida College System institution.~~

4190 ~~3. The level of financial commitment of the college or~~  
 4191 ~~university to the development, implementation, and maintenance~~  
 4192 ~~of the specified degree program, including timelines.~~

4193 ~~4. The extent to which faculty at both the Florida College~~  
 4194 ~~System institution and the college or university will~~  
 4195 ~~collaborate in the development and offering of the curriculum.~~

4196 ~~5. The ability of the Florida College System institution~~  
 4197 ~~and the college or university to develop and approve the~~  
 4198 ~~curriculum for the specified degree program within 6 months~~  
 4199 ~~after an agreement between the Florida College System~~  
 4200 ~~institution and the college or university is signed.~~

4201 ~~6. The extent to which the student may incur additional~~  
 4202 ~~costs above what the student would expect to incur if the~~  
 4203 ~~program were offered by the Florida College System institution.~~

4204 ~~(c)-(d)~~ Each proposal submitted by a Florida Community  
 4205 College System institution to, at a minimum, include:

4206 1. A description of the planning process and timeline for  
 4207 implementation.

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4208 2. A justification for the proposed baccalaureate degree  
 4209 program, including, at a minimum, a data-driven ~~An~~ analysis of  
 4210 workforce demand and unmet need for graduates of the program on  
 4211 a district, regional, or statewide basis, as appropriate, and  
 4212 the extent to which the proposed program will meet the workforce  
 4213 demand and unmet need. The analysis must include workforce and  
 4214 employment data for the most recent 5 years and projections for  
 4215 the next 3 years, and a summary of degree programs similar to  
 4216 the proposed degree program which are currently offered by state  
 4217 universities or by independent nonprofit colleges or  
 4218 universities that are eligible to participate in a grant program  
 4219 pursuant to s. 1009.89 and which are located in the Florida  
 4220 Community College System institution's regional service area.  
 4221 The analysis must be verified by more than one third-party  
 4222 professional entity that is ~~including evidence from entities~~  
 4223 independent of the Florida Community College System institution.  
 4224 A Florida Community College System institution must submit the  
 4225 justification to the State Board of Community Colleges within 90  
 4226 days after forwarding the institution's notice of intent to  
 4227 propose a baccalaureate degree program. The State Board of  
 4228 Community Colleges must forward the justification for the  
 4229 proposed baccalaureate degree program within 10 business days  
 4230 after receiving the justification to the Chancellor of the State  
 4231 University System, the president of the Independent Colleges and  
 4232 Universities of Florida, and the Executive Director of the  
 4233 Commission for Independent Education.

4234 3. Identification of the facilities, equipment, and library  
 4235 and academic resources that will be used to deliver the program.

4236 4. The program cost analysis of creating a new

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4237 baccalaureate degree when compared to ~~alternative proposals and~~  
4238 other program delivery options.

4239 5. The program's admission requirements, academic content,  
4240 curriculum, faculty credentials, student-to-teacher ratios, and  
4241 accreditation plan.

4242 6. The program's enrollment ~~projections~~ and funding  
4243 requirements, including:

4244 a. The impact of the program's enrollment projections on  
4245 compliance with the upper-level enrollment provisions under  
4246 subsection (6); and

4247 b. The institution's efforts to sustain the program at the  
4248 cost of tuition and fees for students who are classified as  
4249 residents for tuition purposes under s. 1009.21, not to exceed  
4250 \$10,000 for the entire degree program, including flexible  
4251 tuition and fee rates, and the use of waivers pursuant to s.  
4252 1009.26(11).

4253 7. A plan of action if the program is terminated.

4254 (d)(e) ~~The State Board of Community Division of Florida~~  
4255 ~~Colleges to review the proposal, notify the Florida Community~~  
4256 ~~College System institution of any deficiencies in writing within~~  
4257 ~~30 days following receipt of the proposal, and provide the~~  
4258 ~~Florida Community College System institution with an opportunity~~  
4259 ~~to correct the deficiencies. Within 45 days following receipt of~~  
4260 ~~a completed proposal by the State Board of Community Division of~~  
4261 ~~Florida Colleges, the Chancellor of the Florida Community~~  
4262 ~~College System Commissioner of Education shall recommend~~  
4263 ~~approval or disapproval of the proposal to the State Board of~~  
4264 ~~Community Colleges Education. The State Board of Community~~  
4265 ~~Colleges Education shall consider such recommendation, the~~

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4266 proposal, input from the Chancellor of the State University  
4267 System and the president of the Independent Colleges and  
4268 Universities of Florida, and any objections or alternative  
4269 proposals at its next meeting. If the State Board of Community  
4270 Colleges Education disapproves the Florida Community College  
4271 System institution's proposal, it shall provide the Florida  
4272 Community College System institution with written reasons for  
4273 that determination.

4274 (e)(f) ~~The Florida Community College System institution to~~  
4275 ~~obtain from the Commission on Colleges of the Southern~~  
4276 ~~Association of Colleges and Schools accreditation as a~~  
4277 ~~baccalaureate-degree-granting institution if approved by the~~  
4278 ~~State Board of Community Colleges Education to offer its first~~  
4279 ~~baccalaureate degree program.~~

4280 (f)(g) ~~The Florida Community College System institution to~~  
4281 ~~notify the Commission on Colleges of the Southern Association of~~  
4282 ~~Colleges and Schools of subsequent degree programs that are~~  
4283 ~~approved by the State Board of Community Colleges Education and~~  
4284 ~~to comply with the association's required substantive change~~  
4285 ~~protocols for accreditation purposes.~~

4286 (g)(h) ~~The Florida Community College System institution to~~  
4287 ~~annually report to the State Board of Community Colleges, the~~  
4288 ~~Chancellor of the State University System, and upon request of~~  
4289 ~~the State Board of Education, the Commissioner of Education, the~~  
4290 ~~Chancellor of the Florida College System, or the Legislature,~~  
4291 ~~report its status using the following performance and compliance~~  
4292 ~~indicators:~~

4293 1. Obtaining and maintaining appropriate Southern  
4294 Association of Colleges and Schools accreditation;

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4295 2. Maintaining qualified faculty and institutional  
 4296 resources;

4297 3. Maintaining enrollment in previously approved programs;

4298 4. Managing fiscal resources appropriately;

4299 5. Complying with the primary mission and responsibility  
 4300 requirements in subsections (2) and (3); ~~and~~

4301 6. Other indicators of success, including program  
 4302 completions, employment and earnings outcomes, student  
 4303 acceptance into and performance in graduate programs placements,  
 4304 and surveys of graduates and employers; and-

4305 7. Continuing to meet workforce demand, as provided in  
 4306 subparagraph (c)2., as demonstrated through a data-driven needs  
 4307 assessment by the Florida Community College System institution  
 4308 which is verified by more than one third-party professional  
 4309 entity that is independent of the institution.

4310 8. Complying with the upper-level enrollment provisions  
 4311 under subsection (6).

4312

4313 The State Board of Community Colleges Education, upon annual  
 4314 review of the baccalaureate degree program performance and  
 4315 compliance indicators and needs assessment, may require a  
 4316 Florida Community College System institution's board of trustees  
 4317 to modify or terminate a baccalaureate degree program authorized  
 4318 under this section. If the annual review indicates negative  
 4319 program performance and compliance results, and if the needs  
 4320 assessment fails to demonstrate a need for the program, the  
 4321 State Board of Community Colleges must require a Florida  
 4322 Community College System institution's board of trustees to  
 4323 terminate that baccalaureate degree program.

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4324 (6) (a) If the 2015-2016 total upper-level, undergraduate  
 4325 full-time equivalent enrollment at a Florida Community College  
 4326 System institution is at or above 8 percent of the 2015-2016  
 4327 combined total lower-level and upper-level full-time equivalent  
 4328 enrollment at that institution, the total upper-level  
 4329 enrollment, as a percentage of the combined enrollment, may not  
 4330 increase by more than 2 percentage points unless the institution  
 4331 obtains prior legislative approval.

4332 (b) If the 2015-2016 total upper-level, undergraduate full-  
 4333 time equivalent enrollment at a Florida Community College System  
 4334 institution is below 8 percent of the 2015-2016 combined total  
 4335 lower-level and upper-level full-time equivalent enrollment at  
 4336 that institution, the total upper-level enrollment, as a  
 4337 percentage of the combined enrollment, may not increase by more  
 4338 than 4 percentage points unless the institution obtains prior  
 4339 legislative approval.

4340 (c) Within the 2 percent or 4 percent growth authorized  
 4341 under paragraphs (a) or (b), for any planned and purposeful  
 4342 expansion of existing baccalaureate degree programs or creation  
 4343 of a new baccalaureate program, a community college must  
 4344 demonstrate satisfactory performance in fulfilling its primary  
 4345 mission pursuant to s. 1004.65, executing at least one "2+2"  
 4346 targeted pathway articulation agreement pursuant to s. 1007.23,  
 4347 and meeting or exceeding the performance standards related to  
 4348 on-time graduation rates under s. 1001.66 for students earning  
 4349 associate of arts or baccalaureate degrees. The State Board of  
 4350 Community Colleges may not approve a new baccalaureate degree  
 4351 program proposal for a community college that does not meet the  
 4352 conditions specified in this subsection in addition to the other

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4353 requirements for approval under this section. Each community  
 4354 college that offers a baccalaureate degree must annually review  
 4355 each baccalaureate degree program and annually report to the  
 4356 State Board of Community Colleges, in a format prescribed by the  
 4357 state board, current and projected student enrollment for such  
 4358 program, justification for continuation of each baccalaureate  
 4359 degree program, and a plan to comply with the upper-level  
 4360 enrollment provisions of this subsection. A Florida Community  
 4361 College System institution that does not comply with the  
 4362 requirements of this section is subject to s. 1001.602(9) and  
 4363 may not report for funding, the upper-level, undergraduate full-  
 4364 time equivalent enrollment that exceeds the upper-level  
 4365 enrollment percent provision of this subsection.

4366 (7)(6) The State Board of Community Colleges ~~Education~~  
 4367 shall adopt rules to prescribe format and content requirements  
 4368 and submission procedures for notices of intent, proposals,  
 4369 ~~alternative proposals~~, and compliance reviews under subsection  
 4370 (5).

4371 Section 65. Subsections (1), (3), (4), and (5) of section  
 4372 1008.30, Florida Statutes, are amended to read:

4373 1008.30 Common placement testing for public postsecondary  
 4374 education.-

4375 (1) The State Board of Community Colleges ~~Education~~, in  
 4376 conjunction with the Board of Governors and the State Board of  
 4377 Education, shall develop and implement a common placement test  
 4378 for the purpose of assessing the basic computation and  
 4379 communication skills of students who intend to enter a degree  
 4380 program at any public postsecondary educational institution.  
 4381 Alternative assessments that may be accepted in lieu of the

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4382 common placement test shall also be identified in rule. Public  
 4383 postsecondary educational institutions shall provide appropriate  
 4384 modifications of the test instruments or test procedures for  
 4385 students with disabilities.

4386 (3) ~~By October 31, 2013,~~ The State Board of Community  
 4387 Colleges, in conjunction with the Board of Governors and the  
 4388 State Board of Education, Education shall establish by rule the  
 4389 test scores a student must achieve to demonstrate readiness to  
 4390 perform college-level work, and the rules must specify the  
 4391 following:

4392 (a) A student who entered 9th grade in a Florida public  
 4393 school in the 2003-2004 school year, or any year thereafter, and  
 4394 earned a Florida standard high school diploma or a student who  
 4395 is serving as an active duty member of any branch of the United  
 4396 States Armed Services shall not be required to take the common  
 4397 placement test and shall not be required to enroll in  
 4398 developmental education instruction in a Florida Community  
 4399 College System institution. However, a student who is not  
 4400 required to take the common placement test and is not required  
 4401 to enroll in developmental education under this paragraph may  
 4402 opt to be assessed and to enroll in developmental education  
 4403 instruction, and the college shall provide such assessment and  
 4404 instruction upon the student's request.

4405 (b) A student who takes the common placement test and whose  
 4406 score on the test indicates a need for developmental education  
 4407 must be advised of all the developmental education options  
 4408 offered at the institution and, after advisement, shall be  
 4409 allowed to enroll in the developmental education option of his  
 4410 or her choice.

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4411 (c) A student who demonstrates readiness by achieving or  
 4412 exceeding the test scores established by the state board and  
 4413 enrolls in a Florida Community College System institution within  
 4414 2 years after achieving such scores shall not be required to  
 4415 retest or complete developmental education when admitted to any  
 4416 Florida Community College System institution.

4417 (4) ~~By December 31, 2013,~~ The State Board of Community  
 4418 Colleges Education, in consultation with the Board of Governors,  
 4419 shall approve a series of meta-majors and the academic pathways  
 4420 that identify the gateway courses associated with each meta-  
 4421 major. Florida Community College System institutions shall use  
 4422 placement test results to determine the extent to which each  
 4423 student demonstrates sufficient communication and computation  
 4424 skills to indicate readiness for his or her chosen meta-major.  
 4425 Florida Community College System institutions shall counsel  
 4426 students into college credit courses as quickly as possible,  
 4427 with developmental education limited to that content needed for  
 4428 success in the meta-major.

4429 (5) (a) Each Florida Community College System institution  
 4430 board of trustees shall develop a plan to implement the  
 4431 developmental education strategies defined in s. 1008.02 and  
 4432 rules established by the State Board of Community Colleges  
 4433 Education. The plan must be submitted to the Chancellor of the  
 4434 Florida Community College System for approval no later than  
 4435 March 1, 2014, for implementation no later than the fall  
 4436 semester 2014. Each plan must include, at a minimum, local  
 4437 policies that outline:

4438 1. Documented student achievements such as grade point  
 4439 averages, work history, military experience, participation in

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4440 juried competitions, career interests, degree major declaration,  
 4441 or any combination of such achievements that the institution may  
 4442 consider, in addition to common placement test scores, for  
 4443 advising students regarding enrollment options.

4444 2. Developmental education strategies available to  
 4445 students.

4446 3. A description of student costs and financial aid  
 4447 opportunities associated with each option.

4448 4. Provisions for the collection of student success data.

4449 5. A comprehensive plan for advising students into  
 4450 appropriate developmental education strategies based on student  
 4451 success data.

4452 (b) Beginning October 31, 2015, each Florida Community  
 4453 College System institution shall annually prepare an  
 4454 accountability report that includes student success data  
 4455 relating to each developmental education strategy implemented by  
 4456 the institution. The report shall be submitted to the State  
 4457 Board of Community Division of Florida Colleges by October 31 in  
 4458 a format determined by the Chancellor of the Florida Community  
 4459 College System. By December 31, the chancellor shall compile and  
 4460 submit the institutional reports to the Governor, the President  
 4461 of the Senate, the Speaker of the House of Representatives, and  
 4462 the State Board of Community Colleges and the State Board of  
 4463 Education.

4464 (c) A university board of trustees may contract with a  
 4465 Florida Community College System institution board of trustees  
 4466 for the Florida Community College System institution to provide  
 4467 developmental education on the state university campus. Any  
 4468 state university in which the percentage of incoming students

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4469 requiring developmental education equals or exceeds the average  
 4470 percentage of such students for the Florida Community College  
 4471 System may offer developmental education without contracting  
 4472 with a Florida Community College System institution; however,  
 4473 any state university offering college-preparatory instruction as  
 4474 of January 1, 1996, may continue to provide such services.

4475 Section 66. Paragraphs (d) and (e) of subsection (1) and  
 4476 paragraphs (a) and (c) of subsection (3) of section 1008.31,  
 4477 Florida Statutes, are amended to read:

4478 1008.31 Florida's K-20 education performance accountability  
 4479 system; legislative intent; mission, goals, and systemwide  
 4480 measures; data quality improvements.-

4481 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature  
 4482 that:

4483 (d) The State Board of Education, ~~and~~ the Board of  
 4484 Governors of the State University System, and the State Board of  
 4485 Community Colleges of the Florida Community College System  
 4486 recommend to the Legislature systemwide performance standards;  
 4487 the Legislature establish systemwide performance measures and  
 4488 standards; and the systemwide measures and standards provide  
 4489 Floridians with information on what the public is receiving in  
 4490 return for the funds it invests in education and how well the K-  
 4491 20 system educates its students.

4492 (e)1. The State Board of Education establish performance  
 4493 measures and set performance standards for individual public  
 4494 schools ~~and Florida College System institutions~~, with measures  
 4495 and standards based primarily on student achievement.

4496 2. The Board of Governors of the State University System  
 4497 establish performance measures and set performance standards for

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4498 individual state universities, including actual completion  
 4499 rates.

4500 3. The State Board of Community Colleges establish  
 4501 performance measures and set performance standards for  
 4502 individual Florida Community College System institutions.

4503 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide  
 4504 data required to implement education performance accountability  
 4505 measures in state and federal law, the Commissioner of Education  
 4506 shall initiate and maintain strategies to improve data quality  
 4507 and timeliness. The Board of Governors shall make available to  
 4508 the department all data within the State University Database  
 4509 System to be integrated into the K-20 data warehouse. The  
 4510 commissioner shall have unlimited access to such data for the  
 4511 purposes of conducting studies, reporting annual and  
 4512 longitudinal student outcomes, and improving college readiness  
 4513 and articulation. All public educational institutions shall  
 4514 annually provide data from the prior year to the K-20 data  
 4515 warehouse in a format based on data elements identified by the  
 4516 commissioner.

4517 (a) School districts and public postsecondary educational  
 4518 institutions shall maintain information systems that will  
 4519 provide the State Board of Education, the Board of Governors of  
 4520 the State University System, the State Board of Community  
 4521 Colleges of the Florida Community College System, and the  
 4522 Legislature with information and reports necessary to address  
 4523 the specifications of the accountability system. The level of  
 4524 comprehensiveness and quality must be no less than that which  
 4525 was available as of June 30, 2001.

4526 (c) The Commissioner of Education shall determine the

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4527 standards for the required data, monitor data quality, and  
 4528 measure improvements. The commissioner shall report annually to  
 4529 the State Board of Education, the Board of Governors of the  
 4530 State University System, the State Board of Community Colleges  
 4531 of the Florida Community College System, the President of the  
 4532 Senate, and the Speaker of the House of Representatives data  
 4533 quality indicators and ratings for all school districts and  
 4534 public postsecondary educational institutions.

4535 Section 67. Section 1008.32, Florida Statutes, is amended  
 4536 to read:

4537 1008.32 State Board of Education oversight enforcement  
 4538 authority.—The State Board of Education shall oversee the  
 4539 performance of district school boards ~~and Florida College System~~  
 4540 ~~institution boards of trustees~~ in enforcement of all laws and  
 4541 rules. District school boards ~~and Florida College System~~  
 4542 ~~institution boards of trustees~~ shall be primarily responsible  
 4543 for compliance with law and state board rule.

4544 (1) In order to ensure compliance with law or state board  
 4545 rule, the State Board of Education shall have the authority to  
 4546 request and receive information, data, and reports from school  
 4547 districts ~~and Florida College System institutions~~. District  
 4548 school superintendents ~~and Florida College System institution~~  
 4549 ~~presidents~~ are responsible for the accuracy of the information  
 4550 and data reported to the state board.

4551 (2) The Commissioner of Education may investigate  
 4552 allegations of noncompliance with law or state board rule and  
 4553 determine probable cause. The commissioner shall report  
 4554 determinations of probable cause to the State Board of Education  
 4555 which shall require the district school board ~~or Florida College~~

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4556 ~~System institution board of trustees~~ to document compliance with  
 4557 law or state board rule.

4558 (3) If the district school board ~~or Florida College System~~  
 4559 ~~institution board of trustees~~ cannot satisfactorily document  
 4560 compliance, the State Board of Education may order compliance  
 4561 within a specified timeframe.

4562 (4) If the State Board of Education determines that a  
 4563 district school board ~~or Florida College System institution~~  
 4564 ~~board of trustees~~ is unwilling or unable to comply with law or  
 4565 state board rule within the specified time, the state board  
 4566 shall have the authority to initiate any of the following  
 4567 actions:

4568 (a) Report to the Legislature that the school district ~~or~~  
 4569 ~~Florida College System institution~~ is unwilling or unable to  
 4570 comply with law or state board rule and recommend action to be  
 4571 taken by the Legislature.

4572 (b) Withhold the transfer of state funds, discretionary  
 4573 grant funds, discretionary lottery funds, or any other funds  
 4574 specified as eligible for this purpose by the Legislature until  
 4575 the school district ~~or Florida College System institution~~  
 4576 complies with the law or state board rule.

4577 (c) Declare the school district ~~or Florida College System~~  
 4578 ~~institution~~ ineligible for competitive grants.

4579 (d) Require monthly or periodic reporting on the situation  
 4580 related to noncompliance until it is remedied.

4581 (5) Nothing in this section shall be construed to create a  
 4582 private cause of action or create any rights for individuals or  
 4583 entities in addition to those provided elsewhere in law or rule.

4584 Section 68. Paragraphs (e) and (f) of subsection (7) of

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4585 section 1008.345, Florida Statutes, are amended to read:

4586 1008.345 Implementation of state system of school  
4587 improvement and education accountability.—

4588 (7) As a part of the system of educational accountability,  
4589 the Department of Education shall:

4590 (e) Maintain a listing of college-level communication and  
4591 mathematics skills associated with successful student  
4592 performance through the baccalaureate level and submit it to the  
4593 State Board of Education, ~~and~~ the Board of Governors, and the  
4594 State Board of Community Colleges for approval.

4595 (f) Perform any other functions that may be involved in  
4596 educational planning, research, and evaluation or that may be  
4597 required by the commissioner, the State Board of Education, the  
4598 State Board of Community Colleges, the Board of Governors, or  
4599 law.

4600 Section 69. Subsections (1) and (2) of section 1008.37,  
4601 Florida Statutes, are amended to read:

4602 1008.37 Postsecondary feedback of information to high  
4603 schools.—

4604 (1) The Commissioner of Education shall report to the State  
4605 Board of Education, the Board of Governors, the State Board of  
4606 Community Colleges, the Legislature, and the district school  
4607 boards on the performance of each first-time-in-postsecondary  
4608 education student from each public high school in this state who  
4609 is enrolled in a public postsecondary institution or public  
4610 career center. Such reports must be based on information  
4611 databases maintained by the Department of Education. In  
4612 addition, the public postsecondary educational institutions and  
4613 career centers shall provide district school boards access to

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4614 information on student performance in regular and preparatory  
4615 courses and shall indicate students referred for remediation  
4616 pursuant to s. 1004.91 or s. 1008.30.

4617 (2) The Commissioner of Education shall report, by high  
4618 school, to the State Board of Education, the Board of Governors,  
4619 the State Board of Community Colleges, and the Legislature, no  
4620 later than November 30 of each year, on the number of prior year  
4621 Florida high school graduates who enrolled for the first time in  
4622 public postsecondary education in this state during the previous  
4623 summer, fall, or spring term, indicating the number of students  
4624 whose scores on the common placement test indicated the need for  
4625 developmental education under s. 1008.30 or for applied  
4626 academics for adult education under s. 1004.91.

4627 Section 70. Section 1008.38, Florida Statutes, is amended  
4628 to read:

4629 1008.38 Articulation accountability process.—The State  
4630 Board of Education, in conjunction with the Board of Governors  
4631 and the State Board of Community Colleges, shall develop  
4632 articulation accountability measures which assess the status of  
4633 systemwide articulation processes authorized under s. 1007.23  
4634 and establish an articulation accountability process which at a  
4635 minimum shall address:

4636 (1) The impact of articulation processes on ensuring  
4637 educational continuity and the orderly and unobstructed  
4638 transition of students between public secondary and  
4639 postsecondary education systems and facilitating the transition  
4640 of students between the public and private sectors.

4641 (2) The adequacy of preparation of public secondary  
4642 students to smoothly articulate to a public postsecondary

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4643 institution.

4644 (3) The effectiveness of articulated acceleration  
4645 mechanisms available to secondary students.

4646 (4) The smooth transfer of Florida Community College System  
4647 associate degree graduates to a Florida Community College System  
4648 institution or a state university.

4649 (5) An examination of degree requirements that exceed the  
4650 parameters of 60 credit hours for an associate degree and 120  
4651 hours for a baccalaureate degree in public postsecondary  
4652 programs.

4653 (6) The relationship between student attainment of college-  
4654 level academic skills and articulation to the upper division in  
4655 public postsecondary institutions.

4656 Section 71. Section 1008.405, Florida Statutes, is amended  
4657 to read:

4658 1008.405 Adult student information.—Each school district  
4659 and Florida Community College System institution shall maintain  
4660 sufficient information for each student enrolled in workforce  
4661 education to allow local and state administrators to locate such  
4662 student upon the termination of instruction and to determine the  
4663 appropriateness of student placement in specific instructional  
4664 programs. The State Board of Education and the State Board of  
4665 Community Colleges shall adopt, by rule, specific information  
4666 that must be maintained and acceptable means of maintaining that  
4667 information.

4668 Section 72. Subsection (2) of section 1008.44, Florida  
4669 Statutes, is amended to read:

4670 1008.44 CAPE Industry Certification Funding List and CAPE  
4671 Postsecondary Industry Certification Funding List.—

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4672 (2) The State Board of Education, for school districts, and  
4673 the State Board of Community Colleges, for Florida Community  
4674 College System institutions, shall approve, at least annually,  
4675 the CAPE Postsecondary Industry Certification Funding List  
4676 pursuant to this section. The Commissioner of Education and the  
4677 Chancellor of the Florida Community College System shall  
4678 recommend, at least annually, the CAPE Postsecondary Industry  
4679 Certification Funding List to the State Board of Education and  
4680 the State Board of Community Colleges, respectively, and may at  
4681 any time recommend adding certifications. The Chancellor of the  
4682 State University System, the Chancellor of the Florida Community  
4683 College System, and the Chancellor of Career and Adult Education  
4684 shall work with local workforce boards, other postsecondary  
4685 institutions, businesses, and industry to identify, create, and  
4686 recommend to the Commissioner of Education industry  
4687 certifications to be placed on the funding list. The list shall  
4688 be used to determine annual performance funding distributions to  
4689 school districts or Florida Community College System  
4690 institutions as specified in ss. 1011.80 and 1011.81,  
4691 respectively. The chancellors shall review results of the  
4692 economic security report of employment and earning outcomes  
4693 produced annually pursuant to s. 445.07 when determining  
4694 recommended certifications for the list, as well as other  
4695 reports and indicators available regarding certification needs.

4696 Section 73. Section 1008.45, Florida Statutes, is amended  
4697 to read:

4698 1008.45 Florida Community College System institution  
4699 accountability process.—

4700 (1) It is the intent of the Legislature that a management

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4701 and accountability process be implemented which provides for the  
 4702 systematic, ongoing improvement and assessment of the  
 4703 improvement of the quality and efficiency of the Florida  
 4704 Community College System institutions. Accordingly, the State  
 4705 Board of ~~Community Colleges Education~~ and the Florida Community  
 4706 College System institution boards of trustees shall develop and  
 4707 implement an accountability plan to improve and evaluate the  
 4708 instructional and administrative efficiency and effectiveness of  
 4709 the Florida Community College System. This plan shall be  
 4710 designed in consultation with staff of the Governor and the  
 4711 Legislature and must address the following issues:

4712 (a) Graduation rates of A.A. and A.S. degree-seeking  
 4713 students compared to first-time-enrolled students seeking the  
 4714 associate degree.

4715 (b) Minority student enrollment and retention rates.

4716 (c) Student performance, including student performance in  
 4717 college-level academic skills, mean grade point averages for  
 4718 Florida Community College System institution A.A. transfer  
 4719 students, and Florida Community College System institution  
 4720 student performance on state licensure examinations.

4721 (d) Job placement rates of Florida Community College System  
 4722 institution career students.

4723 (e) Student progression by admission status and program.

4724 (f) Career accountability standards identified in s.  
 4725 1008.42.

4726 (g) Institutional assessment efforts related to the  
 4727 requirements of s. III in the Criteria for Accreditation of the  
 4728 Commission on Colleges of the Southern Association of Colleges  
 4729 and Schools.

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4730 (h) Other measures approved by the State Board of Community  
 4731 Colleges Education.

4732 (2) The State Board of Community Colleges Education shall  
 4733 submit an annual report, to coincide with the submission of the  
 4734 ~~state board's agency~~ strategic plan required by law, providing  
 4735 the results of initiatives taken during the prior year and the  
 4736 initiatives and related objective performance measures proposed  
 4737 for the next year.

4738 (3) The State Board of Community Colleges Education shall  
 4739 address within the annual evaluation of the performance of the  
 4740 ~~chancellor executive director~~, and the Florida Community College  
 4741 System institution boards of trustees shall address within the  
 4742 annual evaluation of the presidents, the achievement of the  
 4743 performance goals established by the accountability process.

4744 Section 74. Section 1009.21, Florida Statutes, is amended  
 4745 to read:

4746 1009.21 Determination of resident status for tuition  
 4747 purposes.—Students shall be classified as residents or  
 4748 nonresidents for the purpose of assessing tuition in  
 4749 postsecondary educational programs offered by charter technical  
 4750 career centers or career centers operated by school districts,  
 4751 in Florida Community College System institutions, and in state  
 4752 universities.

4753 (1) As used in this section, the term:

4754 (a) "Dependent child" means any person, whether or not  
 4755 living with his or her parent, who is eligible to be claimed by  
 4756 his or her parent as a dependent under the federal income tax  
 4757 code.

4758 (b) "Initial enrollment" means the first day of class at an

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4759 institution of higher education.

4760 (c) "Institution of higher education" means any charter  
4761 technical career center as defined in s. 1002.34, career center  
4762 operated by a school district as defined in s. 1001.44, Florida  
4763 Community College System institution as defined in s.  
4764 1000.21(3), or state university as defined in s. 1000.21(6).

4765 (d) "Legal resident" or "resident" means a person who has  
4766 maintained his or her residence in this state for the preceding  
4767 year, has purchased a home which is occupied by him or her as  
4768 his or her residence, or has established a domicile in this  
4769 state pursuant to s. 222.17.

4770 (e) "Nonresident for tuition purposes" means a person who  
4771 does not qualify for the in-state tuition rate.

4772 (f) "Parent" means either or both parents of a student, any  
4773 guardian of a student, or any person in a parental relationship  
4774 to a student.

4775 (g) "Resident for tuition purposes" means a person who  
4776 qualifies as provided in this section for the in-state tuition  
4777 rate.

4778 (2) (a) To qualify as a resident for tuition purposes:

4779 1. A person or, if that person is a dependent child, his or  
4780 her parent or parents must have established legal residence in  
4781 this state and must have maintained legal residence in this  
4782 state for at least 12 consecutive months immediately prior to  
4783 his or her initial enrollment in an institution of higher  
4784 education.

4785 2. Every applicant for admission to an institution of  
4786 higher education shall be required to make a statement as to his  
4787 or her length of residence in the state and, further, shall

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4788 establish that his or her presence or, if the applicant is a  
4789 dependent child, the presence of his or her parent or parents in  
4790 the state currently is, and during the requisite 12-month  
4791 qualifying period was, for the purpose of maintaining a bona  
4792 fide domicile, rather than for the purpose of maintaining a mere  
4793 temporary residence or abode incident to enrollment in an  
4794 institution of higher education.

4795 (b) However, with respect to a dependent child living with  
4796 an adult relative other than the child's parent, such child may  
4797 qualify as a resident for tuition purposes if the adult relative  
4798 is a legal resident who has maintained legal residence in this  
4799 state for at least 12 consecutive months immediately before the  
4800 child's initial enrollment in an institution of higher  
4801 education, provided the child has resided continuously with such  
4802 relative for the 3 years immediately before the child's initial  
4803 enrollment in an institution of higher education, during which  
4804 time the adult relative has exercised day-to-day care,  
4805 supervision, and control of the child.

4806 (c) The legal residence of a dependent child whose parents  
4807 are divorced, separated, or otherwise living apart will be  
4808 deemed to be this state if either parent is a legal resident of  
4809 this state, regardless of which parent is entitled to claim, and  
4810 does in fact claim, the minor as a dependent pursuant to federal  
4811 individual income tax provisions.

4812 (d) A dependent child who is a United States citizen may  
4813 not be denied classification as a resident for tuition purposes  
4814 based solely upon the immigration status of his or her parent.

4815 (3) (a) An individual shall not be classified as a resident  
4816 for tuition purposes and, thus, shall not be eligible to receive

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4817 the in-state tuition rate until he or she has provided such  
 4818 evidence related to legal residence and its duration or, if that  
 4819 individual is a dependent child, evidence of his or her parent's  
 4820 legal residence and its duration, as may be required by law and  
 4821 by officials of the institution of higher education from which  
 4822 he or she seeks the in-state tuition rate.

4823 (b) Except as otherwise provided in this section, evidence  
 4824 of legal residence and its duration shall include clear and  
 4825 convincing documentation that residency in this state was for a  
 4826 minimum of 12 consecutive months prior to a student's initial  
 4827 enrollment in an institution of higher education.

4828 (c) Each institution of higher education shall  
 4829 affirmatively determine that an applicant who has been granted  
 4830 admission to that institution as a Florida resident meets the  
 4831 residency requirements of this section at the time of initial  
 4832 enrollment. The residency determination must be documented by  
 4833 the submission of written or electronic verification that  
 4834 includes two or more of the documents identified in this  
 4835 paragraph. No single piece of evidence shall be conclusive.

4836 1. The documents must include at least one of the  
 4837 following:

- 4838 a. A Florida voter's registration card.
- 4839 b. A Florida driver license.
- 4840 c. A State of Florida identification card.
- 4841 d. A Florida vehicle registration.
- 4842 e. Proof of a permanent home in Florida which is occupied  
 4843 as a primary residence by the individual or by the individual's  
 4844 parent if the individual is a dependent child.
- 4845 f. Proof of a homestead exemption in Florida.

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4846 g. Transcripts from a Florida high school for multiple  
 4847 years if the Florida high school diploma or high school  
 4848 equivalency diploma was earned within the last 12 months.

4849 h. Proof of permanent full-time employment in Florida for  
 4850 at least 30 hours per week for a 12-month period.

4851 2. The documents may include one or more of the following:

- 4852 a. A declaration of domicile in Florida.
- 4853 b. A Florida professional or occupational license.
- 4854 c. Florida incorporation.
- 4855 d. A document evidencing family ties in Florida.
- 4856 e. Proof of membership in a Florida-based charitable or  
 4857 professional organization.
- 4858 f. Any other documentation that supports the student's  
 4859 request for resident status, including, but not limited to,  
 4860 utility bills and proof of 12 consecutive months of payments; a  
 4861 lease agreement and proof of 12 consecutive months of payments;  
 4862 or an official state, federal, or court document evidencing  
 4863 legal ties to Florida.

4864 (4) With respect to a dependent child, the legal residence  
 4865 of the dependent child's parent or parents is prima facie  
 4866 evidence of the dependent child's legal residence, which  
 4867 evidence may be reinforced or rebutted, relative to the age and  
 4868 general circumstances of the dependent child, by the other  
 4869 evidence of legal residence required of or presented by the  
 4870 dependent child. However, the legal residence of a dependent  
 4871 child's parent or parents who are domiciled outside this state  
 4872 is not prima facie evidence of the dependent child's legal  
 4873 residence if that dependent child has lived in this state for 5  
 4874 consecutive years prior to enrolling or reregistering at the

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4875 institution of higher education at which resident status for  
4876 tuition purposes is sought.

4877 (5) A person who physically resides in this state may be  
4878 classified as a resident for tuition purposes if he or she  
4879 marries a person who meets the 12-month residency requirement  
4880 under subsection (2) and who is a legal resident of this state.

4881 (6) (a) Except as otherwise provided in this section, a  
4882 person who is classified as a nonresident for tuition purposes  
4883 may become eligible for reclassification as a resident for  
4884 tuition purposes if that person or, if that person is a  
4885 dependent child, his or her parent presents clear and convincing  
4886 documentation that supports permanent legal residency in this  
4887 state for at least 12 consecutive months rather than temporary  
4888 residency for the purpose of pursuing an education, such as  
4889 documentation of full-time permanent employment for the prior 12  
4890 months or the purchase of a home in this state and residence  
4891 therein for the prior 12 months while not enrolled in an  
4892 institution of higher education.

4893 (b) If a person who is a dependent child and his or her  
4894 parent move to this state while such child is a high school  
4895 student and the child graduates from a high school in this  
4896 state, the child may become eligible for reclassification as a  
4897 resident for tuition purposes when the parent submits evidence  
4898 that the parent qualifies for permanent residency.

4899 (c) If a person who is a dependent child and his or her  
4900 parent move to this state after such child graduates from high  
4901 school, the child may become eligible for reclassification as a  
4902 resident for tuition purposes after the parent submits evidence  
4903 that he or she has established legal residence in the state and

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4904 has maintained legal residence in the state for at least 12  
4905 consecutive months.

4906 (d) A person who is classified as a nonresident for tuition  
4907 purposes and who marries a legal resident of the state or  
4908 marries a person who becomes a legal resident of the state may,  
4909 upon becoming a legal resident of the state, become eligible for  
4910 reclassification as a resident for tuition purposes upon  
4911 submitting evidence of his or her own legal residency in the  
4912 state, evidence of his or her marriage to a person who is a  
4913 legal resident of the state, and evidence of the spouse's legal  
4914 residence in the state for at least 12 consecutive months  
4915 immediately preceding the application for reclassification.

4916 (7) A person shall not lose his or her resident status for  
4917 tuition purposes solely by reason of serving, or, if such person  
4918 is a dependent child, by reason of his or her parent's or  
4919 parents' serving, in the Armed Forces outside this state.

4920 (8) A person who has been properly classified as a resident  
4921 for tuition purposes but who, while enrolled in an institution  
4922 of higher education in this state, loses his or her resident  
4923 tuition status because the person or, if he or she is a  
4924 dependent child, the person's parent or parents establish  
4925 domicile or legal residence elsewhere shall continue to enjoy  
4926 the in-state tuition rate for a statutory grace period, which  
4927 period shall be measured from the date on which the  
4928 circumstances arose that culminated in the loss of resident  
4929 tuition status and shall continue for 12 months. However, if the  
4930 12-month grace period ends during a semester or academic term  
4931 for which such former resident is enrolled, such grace period  
4932 shall be extended to the end of that semester or academic term.

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4933 (9) Any person who ceases to be enrolled at or who  
 4934 graduates from an institution of higher education while  
 4935 classified as a resident for tuition purposes and who  
 4936 subsequently abandons his or her domicile in this state shall be  
 4937 permitted to reenroll at an institution of higher education in  
 4938 this state as a resident for tuition purposes without the  
 4939 necessity of meeting the 12-month durational requirement of this  
 4940 section if that person has reestablished his or her domicile in  
 4941 this state within 12 months of such abandonment and continuously  
 4942 maintains the reestablished domicile during the period of  
 4943 enrollment. The benefit of this subsection shall not be accorded  
 4944 more than once to any one person.

4945 (10) The following persons shall be classified as residents  
 4946 for tuition purposes:

4947 (a) Active duty members of the Armed Services of the United  
 4948 States residing or stationed in this state, their spouses, and  
 4949 dependent children, and active drilling members of the Florida  
 4950 National Guard.

4951 (b) Active duty members of the Armed Services of the United  
 4952 States and their spouses and dependents attending a Florida  
 4953 Community College System institution or state university within  
 4954 50 miles of the military establishment where they are stationed,  
 4955 if such military establishment is within a county contiguous to  
 4956 Florida.

4957 (c) United States citizens living on the Isthmus of Panama,  
 4958 who have completed 12 consecutive months of college work at the  
 4959 Florida State University Panama Canal Branch, and their spouses  
 4960 and dependent children.

4961 (d) Full-time instructional and administrative personnel

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4962 employed by state public schools and institutions of higher  
 4963 education and their spouses and dependent children.

4964 (e) Students from Latin America and the Caribbean who  
 4965 receive scholarships from the federal or state government. Any  
 4966 student classified pursuant to this paragraph shall attend, on a  
 4967 full-time basis, a Florida institution of higher education.

4968 (f) Southern Regional Education Board's Academic Common  
 4969 Market graduate students attending Florida's state universities.

4970 (g) Full-time employees of state agencies or political  
 4971 subdivisions of the state when the student fees are paid by the  
 4972 state agency or political subdivision for the purpose of job-  
 4973 related law enforcement or corrections training.

4974 (h) McKnight Doctoral Fellows and Finalists who are United  
 4975 States citizens.

4976 (i) United States citizens living outside the United States  
 4977 who are teaching at a Department of Defense Dependent School or  
 4978 in an American International School and who enroll in a graduate  
 4979 level education program which leads to a Florida teaching  
 4980 certificate.

4981 (j) Active duty members of the Canadian military residing  
 4982 or stationed in this state under the North American Air Defense  
 4983 (NORAD) agreement, and their spouses and dependent children,  
 4984 attending a Florida Community College System institution or  
 4985 state university within 50 miles of the military establishment  
 4986 where they are stationed.

4987 (k) Active duty members of a foreign nation's military who  
 4988 are serving as liaison officers and are residing or stationed in  
 4989 this state, and their spouses and dependent children, attending  
 4990 a Florida Community College System institution or state

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4991 university within 50 miles of the military establishment where  
4992 the foreign liaison officer is stationed.

4993 (11) Once a student has been classified as a resident for  
4994 tuition purposes, an institution of higher education to which  
4995 the student transfers is not required to reevaluate the  
4996 classification unless inconsistent information suggests that an  
4997 erroneous classification was made or the student's situation has  
4998 changed. However, the student must have attended the institution  
4999 making the initial classification within the prior 12 months,  
5000 and the residency classification must be noted on the student's  
5001 transcript. The Higher Education Coordinating Council shall  
5002 consider issues related to residency determinations and make  
5003 recommendations relating to efficiency and effectiveness of  
5004 current law.

5005 (12) Each institution of higher education shall establish a  
5006 residency appeal committee comprised of at least three members  
5007 to consider student appeals of residency determinations, in  
5008 accordance with the institution's official appeal process. The  
5009 residency appeal committee must render to the student the final  
5010 residency determination in writing. The institution must advise  
5011 the student of the reasons for the determination.

5012 (13) The State Board of Education, ~~and~~ the Board of  
5013 Governors, and the State Board of Community Colleges shall adopt  
5014 rules to implement this section.

5015 Section 75. Paragraph (e) of subsection (3) of section  
5016 1009.22, Florida Statutes, is amended to read:

5017 1009.22 Workforce education postsecondary student fees.—

5018 (3)

5019 (e) The State Board of Education and the State Board of

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5020 Community Colleges may adopt, by rule, the definitions and  
5021 procedures that district school boards and Florida Community  
5022 College System institution boards of trustees shall use in the  
5023 calculation of cost borne by students.

5024 Section 76. Section 1009.23, Florida Statutes, is amended  
5025 to read:

5026 1009.23 Florida Community College System institution  
5027 student fees.—

5028 (1) Unless otherwise provided, this section applies only to  
5029 fees charged for college credit instruction leading to an  
5030 associate in arts degree, an associate in applied science  
5031 degree, an associate in science degree, or a baccalaureate  
5032 degree authorized pursuant to s. 1007.33, for noncollege credit  
5033 developmental education defined in s. 1004.02, and for educator  
5034 preparation institute programs defined in s. 1004.85.

5035 (2) (a) All students shall be charged fees except students  
5036 who are exempt from fees or students whose fees are waived.

5037 (b) Tuition and out-of-state fees for upper-division  
5038 courses must reflect the fact that the Florida Community College  
5039 System institution has a less expensive cost structure than that  
5040 of a state university. Therefore, the board of trustees shall  
5041 establish tuition and out-of-state fees for upper-division  
5042 courses in baccalaureate degree programs approved pursuant to s.  
5043 1007.33 consistent with law and proviso language in the General  
5044 Appropriations Act. However, the board of trustees may vary  
5045 tuition and out-of-state fees only as provided in subsection (6)  
5046 and s. 1009.26(11).

5047 (3) (a) Effective July 1, 2014, for advanced and  
5048 professional, postsecondary vocational, developmental education,

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5049 and educator preparation institute programs, the standard  
5050 tuition shall be \$71.98 per credit hour for residents and  
5051 nonresidents, and the out-of-state fee shall be \$215.94 per  
5052 credit hour.

5053 (b) Effective July 1, 2014, for baccalaureate degree  
5054 programs, the following tuition and fee rates shall apply:

5055 1. The tuition shall be \$91.79 per credit hour for students  
5056 who are residents for tuition purposes.

5057 2. The sum of the tuition and the out-of-state fee per  
5058 credit hour for students who are nonresidents for tuition  
5059 purposes shall be no more than 85 percent of the sum of the  
5060 tuition and the out-of-state fee at the state university nearest  
5061 the Florida Community College System institution.

5062 (4) Each Florida Community College System institution board  
5063 of trustees shall establish tuition and out-of-state fees, which  
5064 may vary no more than 10 percent below and 15 percent above the  
5065 combined total of the standard tuition and fees established in  
5066 subsection (3).

5067 (5) Except as otherwise provided in law, the sum of  
5068 nonresident student tuition and out-of-state fees must be  
5069 sufficient to defray the full cost of each program.

5070 (6) (a) A Florida Community College System institution board  
5071 of trustees that has a service area that borders another state  
5072 may implement a plan for a differential out-of-state fee.

5073 (b) A Florida Community College System institution board of  
5074 trustees may establish a differential out-of-state fee for a  
5075 student who has been determined to be a nonresident for tuition  
5076 purposes pursuant to s. 1009.21 and is enrolled in a distance  
5077 learning course offered by the institution. A differential out-

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5078 of-state fee established pursuant to this paragraph shall be  
5079 applicable only to distance learning courses and must be  
5080 established such that the sum of tuition and the differential  
5081 out-of-state fee is sufficient to defray the full cost of  
5082 instruction.

5083 (7) Each Florida Community College System institution board  
5084 of trustees may establish a separate activity and service fee  
5085 not to exceed 10 percent of the tuition fee, according to rules  
5086 of the State Board of Community Colleges ~~Education~~. The student  
5087 activity and service fee shall be collected as a component part  
5088 of the tuition and fees. The student activity and service fees  
5089 shall be paid into a student activity and service fund at the  
5090 Florida Community College System institution and shall be  
5091 expended for lawful purposes to benefit the student body in  
5092 general. These purposes include, but are not limited to, student  
5093 publications and grants to duly recognized student  
5094 organizations, the membership of which is open to all students  
5095 at the Florida Community College System institution without  
5096 regard to race, sex, or religion. No Florida Community College  
5097 System institution shall be required to lower any activity and  
5098 service fee approved by the board of trustees of the Florida  
5099 Community College System institution and in effect prior to  
5100 October 26, 2007, in order to comply with the provisions of this  
5101 subsection.

5102 (8) (a) Each Florida Community College System institution  
5103 board of trustees is authorized to establish a separate fee for  
5104 financial aid purposes in an additional amount up to, but not to  
5105 exceed, 5 percent of the total student tuition or out-of-state  
5106 fees collected. Each Florida Community College System

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5107 institution board of trustees may collect up to an additional 2  
 5108 percent if the amount generated by the total financial aid fee  
 5109 is less than \$500,000. If the amount generated is less than  
 5110 \$500,000, a Florida Community College System institution that  
 5111 charges tuition and out-of-state fees at least equal to the  
 5112 average fees established by rule may transfer from the general  
 5113 current fund to the scholarship fund an amount equal to the  
 5114 difference between \$500,000 and the amount generated by the  
 5115 total financial aid fee assessment. No other transfer from the  
 5116 general current fund to the loan, endowment, or scholarship  
 5117 fund, by whatever name known, is authorized.

5118 (b) All funds collected under this program shall be placed  
 5119 in the loan and endowment fund or scholarship fund of the  
 5120 college, by whatever name known. Such funds shall be disbursed  
 5121 to students as quickly as possible. An amount not greater than  
 5122 40 percent of the fees collected in a fiscal year may be carried  
 5123 forward unexpended to the following fiscal year. However, funds  
 5124 collected prior to July 1, 1989, and placed in an endowment fund  
 5125 may not be considered part of the balance of funds carried  
 5126 forward unexpended to the following fiscal year.

5127 (c) Up to 25 percent or \$600,000, whichever is greater, of  
 5128 the financial aid fees collected may be used to assist students  
 5129 who demonstrate academic merit; who participate in athletics,  
 5130 public service, cultural arts, and other extracurricular  
 5131 programs as determined by the institution; or who are identified  
 5132 as members of a targeted gender or ethnic minority population.  
 5133 The financial aid fee revenues allocated for athletic  
 5134 scholarships and any fee exemptions provided to athletes  
 5135 pursuant to s. 1009.25(2) must be distributed equitably as

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5136 required by s. 1000.05(3)(d). A minimum of 75 percent of the  
 5137 balance of these funds for new awards shall be used to provide  
 5138 financial aid based on absolute need, and the remainder of the  
 5139 funds shall be used for academic merit purposes and other  
 5140 purposes approved by the boards of trustees. Such other purposes  
 5141 shall include the payment of child care fees for students with  
 5142 financial need. The State Board of Education shall develop  
 5143 criteria for making financial aid awards. Each college shall  
 5144 report annually to the Department of Education on the revenue  
 5145 collected pursuant to this paragraph, the amount carried  
 5146 forward, the criteria used to make awards, the amount and number  
 5147 of awards for each criterion, and a delineation of the  
 5148 distribution of such awards. The report shall include an  
 5149 assessment by category of the financial need of every student  
 5150 who receives an award, regardless of the purpose for which the  
 5151 award is received. Awards that are based on financial need shall  
 5152 be distributed in accordance with a nationally recognized system  
 5153 of need analysis approved by the State Board of Education. An  
 5154 award for academic merit requires a minimum overall grade point  
 5155 average of 3.0 on a 4.0 scale or the equivalent for both initial  
 5156 receipt of the award and renewal of the award.

5157 (d) These funds may not be used for direct or indirect  
 5158 administrative purposes or salaries.

5159 (9) Any Florida Community College System institution that  
 5160 reports students who have not paid fees in an approved manner in  
 5161 calculations of full-time equivalent enrollments for state  
 5162 funding purposes shall be penalized at a rate equal to two times  
 5163 the value of such enrollments. Such penalty shall be charged  
 5164 against the following year's allocation from the Florida

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5165 Community College System Program Fund and shall revert to the  
5166 General Revenue Fund.

5167 (10) Each Florida Community College System institution  
5168 board of trustees is authorized to establish a separate fee for  
5169 technology, which may not exceed 5 percent of tuition per credit  
5170 hour or credit-hour equivalent for resident students and may not  
5171 exceed 5 percent of tuition and the out-of-state fee per credit  
5172 hour or credit-hour equivalent for nonresident students.  
5173 Revenues generated from the technology fee shall be used to  
5174 enhance instructional technology resources for students and  
5175 faculty. The technology fee may apply to both college credit and  
5176 developmental education and shall not be included in any award  
5177 under the Florida Bright Futures Scholarship Program. Fifty  
5178 percent of technology fee revenues may be pledged by a Florida  
5179 Community College System institution board of trustees as a  
5180 dedicated revenue source for the repayment of debt, including  
5181 lease-purchase agreements, not to exceed the useful life of the  
5182 asset being financed. Revenues generated from the technology fee  
5183 may not be bonded.

5184 (11) (a) Each Florida Community College System institution  
5185 board of trustees may establish a separate fee for capital  
5186 improvements, technology enhancements, equipping student  
5187 buildings, or the acquisition of improved real property which  
5188 may not exceed 20 percent of tuition for resident students or 20  
5189 percent of the sum of tuition and out-of-state fees for  
5190 nonresident students. The fee for resident students shall be  
5191 limited to an increase of \$2 per credit hour over the prior  
5192 year. Funds collected by Florida Community College System  
5193 institutions through the fee may be bonded only as provided in

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5194 this subsection for the purpose of financing or refinancing new  
5195 construction and equipment, renovation, remodeling of  
5196 educational facilities, or the acquisition and renovation or  
5197 remodeling of improved real property for use as educational  
5198 facilities. The fee shall be collected as a component part of  
5199 the tuition and fees, paid into a separate account, and expended  
5200 only to acquire improved real property or construct and equip,  
5201 maintain, improve, or enhance the educational facilities of the  
5202 Florida Community College System institution. Projects and  
5203 acquisitions of improved real property funded through the use of  
5204 the capital improvement fee shall meet the survey and  
5205 construction requirements of chapter 1013. Pursuant to s.  
5206 216.0158, each Florida Community College System institution  
5207 shall identify each project, including maintenance projects,  
5208 proposed to be funded in whole or in part by such fee.

5209 (b) Capital improvement fee revenues may be pledged by a  
5210 board of trustees as a dedicated revenue source to the repayment  
5211 of debt, including lease-purchase agreements, with an overall  
5212 term of not more than 7 years, including renewals, extensions,  
5213 and refundings, and revenue bonds with a term not exceeding 20  
5214 annual maturities and not exceeding the useful life of the asset  
5215 being financed, only for financing or refinancing of the new  
5216 construction and equipment, renovation, or remodeling of  
5217 educational facilities. Bonds authorized pursuant to this  
5218 subsection shall be requested by the Florida Community College  
5219 System institution board of trustees and shall be issued by the  
5220 Division of Bond Finance in compliance with s. 11(d), Art. VII  
5221 of the State Constitution and the State Bond Act. The Division  
5222 of Bond Finance may pledge fees collected by one or more Florida

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5223 Community College System institutions to secure such bonds. Any  
 5224 project included in the approved educational plant survey  
 5225 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.  
 5226 VII of the State Constitution.

5227 (c) Bonds issued pursuant to this subsection may be  
 5228 validated in the manner provided by chapter 75. Only the initial  
 5229 series of bonds is required to be validated. The complaint for  
 5230 such validation shall be filed in the circuit court of the  
 5231 county where the seat of state government is situated, the  
 5232 notice required to be published by s. 75.06 shall be published  
 5233 only in the county where the complaint is filed, and the  
 5234 complaint and order of the circuit court shall be served only on  
 5235 the state attorney of the circuit in which the action is  
 5236 pending.

5237 (d) A maximum of 15 percent may be allocated from the  
 5238 capital improvement fee for child care centers conducted by the  
 5239 Florida Community College System institution. The use of capital  
 5240 improvement fees for such purpose shall be subordinate to the  
 5241 payment of any bonds secured by the fees.

5242 (e) The state does hereby covenant with the holders of the  
 5243 bonds issued under this subsection that it will not take any  
 5244 action that will materially and adversely affect the rights of  
 5245 such holders so long as the bonds authorized by this subsection  
 5246 are outstanding.

5247 (12) (a) In addition to tuition, out-of-state, financial  
 5248 aid, capital improvement, student activity and service, and  
 5249 technology fees authorized in this section, each Florida  
 5250 Community College System institution board of trustees is  
 5251 authorized to establish fee schedules for the following user

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5252 fees and fines: laboratory fees, which do not apply to a  
 5253 distance learning course; parking fees and fines; library fees  
 5254 and fines; fees and fines relating to facilities and equipment  
 5255 use or damage; access or identification card fees; duplicating,  
 5256 photocopying, binding, or microfilming fees; standardized  
 5257 testing fees; diploma replacement fees; transcript fees;  
 5258 application fees; graduation fees; and late fees related to  
 5259 registration and payment. Such user fees and fines shall not  
 5260 exceed the cost of the services provided and shall only be  
 5261 charged to persons receiving the service. A Florida Community  
 5262 College System institution may not charge any fee except as  
 5263 authorized by law. Parking fee revenues may be pledged by a  
 5264 Florida Community College System institution board of trustees  
 5265 as a dedicated revenue source for the repayment of debt,  
 5266 including lease-purchase agreements, with an overall term of not  
 5267 more than 7 years, including renewals, extensions, and  
 5268 refundings, and revenue bonds with a term not exceeding 20 years  
 5269 and not exceeding the useful life of the asset being financed.  
 5270 Florida Community College System institutions shall use the  
 5271 services of the Division of Bond Finance of the State Board of  
 5272 Administration to issue any revenue bonds authorized by this  
 5273 subsection. Any such bonds issued by the Division of Bond  
 5274 Finance shall be in compliance with the provisions of the State  
 5275 Bond Act. Bonds issued pursuant to the State Bond Act may be  
 5276 validated in the manner established in chapter 75. The complaint  
 5277 for such validation shall be filed in the circuit court of the  
 5278 county where the seat of state government is situated, the  
 5279 notice required to be published by s. 75.06 shall be published  
 5280 only in the county where the complaint is filed, and the

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5281 complaint and order of the circuit court shall be served only on  
 5282 the state attorney of the circuit in which the action is  
 5283 pending.

5284 (b) The State Board of Community Colleges Education may  
 5285 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer  
 5286 this subsection.

5287 (13) The State Board of Community Colleges Education shall  
 5288 specify, as necessary, by rule, approved methods of student fee  
 5289 payment. Such methods shall include, but not be limited to,  
 5290 student fee payment; payment through federal, state, or  
 5291 institutional financial aid; and employer fee payments.

5292 (14) Each Florida Community College System institution  
 5293 board of trustees shall report only those students who have  
 5294 actually enrolled in instruction provided or supervised by  
 5295 instructional personnel under contract with the Florida  
 5296 Community College System institution in calculations of actual  
 5297 full-time equivalent enrollments for state funding purposes. No  
 5298 student who has been exempted from taking a course or who has  
 5299 been granted academic or career credit through means other than  
 5300 actual coursework completed at the granting institution shall be  
 5301 calculated for enrollment in the course from which he or she has  
 5302 been exempted or granted credit. Florida Community College  
 5303 System institutions that report enrollments in violation of this  
 5304 subsection shall be penalized at a rate equal to two times the  
 5305 value of such enrollments. Such penalty shall be charged against  
 5306 the following year's allocation from the Florida Community  
 5307 College System Program Fund and shall revert to the General  
 5308 Revenue Fund.

5309 (15) Each Florida Community College System institution may

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5310 assess a service charge for the payment of tuition and fees in  
 5311 installments and a convenience fee for the processing of  
 5312 automated or online credit card payments. However, the amount of  
 5313 the convenience fee may not exceed the total cost charged by the  
 5314 credit card company to the Florida Community College System  
 5315 institution. Such service charge or convenience fee must be  
 5316 approved by the Florida Community College System institution  
 5317 board of trustees.

5318 (16) (a) Each Florida Community College System institution  
 5319 may assess a student who enrolls in a course listed in the  
 5320 distance learning catalog, established pursuant to s. 1006.735,  
 5321 a per-credit-hour distance learning course user fee. For  
 5322 purposes of assessing this fee, a distance learning course is a  
 5323 course in which at least 80 percent of the direct instruction of  
 5324 the course is delivered using some form of technology when the  
 5325 student and instructor are separated by time or space, or both.

5326 (b) The amount of the distance learning course user fee may  
 5327 not exceed the additional costs of the services provided which  
 5328 are attributable to the development and delivery of the distance  
 5329 learning course. If a Florida Community College System  
 5330 institution assesses the distance learning course user fee, the  
 5331 institution may not assess any other fees to cover the  
 5332 additional costs. By September 1 of each year, each board of  
 5333 trustees shall report to the State Board of Community Colleges  
 5334 ~~Division of Florida Colleges~~ the total amount of revenue  
 5335 generated by the distance learning course user fee for the prior  
 5336 fiscal year and how the revenue was expended.

5337 (c) If an institution assesses the distance learning fee,  
 5338 the institution must provide a link to the catalog within the

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5339 advising and distance learning sections of the institution's  
5340 website, using a graphic and description provided by the  
5341 Complete Florida Plus Program, to inform students of the  
5342 catalog.

5343 (17) Each Florida Community College System institution that  
5344 accepts transient students, pursuant to s. 1006.735, may  
5345 establish a transient student fee not to exceed \$5 per course  
5346 for processing the transient student admissions application.

5347 (18) (a) The Board of Trustees of Santa Fe College may  
5348 establish a transportation access fee. Revenue from the fee may  
5349 be used only to provide or improve access to transportation  
5350 services for students enrolled at Santa Fe College. The fee may  
5351 not exceed \$6 per credit hour. An increase in the transportation  
5352 access fee may occur only once each fiscal year and must be  
5353 implemented beginning with the fall term. A referendum must be  
5354 held by the student government to approve the application of the  
5355 fee.

5356 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,  
5357 the transportation access fee authorized under paragraph (a) may  
5358 not be included in calculating the amount a student receives for  
5359 a Florida Academic Scholars award, a Florida Medallion Scholars  
5360 award, or a Florida Gold Seal Vocational Scholars award.

5361 (19) The State Board of Community Colleges Education shall  
5362 adopt a rule specifying the definitions and procedures to be  
5363 used in the calculation of the percentage of cost paid by  
5364 students. The rule must provide for the calculation of the full  
5365 cost of educational programs based on the allocation of all  
5366 funds provided through the general current fund to programs of  
5367 instruction, and other activities as provided in the annual

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5368 expenditure analysis. The rule shall be developed in  
5369 consultation with the Legislature.

5370 (20) Each Florida Community College System institution  
5371 shall publicly notice and notify all enrolled students of any  
5372 proposal to increase tuition or fees at least 28 days before its  
5373 consideration at a board of trustees meeting. The notice must:

5374 (a) Include the date and time of the meeting at which the  
5375 proposal will be considered.

5376 (b) Specifically outline the details of existing tuition  
5377 and fees, the rationale for the proposed increase, and how the  
5378 funds from the proposed increase will be used.

5379 (c) Be posted on the institution's website and issued in a  
5380 press release.

5381 Section 77. Subsection (2) of section 1009.25, Florida  
5382 Statutes, is amended to read:

5383 1009.25 Fee exemptions.—

5384 (2) Each Florida Community College System institution is  
5385 authorized to grant student fee exemptions from all fees adopted  
5386 by the State Board of Community Colleges Education and the  
5387 Florida Community College System institution board of trustees  
5388 for up to 54 full-time equivalent students or 1 percent of the  
5389 institution's total full-time equivalent enrollment, whichever  
5390 is greater, at each institution.

5391 Section 78. Paragraph (b) of subsection (12), paragraphs  
5392 (c) and (d) of subsection (13), and paragraph (d) of subsection  
5393 (14) of section 1009.26, Florida Statutes, are amended, to read:

5394 1009.26 Fee waivers.—

5395 (12)

5396 (b) Tuition and fees charged to a student who qualifies for

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5397 the out-of-state fee waiver under this subsection may not exceed  
 5398 the tuition and fees charged to a resident student. The waiver  
 5399 is applicable for 110 percent of the required credit hours of  
 5400 the degree or certificate program for which the student is  
 5401 enrolled. Each state university, Florida Community College  
 5402 System institution, career center operated by a school district  
 5403 under s. 1001.44, and charter technical career center shall  
 5404 report to the Board of Governors, the State Board of Community  
 5405 Colleges, and the State Board of Education, respectively, the  
 5406 number and value of all fee waivers granted annually under this  
 5407 subsection. By October 1 of each year, the Board of Governors,  
 5408 for the state universities; ~~and~~ the State Board of Community  
 5409 Colleges, ~~Education~~ for Florida Community College System  
 5410 institutions; ~~7~~ career centers operated by a school district  
 5411 under s. 1001.44; ~~7~~ and charter technical career centers shall  
 5412 annually report for the previous academic year the percentage of  
 5413 resident and nonresident students enrolled systemwide.

5414 (13)

5415 (c) Each state university, Florida Community College System  
 5416 institution, career center operated by a school district under  
 5417 s. 1001.44, and charter technical career center shall report to  
 5418 the Board of Governors, the State Board of Community, and the  
 5419 State Board of Education, respectively, the number and value of  
 5420 all fee waivers granted annually under this subsection.

5421 (d) The Board of Governors, the State Board of Community  
 5422 Colleges, and the State Board of Education shall respectively  
 5423 adopt regulations and rules to administer this subsection.

5424 (14)

5425 (d) The Board of Governors, the State Board of Community

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5426 Colleges, and the State Board of Education shall respectively  
 5427 adopt regulations and rules to administer this subsection.  
 5428 Section 79. Section 1009.28, Florida Statutes, is amended  
 5429 to read:  
 5430 1009.28 Fees for repeated enrollment in developmental  
 5431 education classes.—A student enrolled in the same developmental  
 5432 education class more than twice shall pay 100 percent of the  
 5433 full cost of instruction to support continuous enrollment of  
 5434 that student in the same class, and the student shall not be  
 5435 included in calculations of full-time equivalent enrollments for  
 5436 state funding purposes; however, students who withdraw or fail a  
 5437 class due to extenuating circumstances may be granted an  
 5438 exception only once for each class, provided approval is granted  
 5439 according to policy established by the board of trustees. Each  
 5440 Florida Community College System institution may review and  
 5441 reduce fees paid by students due to continued enrollment in a  
 5442 developmental education class on an individual basis contingent  
 5443 upon the student's financial hardship, pursuant to definitions  
 5444 and fee levels established by the State Board of Community  
 5445 Colleges ~~Education~~.

5446 Section 80. Subsections (9) and (12) of section 1009.90,  
 5447 Florida Statutes, are amended to read:

5448 1009.90 Duties of the Department of Education.—The duties  
 5449 of the department shall include:

5450 (9) Development and submission of a report, annually, to  
 5451 the State Board of Education, the Board of Governors, the State  
 5452 Board of Community Colleges, the President of the Senate, and  
 5453 the Speaker of the House of Representatives, which shall  
 5454 include, but not be limited to, recommendations for the

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5455 distribution of state financial aid funds.

5456 (12) Calculation of the amount of need-based student  
5457 financial aid required to offset fee increases recommended by  
5458 the State Board of Education, ~~and~~ the Board of Governors, and  
5459 the State Board of Community Colleges, and inclusion of such  
5460 amount within the legislative budget request for student  
5461 assistance grant programs.

5462 Section 81. Subsection (4) of section 1009.91, Florida  
5463 Statutes, is amended to read:

5464 1009.91 Assistance programs and activities of the  
5465 department.-

5466 (4) The department shall maintain records on the student  
5467 loan default rate of each Florida postsecondary institution and  
5468 report that information annually to both the institution and the  
5469 State Board of Education. Information relating to state  
5470 universities shall also be reported annually to the Board of  
5471 Governors. Information relating to Florida Community College  
5472 System institutions shall be reported annually to the State  
5473 Board of Community Colleges.

5474 Section 82. Subsection (2) of section 1009.971, Florida  
5475 Statutes, is amended to read:

5476 1009.971 Florida Prepaid College Board.-

5477 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.-The board  
5478 shall consist of seven members to be composed of the Attorney  
5479 General, the Chief Financial Officer, the Chancellor of the  
5480 State University System, the Chancellor of the Florida Community  
5481 College System ~~Division of Florida Colleges~~, and three members  
5482 appointed by the Governor and subject to confirmation by the  
5483 Senate. Each member appointed by the Governor shall possess

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5484 knowledge, skill, and experience in the areas of accounting,  
5485 actuary, risk management, or investment management. Each member  
5486 of the board not appointed by the Governor may name a designee  
5487 to serve on the board on behalf of the member; however, any  
5488 designee so named shall meet the qualifications required of  
5489 gubernatorial appointees to the board. Members appointed by the  
5490 Governor shall serve terms of 3 years. Any person appointed to  
5491 fill a vacancy on the board shall be appointed in a like manner  
5492 and shall serve for only the unexpired term. Any member shall be  
5493 eligible for reappointment and shall serve until a successor  
5494 qualifies. Members of the board shall serve without compensation  
5495 but shall be reimbursed for per diem and travel in accordance  
5496 with s. 112.061. Each member of the board shall file a full and  
5497 public disclosure of his or her financial interests pursuant to  
5498 s. 8, Art. II of the State Constitution and corresponding  
5499 statute.

5500 Section 83. Section 1010.01, Florida Statutes, is amended  
5501 to read:

5502 1010.01 Uniform records and accounts.-

5503 (1) (a) The financial records and accounts of each school  
5504 district, ~~Florida College System institution~~, and other  
5505 institution or agency under the supervision of the State Board  
5506 of Education shall be prepared and maintained as prescribed by  
5507 law and rules of the State Board of Education.

5508 (b) The financial records and accounts of each state  
5509 university under the supervision of the Board of Governors shall  
5510 be prepared and maintained as prescribed by law and rules of the  
5511 Board of Governors.

5512 (c) The financial records and accounts of each Florida

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5513 Community College System institution under the supervision of  
 5514 the State Board of Community Colleges shall be prepared and  
 5515 maintained as prescribed by law and rules of the State Board of  
 5516 Community Colleges.

5517 (2) Rules of the State Board of Education, ~~and rules of the~~  
 5518 ~~Board of Governors, and the State Board of Community Colleges~~  
 5519 shall incorporate the requirements of law and accounting  
 5520 principles generally accepted in the United States. Such rules  
 5521 shall include a uniform classification of accounts.

5522 (3) Each state university shall annually file with the  
 5523 Board of Governors financial statements prepared in conformity  
 5524 with accounting principles generally accepted by the United  
 5525 States and the uniform classification of accounts prescribed by  
 5526 the Board of Governors. The Board of Governors' rules shall  
 5527 prescribe the filing deadline for the financial statements.

5528 (4) Required financial accounts and reports shall include  
 5529 provisions that are unique to each of the following: K-12 school  
 5530 districts, Florida Community College System institutions, and  
 5531 state universities, and shall provide for the data to be  
 5532 reported to the National Center of Educational Statistics and  
 5533 other governmental and professional educational data information  
 5534 services as appropriate.

5535 (5) Each Florida Community College System institution shall  
 5536 annually file with the State Board of Community Colleges  
 5537 financial statements prepared in conformity with accounting  
 5538 principles generally accepted by the United States and the  
 5539 uniform classification of accounts prescribed by the State Board  
 5540 of Community Colleges. The State Board of Community Colleges'  
 5541 rules shall prescribe the filing deadline for the financial

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5542 statements.

5543 Section 84. Subsection (1) of section 1010.02, Florida  
 5544 Statutes, is amended, and subsection (3) is added to that  
 5545 section, to read:

5546 1010.02 Financial accounting and expenditures.—

5547 (1) All funds accruing to a school district ~~or a Florida~~  
 5548 ~~College System institution~~ must be received, accounted for, and  
 5549 expended in accordance with law and rules of the State Board of  
 5550 Education.

5551 (3) All funds accruing to a Florida Community College  
 5552 System institution must be received, accounted for, and expended  
 5553 in accordance with law and rules of the State Board of Community  
 5554 Colleges.

5555 Section 85. Section 1010.04, Florida Statutes, is amended  
 5556 to read:

5557 1010.04 Purchasing.—

5558 (1) (a) Purchases and leases by school districts must ~~and~~  
 5559 ~~Florida College System institutions shall~~ comply with the  
 5560 requirements of law and rules of the State Board of Education.

5561 (b) Before purchasing nonacademic commodities and  
 5562 contractual services, each district school board and Florida  
 5563 Community College System institution board of trustees shall  
 5564 review the purchasing agreements and state term contracts  
 5565 available under s. 287.056 to determine whether it is in the  
 5566 school board's or the board of trustees' economic advantage to  
 5567 use the agreements and contracts. Each bid specification for  
 5568 nonacademic commodities and contractual services must include a  
 5569 statement indicating that the purchasing agreements and state  
 5570 term contracts available under s. 287.056 have been reviewed.

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5571 Each district school board may also use the cooperative state  
 5572 purchasing programs managed through the regional consortium  
 5573 service organizations pursuant to their authority under s.  
 5574 1001.451(3). This paragraph does not apply to services that are  
 5575 eligible for reimbursement under the federal E-rate program  
 5576 administered by the Universal Service Administrative Company.

5577 (c) Purchases and leases by state universities ~~must shall~~  
 5578 comply with the requirements of law and regulations of the Board  
 5579 of Governors.

5580 (d) Purchases and leases by Florida Community College  
 5581 System institutions must comply with the requirements of law and  
 5582 rules of the State Board of Community Colleges.

5583 (2) Each district school board and Florida Community  
 5584 College System institution board of trustees shall adopt rules,  
 5585 and each university board of trustees shall adopt regulations,  
 5586 to be followed in making purchases. Purchases may be made  
 5587 through an online procurement system, an electronic auction  
 5588 service, or other efficient procurement tool.

5589 (3) In districts in which the county purchasing agent is  
 5590 authorized by law to make purchases for the benefit of other  
 5591 governmental agencies within the county, the district school  
 5592 board and Florida Community College System institution board of  
 5593 trustees shall have the option to purchase from the current  
 5594 county contracts at the unit price stated therein if such  
 5595 purchase is to the economic advantage of the district school  
 5596 board or the Florida Community College System institution board  
 5597 of trustees; subject to confirmation of the items of purchase to  
 5598 the standards and specifications prescribed by the school  
 5599 district or Florida Community College System institution.

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5600 (4) (a) The State Board of Education may, by rule, provide  
 5601 for alternative procedures for school districts ~~and Florida~~  
 5602 ~~College System institutions~~ for bidding or purchasing in cases  
 5603 in which the character of the item requested renders competitive  
 5604 bidding impractical.

5605 (b) The Board of Governors may, by regulation, provide for  
 5606 alternative procedures for state universities for bidding or  
 5607 purchasing in cases in which the character of the item requested  
 5608 renders competitive bidding impractical.

5609 (c) The State Board of Community Colleges may, by rule,  
 5610 provide for alternative procedures for Florida Community College  
 5611 System institutions for bidding or purchasing in cases in which  
 5612 the character of the item requested renders competitive bidding  
 5613 impractical.

5614 Section 86. Section 1010.07, Florida Statutes, is amended  
 5615 to read:

5616 1010.07 Bonds or insurance required.—

5617 (1) Each district school board, Florida Community College  
 5618 System institution board of trustees, and university board of  
 5619 trustees shall ensure that each official and employee  
 5620 responsible for handling, expending, or authorizing the  
 5621 expenditure of funds shall be appropriately bonded or insured to  
 5622 protect the board and the funds involved.

5623 (2) (a) Contractors paid from school district ~~or Florida~~  
 5624 ~~College System institution~~ funds shall give bond for the  
 5625 faithful performance of their contracts in such amount and for  
 5626 such purposes as prescribed by s. 255.05 or by rules of the  
 5627 State Board of Education relating to the type of contract  
 5628 involved. It shall be the duty of the district school board ~~or~~

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5629 ~~Florida College System institution board of trustees~~ to require  
5630 from construction contractors a bond adequate to protect the  
5631 board and the board's funds involved.

5632 (b) Contractors paid from university funds shall give bond  
5633 for the faithful performance of their contracts in such amount  
5634 and for such purposes as prescribed by s. 255.05 or by  
5635 regulations of the Board of Governors relating to the type of  
5636 contract involved. It shall be the duty of the university board  
5637 of trustees to require from construction contractors a bond  
5638 adequate to protect the board and the board's funds involved.

5639 (c) Contractors paid from Florida Community College System  
5640 institution funds shall give bonds for the faithful performance  
5641 of their contracts in such amount and for such purposes as  
5642 prescribed by s. 255.05 or by rules of the State Board of  
5643 Community Colleges relating to the type of contract involved. It  
5644 is the duty of the Florida Community College System institution  
5645 board of trustees to require construction contractors to provide  
5646 a bond adequate to protect the board and the board's funds  
5647 involved.

5648 Section 87. Section 1010.08, Florida Statutes, is amended  
5649 to read:

5650 1010.08 Promotion and public relations; funding.—

5651 (1) Each district school board and Florida College System  
5652 institution board of trustees may budget and use a portion of  
5653 the funds accruing to it from auxiliary enterprises and  
5654 undesignated gifts for promotion and public relations as  
5655 prescribed by rules of the State Board of Education. Such funds  
5656 may be used to provide hospitality to business guests in the  
5657 district or elsewhere. However, such hospitality expenses may

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5658 not exceed the amount authorized for such contingency funds as  
5659 prescribed by rules of the State Board of Education.

5660 (2) Each Florida Community College System institution board  
5661 of trustees may budget and use a portion of the funds accruing  
5662 to it from auxiliary enterprises and undesignated gifts for  
5663 promotion and public relations as prescribed by rules of the  
5664 State Board of Community Colleges. Such funds may be used to  
5665 provide hospitality to business guests in the district or  
5666 elsewhere. However, such hospitality expenses may not exceed the  
5667 amount authorized for such contingency funds as prescribed by  
5668 rules of the State Board of Community Colleges.

5669 Section 88. Subsection (1) of section 1010.09, Florida  
5670 Statutes, is amended and subsection (3) is added to that  
5671 section, to read:

5672 1010.09 Direct-support organizations.—

5673 (1) School district ~~and Florida College System institution~~  
5674 direct-support organizations shall be organized and conducted  
5675 under the provisions of ss. 1001.453 and 1004.70 and rules of  
5676 the State Board of Education, as applicable.

5677 (3) Florida Community College System institution direct-  
5678 support organizations shall be organized and conducted under the  
5679 provisions of s. 1004.70 and rules of the State Board of  
5680 Community Colleges.

5681 Section 89. Section 1010.22, Florida Statutes, is amended  
5682 to read:

5683 1010.22 Cost accounting and reporting for workforce  
5684 education.—

5685 (1) (a) Each school district and each Florida College System  
5686 institution shall account for expenditures of all state, local,

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5687 federal, and other funds in the manner prescribed by the State  
5688 Board of Education.

5689 (b) Each Florida Community College System institution shall  
5690 account for expenditures of all state, local, federal, and other  
5691 funds in the manner prescribed by the State Board of Community  
5692 Colleges.

5693 ~~(2) (a) Each school district and each Florida College System~~  
5694 ~~institution~~ shall report expenditures for workforce education in  
5695 accordance with requirements prescribed by the State Board of  
5696 Education.

5697 (b) Each Florida Community College System institution shall  
5698 report expenditures for workforce education in accordance with  
5699 requirements prescribed by the State Board of Community  
5700 Colleges.

5701 (3) The Department of Education, in cooperation with school  
5702 districts and Florida Community College System institutions,  
5703 shall develop and maintain a database of valid comparable  
5704 information on workforce education which will meet both state  
5705 and local needs.

5706 Section 90. Subsection (1) of section 1010.30, Florida  
5707 Statutes, is amended to read:

5708 1010.30 Audits required.—

5709 (1) School districts, ~~Florida College System institutions,~~  
5710 and other institutions and agencies under the supervision of the  
5711 State Board of Education, Florida Community College System  
5712 institutions under the supervision of the State Board of  
5713 Community Colleges, and state universities under the supervision  
5714 of the Board of Governors are subject to the audit provisions of  
5715 ss. 11.45 and 218.39.

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5716 Section 91. Section 1010.58, Florida Statutes, is amended  
5717 to read:

5718 1010.58 Procedure for determining number of instruction  
5719 units for Florida Community College System institutions.—The  
5720 number of instruction units for Florida Community College System  
5721 institutions shall be determined from the full-time equivalent  
5722 students in the Florida Community College System institution,  
5723 provided that full-time equivalent students may not be counted  
5724 more than once in determining instruction units. Instruction  
5725 units for Florida Community College System institutions shall be  
5726 computed as follows:

5727 (1) One unit for each 12 full-time equivalent students at a  
5728 Florida Community College System institution for the first 420  
5729 students and one unit for each 15 full-time equivalent students  
5730 for all over 420 students, in other than career education  
5731 programs as defined by rules of the State Board of Community  
5732 Colleges Education, and one unit for each 10 full-time  
5733 equivalent students in career education programs and  
5734 compensatory education programs as defined by rules of the State  
5735 Board of Community Colleges Education. Full-time equivalent  
5736 students enrolled in a Florida Community College System  
5737 institution shall be defined by rules of the State Board of  
5738 Community Colleges Education.

5739 (2) For each 8 instruction units in a Florida Community  
5740 College System institution, 1 instruction unit or proportionate  
5741 fraction of a unit shall be allowed for administrative and  
5742 special instructional services, and for each 20 instruction  
5743 units, 1 instruction unit or proportionate fraction of a unit  
5744 shall be allowed for student personnel services.

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5745 Section 92. Section 1011.01, Florida Statutes, is amended  
5746 to read:

5747 1011.01 Budget system established.—

5748 (1) The State Board of Education shall prepare and submit a  
5749 coordinated K-20 education annual legislative budget request to  
5750 the Governor and the Legislature on or before the date provided  
5751 by the Governor and the Legislature. The board's legislative  
5752 budget request must clearly define the needs of school  
5753 districts, Florida Community College System institutions,  
5754 universities, other institutions, organizations, programs, and  
5755 activities under the supervision of the board and that are  
5756 assigned by law or the General Appropriations Act to the  
5757 Department of Education.

5758 (2) (a) There is ~~shall be~~ established in each school  
5759 district ~~and Florida College System institution~~ a budget system  
5760 as prescribed by law and rules of the State Board of Education.

5761 (b) There is ~~shall be~~ established in each state university  
5762 a budget system as prescribed by law and rules of the Board of  
5763 Governors.

5764 (c) There is established in each Florida Community College  
5765 System institution a budget system as prescribed by law and  
5766 rules of the State Board of Community Colleges.

5767 (3) (a) Each district school board ~~and each Florida College~~  
5768 ~~System institution board of trustees~~ shall prepare, adopt, and  
5769 submit to the Commissioner of Education an annual operating  
5770 budget. Operating budgets must ~~shall~~ be prepared and submitted  
5771 in accordance with the provisions of law, rules of the State  
5772 Board of Education, the General Appropriations Act, and for  
5773 district school boards in accordance with the provisions of ss.

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5774 200.065 and 1011.64.

5775 (b) Each state university board of trustees shall prepare,  
5776 adopt, and submit to the Chancellor of the State University  
5777 System for review an annual operating budget in accordance with  
5778 provisions of law, rules of the Board of Governors, and the  
5779 General Appropriations Act.

5780 (c) Each Florida Community College System institution board  
5781 of trustees shall prepare, adopt, and submit to the State Board  
5782 of Community Colleges an annual operating budget in accordance  
5783 with provisions of law, rules of the State Board of Community  
5784 Colleges, and the General Appropriations Act.

5785 (4) The State Board of Education shall coordinate with the  
5786 Board of Governors and the State Board of Community Colleges to  
5787 facilitate the budget system requirements of this section. The  
5788 State Board of Community College exclusively retains the review  
5789 and approval powers of this section for Florida Community  
5790 College System institutions. The Board of Governors exclusively  
5791 retains the review and approval powers of this section for state  
5792 universities.

5793 Section 93. Section 1011.011, Florida Statutes, is amended  
5794 to read:

5795 1011.011 Legislative capital outlay budget request.—The  
5796 State Board of Education shall submit an integrated,  
5797 comprehensive budget request for educational facilities  
5798 construction and fixed capital outlay needs for school  
5799 districts, and, in conjunction with the State Board of Community  
5800 Colleges for Florida Community College System institutions, ~~and~~  
5801 ~~in conjunction~~ with the Board of Governors for state  
5802 universities, pursuant to this section and s. 1013.46 and

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5803 applicable provisions of chapter 216.

5804 Section 94. Section 1011.30, Florida Statutes, is amended  
5805 to read:

5806 1011.30 Budgets for Florida Community College System  
5807 institutions.—Each Florida Community College System institution  
5808 president shall recommend to the Florida Community College  
5809 System institution board of trustees a budget of income and  
5810 expenditures at such time and in such form as the State Board of  
5811 Community Colleges ~~Education~~ may prescribe. Upon approval of a  
5812 budget by the Florida Community College System institution board  
5813 of trustees, such budget ~~must~~ shall be transmitted to the State  
5814 Board of Community Colleges ~~Department of Education~~ for review.  
5815 Rules of the State Board of Community Colleges ~~must~~ Education  
5816 ~~shall~~ prescribe procedures for effecting budget amendments  
5817 subsequent to the final approval of a budget for a given year.

5818 Section 95. Section 1011.32, Florida Statutes, is amended  
5819 to read:

5820 1011.32 Florida Community College System Institution  
5821 Facility Enhancement Challenge Grant Program.—

5822 (1) The Legislature recognizes that ~~the~~ Florida Community  
5823 College System institutions do not have sufficient physical  
5824 facilities to meet the current demands of their instructional  
5825 and community programs. It further recognizes that, to  
5826 strengthen and enhance Florida Community College System  
5827 institutions, it is necessary to provide facilities in addition  
5828 to those currently available from existing revenue sources. It  
5829 further recognizes that there are sources of private support  
5830 that, if matched with state support, can assist in constructing  
5831 much needed facilities and strengthen the commitment of citizens

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5832 and organizations in promoting excellence at each Florida  
5833 Community College System institution. Therefore, it is the  
5834 intent of the Legislature to establish a program to provide the  
5835 opportunity for each Florida Community College System  
5836 institution through its direct-support organization to receive  
5837 and match challenge grants for instructional and community-  
5838 related capital facilities within the Florida Community College  
5839 System institution.

5840 (2) There is established the Florida Community College  
5841 System Institution Facility Enhancement Challenge Grant Program  
5842 for the purpose of assisting the Florida Community College  
5843 System institutions in building high priority instructional and  
5844 community-related capital facilities consistent with s. 1004.65,  
5845 including common areas connecting such facilities. The direct-  
5846 support organizations that serve the Florida Community College  
5847 System institutions shall solicit gifts from private sources to  
5848 provide matching funds for capital facilities. For the purposes  
5849 of this section, private sources of funds shall not include any  
5850 federal or state government funds that a Florida Community  
5851 College System institution may receive.

5852 (3) The Florida Community College System Institution  
5853 Capital Facilities Matching Program shall provide funds to match  
5854 private contributions for the development of high priority  
5855 instructional and community-related capital facilities,  
5856 including common areas connecting such facilities, within the  
5857 Florida Community College System institutions.

5858 (4) Within the direct-support organization of each Florida  
5859 Community College System institution there must be established a  
5860 separate capital facilities matching account for the purpose of

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5861 providing matching funds from the direct-support organization's  
 5862 unrestricted donations or other private contributions for the  
 5863 development of high priority instructional and community-related  
 5864 capital facilities, including common areas connecting such  
 5865 facilities. The Legislature shall appropriate funds for  
 5866 distribution to a Florida Community College System institution  
 5867 after matching funds are certified by the direct-support  
 5868 organization and Florida Community College System institution.  
 5869 The Public Education Capital Outlay and Debt Service Trust Fund  
 5870 shall not be used as the source of the state match for private  
 5871 contributions.

5872 (5) A project may not be initiated unless all private funds  
 5873 for planning, construction, and equipping the facility have been  
 5874 received and deposited in the direct-support organization's  
 5875 matching account for this purpose. However, this requirement  
 5876 does not preclude the Florida Community College System  
 5877 institution or direct-support organization from expending  
 5878 available funds from private sources to develop a prospectus,  
 5879 including preliminary architectural schematics or models, for  
 5880 use in its efforts to raise private funds for a facility and for  
 5881 site preparation, planning, and construction. The Legislature  
 5882 may appropriate the state's matching funds in one or more fiscal  
 5883 years for the planning, construction, and equipping of an  
 5884 eligible facility. Each Florida Community College System  
 5885 institution shall notify all donors of private funds of a  
 5886 substantial delay in the availability of state matching funds  
 5887 for this program.

5888 (6) To be eligible to participate in the Florida Community  
 5889 College System Institution Facility Enhancement Challenge Grant

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5890 Program, a Florida Community College System institution, through  
 5891 its direct-support organization, shall raise a contribution  
 5892 equal to one-half of the total cost of a facilities construction  
 5893 project from private sources which shall be matched by a state  
 5894 appropriation equal to the amount raised for a facilities  
 5895 construction project, subject to the General Appropriations Act.

5896 (7) If the state's share of the required match is  
 5897 insufficient to meet the requirements of subsection (6), the  
 5898 Florida Community College System institution shall renegotiate  
 5899 the terms of the contribution with the donors. If the project is  
 5900 terminated, each private donation, plus accrued interest,  
 5901 reverts to the direct-support organization for remittance to the  
 5902 donor.

5903 (8) By October 15 of each year, the State Board of  
 5904 Community Colleges ~~Education~~ shall transmit to the Governor and  
 5905 the Legislature a list of projects that meet all eligibility  
 5906 requirements to participate in the Florida Community College  
 5907 System Institution Facility Enhancement Challenge Grant Program  
 5908 and a budget request that includes the recommended schedule  
 5909 necessary to complete each project.

5910 (9) In order for a project to be eligible under this  
 5911 program, it must be survey recommended under the provisions of  
 5912 s. 1013.31 and included in the Florida Community College System  
 5913 institution's 5-year capital improvement plan, and it must  
 5914 receive approval from the State Board of Community Colleges  
 5915 ~~Education~~ or the Legislature.

5916 (10) A Florida Community College System institution project  
 5917 may not be removed from the approved 3-year PECO priority list  
 5918 because of its successful participation in this program until

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5919 approved by the Legislature and provided for in the General  
5920 Appropriations Act. When such a project is completed and removed  
5921 from the list, all other projects shall move up on the 3-year  
5922 PECO priority list.

5923 (11) Any private matching funds for a project which are  
5924 unexpended after the project is completed shall revert to the  
5925 Florida Community College System institution's direct-support  
5926 organization capital facilities matching account. The balance of  
5927 any unexpended state matching funds shall be returned to the  
5928 fund from which those funds were appropriated.

5929 (12) The surveys, architectural plans, facility, and  
5930 equipment shall be the property of the participating Florida  
5931 Community College System institution. A facility constructed  
5932 under this section may be named in honor of a donor at the  
5933 option of the Florida Community College System institution  
5934 district board of trustees. A facility may not be named after a  
5935 living person without prior approval by the State Board of  
5936 Community Colleges Education.

5937 (13) Effective July 1, 2011, state matching funds are  
5938 temporarily suspended for donations received for the program on  
5939 or after June 30, 2011. Existing eligible donations remain  
5940 eligible for future matching funds. The program may be restarted  
5941 after \$200 million of the backlog for programs under this  
5942 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

5943 Section 96. Subsection (2), paragraph (b) of subsection  
5944 (5), and subsections (8), (9), and (11) of section 1011.80,  
5945 Florida Statutes, are amended to read:

5946 1011.80 Funds for operation of workforce education  
5947 programs.—

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5948 (2) Any workforce education program may be conducted by a  
5949 Florida Community College System institution or a school  
5950 district, except that college credit in an associate in applied  
5951 science or an associate in science degree may be awarded only by  
5952 a Florida Community College System institution. However, if an  
5953 associate in applied science or an associate in science degree  
5954 program contains within it an occupational completion point that  
5955 confers a certificate or an applied technology diploma, that  
5956 portion of the program may be conducted by a school district  
5957 career center. Any instruction designed to articulate to a  
5958 degree program is subject to guidelines and standards adopted by  
5959 the State Board of Community Colleges Education pursuant to s.  
5960 1007.25.

5961 (5) State funding and student fees for workforce education  
5962 instruction shall be established as follows:

5963 (b) For all other workforce education programs, state  
5964 funding shall equal 75 percent of the average cost of  
5965 instruction with the remaining 25 percent made up from student  
5966 fees. Fees for courses within a program shall not vary according  
5967 to the cost of the individual program, but instead shall be  
5968 based on a uniform fee calculated and set at the state level, as  
5969 adopted by the State Board of Education, for school districts  
5970 and the State Board of Community Colleges, for Florida Community  
5971 College System institutions, unless otherwise specified in the  
5972 General Appropriations Act.

5973 (8) The State Board of Education, the State Board of  
5974 Community Colleges, and CareerSource Florida, Inc., shall  
5975 provide the Legislature with recommended formulas, criteria,  
5976 timeframes, and mechanisms for distributing performance funds.

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5977 The commissioner shall consolidate the recommendations and  
 5978 develop a consensus proposal for funding. The Legislature shall  
 5979 adopt a formula and distribute the performance funds to the  
 5980 State Board of ~~Community Colleges Education~~ for Florida  
 5981 Community College System institutions and to the State Board of  
 5982 Education for school districts through the General  
 5983 Appropriations Act. These recommendations shall be based on  
 5984 formulas that would discourage low-performing or low-demand  
 5985 programs and encourage through performance-funding awards:

5986 (a) Programs that prepare people to enter high-wage  
 5987 occupations identified by the Workforce Estimating Conference  
 5988 created by s. 216.136 and other programs as approved by  
 5989 CareerSource Florida, Inc. At a minimum, performance incentives  
 5990 shall be calculated for adults who reach completion points or  
 5991 complete programs that lead to specified high-wage employment  
 5992 and to their placement in that employment.

5993 (b) Programs that successfully prepare adults who are  
 5994 eligible for public assistance, economically disadvantaged,  
 5995 disabled, not proficient in English, or dislocated workers for  
 5996 high-wage occupations. At a minimum, performance incentives  
 5997 shall be calculated at an enhanced value for the completion of  
 5998 adults identified in this paragraph and job placement of such  
 5999 adults upon completion. In addition, adjustments may be made in  
 6000 payments for job placements for areas of high unemployment.

6001 (c) Programs that are specifically designed to be  
 6002 consistent with the workforce needs of private enterprise and  
 6003 regional economic development strategies, as defined in  
 6004 guidelines set by CareerSource Florida, Inc. CareerSource  
 6005 Florida, Inc., shall develop guidelines to identify such needs

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6006 and strategies based on localized research of private employers  
 6007 and economic development practitioners.

6008 (d) Programs identified by CareerSource Florida, Inc., as  
 6009 increasing the effectiveness and cost efficiency of education.

6010 (9) School districts shall report full-time equivalent  
 6011 students by discipline category for the programs specified in  
 6012 subsection (1). There shall be an annual cost analysis for the  
 6013 school district workforce education programs that reports cost  
 6014 by discipline category consistent with the reporting for full-  
 6015 time equivalent students. The annual financial reports submitted  
 6016 by the school districts must accurately report on the student  
 6017 fee revenues by fee type according to the programs specified in  
 6018 subsection (1). The Department of Education and the State Board  
 6019 of Community Colleges shall develop a plan for comparable  
 6020 reporting of program, student, facility, personnel, and  
 6021 financial data between the Florida Community College System  
 6022 institutions and the school district workforce education  
 6023 programs.

6024 (11) The State Board of Education and the State Board of  
 6025 Community Colleges may adopt rules to administer this section.

6026 Section 97. Section 1011.801, Florida Statutes, is amended  
 6027 to read:

6028 1011.801 Workforce Development Capitalization Incentive  
 6029 Grant Program.—The Legislature recognizes that the need for  
 6030 school districts and Florida Community College System  
 6031 institutions to be able to respond to emerging local or  
 6032 statewide economic development needs is critical to the  
 6033 workforce development system. The Workforce Development  
 6034 Capitalization Incentive Grant Program is created to provide

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6035 grants to school districts and Florida Community College System  
 6036 institutions on a competitive basis to fund some or all of the  
 6037 costs associated with the creation or expansion of workforce  
 6038 development programs that serve specific employment workforce  
 6039 needs.

6040 (1) Funds awarded for a workforce development  
 6041 capitalization incentive grant may be used for instructional  
 6042 equipment, laboratory equipment, supplies, personnel, student  
 6043 services, or other expenses associated with the creation or  
 6044 expansion of a workforce development program. Expansion of a  
 6045 program may include either the expansion of enrollments in a  
 6046 program or expansion into new areas of specialization within a  
 6047 program. No grant funds may be used for recurring instructional  
 6048 costs or for institutions' indirect costs.

6049 (2) The State Board of Education shall accept applications  
 6050 from school districts, and the State Board of Community Colleges  
 6051 shall accept applications from ~~or~~ Florida Community College  
 6052 System institutions, for workforce development capitalization  
 6053 incentive grants. Applications from school districts or Florida  
 6054 Community College System institutions must ~~shall~~ contain  
 6055 projected enrollments and projected costs for the new or  
 6056 expanded workforce development program. The State Board of  
 6057 Education or the State Board of Community Colleges, as  
 6058 appropriate, in consultation with CareerSource Florida, Inc.,  
 6059 shall review and rank each application for a grant according to  
 6060 subsection (3) and shall submit to the Legislature a list in  
 6061 priority order of applications recommended for a grant award.

6062 (3) The State Board of Education or the State Board of  
 6063 Community Colleges, as appropriate, shall give highest priority

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6064 to programs that train people to enter high-skill, high-wage  
 6065 occupations identified by the Workforce Estimating Conference  
 6066 and other programs approved by CareerSource Florida, Inc. ;  
 6067 programs that train people to enter occupations under the  
 6068 welfare transition program; or programs that train for the  
 6069 workforce adults who are eligible for public assistance,  
 6070 economically disadvantaged, disabled, not proficient in English,  
 6071 or dislocated workers. The State Board of Education or the State  
 6072 Board of Community Colleges, as appropriate, shall consider the  
 6073 statewide geographic dispersion of grant funds in ranking the  
 6074 applications and shall give priority to applications from  
 6075 education agencies that are making maximum use of their  
 6076 workforce development funding by offering high-performing, high-  
 6077 demand programs.

6078 Section 98. Section 1011.81, Florida Statutes, is amended  
 6079 to read:

6080 1011.81 Florida Community College System Program Fund.—

6081 (1) There is established a Florida Community College System  
 6082 Program Fund. This fund shall comprise all appropriations made  
 6083 by the Legislature for the support of the current operating  
 6084 program and shall be apportioned and distributed to the Florida  
 6085 Community College System institution districts of the state on  
 6086 the basis of procedures established by law and rules of the  
 6087 State Board of Education. The annual apportionment for each  
 6088 Florida Community College System institution district shall be  
 6089 distributed monthly in payments as nearly equal as possible.

6090 (2) Performance funding for industry certifications for  
 6091 Florida Community College System institutions is contingent upon  
 6092 specific appropriation in the General Appropriations Act and

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6093 shall be determined as follows:

6094 (a) Occupational areas for which industry certifications  
6095 may be earned, as established in the General Appropriations Act,  
6096 are eligible for performance funding. Priority shall be given to  
6097 the occupational areas emphasized in state, national, or  
6098 corporate grants provided to Florida educational institutions.

6099 (b) The Chancellor of the Florida Community College System,  
6100 for the Florida Community College System institutions, shall  
6101 identify the industry certifications eligible for funding on the  
6102 CAPE Postsecondary Industry Certification Funding List approved  
6103 by the State Board of Community Colleges Education pursuant to  
6104 s. 1008.44, based on the occupational areas specified in the  
6105 General Appropriations Act.

6106 (c) Each Florida Community College System institution shall  
6107 be provided \$1,000 for each industry certification earned by a  
6108 student. The maximum amount of funding appropriated for  
6109 performance funding pursuant to this subsection shall be limited  
6110 to \$15 million annually. If funds are insufficient to fully fund  
6111 the calculated total award, such funds shall be prorated.

6112 (3) None of the funds made available in the Florida  
6113 Community College System Program Fund, or funds made available  
6114 to Florida Community College System institutions outside the  
6115 Florida Community College System Program Fund, may be used to  
6116 implement, organize, direct, coordinate, or administer, or to  
6117 support the implementation, organization, direction,  
6118 coordination, or administration of, activities related to, or  
6119 involving, travel to a terrorist state. For purposes of this  
6120 section, "terrorist state" is defined as any state, country, or  
6121 nation designated by the United States Department of State as a

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6122 state sponsor of terrorism.

6123 (4) State funds provided for the Florida Community College  
6124 System Program Fund may not be expended for the education of  
6125 state or federal inmates.

6126 Section 99. Section 1011.82, Florida Statutes, is amended  
6127 to read:

6128 1011.82 Requirements for participation in Florida Community  
6129 College System Program Fund.—Each Florida Community College  
6130 System institution district which participates in the state  
6131 appropriations for the Florida Community College System Program  
6132 Fund shall provide evidence of its effort to maintain an  
6133 adequate Florida Community College System institution program  
6134 which shall:

6135 (1) Meet the minimum standards prescribed by the State  
6136 Board of Community Colleges Education in accordance with s.  
6137 1001.602(5) e. ~~1001.02(6)~~.

6138 (2) Effectively fulfill the mission of the Florida  
6139 Community College System institutions in accordance with s.  
6140 1004.65.

6141 Section 100. Section 1011.83, Florida Statutes, is amended  
6142 to read:

6143 1011.83 Financial support of Florida Community College  
6144 System institutions.—

6145 (1) Each Florida Community College System institution that  
6146 ~~has been approved by the Department of Education and~~ meets the  
6147 requirements of law and rules of the State Board of Community  
6148 Colleges Education shall participate in the Florida Community  
6149 College System Program Fund. However, funds to support workforce  
6150 education programs conducted by Florida Community College System

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6151 institutions shall be provided pursuant to s. 1011.80.

6152 (2) A student in a baccalaureate degree program approved  
6153 pursuant to s. 1007.33 who is not classified as a resident for  
6154 tuition purposes pursuant to s. 1009.21 may not be included in  
6155 calculations of full-time equivalent enrollments for state  
6156 funding purposes.

6157 Section 101. Section 1011.84, Florida Statutes, is amended  
6158 to read:

6159 1011.84 Procedure for determining state financial support  
6160 and annual apportionment of state funds to each Florida  
6161 Community College System institution district.—The procedure for  
6162 determining state financial support and the annual apportionment  
6163 to each Florida Community College System institution district  
6164 authorized to operate a Florida Community College System  
6165 institution under the provisions of s. 1001.61 shall be as  
6166 follows:

6167 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA  
6168 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING  
6169 PROGRAM.—

6170 (a) The State Board of Community Colleges ~~Department of~~  
6171 ~~Education~~ shall determine annually, from an analysis of  
6172 operating costs, ~~prepared in the manner prescribed by rules of~~  
6173 ~~the State Board of Education,~~ the costs per full-time equivalent  
6174 student served in courses and fields of study offered in Florida  
6175 Community College System institutions. This information and  
6176 current college operating budgets shall be submitted to the  
6177 Executive Office of the Governor with the legislative budget  
6178 request prior to each regular session of the Legislature.

6179 (b) The allocation of funds for Florida Community College

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6180 System institutions must ~~shall~~ be based on advanced and  
6181 professional disciplines, developmental education, and other  
6182 programs for adults funded pursuant to s. 1011.80.

6183 (c) The category of lifelong learning is for students  
6184 enrolled pursuant to s. 1004.93. A student shall also be  
6185 reported as a lifelong learning student for his or her  
6186 enrollment in any course that he or she has previously taken,  
6187 unless it is a credit course in which the student earned a grade  
6188 of D or F.

6189 (d) If an adult student has been determined to be a  
6190 disabled student eligible for an approved educational program  
6191 for disabled adults provided pursuant to s. 1004.93 and rules of  
6192 the State Board of Community Colleges ~~Education~~ and is enrolled  
6193 in a class with curriculum frameworks developed for the program,  
6194 state funding for that student shall be provided at a level  
6195 double that of a student enrolled in a special adult general  
6196 education program provided by a Florida Community College System  
6197 institution.

6198 (e) All state inmate education provided by Florida  
6199 Community College System institutions shall be reported by  
6200 program, FTE expenditure, and revenue source. These enrollments,  
6201 expenditures, and revenues shall be reported and projected  
6202 separately. Instruction of state inmates may ~~shall~~ not be  
6203 included in the full-time equivalent student enrollment for  
6204 funding through the Florida Community College System Program  
6205 Fund.

6206 (f) When a public educational institution has been fully  
6207 funded by an external agency for direct instructional costs of  
6208 any course or program, the FTE generated may ~~shall~~ not be

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6209 reported for state funding.

6210 (g) The State Board of Education shall adopt rules to  
 6211 implement s. 9(d)(8)f., Art. XII of the State Constitution.  
 6212 These rules shall provide for the use of the funds available  
 6213 under s. 9(d)(8)f., Art. XII by an individual Florida Community  
 6214 College System institution for operating expense in any fiscal  
 6215 year during which the State Board of Education has determined  
 6216 that all major capital outlay needs have been met. Highest  
 6217 priority for the use of these funds for purposes other than  
 6218 financing approved capital outlay projects shall be for the  
 6219 proper maintenance and repair of existing facilities for  
 6220 projects approved by the State Board of Education. However, in  
 6221 any fiscal year in which funds from this source are authorized  
 6222 for operating expense other than approved maintenance and repair  
 6223 projects, the allocation of Florida Community College System  
 6224 institution program funds shall be reduced by an amount equal to  
 6225 the sum used for such operating expense for that Florida  
 6226 Community College System institution that year, and that amount  
 6227 shall not be released or allocated among the other Florida  
 6228 Community College System institutions that year.

6229 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL  
 6230 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay  
 6231 and debt service shall be as determined and provided in s. 18,  
 6232 Art. XII of the State Constitution of 1885, as adopted by s.  
 6233 9(d), Art. XII of the 1968 revised State Constitution and State  
 6234 Board of Education rules.

6235 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6236 (a) By December 15 of each year, the State Board of  
 6237 Community Colleges ~~Department of Education~~ shall estimate the

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6238 annual enrollment of each Florida Community College System  
 6239 institution for the current fiscal year and for the 3 subsequent  
 6240 fiscal years. These estimates shall be based upon prior years'  
 6241 enrollments, upon the initial fall term enrollments for the  
 6242 current fiscal year for each college, and upon each college's  
 6243 estimated current enrollment and demographic changes in the  
 6244 respective Florida Community College System institution  
 6245 districts. Upper-division enrollment shall be estimated  
 6246 separately from lower-division enrollment.

6247 (b) The apportionment to each Florida Community College  
 6248 System institution from the Florida Community College System  
 6249 Program Fund shall be determined annually in the General  
 6250 Appropriations Act. In determining each college's apportionment,  
 6251 the Legislature shall consider the following components:

6252 1. Base budget, which includes the state appropriation to  
 6253 the Florida Community College System Program Fund in the current  
 6254 year plus the related student tuition and out-of-state fees  
 6255 assigned in the current General Appropriations Act.

6256 2. The cost-to-continue allocation, which consists of  
 6257 incremental changes to the base budget, including salaries,  
 6258 price levels, and other related costs allocated through a  
 6259 funding model approved by the Legislature which may recognize  
 6260 differing economic factors arising from the individual  
 6261 educational approaches of the various Florida Community College  
 6262 System institutions, including, but not limited to:

6263 a. Direct Instructional Funding, including class size,  
 6264 faculty productivity factors, average faculty salary, ratio of  
 6265 full-time to part-time faculty, costs of programs, and  
 6266 enrollment factors.

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6267 b. Academic Support, including small colleges factor,  
6268 multicampus factor, and enrollment factor.

6269 c. Student Services Support, including headcount of  
6270 students as well as FTE count and enrollment factors.

6271 d. Library Support, including volume and other  
6272 materials/audiovisual requirements.

6273 e. Special Projects.

6274 f. Operations and Maintenance of Plant, including square  
6275 footage and utilization factors.

6276 g. District Cost Differential.

6277 3. Students enrolled in a recreation and leisure program  
6278 and students enrolled in a lifelong learning program who may not  
6279 be counted as full-time equivalent enrollments for purposes of  
6280 enrollment workload adjustments.

6281 4. Operating costs of new facilities adjustments, which  
6282 shall be provided, from funds available, for each new facility  
6283 that is owned by the college and is recommended in accordance  
6284 with s. 1013.31.

6285 5. New and improved program enhancements, which shall be  
6286 determined by the Legislature.

6287 Student fees in the base budget plus student fee revenues  
6288 generated by increases in fee rates shall be deducted from the  
6289 sum of the components determined in subparagraphs 1.-5. The  
6290 amount remaining shall be the net annual state apportionment to  
6291 each college.

6292 (c) ~~A No~~ Florida Community College System institution may  
6293 not shall commit funds for the employment of personnel or  
6294 resources in excess of those required to continue the same level  
6295

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6296 of support for either the previously approved enrollment or the  
6297 revised enrollment, whichever is lower.

6298 (d) The apportionment to each Florida Community College  
6299 System institution district for capital outlay and debt service  
6300 shall be the amount determined in accordance with subsection  
6301 (2). This amount, less any amount determined as necessary for  
6302 administrative expense by the State Board of Education and any  
6303 amount necessary for debt service on bonds issued by the State  
6304 Board of Education, shall be transmitted to the Florida  
6305 Community College System institution board of trustees to be  
6306 expended in a manner prescribed by rules of the State Board of  
6307 Education.

6308 (e) If at any time the unencumbered balance in the general  
6309 fund of the Florida Community College System institution board  
6310 of trustees approved operating budget goes below 5 percent, the  
6311 president shall provide written notification to the State Board  
6312 of Education.

6313 (f) Expenditures for apprenticeship programs must shall be  
6314 reported separately.

6315 (g) Expenditures for upper-division enrollment in a Florida  
6316 Community College System institution that grants baccalaureate  
6317 degrees must shall be reported separately from expenditures for  
6318 lower-division enrollment, in accordance with law and State  
6319 Board of Education rule.

6320 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated  
6321 herein to any Florida Community College System institution must  
6322 ~~shall~~ be expended only for the purpose of supporting that  
6323 Florida Community College System institution.

6324 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida

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6325 Community College System institution board of trustees shall  
 6326 report, as a separate item in its annual cost accounting system,  
 6327 the volume and cost of developmental education options provided  
 6328 to help students attain the communication and computation skills  
 6329 that are essential for college-level work pursuant to s.  
 6330 1008.30.

6331 Section 102. Section 1011.85, Florida Statutes, is amended  
 6332 to read:

6333 1011.85 Dr. Philip Benjamin Matching Grant Program for  
 6334 Florida Community College System Institutions.-

6335 (1) There is created the Dr. Philip Benjamin Matching Grant  
 6336 Program for Florida Community College System Institutions as a  
 6337 single matching gifts program that encompasses the goals  
 6338 originally set out in the Academic Improvement Program, the  
 6339 Scholarship Matching Program, and the Health Care Education  
 6340 Quality Enhancement Challenge Grant. The program shall be  
 6341 administered according to rules of the State Board of Community  
 6342 Colleges Education and used to encourage private support in  
 6343 enhancing Florida Community College System institutions by  
 6344 providing the Florida Community College System with the  
 6345 opportunity to receive and match challenge grants. Funds  
 6346 received prior to the effective date of this act for each of the  
 6347 three programs shall be retained in the separate account for  
 6348 which it was designated.

6349 (2) Each Florida Community College System institution board  
 6350 of trustees receiving state appropriations under this program  
 6351 shall approve each gift to ensure alignment with the unique  
 6352 mission of the Florida Community College System institution. The  
 6353 board of trustees must link all requests for a state match to

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6354 the goals and mission statement. The Florida Community College  
 6355 System Institution Foundation Board receiving state  
 6356 appropriations under this program shall approve each gift to  
 6357 ensure alignment with its goals and mission statement. Funds  
 6358 received from community events and festivals are not eligible  
 6359 for state matching funds under this program.

6360 (3) Upon approval by the Florida Community College System  
 6361 institution board of trustees and the State Board of Community  
 6362 Colleges Education, the ordering of donations for priority  
 6363 listing of unmatched gifts should be determined by the  
 6364 submitting Florida Community College System institution.

6365 (4) Each year, eligible contributions received by a Florida  
 6366 Community College System institution's foundation or the State  
 6367 Board of Community Colleges Education by February 1 shall be  
 6368 eligible for state matching funds.

6369 (a) Each Florida Community College System institution board  
 6370 of trustees and, when applicable, the Florida Community College  
 6371 System Institution Foundation Board, receiving state  
 6372 appropriations under this program shall also certify in an  
 6373 annual report to the State Board of Community Colleges Education  
 6374 the receipt of eligible cash contributions that were previously  
 6375 unmatched by the state. The State Board of Education shall adopt  
 6376 rules providing all Florida Community College System  
 6377 institutions with an opportunity to apply for excess funds  
 6378 before the awarding of such funds.

6379 (b) Florida Community College System institutions must  
 6380 submit to the State Board of Community Colleges Education an  
 6381 annual expenditure report tracking the use of all matching  
 6382 funds.

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6383 (c) The audit of each foundation receiving state funds from  
6384 this program must include a certification of accuracy in the  
6385 amount reported for matching funds.

6386 (5) The matching ratio for donations that are specifically  
6387 designated to support scholarships, including scholarships for  
6388 first-generation-in-college students, student loans, or need-  
6389 based grants shall be \$1 of state funds to \$1 of local private  
6390 funds.

6391 (6) Otherwise, funds ~~must shall~~ be proportionately  
6392 allocated to the Florida Community College System institutions  
6393 on the basis of matching each \$6 of local or private funds with  
6394 \$4 of state funds. To be eligible, a minimum of \$4,500 must be  
6395 raised from private sources.

6396 (7) The Florida Community College System institution board  
6397 of trustees, in conjunction with the donor, shall determine ~~make~~  
6398 ~~the determination of~~ whether scholarships established pursuant  
6399 to this program are endowed.

6400 (8) (a) Funds sufficient to provide the match shall be  
6401 transferred from the state appropriations to the local Florida  
6402 Community College System institution foundation or the statewide  
6403 Florida Community College System institution foundation upon  
6404 notification that a proportionate amount has been received and  
6405 deposited by a Florida Community College System institution in  
6406 its own trust fund.

6407 (b) If state funds appropriated for the program are  
6408 insufficient to match contributions, the amount allocated must  
6409 ~~shall~~ be reduced in proportion to its share of the total  
6410 eligible contributions. However, in making proportional  
6411 reductions, every Florida Community College System institution

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6412 shall receive a minimum of \$75,000 in state matching funds if  
6413 its eligible contributions would have generated an amount at  
6414 least equal to \$75,000. All unmet contributions ~~must shall~~ be  
6415 eligible for state matching funds in subsequent fiscal years.

6416 (9) Each Florida Community College System institution  
6417 entity shall establish its own matching grant program fund as a  
6418 depository for the private contributions and matching state  
6419 funds provided under this section. Florida Community College  
6420 System institution foundations are responsible for the  
6421 maintenance, investment, and administration of their matching  
6422 grant program funds.

6423 (10) The State Board of Community Colleges ~~Education~~ may  
6424 receive submissions of requests for matching funds and  
6425 documentation relating to those requests, may approve requests  
6426 for matching funds, and may allocate such funds to the Florida  
6427 Community College System institutions.

6428 (11) The board of trustees of the Florida Community College  
6429 System institution and the State Board of Community Colleges  
6430 ~~Education~~ are responsible for determining the uses for the  
6431 proceeds of their respective trust funds. Such use of the  
6432 proceeds shall include, but not be limited to, expenditure of  
6433 the funds for:

6434 (a) Scientific and technical equipment.

6435 (b) Scholarships, loans, or need-based grants.

6436 (c) Other activities that will benefit future students as  
6437 well as students currently enrolled at the Florida Community  
6438 College System institution, will improve the quality of  
6439 education at the Florida Community College System institution,  
6440 or will enhance economic development in the community.

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6441 (12) Each Florida Community College System institution  
 6442 shall notify all donors of private funds of a substantial delay  
 6443 in the availability of state matching funds for this program.

6444 (13) Effective July 1, 2011, state matching funds are  
 6445 temporarily suspended for donations received for this program on  
 6446 or after June 30, 2011. Existing eligible donations remain  
 6447 eligible for future matching funds. The program may be restarted  
 6448 after \$200 million of the backlog for programs under this  
 6449 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6450 Section 103. Subsection (1) of section 1012.01, Florida  
 6451 Statutes, is amended to read:

6452 1012.01 Definitions.—As used in this chapter, the following  
 6453 terms have the following meanings:

6454 (1) SCHOOL OFFICERS.—The officers of the state system of  
 6455 public K-12 ~~and Florida College System institution~~ education  
 6456 shall be the Commissioner of Education and the members of the  
 6457 State Board of Education; for the Florida Community College  
 6458 System, the officers shall be the Chancellor of the Florida  
 6459 Community College System and the members of the State Board of  
 6460 Community Colleges; for each district school system, the  
 6461 officers shall be the district school superintendent and members  
 6462 of the district school board; and for each Florida Community  
 6463 College System institution, the officers shall be the Florida  
 6464 Community College System institution president and members of  
 6465 the Florida Community College System institution board of  
 6466 trustees.

6467 Section 104. Paragraph (a) of subsection (1) of section  
 6468 1012.80, Florida Statutes, is amended to read:

6469 1012.80 Participation by employees in disruptive activities

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6470 at public postsecondary educational institutions; penalties.—

6471 (1) (a) Any person who accepts the privilege extended by the  
 6472 laws of this state of employment at any Florida Community  
 6473 College System institution shall, by working at such  
 6474 institution, be deemed to have given his or her consent to the  
 6475 policies of that institution, the policies of the State Board of  
 6476 Community Colleges Education, and the laws of this state. Such  
 6477 policies shall include prohibition against disruptive activities  
 6478 at Florida Community College System institutions.

6479 Section 105. Subsection (1) of section 1012.81, Florida  
 6480 Statutes, is amended to read:

6481 1012.81 Personnel records.—

6482 (1) The State Board of Community Colleges Education shall  
 6483 adopt rules prescribing the content and custody of limited-  
 6484 access records that a Florida Community College System  
 6485 institution may maintain on its employees. Limited-access  
 6486 employee records are confidential and exempt from ~~the provisions~~  
 6487 ~~of~~ s. 119.07(1). Limited-access records include only the  
 6488 following:

6489 (a) Records containing information reflecting academic  
 6490 evaluations of employee performance; however, the employee and  
 6491 officials of the institution responsible for supervision of the  
 6492 employee shall have access to such records.

6493 (b) Records maintained for the purposes of any  
 6494 investigation of employee misconduct, including, but not limited  
 6495 to, a complaint against an employee and all information obtained  
 6496 pursuant to the investigation of such complaint; however, these  
 6497 records become public after the investigation ceases to be  
 6498 active or when the institution provides written notice to the

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6499 employee who is the subject of the complaint that the  
6500 institution has either:

- 6501 1. Concluded the investigation with a finding not to
- 6502 proceed with disciplinary action;
- 6503 2. Concluded the investigation with a finding to proceed
- 6504 with disciplinary action; or
- 6505 3. Issued a letter of discipline.

6506  
6507 For the purpose of this paragraph, an investigation shall be  
6508 considered active as long as it is continuing with a reasonable,  
6509 good faith anticipation that a finding will be made in the  
6510 foreseeable future. An investigation shall be presumed to be  
6511 inactive if no finding is made within 90 days after the  
6512 complaint is filed.

6513 Section 106. Subsection (1) of section 1012.83, Florida  
6514 Statutes, is amended to read:

6515 1012.83 Contracts with administrative and instructional  
6516 staff.—

6517 (1) Each person employed in an administrative or  
6518 instructional capacity in a Florida Community College System  
6519 institution shall be entitled to a contract as provided by rules  
6520 of the State Board of Community Colleges ~~Education~~.

6521 Section 107. Section 1012.855, Florida Statutes, is amended  
6522 to read:

6523 1012.855 Employment of Florida Community College System  
6524 institution personnel; discrimination in granting salary  
6525 prohibited.—

6526 (1) (a) Employment of all personnel in each Florida  
6527 Community College System institution shall be upon

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6528 recommendation of the president, subject to rejection for cause  
6529 by the Florida Community College System institution board of  
6530 trustees; to the rules of the State Board of Community Colleges  
6531 ~~Education~~ relative to certification, tenure, leaves of absence  
6532 of all types, including sabbaticals, remuneration, and such  
6533 other conditions of employment as the State Board of Community  
6534 Colleges ~~Education~~ deems necessary and proper; and to policies  
6535 of the Florida Community College System institution board of  
6536 trustees not inconsistent with law.

6537 (b) Any internal auditor employed by a Florida Community  
6538 College System institution shall be hired by the Florida  
6539 Community College System institution board of trustees and shall  
6540 report directly to the board.

6541 (2) Each Florida Community College System institution board  
6542 of trustees shall undertake a program to eradicate any  
6543 discrimination on the basis of gender, race, or physical  
6544 handicap in the granting of salaries to employees.

6545 Section 108. Section 1012.86, Florida Statutes, is amended  
6546 to read:

6547 1012.86 Florida Community College System institution  
6548 employment equity accountability program.—

6549 (1) Each Florida Community College System institution shall  
6550 include in its annual equity update a plan for increasing the  
6551 representation of women and minorities in senior-level  
6552 administrative positions and in full-time faculty positions, and  
6553 for increasing the representation of women and minorities who  
6554 have attained continuing-contract status. Positions shall be  
6555 defined in the personnel data element directory of the  
6556 Department of Education. The plan must include specific

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6557 measurable goals and objectives, specific strategies and  
 6558 timelines for accomplishing these goals and objectives, and  
 6559 comparable national standards as provided by the Department of  
 6560 Education. The goals and objectives shall be based on meeting or  
 6561 exceeding comparable national standards and shall be reviewed  
 6562 and recommended by the State Board of Community Colleges  
 6563 ~~Education~~ as appropriate. Such plans shall be maintained until  
 6564 appropriate representation has been achieved and maintained for  
 6565 at least 3 consecutive reporting years.

6566 (2) (a) On or before May 1 of each year, each Florida  
 6567 Community College System institution president shall submit an  
 6568 annual employment accountability plan to the Chancellor of the  
 6569 Florida Community College System and the State Board of  
 6570 Community Colleges ~~Commissioner of Education and the State Board~~  
 6571 ~~of Education~~. The accountability plan must show faculty and  
 6572 administrator employment data according to requirements  
 6573 specified on the federal Equal Employment Opportunity (EE0-6)  
 6574 report.

6575 (b) The plan must show the following information for those  
 6576 positions including, but not limited to:

- 6577 1. Job classification title.
- 6578 2. Gender.
- 6579 3. Ethnicity.
- 6580 4. Appointment status.
- 6581 5. Salary information. At each Florida Community College  
 6582 System institution, salary information shall also include the  
 6583 salary ranges in which new hires were employed compared to the  
 6584 salary ranges for employees with comparable experience and  
 6585 qualifications.

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6586 6. Other comparative information including, but not limited  
 6587 to, composite information regarding the total number of  
 6588 positions within the particular job title classification for the  
 6589 Florida Community College System institution by race, gender,  
 6590 and salary range compared to the number of new hires.

6591 7. A statement certifying diversity and balance in the  
 6592 gender and ethnic composition of the selection committee for  
 6593 each vacancy, including a brief description of guidelines used  
 6594 for ensuring balanced and diverse membership on selection and  
 6595 review committees.

6596 (c) The annual employment accountability plan shall also  
 6597 include an analysis and an assessment of the Florida Community  
 6598 College System institution's attainment of annual goals and of  
 6599 long-range goals for increasing the number of women and  
 6600 minorities in faculty and senior-level administrative positions,  
 6601 and a corrective action plan for addressing underrepresentation.

6602 (d) Each Florida Community College System institution's  
 6603 employment accountability plan must also include:

- 6604 1. The requirements for receiving a continuing contract.
- 6605 2. A brief description of the process used to grant  
 6606 continuing-contract status.
- 6607 3. A brief description of the process used to annually  
 6608 apprise each eligible faculty member of progress toward  
 6609 attainment of continuing-contract status.

6610 (3) Florida Community College System institution presidents  
 6611 and the heads of each major administrative division shall be  
 6612 evaluated annually on the progress made toward meeting the goals  
 6613 and objectives of the Florida Community College System  
 6614 institution's employment accountability plan.

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6615 (a) The Florida Community College System institution  
 6616 presidents, or the presidents' designees, shall annually  
 6617 evaluate each department chairperson, dean, provost, and vice  
 6618 president in achieving the annual and long-term goals and  
 6619 objectives. A summary of the results of such evaluations shall  
 6620 be reported annually by the Florida Community College System  
 6621 institution president to the Florida Community College System  
 6622 institution board of trustees. Annual budget allocations by the  
 6623 Florida Community College System institution board of trustees  
 6624 for positions and funding must take into consideration these  
 6625 evaluations.

6626 (b) Florida Community College System institution boards of  
 6627 trustees shall annually evaluate the performance of the Florida  
 6628 Community College System institution presidents in achieving the  
 6629 annual and long-term goals and objectives. A summary of the  
 6630 results of such evaluations shall be reported to the State Board  
 6631 of Community Colleges ~~Commissioner of Education and the State~~  
 6632 ~~Board of Education~~ as part of the Florida Community College  
 6633 System institution's annual employment accountability plan, and  
 6634 to the Legislature as part of the annual equity progress report  
 6635 submitted by the State Board of Community Colleges ~~Education~~.

6636 (4) The State Board of Community Colleges ~~Education~~ shall  
 6637 submit an annual equity progress report to the President of the  
 6638 Senate and the Speaker of the House of Representatives on or  
 6639 before January 1 of each year.

6640 (5) Each Florida Community College System institution shall  
 6641 develop a budgetary incentive plan to support and ensure  
 6642 attainment of the goals developed pursuant to this section. The  
 6643 plan shall specify, at a minimum, how resources shall be

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6644 allocated to support the achievement of goals and the  
 6645 implementation of strategies in a timely manner. After prior  
 6646 review and approval by the Florida Community College System  
 6647 institution president and the Florida Community College System  
 6648 institution board of trustees, the plan shall be submitted as  
 6649 part of the annual employment accountability plan submitted by  
 6650 each Florida Community College System institution to the State  
 6651 Board of Community Colleges ~~Education~~.

6652 (6) Subject to available funding, the Legislature shall  
 6653 provide an annual appropriation to the State Board of Community  
 6654 Colleges ~~Education~~ to be allocated to Florida Community College  
 6655 System institution presidents, faculty, and administrative  
 6656 personnel to further enhance equity initiatives and related  
 6657 priorities that support the mission of colleges and departments  
 6658 in recognition of the attainment of the equity goals and  
 6659 objectives.

6660 Section 109. Subsection (3) of section 1013.01, Florida  
 6661 Statutes, is amended to read:

6662 1013.01 Definitions.—The following terms shall be defined  
 6663 as follows for the purpose of this chapter:

6664 (3) "Board," unless otherwise specified, means a district  
 6665 school board, a Florida Community College System institution  
 6666 board of trustees, a university board of trustees, and the Board  
 6667 of Trustees for the Florida School for the Deaf and the Blind.  
 6668 The term "board" does not include the State Board of Education,  
 6669 ~~or~~ the Board of Governors, or the State Board of Community  
 6670 Colleges.

6671 Section 110. Subsection (2) of section 1013.02, Florida  
 6672 Statutes, is amended to read:

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6673 1013.02 Purpose; rules and regulations.-

6674 (2) (a) The State Board of Education shall adopt rules  
6675 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~  
6676 ~~provisions of this chapter for school districts and Florida~~  
6677 ~~College System institutions.~~

6678 (b) The Board of Governors shall adopt regulations pursuant  
6679 to its regulation development procedure to implement ~~the~~  
6680 ~~provisions of this chapter for state universities.~~

6681 (c) The State Board of Community Colleges shall adopt rules  
6682 pursuant to ss. 120.536(1) and 120.54 to implement this chapter  
6683 for Florida Community College System institutions.

6684 Section 111. Section 1013.03, Florida Statutes, is amended  
6685 to read:

6686 1013.03 Functions of the department, the State Board of  
6687 Community Colleges, and the Board of Governors.-The functions of  
6688 the Department of Education as it pertains to educational  
6689 facilities of school districts, of the State Board of Community  
6690 Colleges as it pertains to educational facilities of ~~and~~ Florida  
6691 Community College System institutions, and of the Board of  
6692 Governors as it pertains to educational facilities of state  
6693 universities shall include, but not be limited to, the  
6694 following:

6695 (1) Establish recommended minimum and maximum square  
6696 footage standards for different functions and areas and  
6697 procedures for determining the gross square footage for each  
6698 educational facility to be funded in whole or in part by the  
6699 state, including public broadcasting stations but excluding  
6700 postsecondary special purpose laboratory space. The gross square  
6701 footage determination standards may be exceeded when the core

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6702 facility space of an educational facility is constructed or  
6703 renovated to accommodate the future addition of classrooms to  
6704 meet projected increases in student enrollment. The department,  
6705 the State Board of Community Colleges, and the Board of  
6706 Governors shall encourage multiple use of facilities and spaces  
6707 in educational plants.

6708 (2) Establish, for the purpose of determining need,  
6709 equitably uniform utilization standards for all types of like  
6710 space, regardless of the level of education. These standards  
6711 shall also establish, for postsecondary education classrooms, a  
6712 minimum room utilization rate of 40 hours per week and a minimum  
6713 station utilization rate of 60 percent. These rates shall be  
6714 subject to increase based on national norms for utilization of  
6715 postsecondary education classrooms.

6716 (3) Require boards to submit other educational plant  
6717 inventories data and statistical data or information relevant to  
6718 construction, capital improvements, and related costs.

6719 (4) Require each board and other appropriate agencies to  
6720 submit complete and accurate financial data as to the amounts of  
6721 funds from all sources that are available and spent for  
6722 construction and capital improvements. The commissioner shall  
6723 prescribe the format and the date for the submission of this  
6724 data and any other educational facilities data. If any district  
6725 does not submit the required educational facilities fiscal data  
6726 by the prescribed date, the Commissioner of Education shall  
6727 notify the district school board of this fact and, if  
6728 appropriate action is not taken to immediately submit the  
6729 required report, the district school board shall be directed to  
6730 proceed pursuant to s. 1001.42(13)(b). If any Florida Community

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6731 College System institution or university does not submit the  
6732 required educational facilities fiscal data by the prescribed  
6733 date, the same policy prescribed in this subsection for school  
6734 districts shall be implemented.

6735 (5) Administer, under the supervision of the Commissioner  
6736 of Education, the Public Education Capital Outlay and Debt  
6737 Service Trust Fund and the School District and Community College  
6738 District Capital Outlay and Debt Service Trust Fund.

6739 (6) Develop, review, update, revise, and recommend a  
6740 mandatory portion of the Florida Building Code for educational  
6741 facilities construction and capital improvement by Florida  
6742 Community College System institution boards and district school  
6743 boards.

6744 (7) Provide training, technical assistance, and building  
6745 code interpretation for requirements of the mandatory Florida  
6746 Building Code for the educational facilities construction and  
6747 capital improvement programs of ~~the Florida College System~~  
6748 ~~institution boards and district school boards and~~, upon request,  
6749 approve phase III construction documents for remodeling,  
6750 renovation, or new construction of educational plants or  
6751 ancillary facilities, except that Florida Community College  
6752 System institutions and university boards of trustees shall  
6753 approve specifications and construction documents for their  
6754 respective institutions pursuant to guidelines of the Board of  
6755 Governors or State Board of Community Colleges, as applicable.  
6756 The Department of Management Services may, upon request, provide  
6757 similar services for the Florida School for the Deaf and the  
6758 Blind and shall use the Florida Building Code and the Florida  
6759 Fire Prevention Code.

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6760 (8) Provide minimum criteria, procedures, and training to  
6761 boards to conduct educational plant surveys and document the  
6762 determination of future needs.

6763 (9) Make available to boards technical assistance,  
6764 awareness training, and research and technical publications  
6765 relating to lifesafety, casualty, sanitation, environmental,  
6766 maintenance, and custodial issues; and, as needed, technical  
6767 assistance for survey, planning, design, construction,  
6768 operation, and evaluation of educational and ancillary  
6769 facilities and plants, facilities administrative procedures  
6770 review, and training for new administrators.

6771 (10) (a) Review and validate surveys proposed or amended by  
6772 the boards and recommend to the Commissioner of Education, the  
6773 Chancellor of the Florida Community College System, or the  
6774 Chancellor of the State University System, as appropriate, for  
6775 approval, surveys that meet the requirements of this chapter.

6776 1. The term "validate" as applied to surveys by school  
6777 districts means to review inventory data as submitted to the  
6778 department by district school boards; provide for review and  
6779 inspection, where required, of student stations and aggregate  
6780 square feet of inventory changed from satisfactory to  
6781 unsatisfactory or changed from unsatisfactory to satisfactory;  
6782 compare new school inventory to allocation limits provided by  
6783 this chapter; review cost projections for conformity with cost  
6784 limits set by s. 1013.64(6); compare total capital outlay full-  
6785 time equivalent enrollment projections in the survey with the  
6786 department's projections; review facilities lists to verify that  
6787 student station and auxiliary facility space allocations do not  
6788 exceed the limits provided by this chapter and related rules;

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6789 review and confirm the application of uniform facility  
6790 utilization factors, where provided by this chapter or related  
6791 rules; ~~use~~ utilize the documentation of programs offered per  
6792 site, as submitted by the board, to analyze facility needs;  
6793 confirm that need projections for career and adult educational  
6794 programs comply with needs documented by the Department of  
6795 Education; and confirm the assignment of full-time student  
6796 stations to all space except auxiliary facilities, which, for  
6797 purposes of exemption from student station assignment, include  
6798 the following:

- 6799 a. Cafeterias.
- 6800 b. Multipurpose dining areas.
- 6801 c. Media centers.
- 6802 d. Auditoriums.
- 6803 e. Administration.
- 6804 f. Elementary, middle, and high school resource rooms, up  
6805 to the number of such rooms recommended for the applicable  
6806 occupant and space design capacity of the educational plant in  
6807 the State Requirements for Educational Facilities, beyond which  
6808 student stations must be assigned.
- 6809 g. Elementary school skills labs, up to the number of such  
6810 rooms recommended for the applicable occupant and space design  
6811 capacity of the educational plant in the State Requirements for  
6812 Educational Facilities, beyond which student stations must be  
6813 assigned.
- 6814 h. Elementary school art and music rooms.

6815  
6816 The Commissioner of Education may grant a waiver from the  
6817 requirements of this subparagraph if a district school board

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6818 determines that such waiver will make possible a substantial  
6819 savings of funds or will be advantageous to the welfare of the  
6820 educational system. The district school board shall present a  
6821 full statement to the commissioner which sets forth the facts  
6822 that warrant the waiver. If the commissioner denies a request  
6823 for a waiver, the district school board may appeal such decision  
6824 to the State Board of Education.

6825 2. The term "validate" as applied to surveys by Florida  
6826 Community College System institutions and universities means to  
6827 review and document the approval of each new site and official  
6828 designation, where applicable; review the inventory database as  
6829 submitted by each board to the department, including noncareer,  
6830 and total capital outlay full-time equivalent enrollment  
6831 projections per site and per college; provide for the review and  
6832 inspection, where required, of student stations and aggregate  
6833 square feet of space changed from satisfactory to  
6834 unsatisfactory; ~~use~~ utilize and review the documentation of  
6835 programs offered per site submitted by the boards as accurate  
6836 for analysis of space requirements and needs; confirm that needs  
6837 projected for career and adult educational programs comply with  
6838 needs documented by the Department of Education; compare new  
6839 facility inventory to allocations limits as provided in this  
6840 chapter; review cost projections for conformity with state  
6841 averages or limits designated by this chapter; compare student  
6842 enrollment projections in the survey to the department's  
6843 projections; review facilities lists to verify that area  
6844 allocations and space factors for generating space needs do not  
6845 exceed the limits as provided by this chapter and related rules;  
6846 confirm the application of facility utilization factors as

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6847 provided by this chapter and related rules; and review, as  
 6848 submitted, documentation of how survey recommendations will  
 6849 implement the detail of current campus master plans and  
 6850 integrate with local comprehensive plans and development  
 6851 regulations.

6852 (b) Recommend priority of projects to be funded.

6853 (11) Prepare the commissioner's comprehensive fixed capital  
 6854 outlay legislative budget request and provide annually an  
 6855 estimate of the funds available for developing required 3-year  
 6856 priority lists. This amount shall be based upon the average  
 6857 percentage for the 5 prior years of funds appropriated by the  
 6858 Legislature for fixed capital outlay to each level of public  
 6859 education: public schools, Florida Community College System  
 6860 institutions, and universities.

6861 (12) Perform any other functions that may be involved in  
 6862 educational facilities construction and capital improvement  
 6863 which shall ensure that the intent of the Legislature is  
 6864 implemented.

6865 Section 112. Section 1013.28, Florida Statutes, is amended  
 6866 to read:

6867 1013.28 Disposal of property.—

6868 (1) REAL PROPERTY.—

6869 (a) Subject to rules of the State Board of Education, a  
 6870 district school board or, the Board of Trustees for the Florida  
 6871 School for the Deaf and the Blind, ~~or a Florida College System~~  
 6872 ~~institution board of trustees~~ may dispose of any land or real  
 6873 property to which the board holds title which is, by resolution  
 6874 of the board, determined to be unnecessary for educational  
 6875 purposes as recommended in an educational plant survey. A

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6876 district school board or, the Board of Trustees for the Florida  
 6877 School for the Deaf and the Blind, ~~or a Florida College System~~  
 6878 ~~institution board of trustees~~ shall take diligent measures to  
 6879 dispose of educational property only in the best interests of  
 6880 the public. However, appraisals may be obtained by the district  
 6881 school board or, the Board of Trustees for the Florida School  
 6882 for the Deaf and the Blind ~~before, or the Florida College System~~  
 6883 ~~institution board of trustees prior to~~ or simultaneously with  
 6884 the receipt of bids.

6885 (b) Subject to regulations of the Board of Governors, a  
 6886 state university board of trustees may dispose of any land or  
 6887 real property to which it holds valid title which is, by  
 6888 resolution of the state university board of trustees, determined  
 6889 to be unnecessary for educational purposes as recommended in an  
 6890 educational plant survey. A state university board of trustees  
 6891 shall take diligent measures to dispose of educational property  
 6892 only in the best interests of the public. However, appraisals  
 6893 may be obtained by the state university board of trustees prior  
 6894 to or simultaneously with the receipt of bids.

6895 (c) Subject to rules of the State Board of Community  
 6896 Colleges, a Florida Community College System institution board  
 6897 of trustees may dispose of any land or real property to which it  
 6898 holds valid title which is, by resolution of the Florida  
 6899 Community College System institution board of trustees,  
 6900 determined to be unnecessary for educational purposes as  
 6901 recommended in an educational plant survey. A Florida Community  
 6902 College System institution board of trustees shall take diligent  
 6903 measures to dispose of educational property only in the best  
 6904 interests of the public. However, appraisals may be obtained by

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6905 the Florida Community College System institution board of  
 6906 trustees prior to or simultaneously with the receipt of bids.

6907 (2) TANGIBLE PERSONAL PROPERTY.—

6908 (a) Tangible personal property that has been properly  
 6909 classified as surplus by a district school board ~~or Florida~~  
 6910 ~~College System institution board of trustees~~ shall be disposed  
 6911 of in accordance with the procedure established by chapter 274.  
 6912 However, the provisions of chapter 274 shall not be applicable  
 6913 to a motor vehicle used in driver education to which title is  
 6914 obtained for a token amount from an automobile dealer or  
 6915 manufacturer. In such cases, the disposal of the vehicle shall  
 6916 be as prescribed in the contractual agreement between the  
 6917 automotive agency or manufacturer and the board.

6918 (b) Tangible personal property that has been properly  
 6919 classified as surplus by a state university board of trustees  
 6920 shall be disposed of in accordance with the procedure  
 6921 established by chapter 273.

6922 (c) Tangible personal property that has been properly  
 6923 classified as surplus by a Florida Community College System  
 6924 institution board of trustees shall be disposed of in accordance  
 6925 with the procedure established by chapter 273.

6926 Section 113. Subsection (1) of section 1013.31, Florida  
 6927 Statutes, is amended to read:

6928 1013.31 Educational plant survey; localized need  
 6929 assessment; PECO project funding.—

6930 (1) At least every 5 years, each board shall arrange for an  
 6931 educational plant survey, to aid in formulating plans for  
 6932 housing the educational program and student population, faculty,  
 6933 administrators, staff, and auxiliary and ancillary services of

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6934 the district or campus, including consideration of the local  
 6935 comprehensive plan. The Department of Education, for school  
 6936 districts, and the State Board of Community Colleges, for the  
 6937 Florida Community College System, shall document the need for  
 6938 additional career and adult education programs and the  
 6939 continuation of existing programs before facility construction  
 6940 or renovation related to career or adult education may be  
 6941 included in the educational plant survey of a school district or  
 6942 Florida Community College System institution that delivers  
 6943 career or adult education programs. Information used by the  
 6944 Department of Education or State Board of Community Colleges to  
 6945 establish facility needs must include, but need not be limited  
 6946 to, labor market data, needs analysis, and information submitted  
 6947 by the school district or Florida Community College System  
 6948 institution.

6949 (a) *Survey preparation and required data.*—Each survey shall  
 6950 be conducted by the board or an agency employed by the board.  
 6951 Surveys shall be reviewed and approved by the board, and a file  
 6952 copy shall be submitted to the Department of Education, the  
 6953 Chancellor of the Florida Community College System, or the  
 6954 Chancellor of the State University System, as appropriate. The  
 6955 survey report shall include at least an inventory of existing  
 6956 educational and ancillary plants, including safe access  
 6957 facilities; recommendations for existing educational and  
 6958 ancillary plants; recommendations for new educational or  
 6959 ancillary plants, including the general location of each in  
 6960 coordination with the land use plan and safe access facilities;  
 6961 campus master plan update and detail for Florida Community  
 6962 College System institutions; the use ~~utilization~~ of school

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6963 plants based on an extended school day or year-round operation;  
 6964 and such other information as may be required by the Department  
 6965 of Education. This report may be amended, if conditions warrant,  
 6966 at the request of the department or commissioner.

6967 (b) *Required need assessment criteria for district, Florida*  
 6968 *Community College System institution, state university, and*  
 6969 *Florida School for the Deaf and the Blind plant surveys.*—  
 6970 Educational plant surveys must use uniform data sources and  
 6971 criteria specified in this paragraph. Each revised educational  
 6972 plant survey and each new educational plant survey supersedes  
 6973 previous surveys.

6974 1. The school district's survey must be submitted as a part  
 6975 of the district educational facilities plan defined in s.  
 6976 1013.35. To ensure that the data reported to the Department of  
 6977 Education as required by this section is correct, the department  
 6978 shall annually conduct an onsite review of 5 percent of the  
 6979 facilities reported for each school district completing a new  
 6980 survey that year. If the department's review finds the data  
 6981 reported by a district is less than 95 percent accurate, within  
 6982 1 year from the time of notification by the department the  
 6983 district must submit revised reports correcting its data. If a  
 6984 district fails to correct its reports, the commissioner may  
 6985 direct that future fixed capital outlay funds be withheld until  
 6986 such time as the district has corrected its reports so that they  
 6987 are not less than 95 percent accurate.

6988 2. Each survey of a special facility, joint-use facility,  
 6989 or cooperative career education facility must be based on  
 6990 capital outlay full-time equivalent student enrollment data  
 6991 prepared by the department for school districts and Florida

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6992 Community College System institutions and by the Chancellor of  
 6993 the State University System for universities. A survey of space  
 6994 needs of a joint-use facility shall be based upon the respective  
 6995 space needs of the school districts, Florida Community College  
 6996 System institutions, and universities, as appropriate.  
 6997 Projections of a school district's facility space needs may not  
 6998 exceed the norm space and occupant design criteria established  
 6999 by the State Requirements for Educational Facilities.

7000 3. Each Florida Community College System institution's  
 7001 survey must reflect the capacity of existing facilities as  
 7002 specified in the inventory maintained and validated by the  
 7003 Chancellor of the Florida Community College System ~~by the~~  
 7004 ~~Department of Education~~. Projections of facility space needs  
 7005 must comply with standards for determining space needs as  
 7006 specified by rule of the State Board of Community Colleges  
 7007 ~~Education~~. The 5-year projection of capital outlay student  
 7008 enrollment must be consistent with the annual report of capital  
 7009 outlay full-time student enrollment prepared by the Department  
 7010 of Education.

7011 4. Each state university's survey must reflect the capacity  
 7012 of existing facilities as specified in the inventory maintained  
 7013 and validated by the Chancellor of the State University System.  
 7014 Projections of facility space needs must be consistent with  
 7015 standards for determining space needs as specified by regulation  
 7016 of the Board of Governors. The projected capital outlay full-  
 7017 time equivalent student enrollment must be consistent with the  
 7018 5-year planned enrollment cycle for the State University System  
 7019 approved by the Board of Governors.

7020 5. The district educational facilities plan of a school

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7021 district and the educational plant survey of a Florida Community  
 7022 College System institution, state university, or the Florida  
 7023 School for the Deaf and the Blind may include space needs that  
 7024 deviate from approved standards for determining space needs if  
 7025 the deviation is justified by the district or institution and  
 7026 approved by the department, the State Board of Community  
 7027 Colleges, or the Board of Governors, as appropriate, as  
 7028 necessary for the delivery of an approved educational program.

7029 (c) *Review and validation.*—The Department of Education  
 7030 shall review and validate the surveys of school districts, the  
 7031 Chancellor of the Florida Community College System shall review  
 7032 and validate the surveys of ~~and~~ Florida Community College System  
 7033 institutions, and the Chancellor of the State University System  
 7034 shall review and validate the surveys of universities, and any  
 7035 amendments thereto for compliance with the requirements of this  
 7036 chapter and shall recommend those in compliance for approval by  
 7037 the State Board of Education, the State Board of Community  
 7038 Colleges, or the Board of Governors, as appropriate. Annually,  
 7039 the department shall perform an in-depth analysis of a  
 7040 representative sample of each survey of recommended needs for  
 7041 five districts selected by the commissioner from among districts  
 7042 with the largest need-to-revenue ratio. For the purpose of this  
 7043 subsection, the need-to-revenue ratio is determined by dividing  
 7044 the total 5-year cost of projects listed on the district survey  
 7045 by the total 5-year fixed capital outlay revenue projections  
 7046 from state and local sources as determined by the department.  
 7047 The commissioner may direct fixed capital outlay funds to be  
 7048 withheld from districts until such time as the survey accurately  
 7049 projects facilities needs.

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7050 (d) *Periodic update of Florida Inventory of School Houses.*—  
 7051 School districts shall periodically update their inventory of  
 7052 educational facilities as new capacity becomes available and as  
 7053 unsatisfactory space is eliminated. The State Board of Education  
 7054 shall adopt rules to determine the timeframe in which districts  
 7055 must provide a periodic update.

7056 Section 114. Subsections (1) and (3) of section 1013.36,  
 7057 Florida Statutes, are amended to read:  
 7058 1013.36 Site planning and selection.—  
 7059 (1) Before acquiring property for sites, each district  
 7060 school board and Florida Community College System institution  
 7061 board of trustees shall determine the location of proposed  
 7062 educational centers or campuses. In making this determination,  
 7063 the board shall consider existing and anticipated site needs and  
 7064 the most economical and practicable locations of sites. The  
 7065 board shall coordinate with the long-range or comprehensive  
 7066 plans of local, regional, and state governmental agencies to  
 7067 assure the consistency of such plans. Boards are encouraged to  
 7068 locate district educational facilities proximate to urban  
 7069 residential areas to the extent possible, and shall seek to  
 7070 collocate district educational facilities with other public  
 7071 facilities, such as parks, libraries, and community centers, to  
 7072 the extent possible and to encourage using elementary schools as  
 7073 focal points for neighborhoods.

7074 (3) Sites recommended for purchase or purchased must meet  
 7075 standards prescribed in law and such supplementary standards as  
 7076 the State Board of Education or State Board of Community  
 7077 Colleges, as appropriate, prescribes to promote the educational  
 7078 interests of the students. Each site must be well drained and

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7079 suitable for outdoor educational purposes as appropriate for the  
 7080 educational program or collocated with facilities to serve this  
 7081 purpose. As provided in s. 333.03, the site must not be located  
 7082 within any path of flight approach of any airport. Insofar as is  
 7083 practicable, the site must not adjoin a right-of-way of any  
 7084 railroad or through highway and must not be adjacent to any  
 7085 factory or other property from which noise, odors, or other  
 7086 disturbances, or at which conditions, would be likely to  
 7087 interfere with the educational program. To the extent  
 7088 practicable, sites must be chosen which will provide safe access  
 7089 from neighborhoods to schools.

7090 Section 115. Subsections (3) and (4) of section 1013.37,  
 7091 Florida Statutes, are amended to read:

7092 1013.37 State uniform building code for public educational  
 7093 facilities construction.—

7094 (3) REVIEW PROCEDURE.—The Commissioner of Education and the  
 7095 Chancellor of the Florida Community College System, as  
 7096 appropriate, shall cooperate with the Florida Building  
 7097 Commission in addressing all questions, disputes, or  
 7098 interpretations involving the provisions of the Florida Building  
 7099 Code which govern the construction of public educational and  
 7100 ancillary facilities, and any objections to decisions made by  
 7101 the inspectors or the department must be submitted in writing.

7102 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The  
 7103 department, for school districts, and the State Board of  
 7104 Community Colleges, for Florida Community College System  
 7105 institutions, shall biennially review and recommend to the  
 7106 Florida Building Commission updates and revisions to the  
 7107 provisions of the Florida Building Code which govern the

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7108 construction of public educational and ancillary facilities. The  
 7109 department, for school districts, and the State Board of  
 7110 Community Colleges, for Florida Community College System  
 7111 institutions, shall publish and make available to each board at  
 7112 no cost copies of the State Requirements for Educational  
 7113 Facilities and each amendment and revision thereto. The  
 7114 department and state board shall make additional copies  
 7115 available to all interested persons at a price sufficient to  
 7116 recover costs.

7117 Section 116. Section 1013.40, Florida Statutes, is amended  
 7118 to read:

7119 1013.40 Planning and construction of Florida Community  
 7120 College System institution facilities; property acquisition.—

7121 (1) The need for Florida Community College System  
 7122 institution facilities shall be established by a survey  
 7123 conducted pursuant to this chapter. The facilities recommended  
 7124 by such survey must be approved by the State Board of Community  
 7125 Colleges Education, and the projects must be constructed  
 7126 according to the provisions of this chapter and State Board of  
 7127 Community Colleges Education rules.

7128 (2) ~~A~~ No Florida Community College System institution may  
 7129 not expend public funds for the acquisition of additional  
 7130 property without the specific approval of the Legislature.

7131 (3) ~~A~~ No facility may not be acquired or constructed by a  
 7132 Florida Community College System institution or its direct-  
 7133 support organization if such facility requires general revenue  
 7134 funds for operation or maintenance upon project completion or in  
 7135 subsequent years of operation, unless prior approval is received  
 7136 from the Legislature.

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7137 (4) The campus of a Florida Community College System  
 7138 institution within a municipality designated as an area of  
 7139 critical state concern, as defined in s. 380.05, and having a  
 7140 comprehensive plan and land development regulations containing a  
 7141 building permit allocation system that limits annual growth, may  
 7142 construct dormitories for up to 300 beds for Florida Community  
 7143 College System institution students. Such dormitories are exempt  
 7144 from the building permit allocation system and may be  
 7145 constructed up to 45 feet in height if the dormitories are  
 7146 otherwise consistent with the comprehensive plan, the Florida  
 7147 Community College System institution has a hurricane evacuation  
 7148 plan that requires all dormitory occupants to be evacuated 48  
 7149 hours in advance of tropical force winds, and transportation is  
 7150 provided for dormitory occupants during an evacuation. State  
 7151 funds and tuition and fee revenues may not be used for  
 7152 construction, debt service payments, maintenance, or operation  
 7153 of such dormitories. Additional dormitory beds constructed after  
 7154 July 1, 2016, may not be financed through the issuance of a  
 7155 bond.

7156 Section 117. Section 1013.47, Florida Statutes, is amended  
 7157 to read:

7158 1013.47 Substance of contract; contractors to give bond;  
 7159 penalties.—Each board shall develop contracts consistent with  
 7160 this chapter and statutes governing public facilities. Such a  
 7161 contract must contain the drawings and specifications of the  
 7162 work to be done and the material to be furnished, the time limit  
 7163 in which the construction is to be completed, the time and  
 7164 method by which payments are to be made upon the contract, and  
 7165 the penalty to be paid by the contractor for a failure to comply

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7166 with the terms of the contract. The board may require the  
 7167 contractor to pay a penalty for any failure to comply with the  
 7168 terms of the contract and may provide an incentive for early  
 7169 completion. Upon accepting a satisfactory bid, the board shall  
 7170 enter into a contract with the party or parties whose bid has  
 7171 been accepted. The contractor shall furnish the board with a  
 7172 performance and payment bond as set forth in s. 255.05. A board  
 7173 or other public entity may not require a contractor to secure a  
 7174 surety bond under s. 255.05 from a specific agent or bonding  
 7175 company. A person, firm, or corporation that constructs any part  
 7176 of any educational plant, or addition thereto, on the basis of  
 7177 any unapproved plans or in violation of any plans approved in  
 7178 accordance with the provisions of this chapter and rules of the  
 7179 State Board of Education or State Board of Community Colleges or  
 7180 regulations of the Board of Governors relating to building  
 7181 standards or specifications is subject to forfeiture of the  
 7182 surety bond and unpaid compensation in an amount sufficient to  
 7183 reimburse the board for any costs that will need to be incurred  
 7184 in making any changes necessary to assure that all requirements  
 7185 are met and is also guilty of a misdemeanor of the second  
 7186 degree, punishable as provided in s. 775.082 or s. 775.083, for  
 7187 each separate violation.

7188 Section 118. Section 1013.52, Florida Statutes, is amended  
 7189 to read:

7190 1013.52 Cooperative development and joint use of facilities  
 7191 by two or more boards.—

7192 (1) Two or more boards, including district school boards,  
 7193 Florida Community College System institution boards of trustees,  
 7194 the Board of Trustees for the Florida School for the Deaf and

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7195 the Blind, and university boards of trustees, desiring to  
7196 cooperatively establish a common educational facility to  
7197 accommodate students shall:

7198 (a) Jointly request a formal assessment by the Commissioner  
7199 of Education, ~~or~~ the Chancellor of the State University System,  
7200 or the Chancellor of the State Board of Community Colleges, as  
7201 appropriate, of the academic program need and the need to build  
7202 new joint-use facilities to house approved programs. Completion  
7203 of the assessment and approval of the project by the State Board  
7204 of Education, the State Board of Community Colleges, the  
7205 Chancellor of the Florida Community College System, the Board of  
7206 Governors, the Chancellor of the State University System, or the  
7207 Commissioner of Education, as appropriate, should be done prior  
7208 to conducting an educational facilities survey.

7209 (b) Demonstrate the need for construction of new joint-use  
7210 facilities involving postsecondary institutions by those  
7211 institutions presenting evidence of the presence of sufficient  
7212 actual full-time equivalent enrollments in the locale in leased,  
7213 rented, or borrowed spaces to justify the requested facility for  
7214 the programs identified in the formal assessment rather than  
7215 using projected or anticipated future full-time equivalent  
7216 enrollments as justification. If the decision is made to  
7217 construct new facilities to meet this demonstrated need, then  
7218 building plans should consider full-time equivalent enrollment  
7219 growth facilitated by this new construction and subsequent new  
7220 program offerings made possible by the existence of the new  
7221 facilities.

7222 (c) Adopt and submit to the Commissioner of Education, the  
7223 Chancellor of the Florida Community College System, or ~~and~~ the

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7224 Chancellor of the State University System, as appropriate, if  
7225 the joint request involves a state university, a joint  
7226 resolution of the participating boards indicating their  
7227 commitment to the utilization of the requested facility and  
7228 designating the locale of the proposed facility. The joint  
7229 resolution shall contain a statement of determination by the  
7230 participating boards that alternate options, including the use  
7231 of leased, rented, or borrowed space, were considered and found  
7232 less appropriate than construction of the proposed facility. The  
7233 joint resolution shall contain assurance that the development of  
7234 the proposed facility has been examined in conjunction with the  
7235 programs offered by neighboring public educational facilities  
7236 offering instruction at the same level. The joint resolution  
7237 also shall contain assurance that each participating board shall  
7238 provide for continuity of educational progression. All joint  
7239 resolutions shall be submitted by August 1 for consideration of  
7240 funding by the subsequent Legislature.

7241 (d) Submit requests for funding of joint-use facilities  
7242 projects involving state universities and Florida Community  
7243 College System institutions for approval by the Chancellor of  
7244 the Florida Community College System ~~Commissioner of Education~~  
7245 and the Chancellor of the State University System. The  
7246 Chancellor of the Florida Community College System ~~Commissioner~~  
7247 ~~of Education~~ and the Chancellor of the State University System  
7248 shall jointly determine the priority for funding these projects  
7249 in relation to the priority of all other capital outlay projects  
7250 under their consideration. To be eligible for funding from the  
7251 Public Education Capital Outlay and Debt Service Trust Fund  
7252 under the provisions of this section, projects involving both

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7253 state universities and Florida Community College System  
 7254 institutions shall appear on the 3-year capital outlay priority  
 7255 lists of Florida Community College System institutions and of  
 7256 universities required by s. 1013.64. Projects involving a state  
 7257 university, a Florida Community College System institution, and  
 7258 a public school, and in which the larger share of the proposed  
 7259 facility is for the use of the state university or the Florida  
 7260 Community College System institution, shall appear on the 3-year  
 7261 capital outlay priority lists of the Florida Community College  
 7262 System institutions or of the universities, as applicable.

7263 (e) Include in their joint resolution for the joint-use  
 7264 facilities, comprehensive plans for the operation and management  
 7265 of the facility upon completion. Institutional responsibilities  
 7266 for specific functions shall be identified, including  
 7267 designation of one participating board as sole owner of the  
 7268 facility. Operational funding arrangements shall be clearly  
 7269 defined.

7270 (2) An educational plant survey must be conducted within 90  
 7271 days after submission of the joint resolution and substantiating  
 7272 data describing the benefits to be obtained, the programs to be  
 7273 offered, and the estimated cost of the proposed project. Upon  
 7274 completion of the educational plant survey, the participating  
 7275 boards may include the recommended projects in their plan as  
 7276 provided in s. 1013.31. Upon approval of the project by the  
 7277 commissioner, the Chancellor of the Florida Community College  
 7278 System, or the Chancellor of the State University System, as  
 7279 appropriate, 25 percent of the total cost of the project, or the  
 7280 pro rata share based on space utilization of 25 percent of the  
 7281 cost, must be included in the department's legislative capital

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7282 outlay budget request as provided in s. 1013.60 for educational  
 7283 plants. The participating boards must include in their joint  
 7284 resolution a commitment to finance the remaining funds necessary  
 7285 to complete the planning, construction, and equipping of the  
 7286 facility. Funds from the Public Education Capital Outlay and  
 7287 Debt Service Trust Fund may not be expended on any project  
 7288 unless specifically authorized by the Legislature.

7289 (3) Included in all proposals for joint-use facilities must  
 7290 be documentation that the proposed new campus or new joint-use  
 7291 facility has been reviewed by the State Board of Education, the  
 7292 State Board of Community Colleges, or the Board of Governors, as  
 7293 appropriate, and has been formally requested for authorization  
 7294 by the Legislature.

7295 (4) ~~A~~ ~~no~~ district school board, Florida Community College  
 7296 System institution, or state university may not ~~shall~~ receive  
 7297 funding for more than one approved joint-use facility per campus  
 7298 in any 3-year period.

7299 Section 119. Subsection (1) of section 1013.65, Florida  
 7300 Statutes, is amended to read:

7301 1013.65 Educational and ancillary plant construction funds;  
 7302 Public Education Capital Outlay and Debt Service Trust Fund;  
 7303 allocation of funds.—

7304 (1) The commissioner, through the department, shall  
 7305 administer the Public Education Capital Outlay and Debt Service  
 7306 Trust Fund. The commissioner shall allocate or reallocate funds  
 7307 as authorized by the Legislature. Copies of each allocation or  
 7308 reallocation shall be provided to members of the State Board of  
 7309 Education, the State Board of Community Colleges, and the Board  
 7310 of Governors and to the chairs of the House of Representatives

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7311 and Senate appropriations committees. The commissioner shall  
 7312 provide for timely encumbrances of funds for duly authorized  
 7313 projects. Encumbrances may include proceeds to be received under  
 7314 a resolution approved by the State Board of Education  
 7315 authorizing the issuance of public education capital outlay  
 7316 bonds pursuant to s. 9(a)(2), Art. XII of the State  
 7317 Constitution, s. 215.61, and other applicable law. The  
 7318 commissioner shall provide for the timely disbursement of moneys  
 7319 necessary to meet the encumbrance authorizations of the boards.  
 7320 Records shall be maintained by the department to identify  
 7321 legislative appropriations, allocations, encumbrance  
 7322 authorizations, disbursements, transfers, investments, sinking  
 7323 funds, and revenue receipts by source. The Department of  
 7324 Education shall pay the administrative costs of the Public  
 7325 Education Capital Outlay and Debt Service Trust Fund from the  
 7326 funds which comprise the trust fund.

7327 Section 120. The State Board of Community Colleges, in  
 7328 collaboration with the Board of Governors, shall evaluate and  
 7329 report on the status of Florida's "2+2" system of articulation  
 7330 using the accountability measures required pursuant to s.  
 7331 1008.38, Florida Statutes, and any other applicable state law.  
 7332 By December 31, 2017, the state board and the Board of Governors  
 7333 shall submit their report to the Governor, the President of the  
 7334 Senate, and the Speaker of the House of Representatives. The  
 7335 report must include findings regarding the effectiveness of  
 7336 Florida's "2+2" system of articulation and recommendations for  
 7337 improvement.

7338 Section 121. The Division of Law Revision and Information  
 7339 is directed to prepare a reviser's bill for the 2018 Regular

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7340 Session to substitute the term "Florida Community College  
 7341 System" for "Florida College System" and the term "Florida  
 7342 Community College System institution" for "Florida College  
 7343 System institution" where those terms appear in the Florida  
 7344 Statutes.

7345 Section 122. Except as otherwise expressly provided in this  
 7346 act, this act shall take effect October 1, 2017.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/15/17

Meeting Date

Bill Number (if applicable)

Topic College Competitiveness Act

Amendment Barcode (if applicable)

Name Dr Jennifer Proffitt

Job Title President, United Faculty of Florida

Address 115 N. CALHOUN St 6

Phone 850 224 8220

Street

Tallahassee

FL

32301

Email jennifer.proffitt@gmail.com

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing United Faculty of Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-15-17

Meeting Date

SB 374

Bill Number (if applicable)

Topic SB 374

Amendment Barcode (if applicable)

Name ANN MCGEE

Job Title PRESIDENT

Address 100 WELDON BLVD.

Phone 407-708-2010

Street

SANFORD

City

FL

State

32773

Zip

Email mcgeea@seminolestate.edu

.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing SEMINOLE STATE COLLEGE AND FCS COUNCIL OF PRESIDENTS

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/15/17

Meeting Date

SB 374

Bill Number (if applicable)

Topic SB 374

Amendment Barcode (if applicable)

Name Michael Morgan

Job Title Recent graduate of Florida State College at Jacksonville

Address

Street

Jacksonville FL

Phone

City

State

Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against (The Chair will read this information into the record.)

Representing Florida State College at Jacksonville.

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 374  
Bill Number (if applicable)

Meeting Date \_\_\_\_\_

Topic SB 374

Amendment Barcode (if applicable) \_\_\_\_\_

Name HARVEY SLENTZ

Job Title PROFESSOR, BUSINESS LAW

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FLORIDA STATE COLLEGE AT JACKSONVILLE

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

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3/15/17

Meeting Date

374

Bill Number (if applicable)

Topic Baccalaureate Programs

Amendment Barcode (if applicable)

Name Dr. Joanne Bashford

Job Title President, MDC InterAmerican Campus

Address 627 SW 27<sup>th</sup> Ave.  
Street

Phone 305-237-6034

Miami FL 33135  
City State Zip

Email jbashfor@mdc.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Miami Dade College

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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3/15/17

Meeting Date

DID NOT SPEAK

SB 374

Bill Number (if applicable)

Topic APPROPRIATIONS SUBCOMMITTEE ON HIGHER EDUCATION

Amendment Barcode (if applicable)

Name MARIN CINDBERG

Job Title PUBLIC EDUCATION HIGH SCHOOL TEACHER

Address 10 FAWKLAND CIRCLE

Phone 561 370 8604

Street

Boynton Beach

FL

33426

Email

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against (The Chair will read this information into the record.)

Representing MYSELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

DID NOT SPEAK

# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/15/17  
Meeting Date

SB 374  
Bill Number (if applicable)

Topic Postsecondary Education

Amendment Barcode (if applicable)

Name Paul Hamilton

Job Title Public Elementary School Teacher

Address 176 SE 27th Way  
Street

Phone (561) 236-1534

Boynton Beach, FL 33435  
City State Zip

Email vadel76@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

# CourtSmart Tag Report

Room: KN 412  
Caption: Senate Appropriations Subcommittee on Higher Education

Case No.:

Type:  
Judge:

Started: 3/15/2017 4:02:55 PM

Ends: 3/15/2017 5:14:29 PM

Length: 01:11:35

4:02:54 PM Call to Order- Sen. Galvano (Chair)  
4:03:09 PM Roll Call  
4:03:15 PM Quorum Present  
4:03:40 PM Sen. Galvano passes Chair to Sen. Simmons  
4:04:19 PM Sen Simmons  
4:04:33 PM TAB 1 CS/SB 374 Postsecondary Education - Sen. Galvano standing in for Sen. Hukill  
4:05:46 PM Sen. Galvano Introduces CS/SB 374  
4:10:22 PM Sen. Clemens  
4:10:47 PM Sen. Galvano  
4:13:57 PM Sen. Simmons  
4:14:15 PM Sen. Galvano  
4:14:53 PM Am 696026 Introduced Sen. Galvano  
4:15:09 PM Sen. Galvano  
4:15:57 PM Sen. Galvano waives close  
4:16:09 PM Am 69026 Adopted  
4:16:21 PM Am 337956 Introduced Sen. Galvano  
4:16:46 PM Sen. Clemens  
4:17:17 PM Sen. Galvano waives close  
4:17:32 PM Am 337956 adopted  
4:17:42 PM Am 749050 Introduced Sen. Galvano  
4:18:08 PM Sen. Galvano waives closed  
4:18:17 PM Am 749050 Adopted  
4:18:30 PM Am 917714 Introduced Sen. Galvano  
4:19:39 PM Sen. Galvano waives close  
4:19:49 PM Am 917714 Adopted  
4:19:59 PM Am 231608 Introduced Sen. Galvano  
4:20:47 PM Sen. Galvano waives close  
4:21:00 PM Am 231608 Adopted  
4:21:08 PM Am 959542 Introduced Sen. Galvano  
4:21:38 PM Sen. Galvano waives close  
4:21:54 PM Am 959542 Adopted  
4:22:08 PM Am 917820 Introduced by Sen. Galvano  
4:22:38 PM Handwritten amendment by Sen. Farmer amendment to Am 917820  
4:24:26 PM Sen. Simmons  
4:24:42 PM Sen. Galvano explains Am 917820  
4:27:07 PM Sen. Farmer explains the amendment to Am 917820  
4:33:30 PM Sen. Simmons  
4:34:05 PM Sen. Farmer  
4:34:09 PM Sen. Simmons announces change to line 23 on amendment to Am 917820  
4:35:06 PM Sen. Galvano  
4:35:33 PM Sen. Farmer waives close on amendment to Am 917820  
4:36:04 PM Amendment to the Am 917820 Adopted  
4:36:20 PM Sen. Galvano  
4:36:46 PM Sen. Galvano waives close  
4:36:57 PM Am 917820 as amended Adopted  
4:37:19 PM Am 248140 Introduced Sen. Galvano  
4:38:02 PM Sen. Galvano waives close  
4:38:10 PM Am 248140 Adopted  
4:38:27 PM Am 696568 Introduced Sen. Galvano  
4:38:54 PM Sen. Galvano waives close  
4:39:03 PM Am 696568 Adopted  
4:39:18 PM Am 189024 Introduced Sen. Galvano



**4:39:54 PM** Sen. Galvano waives close  
**4:40:02 PM** Am 189024 Adopted  
**4:40:16 PM** Am 320988 Introduced Sen. Farmer  
**4:40:40 PM** Am 320988 withdrawn Sen. Farmer  
**4:41:18 PM** Dr. Jennifer Proffitt, President United Faculty of Florida  
**4:44:09 PM** Ann McGee, President Seminole State College and FGS Council of Presidents  
**4:47:18 PM** Michael Morgan, Florida State College at Jacksonville  
**4:51:58 PM** Harvey Slentz, Professor Business Law Florida State College at Jacksonville  
**4:55:58 PM** Dr. Joanne Bashford, President MDC InterAmerica Campus  
**5:02:57 PM** Sen. Farmer  
**5:06:09 PM** Sen. Galvano closes on CS/SB 374 as amended  
**5:13:02 PM** Sen. Galvano motion to make this a Committee Substitute for CS/SB 374  
**5:13:34 PM** Roll Call on CS for CS/SB 374  
**5:13:44 PM** CS for CS 374 Adopted Favorably  
**5:14:03 PM** Meeting Adjourned- Sen. Lee