

Tab 1	SB 540 by Hukill; (Compare to H 00423) Postsecondary Education						
806106	A	S	RCS	ED, Hukill	Delete L.2905 - 3030:	11/13 06:53 PM	
312294	A	S	RCS	ED, Hukill	Delete L.7134:	11/13 06:53 PM	

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Hukill, Chair
Senator Mayfield, Vice Chair

MEETING DATE: Monday, November 13, 2017
TIME: 4:00—6:00 p.m.
PLACE: *Pat Thomas Committee Room, 412 Knott Building*

MEMBERS: Senator Hukill, Chair; Senator Mayfield, Vice Chair; Senators Book, Farmer, Galvano, Lee, Perry, Simmons, Simpson, Stewart, and Thurston

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 540 Hukill (Compare H 423, S 4)	Postsecondary Education; Citing this act as the "Community College Competiveness Act of 2018"; creating the State Board of Community Colleges; revising the function and mission of the Florida K-20 education system; revising requirements for the performance-based metrics used to award Florida Community College System institutions with performance-based incentives; providing the primary mission of a charter technical career center; requiring each Florida Community College System institution and each state university to execute at least one "2+2" targeted pathway articulation agreement by a specified time, etc. ED 11/13/2017 Fav/CS AHE AP	Fav/CS Yeas 8 Nays 2

2	Follow-up - K-20 Education Entities' Emergency Response		Discussed
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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.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 540

INTRODUCER: Senator Hukill

SUBJECT: Postsecondary Education

DATE: November 14, 2017 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bouck	Graf	ED	Fav/CS
2.			AHE	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 540 creates the “Community College Competitiveness Act of 2018” to strengthen state leadership and accountability for Florida’s community colleges as an essential component of this state’s system of higher education. Specifically, the bill:

- Modifies the governance of the Florida Community College System by:
 - Renaming the Florida College System as the Florida Community College System; and
 - Establishing a State Board of Community Colleges (SBCC), and transferring specified responsibilities from the State Board of Education to the SBCC.
- Clarifies expectations and oversight of baccalaureate degree programs offered by community colleges, and:
 - Modifies the baccalaureate approval process for all community colleges.
 - Establishes a 20 percent cap on upper-level, undergraduate full-time equivalent (FTE) enrollment at each community college, and a 10 percent cap on upper-level, undergraduate FTE enrollment for the Florida Community College System, and specifies conditions for planned and purposeful growth of baccalaureate degree programs.
- Establishes the “2+2” targeted pathway program to provide students guaranteed access to baccalaureate degree programs at state universities.
- Establishes the Supporting Students for Academic Success program to fund the efforts of community colleges in assisting students enrolled in an associate in arts (AA) degree program to complete college-credit courses, graduate with an AA degree, and transfer to a baccalaureate degree program.

- Modifies the community college performance accountability metrics and standards to promote on-time student graduation.
- Enhances transparency and accountability of community college direct-support organizations.

The bill takes effect October 1, 2018, except as otherwise expressly provided.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed in the Effect of Proposed Changes section of this bill analysis.

III. Effect of Proposed Changes:

The Florida College System (FCS) is comprised of 28 FCS institutions, and the regional service areas for such institutions are specified in law.¹ Currently, the FCS serves 801,023 students² (320,900 full-time equivalent³ students).⁴

CS/SB 540 modifies the governance of the Florida Community College System (FCCS), clarifies the mission of community colleges and oversight of baccalaureate degree programs, and establishes “2+2” targeted pathway programs to help community college students transfer to baccalaureate degree programs. The bill also modifies performance metrics and fiscal accountability for community colleges.

¹ The 28 Florida College System (FCS) institutions are Broward College, College of Central Florida, Chipola College, Daytona State College, Eastern Florida 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.

² Florida Department of Education, *Preparing Postsecondary Students for Success*, Presentation to the Senate Committee on Education (Oct. 23, 2017), available at http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3977_2.pdf, at 4.

³ The full-time equivalent (FTE) of students is a single value providing a meaningful combination of full-time and part-time students. Integrated Postsecondary Education Data System, *Glossary Results*, <https://surveys.nces.ed.gov/ipeds/VisGlossaryAll.aspx> (last visited Nov. 9, 2017). Full-time equivalent in the Florida College System is calculated by the college credits for which students register during an academic year (or 900 hours for non-college credit instruction) divided by 30. SBE Rule 6A-14.076(1), F.A.C.

⁴ Florida Department of Education, *Florida College System, FTE Enrollment: Funded-30, Lower and Upper Division, 2016-2017 FTE-3*, available at <http://www.fldoe.org/core/fileparse.php/15267/urlt/1617FTE3EnrollmentReport.pdf>.

Community College Governance

Present Situation

State Board of Education

The State Board of Education (SBE)⁵ 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.⁶ As such, the SBE has authority over the Florida College System (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).⁷

Department of Education

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.⁸ The commissioner is appointed by the SBE and serves as the executive director of the department.⁹ Within the DOE, the Division of Florida Colleges (DFC)¹⁰ is directed by the Chancellor of the DFC,¹¹ who is appointed by the commissioner.¹²

Florida College System Institution

Each FCS institution is governed by a local board of trustees (BOT).¹³ The FCS institution BOT members are appointed by the Governor to staggered four-year terms, and confirmed by the Senate.¹⁴ Each FCS institution 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.¹⁵ FCS institution BOTs are authorized to adopt rules, procedures, and policies regarding admissions, programs, administration, personnel, contracts, and facilities.¹⁶

Effect of Proposed Changes

The bill modifies the governance of the Florida Community College System (FCCS) under a State Board of Community College (SBCC). Specifically, the bill provides that:

⁵ The State Board of Education is established as “a body corporate and have such supervision of the system of free public education as is provided by law.” Art. IX, s. 2, Fla. Const.

⁶ Section 1001.02(1), F.S.

⁷ *Id.*

⁸ Section 1001.20(1), F.S.

⁹ Section 20.15(2), F.S.

¹⁰ *Id.* at (3)(a).

¹¹ *Id.* at (4).

¹² Section 20.15(4), F.S.

¹³ 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.

¹⁴ Section 1001.61(2), F.S.

¹⁵ Section 1001.64(1), F.S.

¹⁶ *Id.* at (4).

- Effective July 1, 2018:
 - 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, 2018.
 - The DFC must provide administrative support to the SBCC until September 30, 2018.
 - Beginning September 1, 2018, SBCC staggered membership terms are established.
 - The SBCC is required to appoint a Chancellor of the FCCS by November 1, 2018. The Chancellor of the DFC must serve as the Chancellor of the FCCS until the SBCC selects a chancellor.
- Effective October 1, 2018:
 - 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 Board of Governors of the State University System (BOG).
 - The DFC is removed as a division within the DOE.
 - SBE approvals, policies, guidance, and appointments remain in effect unless acted upon by the SBCC.

In addition, the bill includes technical and conforming provisions related to the transfer of responsibilities regarding Florida's community colleges, effective October 1, 2018. Specifically, the bill:

- Transfers general and specific powers and duties relating to the FCCS from the SBE to the SBCC.¹⁷
- Removes the DFC as a division within the DOE, and transfers the division's duties to the SBCC or Chancellor of the FCCS.¹⁸
- Transfers specific powers and duties relating to the FCCS from the commissioner to the Chancellor of the FCCS.¹⁹
- Transfers general and specific powers and duties relating to the FCCS from the commissioner to the SBCC.²⁰
- Transfers specific powers and duties relating to the FCCS from the DOE to the SBCC.²¹
- Adds an SBCC role in specific duties currently performed by the SBE and BOG.²²

¹⁷ Sections 1000.03, 1000.05, 1001.02, 1001.03, 1001.60, 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, , 1004.65, 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, 1008.30, 1008.31, 1008.32, 1008.44, 1008.45, 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, 1013.40, and 1013.47, F.S.

¹⁸ Sections 20.15, 1001.67, 1004.015, 1004.65, 1004.70, 1008.30, 1009.23, and 1009.971, F.S.

¹⁹ Sections 1001.66, , 1004.93, 1006.71, 1000.05, 1012.86, 1001.64, and 1013.52, F.S.

²⁰ Sections 1001.10, 1001.11, 1001.20, 1008.32, and 1013.03, F.S.

²¹ Sections 1001.20 and 1007.262, F.S.

²² Sections 1001.02, 1001.10, 1001.11, 1001.03, 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, 1008.30, 1008.31, 1008.345,

- 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).²³

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.²⁴ The law²⁵ charged the former SBCC with providing “statewide leadership in overseeing and coordinating the individually governed public community colleges.”²⁶ The former SBCC was subject to the overall supervision of the State Board of Education.²⁷

In 1998, a constitutional amendment replaced the State Board of Education,²⁸ composed of the elected governor and cabinet, with a new State Board of Education (SBE) appointed by the Governor.²⁹ To implement this change in governance structure and achieve a seamless system of education,³⁰ the 2000 Legislature enacted the Florida Governance Reorganization Act of 2000,³¹ 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.³²

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

1008.37, 1008.38, 1008.405, 1009.21, 1009.90, 1009.91, 1009.26, 1010.01, 1011.01, 1011.011, 1011.80, 1012.01, 1013.01, 1013.03, 1013.31, 1013.52, and 1013.65, F.S.

²³ Sections 1004.6495, 1004.74, 1007.01, 1007.24, 1007.25, 1008.44, 1012.01, 1013.03, 1013.31, and 1013.37, F.S.

²⁴ 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.

²⁵ Section 240.305, F.S. (1983).

²⁶ *Id.*

²⁷ *Id.*

²⁸ Art. IX, s. 2, Fla. Const. (1968).

²⁹ Art. IX, s. 2, Fla. Const. (Amended 1998). See also Preamble, ch. 2000-321, L.O.F.

³⁰ Section 2, ch. 2000-321, L.O.F.

³¹ Section 6, ch. 2000-321, L.O.F.

³² Section 3, ch. 2001-170, L.O.F.

Governance of Florida's Community Colleges			
	1983 – 2003	Current	Proposed
System	Florida Community College System ³³	Florida College System ³⁴	Florida Community College System
Board	SBCC as Coordinating Board ³⁵	SBE as Governing Board ³⁶	SBCC as Governing Board
Board Oversight	Commissioner of Education ³⁷ and SBE ^{38,39}	Appointed by Governor ⁴⁰	Governor
Board Membership	Commissioner of Education, 1 student, 11 lay citizens; appointed by the Governor, approved by the SBE, and confirmed by the Senate ⁴¹	Seven members appointed by the Governor and confirmed by the Senate ⁴²	Commissioner of Education, 1 student and 1 faculty member, 10 lay citizens; 12 appointed by the Governor, in a manner that provides equitable geographical representation. All members must reside and be registered to vote in Florida and, except for the student member, be confirmed by the Senate
Staff	DCC ⁴³	DFC ⁴⁴	SBCC
Staff Leadership	Executive Director of the Community College System ⁴⁵	Chancellor of the DFC ⁴⁶	Chancellor of the FCCS
Administrative Location	DOE	DOE	DOE (administrative assignment only; SBCC operates independently)
Institution Governance	Institution Board of Trustees ⁴⁷	Institution Board of Trustees ⁴⁸	Institution Board of Trustees

The bill provides standards of conduct for members of the SBCC, the Chancellor of the FCCS, and members of an FCCS institution board of trustees, which mirror the requirements for the BOG, the Chancellor of the SUS, and members of a state university board of trustees. Specifically, the bill:

³³ Section 240.3031, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.
³⁴ The Florida Community College System was renamed the Florida College System by s. 2, ch. 2008-52, L.O.F.
³⁵ Section 240.305, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.
³⁶ Section 1001.02(4), F.S.
³⁷ Art. IV, s. 5, Fla. Const. (1968).
³⁸ Art. IX, s. 1, Fla. Const. (1968).
³⁹ Section 240.305, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.
⁴⁰ The SBE is a body established in the Florida Constitution. Art. IX, s. 2, Fla. Const.
⁴¹ Section 240.307(1), F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.
⁴² Art. IV, s. 2, Fla. Const. See also s. 1001.01(1), F.S.
⁴³ Section 240.3031, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.
⁴⁴ Section 20.15(3), F.S.
⁴⁵ 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.
⁴⁶ Section 20.15(4), F.S.
⁴⁷ Section 240.313, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.
⁴⁸ Section 1001.64(3), F.S.

- Prohibits a citizen member of the SBCC or a citizen member of a community college board of trustees from being employed as a legislative lobbyist.
- Requires SBCC members and the Chancellor of the FCCS to disclose their financial interests.

Finally, the bill directs the Division of Law Revision and Information to prepare a reviser's bill for the 2019 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

Present Situation

The Legislature created the site-determined baccalaureate degree access program in 1999 to authorize Florida College System (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.⁴⁹ However, the primary responsibility of FCS institutions is the provision of associate degrees that provide access to a university.⁵⁰

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.⁵¹ 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."⁵² 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."⁵³

The State Board of Education (SBE) is responsible for reviewing and approving proposals by FCS institutions to offer baccalaureate degree programs.⁵⁴ As a part of the approval process:

- FCS institutions must submit a notice of intent to the Division of Florida College (DFC) regarding the proposed baccalaureate degree program 100 days before the submission of the program proposal.⁵⁵
- Within 10 days after receipt, the DFC must forward the notice of intent to the Chancellor of the State University System (SUS), the President of Independent Colleges and Universities of Florida, and the Executive Director of the Commission for Independent Education.⁵⁶

⁴⁹ Section 1, ch. 99-290, L.O.F.

⁵⁰ Section 1007.33(3), F.S.

⁵¹ Section 40, ch. 2001-170, L.O.F.

⁵² *Id.*

⁵³ *Id.*

⁵⁴ Section 1001.03(15), F.S.

⁵⁵ Section 1007.33(5)(a), F.S.

⁵⁶ *Id.* at (5)(b).

- 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.⁵⁷
- 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.⁵⁸ Since August 2015, the SBE has approved 17 baccalaureate degree proposals; however, since that time the DFC has not recommended 16 baccalaureate degree proposals for consideration by the SBE.⁵⁹

In 2016-2017, funded full-time-equivalent (FTE) enrollment in FCS upper-division programs was 16,130, which represented 5.0 percent of the total funded FCS FTE enrollment of 320,900.⁶⁰ Funded FTE enrollment in upper division programs in the FCS has risen by approximately 113 percent from 7,584 in 2010-2011⁶¹ to 16,130 in 2016-2017.⁶²

Effect of Proposed Changes

The bill clarifies expectations and state oversight of baccalaureate degree programs offered by community colleges. Specifically, the bill:

⁵⁷ Section 1007.33(5)(b), F.S.

⁵⁸ Email, Florida Department of Education (Nov. 6, 2017). Hillsborough Community College is the only Florida College System institution that does not offer a baccalaureate degree program. Florida College System, *Baccalaureate Programs as of October 2016*, available at http://www.fldoe.org/core/fileparse.php/5592/urlt/0082821-program_list.xls.

⁵⁹ Email, Florida Department of Education (Nov. 6, 2017).

⁶⁰ The Florida Senate staff analysis, Office of Economic & Demographic Research, Florida College System Enrollment Forecast, *FTE-3 Actual Enrollment FY 2016-17 by College and Program Area*, (Aug. 2, 2017), available at http://edr.state.fl.us/Content/conferences/communitycolleges/FTE-3_ActualEnrollment_FY2016-17.pdf.

⁶¹ 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>.

⁶² Office of Economic & Demographic Research, Florida College System Enrollment Forecast, *FTE-3 Actual Enrollment FY 2016-17 by College and Program Area*, (Aug. 2, 2017), available at http://edr.state.fl.us/Content/conferences/communitycolleges/FTE-3_ActualEnrollment_FY2016-17.pdf.

- Modifies the community college baccalaureate degree approval process to:
 - Require community colleges to submit a notice of interest into a shared postsecondary database at least 180 days before submission of the notice of intent.
 - Require community colleges 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 Florida Community College System (FCCS).
 - 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 State University System 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 community colleges.

The bill reinforces state oversight responsibilities by requiring the SBCC to direct a community colleges' board of trustees to terminate a baccalaureate degree program if the SBCC's review of the baccalaureate degree program performance and compliance indicators and needs assessment indicates negative performance and compliance results, and if the needs assessment fails to demonstrate a need for the program.

Additionally, the bill prohibits community colleges from offering bachelor of arts degree programs⁶³ and establishes a cap on upper-level, undergraduate FTE enrollment at community colleges and the FCCS while providing flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met. The bill:

- Specifies that the upper-level, undergraduate FTE enrollment:⁶⁴
 - At a community college may not exceed 20 percent of the total FTE enrollment at that community college.
 - In the Florida Community College System may not exceed 10 percent of the total FTE enrollment of the Florida Community College System.

⁶³ Currently, there are no bachelor of arts degrees offered by community colleges. Email, Florida Department of Education, (Nov. 6, 2017). The Baccalaureate Proposal Application, incorporated into Rule 6A-14.095, F.A.C., permits baccalaureate degree proposals only for bachelor of science or bachelor of applied science programs.

⁶⁴ The 2016-2017 upper-level FTE enrollment as a percentage of total FTE enrollment at an FCS institution ranges from 0.0 percent at Hillsborough Community College and North Florida Community College to 13.9 percent at St. Petersburg College. The 2016-2017 upper-level FTE enrollment as a percentage of total FTE enrollment for the FCS is 5.0 percent. The Florida Senate staff analysis, Office of Economic & Demographic Research, Florida College System Enrollment Forecast, *FTE-3 Actual Enrollment FY 2016-17 by College and Program Area*, (Aug. 2, 2017), available at http://edr.state.fl.us/Content/conferences/communitycolleges/FTE-3_ActualEnrollment_FY2016-17.pdf.

- Emphasizes that, for any planned and purposeful expansion of existing baccalaureate degree programs or creation of a new baccalaureate program, a community college must demonstrate satisfactory performance in:
 - Fulfilling its primary mission specified in law;⁶⁵
 - Executing at least one “2+2” targeted pathway articulation agreement; and
 - Meeting or exceeding the performance standards related to on-time completion and graduation rates for students earning associate in arts or baccalaureate degrees.⁶⁶
- Establishes reporting requirements relating to baccalaureate degree program enrollment, provides a mechanism for the SBCC to ensure compliance, and prohibits community colleges from reporting for funding, the upper-level, undergraduate FTE enrollment that exceeds the upper-level enrollment percent specified in the bill.

The bill also reinforces the state’s expectation of college affordability by requiring a community college’s baccalaureate degree program proposal to include the community college’s efforts to sustain the program at the cost of tuition and fees for Florida residents for tuition purposes, not to exceed \$10,000 for the entire degree program, including flexible tuition and fee rates, and the use of waivers authorized by law.⁶⁷

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 Florida’s K-20 education performance accountability system.⁶⁸

Present Situation

Florida College System

The primary mission and responsibility of Florida College System (FCS) institutions is responding to community needs for postsecondary academic education and career degree education.⁶⁹ Florida law specifies the following as the primary mission of FCS institutions:⁷⁰

- 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.

⁶⁵ Section 1004.65, F.S.

⁶⁶ Section 1001.66, F.S.

⁶⁷ Section 1009.26(11), F.S.

⁶⁸ Section 1000.03(4), F.S.

⁶⁹ Section 1004.65(5), F.S.

⁷⁰ *Id.*

Additionally, a secondary mission of FCS institutions includes offering programs in:⁷¹

- 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.⁷² However, the law specifies that career centers, under the control of district school boards,⁷³ must offer terminal courses of a technical nature and courses for out-of-school youth and adults.⁷⁴

The purpose of charter technical career centers is to:⁷⁵

- 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.

Effect of Proposed Changes

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, community colleges, and career centers and charter technical career centers that are operated by district school boards. Additionally, the bill:

- Changes the provision of upper-level instruction and awarding baccalaureate degrees from a primary mission to a secondary mission of community colleges.
- Specifies 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.

The bill also specifies that a career center or charter technical career center operated by a district school board may not offer college credit courses or certificates or an associate or baccalaureate degree. The bill does not change Florida's longstanding articulation system which allows⁷⁶ for the conversion of clock hours generated by students enrolled in non-college-credit programs at career centers and charter technical career centers to college credit programs offered by

⁷¹ Section 1004.65(6), F.S.

⁷² Section 1001.44, F.S.

⁷³ There are 49 Council on Occupational Education-accredited career centers operated by school districts, 1 of which is a charter technical career center. Email, Department of Education (Nov. 6, 2017).

⁷⁴ Section 1001.44(3)(a), F.S.

⁷⁵ Section 1002.34(2), F.S. Currently, Lake Technical College is the only charter technical career center. Email, Department of Education (Nov. 6, 2017).

⁷⁶ The statewide articulation agreement between the State Board of Education and the Board of Governors must guarantee the statewide articulation of appropriate workforce development programs and courses between school districts and community colleges. Section 1007.23(4), F.S.

community colleges.⁷⁷ The Florida Department of Education maintains a list of articulation agreements for:

- Postsecondary Adult Vocational (PSAV) to associate in science (AS) and associate in applied science (AAS) degree programs.⁷⁸
- Industry certifications to AS and AAS degree programs.⁷⁹

All 28 community colleges are regionally accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.⁸⁰ In comparison, career centers and charter technical career centers that are operated by district school boards are nationally accredited by the Council on Occupational Education.⁸¹

The bill modifies the scope and responsibilities for career education in school districts and community colleges. Specifically, the bill:

- Expands the scope of career education at a community college to include nationally recognized industry certifications.
- Modifies the accountability for career education to specify that the standards for accountability must reflect the quality components of career and technical education programs.

Articulation and Student Supports

The Legislature has established a process for the articulation of credits earned by students and specified the instructional strategies for the delivery of developmental education.

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.⁸² Additionally, it is the intent of the Legislature that articulated acceleration mechanisms serve to shorten the time necessary for

⁷⁷ Workforce education programs may be conducted by a community college institution or a school district, except that college credit in an associate in applied science or an associate in science degree may be awarded only by a community college. Section 1011.80(2), F.S.

⁷⁸ Such agreements assure a minimum number of articulated college credit for qualifying students who have completed articulated PSAV programs. There are 46 such agreements. Florida Department of Education, *Statewide Articulation Agreements - PSAV Program to AAS/AS Degree*, <http://www.fldoe.org/academics/career-adult-edu/career-technical-edu-agreements/psav-to-aas-as-degree.stml> (last visited Nov. 9, 2017).

⁷⁹ Students receive college credit for successfully earning a nationally recognized industry certification that is aligned with an associate in applied science (AAS) or associate in science (AS) degree. There are 186 such agreements. Florida Department of Education, *Industry Certification to AAS/AS Degree*, <http://www.fldoe.org/academics/career-adult-edu/career-technical-edu-agreements/industry-certification.stml> (last visited Nov. 9, 2017).

⁸⁰ Southern Association of Colleges and Schools, Commission on Colleges, *SACSCOC Member and Candidate List*, available at <http://www.sacscoc.org/pdf/webmemlist.pdf>.

⁸¹ Email, Department of Education (Nov. 6, 2017). See also Council on Occupational Education, *Membership Directory*, available at <http://council.org/wp-content/uploads/2017/02/Accredited-Institutions-3-30-2017.pdf>, at 13-25.

⁸² Section 1007.01(1), F.S.

students to fulfill high school and postsecondary education requirements, broaden the scope of curricular options available to students, and increase the depth of study in a particular subject.⁸³

2+2 Articulation

Present Situation

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 across and among Florida's education entities, and reinforce the articulation and access provisions⁸⁴ specified in law.⁸⁵

The articulation agreement must require each student who is seeking an associate in arts (AA) degree to indicate a baccalaureate degree program offered by an institution of interest by the time the student earns 30 semester hours.⁸⁶ Additionally, the articulation agreement must provide that every associate in arts graduate of a Florida College System (FCS) institution has met all general education requirements and must be granted admission to the upper division, with certain exceptions,⁸⁷ of a state university or an FCS institution that offers a baccalaureate degree.⁸⁸ 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.⁸⁹

The 2+2 transfer outcome for the fall 2009 first-time-in-college, full-time cohort indicates that 31.9 percent of such students transferred to a state university within 6 years.⁹⁰ The transfer rates for such students ranged from 47.5 percent at Santa Fe College to 11.3 percent at Florida Keys Community College.⁹¹

Effect of Proposed Changes

The bill reinforces the state's intent to assist students enrolled in AA degree programs to graduate on time with an AA degree, transfer to a baccalaureate degree program, and complete the baccalaureate degree within four years. The bill establishes the "2+2" targeted pathway program to strengthen Florida's "2+2" system of articulation and improve student retention and on-time graduation. Specifically, the bill requires that by the 2018-2019 academic year:

- Each community college must execute at least one "2+2" targeted pathway articulation agreement with one or more state universities.

⁸³ Section 1007.27(1), F.S.

⁸⁴ See Chapter 1007, F.S.

⁸⁵ Section 1007.23(1), F.S.

⁸⁶ Section 1007.23(3), F.S.

⁸⁷ Section 1007.23(2)(a), F.S., exceptions include limited access programs, teacher certification programs, and those requiring an audition.

⁸⁸ Section 1007.23(2)(a), F.S.

⁸⁹ Board of Governors Regulation 6.004(2)(b).

⁹⁰ Office of Program Policy Analysis and Government Accountability, *How Do Florida Schools Perform on The Community College Research Center's (CCRC) 2+2 Institutional Transfer Outcome Metrics?*, (Feb. 10, 2017), at 3.

⁹¹ *Id.*

- Each state university must execute at least one “2+2” targeted pathway articulation agreement with one or more community colleges.

The bill requires the “2+2” targeted pathway articulation agreement to provide students who graduate with an AA degree and who meet specified requirements guaranteed access to the state university and a baccalaureate degree program at that university, in accordance with the terms of the agreement.

The bill also specifies requirements for students, state universities, and the governing boards for community colleges and state universities. Specifically, the bill:

- Establishes student eligibility criteria to participate in a “2+2” targeted pathway program to require that a student:
 - Enroll in the program before completing 30 credit hours;
 - Complete an AA degree; and
 - Meet the state university’s transfer requirements.
- Establishes requirements for state universities that execute “2+2” targeted pathway articulation agreements with their partner community college to require a state university to:
 - Establish a 4-year on-time graduation plan for a baccalaureate degree program, including a plan for students to complete AA degree programs, general education courses, common prerequisite courses, and elective courses;
 - 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 of the state university, in accordance with the terms of the agreement.
- Requires the SBCC and the BOG to collaborate to eliminate barriers in 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 law⁹² does not require a 4-year graduation plan and does not guarantee access to a specific university or degree program. To provide students a path to on-time graduation in 4 years with a baccalaureate degree, some state universities have established articulation agreements with regional public colleges.⁹³ For instance, the University of South Florida (USF) “FUSE” program offers students guaranteed admission to a USF System institution and specified degree program.⁹⁴ The FUSE program creates an academic pathway that provides a map for taking

⁹² Section 1007.23(2), F.S.

⁹³ State universities and Florida College System institutions have partnered to offer 57 targeted 2+2 articulation agreements. Florida Department of Education, Presentation to the Senate Committee on Education, *Building on Excellence* (Oct. 23, 2017), available at http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3977_2.pdf, at 13. Examples of regional articulation agreements are the “[DirectConnect to UCF](#),” the [University of South Florida “FUSE” program](#), “[TCC2FSU](#),” “[TCC2FAMU](#),” “[FIU Connect4Success](#),” “[Link to FAU](#),” “[2UWF Transfer Student Partnership](#),” and “[UNF/SJR Gateway](#).” The Florida Senate staff analysis.

⁹⁴ University of South Florida, *Office of Admissions*, <http://www.usf.edu/admissions/transfer/fuse/index.aspx>, (last visited Nov. 9, 2017).

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.⁹⁵ The “DirectConnect to UCF” program guarantees admission to the University of Central Florida (UCF) with an associate degree from a partner institution, offers university advising to develop an academic plan, and provides access to UCF campuses for services and events.⁹⁶

Notification of Acceleration College Credit

Present Situation

Articulated acceleration mechanisms include, but are not limited, to Advanced Placement (AP), Advanced International Certificate of Education (AICE), International Baccalaureate (IB), credit by examination, and dual enrollment.⁹⁷ The Department of Education is required to annually identify and publish the minimum scores, maximum credit, and course or courses for which credit must be awarded for specified examinations.⁹⁸ The Articulation Coordinating Committee (ACC)⁹⁹ has established passing scores and course and credit equivalents for examinations specified in law.¹⁰⁰ The credit-by-exam equivalencies have been adopted in rule by the State Board of Education (SBE).¹⁰¹ Each FCS institution and state university must award credit for specific courses for which competency has been demonstrated by successful passage of one of the examinations associated with the identified acceleration mechanisms.¹⁰²

The law also requires the Commissioner of Education (commissioner) to appoint faculty committees representing secondary and public postsecondary education institutions to identify postsecondary courses that meet high school graduation requirements and equivalent high school credits earned through dual enrollment.¹⁰³ Additionally, the commissioner must recommend such courses to the SBE.¹⁰⁴ The dual enrollment course-to-high school subject area equivalency list specifies postsecondary courses that when completed earn both high school and college credit.¹⁰⁵

⁹⁵ University of South Florida, *Office of Admissions*, <http://www.usf.edu/admissions/transfer/fuse/index.aspx>, (last visited Nov. 9, 2017).

⁹⁶ University of Central Florida, *Direct Connect to UCF*, <http://directconnectoucf.com/>, (last visited Nov. 9, 2017).

⁹⁷ Section 1007.27(1), F.S.

⁹⁸ Section 1007.27(2), F.S.

⁹⁹ The Articulation Coordinating Committee (ACC) is established by the Commissioner of Education in consultation with the Chancellor of the SUS, to make recommendations related to statewide articulation policies regarding access, quality, and data reporting. The ACC serves as an advisory body to the Higher Education Coordinating Council, the SBE, and BOG.

¹⁰⁰ Section 1007.27(2), F.S. *See also* Florida Department of Education, *Articulation Coordinating Committee Credit by Exam Equivalencies* (Initially adopted Nov. 14, 2001), available at <https://www.flrules.org/gateway/readRefFile.asp?refId=8560&filename=ACC%20Credit%20by%20Exam.pdf>.

¹⁰¹ Rule 6A-10.024, F.A.C.

¹⁰² *Id.*

¹⁰³ Section 1007.271(9), F.S.

¹⁰⁴ *Id.*

¹⁰⁵ Florida Department of Education, *2017-2018 Dual Enrollment Course—High School Subject Area Equivalency List*, available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078394-delist.pdf>.

All high schools must accept these dual enrollment courses toward meeting the standard high school diploma requirements.¹⁰⁶

Effect of Proposed Changes

The bill requires district school boards to notify students who enroll in acceleration mechanism courses or take exams about the *credit-by-examination equivalency list* and *dual enrollment course and high school subject area equivalency list*. The notification requirement promotes targeted student advising at the secondary school level to inform students about generating college credits through certain acceleration mechanism courses and exams, and applying such credits purposefully to a postsecondary certificate or degree program, to ensure students receive credit for such courses and exams taken during high school. Such application of acceleration credit was a key part of Governor Scott's "Finish in Four, Save More" Challenge" to encourage state universities and community colleges to help full-time students graduate with an affordable degree in four years to avoid additional costs and fees.¹⁰⁷ The notification may also assist students with higher education planning and affordability considerations.

Instructional Strategies for Developmental Education

Present Situation

Developmental education is instruction through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to successfully complete college credit instruction.¹⁰⁸ Developmental education may be delivered through a variety of strategies, including:¹⁰⁹

- Modularized instruction that is customized and targeted to address specific skills gaps;
- Compressed course structures that accelerate student progression from developmental instruction to college-level coursework;
- Contextualized developmental instruction that is related to meta-majors; and
- Corequisite developmental instruction or tutoring that supplements credit instruction while a student is concurrently enrolled in a credit-bearing course.

Each Florida College System (FCS) institution board of trustees (BOT) is required to develop a plan to implement the developmental education strategies defined in law¹¹⁰ and rules¹¹¹ of the State Board of Education (SBE).¹¹² A university BOT may contract with a FCS institution to provide developmental education services for university students in need of developmental

¹⁰⁶ Section 1007.271(9), F.S.

¹⁰⁷ Office of The Governor, *Governor Rick Scott Issues "Finish in Four, Save More" Challenge to Universities and Colleges* (May 25, 2016), <http://www.flgov.com/2016/05/25/governor-rick-scott-issues-finish-in-four-save-more-challenge-to-universities-and-colleges/> (last visited Nov. 9, 2017).

¹⁰⁸ Section 1008.02(1), F.S.

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ Rule 6A-14.030(12), F.A.C.

¹¹² Section 1008.30(5)(a), F.S.

education.¹¹³ Currently, Florida Agricultural and Mechanical University (FAMU) is the only state university in the SUS authorized to offer developmental education.¹¹⁴

Beginning in 2013,¹¹⁵ each FCS institution was required to annually prepare an accountability report that includes student success data relating to each developmental education strategy implemented by the institution.¹¹⁶ By December 31 of each year, the Chancellor of the FCS must compile and submit the institutional reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the SBE.¹¹⁷

Effect of Proposed Changes

The bill strengthens developmental education instruction by emphasizing the focus on instructional strategies specified in law¹¹⁸ in the delivery of developmental education instruction by a state university. In accordance with the bill modifications, FAMU may need to revise its developmental education instructional program to incorporate the developmental education instructional strategies specified in law. Currently, each community college board of trustees must develop a plan to implement the developmental education strategies defined in law and comply with the related reporting provisions.¹¹⁹

In addition, the bill establishes the Supporting Students for Academic Success Program to fund the efforts of community colleges in assisting students enrolled in an associate in arts (AA) degree program complete college credit courses, graduate with an AA degree, and transfer to a baccalaureate degree program. The bill requires the Chancellor of the Florida Community College System (FCCS) to include in the summary of the FCCS accountability report the number and percentage of students enrolled at community colleges who:

- Successfully complete a gateway course in mathematics¹²⁰ within the first academic year after initial enrollment;
- Successfully complete at least 24 credit hours at a community college within the first academic year after initial enrollment and who remain enrolled at that institution in the academic year immediately following the first academic year;
- Graduate with an AA degree; and

¹¹³ Section 1008.30(5)(c), F.S.

¹¹⁴ Board of Governors Regulation 6.008(1).

¹¹⁵ Section 19, ch. 2013-51, L.O.F.

¹¹⁶ Section 1008.30(5)(b), F.S.

¹¹⁷ *Id.* The most recent report is the *Florida College System Developmental Education Accountability Reports* (Dec. 30, 2016), available at

https://www.floridacollegesystem.com/sites/www/Uploads/files/Downloads/Dev%20Ed%20Account_2016%20Final%20Report.pdf.

¹¹⁸ Section 1008.02, F.S.

¹¹⁹ Section 1008.30(5)(a), F.S.

¹²⁰ “Gateway course” means the first course that provides transferable, college-level credit allowing a student to progress in his or her program of study. Section 1008.02(2), F.S. The gateway courses for business are College Algebra, MAC X105, or Elementary Statistics, STA X023; The gateway courses for science, technology, engineering, and mathematics is College Algebra, MAC X105; The gateway courses for all other meta-major academic pathways identified in subsection (1) of this rule are College Algebra, MAC X105, Liberal Arts Mathematics I, MGF X106, Liberal Arts Mathematics II, MGF X107, or Elementary Statistics, STA X023. Rule 6A-14.065(2), F.A.C.

- Transfer to a baccalaureate degree offered by an institution of higher education in Florida within one year after earning an AA degree.

Community College Performance and Fiscal Accountability

The Legislature has established performance expectations for Florida's community colleges and provided for financial incentives to boost student achievement, graduation, and job placement.

Florida College System Performance-Based Incentive

Present Situation

The Florida College System (FCS) Performance-Based Incentive is awarded to FCS institutions using metrics adopted by the State Board of Education (SBE). The metrics must include retention rates; program completion and graduation rates; post-graduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients.¹²¹ The SBE is required to adopt benchmarks to evaluate each institution's performance on the metrics for eligibility to receive performance funding.¹²²

Effect of Proposed Changes

The bill revises the existing FCS performance metrics for awarding performance-based incentives to community colleges, and adds new metrics that emphasize on-time program completion. These revised and new metrics, which must be adopted by the State Board of Community Colleges (SBCC) are:

- A student retention rate, as calculated by the SBCC;
- A 100 percent-of-normal-time program completion and graduation rate for full-time, first-time-in-college students, as calculated by the SBCC, using a cohort definition of "full-time" based on a student's majority enrollment in full-time terms;
- A continuing education or post-graduation job placement rate for workforce education programs, including workforce baccalaureate degree programs, with wage thresholds that reflect the added value of the applicable certificate or degree, and specifies that such metric does not apply to associate in arts (AA) degrees;
- A graduation rate metric for full-time, first-time-in-college (FTIC) students in AA programs who graduate with a baccalaureate degree in 4 years after initially enrolling in an AA program; and
- A new performance-based metric on college affordability.

The outcomes for the 2009 first-time-in-college, full-time cohort enrolled in AA degree programs over a 6-year timeframe indicate that 17.7 percent of the students earned a baccalaureate degree over the 6-year period, 26.2 percent were still enrolled in the AA degree program, 13.0 percent exited with a certificate or associate degree, and 43.1 percent exited the

¹²¹ Section 1001.66(1), F.S.

¹²² *Id.* Rule 6A-14.07621, F.A.C., provides a description of the metrics and benchmarks, and calculations for performance funding.

community college with no credential.¹²³ The 6-year graduation rate for such students who earned a baccalaureate degree ranged from 33.8 percent at Santa Fe College to 1.9 percent at Florida Keys Community College.¹²⁴

The revisions to the community college performance metrics are likely to prompt a modification to the strategic plan for the Florida Community College System, as well as changes in the community college accountability mechanisms, which may guide institutional efforts toward on-time graduation.

Distinguished Florida College System Institution Program

Present Situation

The Distinguished Florida College System (FCS) Institution Program is a collaborative partnership between the State Board of Education and the Legislature to recognize the excellence of Florida's highest-performing FCS institutions.¹²⁵ The excellence standards include:

- A 150 percent-of-normal-time completion rate¹²⁶ of 50 percent or higher, as calculated by the Division of Florida Colleges (DFC).
- A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the DFC.
- A retention rate of 70 percent or higher, as calculated by the DFC.
- A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).
- A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.
- A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.
- A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

An FCS institution that meets 5 of the 7 excellence standards is designated as a distinguished college.¹²⁷

Effect of Proposed Changes

The bill emphasizes on-time graduation by revising the excellence standards for the Distinguished Florida Community College System Institution Program. Specifically, the bill:

¹²³ Office of Program Policy Analysis and Government Accountability. *Florida College System AA Student Outcomes, All Students, Six Year Window, Fall 2009 Cohort*, (Feb. 10, 2017).

¹²⁴ *Id.*

¹²⁵ Section 1001.67, F.S.

¹²⁶ Rule 6A-14.07621(3)(b), F.A.C. The normal-time-completion rate captures the outcomes of a cohort of full-time, FTIC students who graduate within the amount of time is dependent on the catalogue time for the academic program.

¹²⁷ Section 1001.67(1)-(2), F.S.

- Changes the normal-time completion rate metric from 150 percent to 100 percent for full-time, first-time-in-college students, as calculated by the State Board of Community Colleges (SBCC).
- Changes the normal-time completion rate metric for full-time, first-time-in-college Pell Grant recipients from 150 percent to 100 percent, as calculated by the SBCC.
- Specifies that the job placement metric must be based on the wage thresholds that reflect the added value of the applicable certificate or degree; and specifies that the continuing education and job placement metric does not apply to associate in arts (AA) degrees.
- Replaces the time-to-degree metric with an excess-hours rate metric of 40 percent or lower for AA degree recipients who graduate with 72 or more credit hours, as calculated by the SBCC.

The modifications to the excellence standards may guide institutional efforts toward helping students graduate timely.

Community College Direct Support Organizations

Present Situation

A Florida College System (FCS) institution direct-support organization (DSO) is:¹²⁸

- A Florida corporation not for profit, incorporated under the provisions of chapter 617, and approved by the Department of State.
- Organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to, or for the benefit of, a FCS institution.
- An organization reviewed and certified by the FCS institution board of trustees (BOT) to be operating in a manner consistent with the goals of the college and in the best interest of the state.

FCS institution BOTs are currently authorized to permit the use of property, facilities, and personal services at their college by the DSO.¹²⁹ “Personal services” includes full-time or part-time personnel as well as payroll processing.¹³⁰ Each FCS institution BOT is authorized to prescribe by rule any condition with which a FCS institution DSO must comply in order to use property, facilities, or personal services at any FCS institution.¹³¹

The FCS institution DSOs are prohibited from giving, either directly or indirectly, any gift to a political committee¹³² for any purpose other than those certified by a majority roll call vote of the governing board of the DSO at a regularly scheduled meeting as being directly related to the educational mission of the FCS institution.¹³³

¹²⁸ Section 1004.70(1)(a), F.S.

¹²⁹ Section 1004.70(3)(a), F.S.

¹³⁰ *Id.* at (1)(b).

¹³¹ *Id.* at (3)(b).

¹³² A “political committee” is defined in s. 106.011, F.S.

¹³³ Section 1004.70(4)(d), F.S.

Effect of Proposed Changes

The bill enhances transparency and strengthens accountability of community college direct-support organizations (DSO). Specifically, the bill:

- Prohibits community college boards of trustees from permitting:
 - Any community college DSO to use personal services beginning July 1, 2022.
 - The use of state funds for travel expenses by any community college DSO.
- Reinforces the prohibition in current law that a community college DSO may not give, either directly or indirectly, any gift to a political committee. Specifically, the bill eliminates the exception to the prohibition that allows gifts certified by a majority roll call vote of the governing board of the DSO at a regularly scheduled meeting as being directly related to the educational mission of the FCS institution.
- Modifies the requirement for the chair of a community college board of trustees to appoint a representative to the DSO board of directors and executive committee from one to at least one representative.

The bill takes effect October 1, 2018, 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:

None.

C. Government Sector Impact:

- To implement the governance provisions of this bill, the Florida Department of Education estimates a fiscal impact of approximately \$2 million in additional funds for an additional 17 FTE positions.

- Funding for the Supporting Students for Academic Success program is contingent upon an appropriation in the General Appropriations Act. The fiscal impact is currently indeterminate.

VI. Technical Deficiencies:

None.

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.

This bill creates the following sections of the Florida Statutes: 20.156, 1001.6001, 1001.601, and 1001.602.

This bill creates two undesignated sections of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on November 13, 2017:

The committee substitute:

- Modifies conforming provisions in the bill relating to the Florida Postsecondary Comprehensive Transition Program to restore current law regarding:
 - The role of the Commissioner of Education (commissioner) in the approval of such programs for the applicable eligible institutions (i.e., programs offered by technical centers operated by district school boards).
 - The inclusion of the State Board of Education (SBE) in the notification and required rulemaking provisions related to such programs.

- The inclusion of the commissioner and the SBE in the accountability provisions related to such programs.
- Changes from the 2018 to the 2019 Regular Session the directive to the Division of Law Revision and Information to develop a reviser's bill to update terms in the Florida Statutes regarding the Florida Community College System and Florida Community College System institutions.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



806106

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/13/2017	.	
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The Committee on Education (Hukill) recommended the following:

Senate Amendment

Delete lines 2905 - 3030
and insert:
the applicable chancellor or the commissioner, as applicable.
Within 15 days after receipt of the director's recommendation,
the applicable chancellor or the commissioner shall approve or
disapprove the recommendation. If the applicable chancellor or
the commissioner does not act on the director's recommendation
within 15 days after receipt of such recommendation, the
comprehensive transition program proposed by the institution



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12 shall be considered approved.

13 2. Initial approval of an application for an FPCTP that
14 meets the requirements of this section is valid for the 3
15 academic years immediately following the academic year during
16 which the approval is granted. An eligible institution may
17 submit an application to the center requesting that the initial
18 approval be renewed. If the approval is granted and the FPCTP
19 continues to meet the requirements of this section, including,
20 but not limited to, program and student performance outcomes,
21 and federal requirements, a renewal is valid for the 5 academic
22 years immediately following the academic year during which the
23 renewal is granted.

24 3. An application must, at a minimum:

25 a. Identify a credential associated with the proposed
26 program which will be awarded to eligible students upon
27 completion of the FPCTP.

28 b. Outline the program length and design, including, at a
29 minimum, inclusive and successful experiential education
30 practices relating to curricular, assessment, and advising
31 structure and internship and employment opportunities, which
32 must support students with intellectual disabilities who are
33 seeking to continue academic, career and technical, and
34 independent living instruction at an eligible institution,
35 including, but not limited to, opportunities to earn industry
36 certifications, to prepare students for gainful employment. If
37 an eligible institution offers a credit-bearing degree program,
38 the institution is responsible for maintaining the rigor and
39 effectiveness of a comprehensive transition degree program at
40 the same level as other comparable degree programs offered by



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41 the institution pursuant to applicable accreditation standards.

42 c. Outline a plan for students with intellectual
43 disabilities to be integrated socially and academically with
44 nondisabled students, to the maximum extent possible, and to
45 participate on not less than a half-time basis, as determined by
46 the eligible institution, with such participation focusing on
47 academic components and occurring through one or more of the
48 following activities with nondisabled students:

49 (I) Regular enrollment in credit-bearing courses offered by
50 the institution.

51 (II) Auditing or participating in courses offered by the
52 institution for which the student does not receive academic
53 credit.

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

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

56 d. Outline a plan for partnerships with businesses to
57 promote experiential training and employment opportunities for
58 students with intellectual disabilities.

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

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

63 (d) Provide technical assistance regarding programs and
64 services for students with intellectual disabilities to
65 administrators, instructors, staff, and others, as applicable,
66 at eligible institutions by:

67 1. Holding meetings and annual workshops to share
68 successful practices and to address issues or concerns.

69 2. Facilitating collaboration between eligible institutions



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70 and school districts, private schools operating pursuant to s.
71 1002.42, and parents of students enrolled in home education
72 programs operating pursuant to s. 1002.41 in assisting students
73 with intellectual disabilities and their parents to plan for the
74 transition of such students into an FPCTP or another program at
75 an eligible institution.

76 3. Assisting eligible institutions with FPCTP and federal
77 comprehensive transition and postsecondary program applications.

78 4. Assisting eligible institutions with the identification
79 of funding sources for an FPCTP and for student financial
80 assistance for students enrolled in an FPCTP.

81 5. Monitoring federal and state law relating to the
82 comprehensive transition program and notifying the Legislature,
83 the Governor, the Board of Governors, the State Board of
84 Community Colleges, and the State Board of Education of any
85 change in law which may impact the implementation of this
86 section.

87 (8) ACCOUNTABILITY.—

88 (a) The center, in collaboration with the Board of
89 Governors, the State Board of Community Colleges, and the State
90 Board of Education, shall identify indicators for the
91 satisfactory progress of a student in an FPCTP and for the
92 performance of such programs. Each eligible institution must
93 address the indicators identified by the center in its
94 application for the approval of a proposed program and for the
95 renewal of an FPCTP and in the annual report that the
96 institution submits to the center.

97 (b) By October 1 of each year, the center shall provide to
98 the Governor, the President of the Senate, the Speaker of the



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99 House of Representatives, the Chancellor of the State University
100 System, the Chancellor of the Florida Community College System,
101 and the Commissioner of Education a report summarizing
102 information including, but not limited to:

103 1. The status of the statewide coordination of FPCTPs and
104 the implementation of FPCTPs at eligible institutions including,
105 but not limited to:

106 a. The number of applications approved and disapproved and
107 the reasons for each disapproval and no action taken by the
108 chancellor or the commissioner.

109 b. The number and value of all scholarships awarded to
110 students and undisbursed advances remitted to the center
111 pursuant to subsection (7).

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

115 3. The projected number of students with intellectual
116 disabilities who may be eligible to enroll in the FPCTPs within
117 the next academic year.

118 4. Education programs and services for students with
119 intellectual disabilities which are available at eligible
120 institutions.

121 (c) ~~Beginning in the 2016-2017 fiscal year,~~ The center, in
122 collaboration with the Board of Governors, State Board of
123 Community Colleges, State Board of Education, Higher Education
124 Coordinating Council, and other stakeholders, by December 1 of
125 each year, shall submit to the Governor, the President of the
126 Senate, and the Speaker of the House of Representatives
127 statutory and budget recommendations for improving the



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128 implementation and delivery of FPCTPs and other education
129 programs and services for students with disabilities.

130 (9) RULES.—The Board of Governors, the State Board of
131 Community Colleges, and the State Board of Education, in
132 consultation with the center,



312294

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/13/2017	.	
	.	
	.	
	.	

The Committee on Education (Hukill) recommended the following:

Senate Amendment

1
2
3 Delete line 7134
4 and insert:
5 is directed to prepare a reviser's bill for the 2019 Regular

By Senator Hukill

14-00162B-18

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1 A bill to be entitled
 2 An act relating to postsecondary education; providing
 3 a short title; creating s. 1001.6001, F.S.; renaming
 4 the Florida College System as the Florida Community
 5 College System; creating the State Board of Community
 6 Colleges; requiring the Governor to appoint the
 7 membership of the state board; providing that the
 8 appointments are subject to confirmation by the
 9 Senate; requiring the Division of Florida Colleges to
 10 provide administrative support to the state board
 11 until a specified date; transferring the Florida
 12 College System and the Division of Florida Colleges to
 13 the state board on a specified date; requiring the
 14 state board to appoint a Chancellor of the Florida
 15 Community College System by a specified date; amending
 16 s. 20.15, F.S.; removing the Division of Florida
 17 Colleges from within the Department of Education;
 18 requiring the department to provide support to the
 19 State Board of Community Colleges; creating s. 20.156,
 20 F.S.; creating the State Board of Community Colleges;
 21 assigning the state board to, and administratively
 22 housing the state board within, the department;
 23 providing the personnel for and powers and duties of
 24 the state board; requiring the state board to conduct
 25 an organizational meeting by a specified date;
 26 amending s. 112.313, F.S.; prohibiting citizen members
 27 of the State Board of Community Colleges or Florida
 28 Community College System institution boards of
 29 trustees from having an employment or contractual

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30 relationship as specified lobbyists; amending s.
 31 112.3145, F.S.; revising the term "state officer" to
 32 include certain Florida Community College System
 33 personnel; amending s. 1000.03, F.S.; revising the
 34 function and mission of the Florida K-20 education
 35 system; requiring the State Board of Community
 36 Colleges to oversee enforcement of Florida Community
 37 College System laws and rules; amending s. 1000.05,
 38 F.S.; requiring the Chancellor of the Florida
 39 Community College System, instead of the Commissioner
 40 of Education, to make certain determinations regarding
 41 equal opportunities at Florida Community College
 42 System institutions; requiring the State Board of
 43 Community Colleges to adopt rules; amending s.
 44 1001.02, F.S.; revising the general powers of the
 45 State Board of Education to exempt the Florida
 46 Community College System from certain provisions;
 47 deleting duties of the State Board of Education
 48 regarding the Florida College System; amending s.
 49 1001.03, F.S.; revising certain articulation
 50 accountability and enforcement measures; requiring the
 51 State Board of Education to collect information in
 52 conjunction with the Board of Governors and the State
 53 Board of Community Colleges; deleting duties of the
 54 State Board of Education regarding the Florida College
 55 System; amending ss. 1001.10 and 1001.11, F.S.;
 56 revising the general powers and duties of the
 57 Commissioner of Education to exempt the Florida
 58 Community College System from certain powers and

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59 duties; amending s. 1001.20, F.S.; revising duties of
 60 the Office of Inspector General within the department
 61 regarding the Florida College System; amending s.
 62 1001.28, F.S.; providing that the powers and duties of
 63 the State Board of Community Colleges are not
 64 abrogated, superseded, altered, or amended by certain
 65 provisions relating to the department's duties for
 66 distance learning; amending s. 1001.42, F.S.;
 67 prohibiting a technical center governing board from
 68 approving certain courses and programs; amending s.
 69 1001.44, F.S.; providing the primary mission of a
 70 career center operated by a district school board;
 71 prohibiting specified career centers from offering
 72 certain courses and programs; amending s. 1001.60,
 73 F.S.; conforming provisions to changes made by the
 74 act; creating s. 1001.601, F.S.; establishing the
 75 State Board of Community Colleges; providing the
 76 membership of the board; creating s. 1001.602, F.S.;
 77 providing the responsibilities and duties of the State
 78 Board of Community Colleges; requiring the state board
 79 to coordinate with the State Board of Education;
 80 requiring the state board, in collaboration with the
 81 State Board of Education, to adopt specified
 82 definitions by rule; amending ss. 1001.61, 1001.64,
 83 and 1001.65, F.S.; conforming provisions to changes
 84 made by the act; amending s. 1001.66, F.S.; revising
 85 requirements for the performance-based metrics used to
 86 award Florida Community College System institutions
 87 with performance-based incentives; amending s.

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88 1001.67, F.S.; revising the Distinguished Florida
 89 Community College System Institution Program
 90 excellence standards requirements; amending s.
 91 1001.706, F.S.; revising cooperation duties of the
 92 Board of Governors to include requirements for working
 93 with the State Board of Community Colleges; amending
 94 s. 1002.34, F.S.; providing the primary mission of a
 95 charter technical career center; prohibiting specified
 96 charter technical career centers from offering certain
 97 courses and programs; providing for rulemaking;
 98 amending s. 1003.491, F.S.; revising the Florida
 99 Career and Professional Education Act to require the
 100 State Board of Community Colleges to recommend,
 101 jointly with the Board of Governors and the
 102 Commissioner of Education, certain deadlines for new
 103 core courses; amending s. 1003.493, F.S.; revising
 104 department duties regarding articulation and the
 105 transfer of credits to postsecondary institutions to
 106 include consultation with the State Board of Community
 107 Colleges; amending s. 1004.015, F.S.; providing that
 108 the Higher Education Coordinating Council serves as an
 109 advisory board to, in addition to other bodies, the
 110 State Board of Community Colleges; revising council
 111 reporting requirements to include a report to the
 112 state board; requiring the state board to collaborate
 113 with the Office of K-20 Articulation to provide
 114 administrative support for the council; amending ss.
 115 1004.02 and 1004.03, F.S.; conforming provisions to
 116 changes made by the act; amending s. 1004.04, F.S.;

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117 revising department reporting requirements regarding
 118 teacher preparation programs to require a report to
 119 the State Board of Community Colleges; amending s.
 120 1004.07, F.S.; providing that the State Board of
 121 Community Colleges, instead of the State Board of
 122 Education, provide guidelines for Florida Community
 123 College System institution boards of trustees'
 124 policies; amending ss. 1004.084, 1004.085, 1004.096,
 125 1004.0961, 1004.35, and 1004.6495, F.S.; conforming
 126 provisions to changes made by the act; amending s.
 127 1004.65, F.S.; revising Florida Community College
 128 System institution governance, mission, and
 129 responsibilities, to provide authority and duties to
 130 the State Board of Education; providing that offering
 131 upper-level instruction and awarding baccalaureate
 132 degrees are a secondary and not a primary role of a
 133 Florida Community College System institution; amending
 134 s. 1004.67, F.S.; conforming provisions to changes
 135 made by the act; amending s. 1004.70, F.S.; revising
 136 requirements for appointments to the board of
 137 directors; prohibiting a community college board of
 138 trustees from authorizing a Florida Community College
 139 System institution direct-support organization to use
 140 personal services and state funds for travel expenses
 141 after a specified date; deleting an exception to the
 142 prohibition on gifts to a political committee from a
 143 Florida Community College System institution direct-
 144 support organization; conforming provisions to changes
 145

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146 made by the act; amending s. 1004.71, F.S.; conforming
 147 provisions to changes made by the act; amending s.
 148 1004.74, F.S.; requiring the Chancellor of the Florida
 149 Community College System, jointly with the
 150 Commissioner of Education, to appoint members of the
 151 Council for the Florida School for the Arts; amending
 152 ss. 1004.78 and 1004.80, F.S.; conforming provisions
 153 to changes made by the act; amending s. 1004.91, F.S.;
 154 requiring the State Board of Community Colleges to
 155 collaborate with the State Board of Education to
 156 provide certain rules for Florida Community College
 157 System institutions regarding requirements for career
 158 education program basic skills; amending s. 1004.92,
 159 F.S.; providing accountability for career education
 160 for the State Board of Community Colleges; revising
 161 the department's accountability for career education;
 162 requiring the department and the State Board of
 163 Community Colleges to collaborate to develop certain
 164 standards and benchmarks; requiring the State Board of
 165 Education and the State Board of Community Colleges to
 166 collaborate to adopt rules; amending s. 1004.925,
 167 F.S.; revising industry certification requirements for
 168 automotive service technology education programs to
 169 include rules adopted by the State Board of Community
 170 Colleges; amending s. 1004.93, F.S.; conforming
 171 provisions to changes made by the act; amending s.
 172 1006.60, F.S.; authorizing sanctions for violations of
 173 certain rules of the State Board of Community
 174 Colleges, instead of for violations of certain rules

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175 of the State Board of Education; amending ss. 1006.61,
 176 1006.62, and 1006.71, F.S.; conforming provisions to
 177 changes made by the act; amending s. 1007.01, F.S.;
 178 revising the role of the State Board of Education and
 179 the Board of Governors in the statewide articulation
 180 system to include the State Board of Community
 181 Colleges and the Chancellor of the Florida Community
 182 College System; amending s. 1007.23, F.S.; requiring
 183 each Florida Community College System institution and
 184 each state university to execute at least one "2+2"
 185 targeted pathway articulation agreement by a specified
 186 time; providing requirements and student eligibility
 187 for the agreements; requiring the State Board of
 188 Community Colleges and the Board of Governors to
 189 collaborate to eliminate barriers in executing the
 190 agreements; amending s. 1007.24, F.S.; revising the
 191 statewide course numbering system to include
 192 participation by and input from the State Board of
 193 Community Colleges and the Chancellor of the Florida
 194 Community College System; amending ss. 1007.25,
 195 1007.262, 1007.263, 1007.264, and 1007.265, F.S.;
 196 conforming provisions to changes made by the act;
 197 amending s. 1007.27, F.S.; requiring school districts
 198 to notify students about certain lists and
 199 equivalencies; amending s. 1007.271, F.S.; requiring
 200 the State Board of Education to collaborate with the
 201 State Board of Community Colleges regarding certain
 202 articulation agreements; amending s. 1007.273, F.S.;
 203 requiring the State Board of Community Colleges to

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204 enforce compliance with certain provisions relating to
 205 the collegiate high school program by a specified date
 206 each year; amending s. 1007.33, F.S.; prohibiting
 207 Florida Community College System institutions from
 208 offering bachelor of arts degree programs; deleting
 209 provisions relating to an authorization for the Board
 210 of Trustees of St. Petersburg College to establish
 211 certain baccalaureate degree programs; revising the
 212 approval process for baccalaureate degree programs
 213 proposed by Florida Community College System
 214 institutions; requiring a Florida Community College
 215 System institution to annually report certain
 216 information to the State Board of Community Colleges,
 217 the Chancellor of the State University System, and the
 218 Legislature; revising the circumstances under which a
 219 baccalaureate degree program may be required to be
 220 modified or terminated; requiring that a baccalaureate
 221 degree program be terminated under certain
 222 circumstances; restricting total upper-level,
 223 undergraduate full-time equivalent enrollment at
 224 Florida Community College System institutions and
 225 within the Florida Community College System; amending
 226 s. 1008.30, F.S.; requiring the State Board of
 227 Community Colleges, rather than the State Board of
 228 Education, to develop and implement a specified common
 229 placement test and approve a specified series of meta-
 230 majors and academic pathways with the Board of
 231 Governors; providing that certain state universities
 232 may continue to provide developmental education

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233 instruction; establishing the Supporting Students for
 234 Academic Success Program; providing the purpose,
 235 requirements, funding, and reporting requirements of
 236 the program; amending s. 1008.31, F.S.; revising the
 237 legislative intent of Florida's K-20 education
 238 performance and accountability system to include
 239 recommendations from and reports to the State Board of
 240 Community Colleges; amending s. 1008.32, F.S.;

241 removing the oversight enforcement authority of the
 242 State Board of Education relating to the Florida
 243 Community College System; amending s. 1008.345, F.S.;

244 revising department responsibilities associated with
 245 the system of educational accountability to include
 246 duties for the State Board of Community Colleges;
 247 amending s. 1008.37, F.S.; revising certain student
 248 reporting requirements of the Commissioner of
 249 Education to also require a report to the State Board
 250 of Community Colleges; amending s. 1008.38, F.S.;

251 revising the articulation accountability process to
 252 include participation by the State Board of Community
 253 Colleges; amending s. 1008.405, F.S.; requiring the
 254 State Board of Community Colleges to adopt rules for
 255 the maintenance of specific information by Florida
 256 Community College System institutions; amending ss.
 257 1008.44, 1008.45, 1009.21, 1009.22, 1009.23, and
 258 1009.25, F.S.; conforming provisions to changes made
 259 by the act; amending s. 1009.26, F.S.; requiring that
 260 certain information regarding fee waivers be reported
 261 to the State Board of Community Colleges; requiring

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262 the State Board of Community Colleges to adopt rules;
 263 amending s. 1009.28, F.S.; conforming provisions to
 264 changes made by the act; amending ss. 1009.90 and
 265 1009.91, F.S.; revising the duties of the department
 266 to include reports to the State Board of Community
 267 Colleges; amending s. 1009.971, F.S.; conforming
 268 provisions to changes made by the act; amending s.
 269 1010.01, F.S.; requiring the financial records and
 270 accounts of Florida Community College System
 271 institutions to follow rules of the State Board of
 272 Community Colleges, instead of the State Board of
 273 Education; requiring each Florida Community College
 274 System institution to annually file specified
 275 financial statements with the State Board of Community
 276 Colleges; amending ss. 1010.02 and 1010.04, F.S.;

277 requiring the funds accruing to and purchases and
 278 leases by Florida Community College System
 279 institutions to follow rules of the State Board of
 280 Community Colleges, instead of the State Board of
 281 Education; amending s. 1010.07, F.S.; requiring
 282 certain contractors to give bonds in an amount set by
 283 the State Board of Community Colleges; amending s.
 284 1010.08, F.S.; authorizing Florida Community College
 285 System boards of trustees to budget for promotion and
 286 public relations from certain funds; amending ss.
 287 1010.09, 1010.22, 1010.30, and 1010.58, F.S.;

288 conforming provisions to changes made by the act;
 289 amending s. 1011.01, F.S.; requiring each Florida
 290 Community College System institution board of trustees

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291 to submit an annual operating budget according to
 292 rules of the State Board of Community Colleges;
 293 amending s. 1011.011, F.S.; requiring the State Board
 294 of Education to collaborate with the State Board of
 295 Community Colleges on legislative budget requests
 296 relating to Florida Community College System
 297 institutions; amending ss. 1011.30 and 1011.32, F.S.;
 298 conforming provisions to changes made by the act;
 299 amending s. 1011.80, F.S.; conforming provisions to
 300 changes made by the act; authorizing the State Board
 301 of Community Colleges to adopt rules; amending s.
 302 1011.801, F.S.; specifying duties of the State Board
 303 of Community Colleges regarding funds for the
 304 operation of workforce education programs and the
 305 Workforce Development Capitalization Incentive Grant
 306 Program; amending ss. 1011.81, 1011.82, 1011.83,
 307 1011.84, and 1011.85, F.S.; conforming provisions to
 308 changes made by the act; amending s. 1012.01, F.S.;
 309 redefining the term "school officers"; amending ss.
 310 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,
 311 F.S.; conforming provisions to changes made by the
 312 act; amending s. 1013.01, F.S.; providing that the
 313 term "board" does not include the State Board of
 314 Community Colleges when used in the context of certain
 315 educational facilities provisions; amending ss.
 316 1013.02 and 1013.03, F.S.; requiring the State Board
 317 of Community Colleges to adopt rules for and provide
 318 functions relating to educational facilities; amending
 319 s. 1013.28, F.S.; authorizing Florida Community

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320 College System institution boards of trustees to
 321 dispose of land or real property subject to rules of
 322 the State Board of Community Colleges; amending s.
 323 1013.31, F.S.; specifying the role of the State Board
 324 of Community Colleges in educational plant surveys for
 325 Florida Community College System institutions;
 326 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
 327 conforming provisions to changes made by the act;
 328 amending s. 1013.47, F.S.; providing that certain
 329 contractors are subject to rules of the State Board of
 330 Community Colleges; amending s. 1013.52, F.S.;
 331 specifying duties of the State Board of Community
 332 Colleges with regard to the cooperative development
 333 and joint use of facilities; amending s. 1013.65,
 334 F.S.; requiring the State Board of Community Colleges
 335 to be provided with copies of authorized allocations
 336 or reallocations for the Public Education Capital
 337 Outlay and Debt Service Trust Fund; providing a
 338 directive to the Division of Law Revision and
 339 Information; providing effective dates.

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

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

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

347 1001.6001 Florida Community College System governance.—
 348 (1) The Florida College System, established in s. 1001.60,

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349 is renamed as the Florida Community College System.

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

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

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

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

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

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

377 20.15 Department of Education.—There is created a

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378 Department of Education.

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

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

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

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

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

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

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

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

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

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

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

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

401 (8) SUPPORT SERVICES.—The Department of Education shall
 402 continue to provide support to the Board of Governors of the
 403 State University System and to the State Board of Community
 404 Colleges of the Florida Community College System. At a minimum,
 405 support services provided to the Board of Governors and the
 406 State Board of Community Colleges shall include accounting,

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407 printing, computer and Internet support, personnel and human
408 resources support, support for accountability initiatives, and
409 administrative support as needed for trust funds under the
410 jurisdiction of the Board of Governors and the State Board of
411 Community Colleges.

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

414 20.156 State Board of Community Colleges.-

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

424 (2) HEAD OF THE FLORIDA COMMUNITY COLLEGE SYSTEM.-The state
425 board is the head of the Florida Community College System. The
426 Governor shall appoint the board members, subject to
427 confirmation by the Senate.

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

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

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

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

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

447 (18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF
448 TRUSTEES.-A citizen member of the State Board of Community
449 Colleges or a citizen member of a Florida Community College
450 System institution board of trustees may not have or hold an
451 employment or contractual relationship as a legislative lobbyist
452 requiring annual registration and reporting pursuant to s.
453 11.045.

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

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

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

460 (c) "State officer" means:

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

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465 office.

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

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

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

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

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

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

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

491 (c) The Board of Governors shall oversee the enforcement of
492 all state university laws and rules and regulations and the
493 timely provision of direction, resources, assistance,

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494 intervention when needed, and strong incentives and
495 disincentives to force accountability for results.

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

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

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

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

518 (3)

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

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- 523 1. The Board of Governors shall determine whether equal
524 opportunities are available at state universities.
- 525 2. The Commissioner of Education, for school districts, and
526 the Chancellor of the Florida Community College System, for
527 Florida Community College System institutions, shall determine
528 whether equal opportunities are available in school districts
529 and Florida Community College System institutions, respectively.
530 In determining whether equal opportunities are available in
531 school districts and Florida Community College System
532 institutions, the Commissioner of Education and the Chancellor
533 of the Florida Community College System shall consider, among
534 other factors:
- 535 a. Whether the selection of sports and levels of
 - 536 competition effectively accommodate the interests and abilities
 - 537 of members of both genders.
 - 538 b. The provision of equipment and supplies.
 - 539 c. Scheduling of games and practice times.
 - 540 d. Travel and per diem allowances.
 - 541 e. Opportunities to receive coaching and academic tutoring.
 - 542 f. Assignment and compensation of coaches and tutors.
 - 543 g. Provision of locker room, practice, and competitive
 - 544 facilities.
 - 545 h. Provision of medical and training facilities and
 - 546 services.
 - 547 i. Provision of housing and dining facilities and services.
 - 548 j. Publicity.
- 549 Unequal aggregate expenditures for members of each gender or
550 unequal expenditures for male and female teams if a public
551

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- 552 school or Florida Community College System institution operates
553 or sponsors separate teams do not constitute nonimplementation
554 of this subsection, but the Commissioner of Education shall
555 consider the failure to provide necessary funds for teams for
556 one gender in assessing equality of opportunity for members of
557 each gender.
- 558 (5) (a) The State Board of Education shall adopt rules to
559 implement this section as it relates to school districts ~~and~~
560 ~~Florida College System institutions~~.
- 561 (b) The Board of Governors shall adopt regulations to
562 implement this section as it relates to state universities.
- 563 (c) The State Board of Community Colleges shall adopt rules
564 to implement this section as it relates to Florida Community
565 College System institutions.
- 566 (6) The functions of the State Board of Community Colleges
567 for Florida Community College System institutions and the Office
568 of Equal Educational Opportunity of the Department of Education
569 shall include, but are not limited to:
- 570 (a) Requiring all district school boards and Florida
571 Community College System institution boards of trustees to
572 develop and submit plans for the implementation of this section
573 to the Department of Education.
- 574 (b) Conducting periodic reviews of school districts and
575 Florida Community College System institutions to determine
576 compliance with this section and, after a finding that a school
577 district or a Florida Community College System institution is
578 not in compliance with this section, notifying the entity of the
579 steps that it must take to attain compliance and performing
580 followup monitoring.

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

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

593 (e) Requiring all district school boards and Florida
 594 Community College System institution boards of trustees to
 595 submit data and information necessary to determine compliance
 596 with this section. The Commissioner of Education, for school
 597 districts, and the Chancellor of the Florida Community College
 598 System, for Florida Community College System institutions, shall
 599 prescribe the format and the date for submission of such data
 600 and any other educational equity data. If any board does not
 601 submit the required compliance data or other required
 602 educational equity data by the prescribed date, the commissioner
 603 or the chancellor, as applicable, shall notify the board of this
 604 fact and, if the board does not take appropriate action to
 605 immediately submit the required report, the State Board of
 606 Education or the State Board of Community Colleges, as
 607 applicable, shall impose monetary sanctions.

608 (f) Based upon rules of the State Board of Education, for
 609 school districts, and the State Board of Community Colleges, for

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

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

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

636 2. Notwithstanding the provisions of s. 216.192, direct the
 637 Chief Financial Officer to withhold general revenue funds
 638 sufficient to obtain compliance from the school district or

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639 Florida Community College System institution.

640

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

646 Section 9. Section 1001.02, Florida Statutes, is amended to
647 read:

648 1001.02 General powers of State Board of Education.-

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

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

662 (a) To adopt comprehensive educational objectives for
663 public education except for the State University System and the
664 Florida Community College System.

665 (b) To adopt comprehensive long-range plans and short-range
666 programs for the development of the state system of public
667 education except for the State University System and the Florida

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668 Community College System.

669

670 (c) To exercise general supervision over the divisions of
671 the Department of Education as necessary to ensure coordination
672 of educational plans and programs and resolve controversies and
673 to minimize problems of articulation and student transfers, to
674 ensure that students moving from one level of education to the
675 next have acquired competencies necessary for satisfactory
676 performance at that level, and to ensure maximum utilization of
677 facilities.

677

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

686

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

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

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

706 (g) To approve plans for cooperating with the Federal
 707 Government.

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

712 (i) To review plans for cooperating with appropriate
 713 nonpublic agencies for the improvement of conditions relating to
 714 the welfare of schools.

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

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

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

724 (m) To assist in the planning and economic development of
 725 the state by establishing a clearinghouse for information on

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726 educational programs of value to economic development.

727 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
 728 120.54, within statutory authority.

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

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

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

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

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

746 (t) To establish accountability standards for existing
 747 legislative performance goals, standards, and measures, and
 748 order the development of mechanisms to implement new legislative
 749 goals, standards, and measures.

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

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

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

768 (3) (a) The State Board of Education shall adopt a strategic
 769 plan that specifies goals and objectives for the state's public
 770 schools ~~and Florida College System institutions~~. The plan shall
 771 be formulated in conjunction with plans of the Board of
 772 Governors and the State Board of Community Colleges in order to
 773 provide for the roles of the universities and Florida Community
 774 College System institutions to be coordinated to best meet state
 775 needs and reflect cost-effective use of state resources. The
 776 strategic plan must clarify the mission statements of each
 777 Florida Community College System institution and the system as a
 778 whole and identify degree programs, including baccalaureate
 779 degree programs, to be offered at each Florida Community College
 780 System institution in accordance with the objectives provided in
 781 this subsection and the coordinated 5-year plan pursuant to
 782 paragraph (2) (v). The strategic plan must cover a period of 5
 783 years, with modification of the program lists after 2 years.

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784 Development of each 5-year plan must be coordinated with and
 785 initiated after completion of the master plan. The strategic
 786 plans must specifically include programs and procedures for
 787 responding to the educational needs of teachers and students in
 788 the public schools of this state and consider reports and
 789 recommendations of the Higher Education Coordinating Council
 790 pursuant to s. 1004.015 and the Articulation Coordinating
 791 Committee pursuant to s. 1007.01. The state board shall submit a
 792 report to the President of the Senate and the Speaker of the
 793 House of Representatives upon modification of the plan and as
 794 part of its legislative budget request.

795 (b) The State Board of Education, and the Board of
 796 Governors, and the State Board of Community Colleges shall
 797 jointly develop long-range plans and annual reports for
 798 financial aid in this state. The long-range plans shall
 799 establish goals and objectives for a comprehensive program of
 800 financial aid for Florida students and shall be updated every 5
 801 years. The annual report shall include programs administered by
 802 the department as well as awards made from financial aid fee
 803 revenues, any other funds appropriated by the Legislature for
 804 financial assistance, and the value of tuition and fees waived
 805 for students enrolled in a dual enrollment course at a public
 806 postsecondary educational institution. The annual report shall
 807 include an assessment of progress made in achieving goals and
 808 objectives established in the long-range plans and
 809 recommendations for repealing or modifying existing financial
 810 aid programs or establishing new programs. A long-range plan
 811 shall be submitted by January 1, 2004, and every 5 years
 812 thereafter. An annual report shall be submitted on January 1,

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813 2004, and in each successive year that a long-range plan is not
814 submitted, to the President of the Senate and the Speaker of the
815 House of Representatives.

816 (4) The State Board of Education shall:

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

820 ~~(b) Specify, by rule, procedures to be used by the Florida~~
821 ~~College System institution boards of trustees in the annual~~
822 ~~evaluations of presidents and review the evaluations of~~
823 ~~presidents by the boards of trustees, including the extent to~~
824 ~~which presidents serve both institutional and system goals.~~

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

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

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

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

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

846 ~~(5) The State Board of Education is responsible for~~
847 ~~reviewing and administering the state program of support for the~~
848 ~~Florida College System institutions and, subject to existing~~
849 ~~law, shall establish the tuition and out-of-state fees for~~
850 ~~developmental education and for credit instruction that may be~~
851 ~~counted toward an associate in arts degree, an associate in~~
852 ~~applied science degree, or an associate in science degree.~~

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

860 ~~(a) Personnel.~~

861 ~~(b) Contracting.~~

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

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

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

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

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

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

882
 883 ~~The rules should encourage Florida College System institutions~~
 884 ~~to enter into agreements with state universities that allow~~
 885 ~~Florida College System institution students to complete upper-~~
 886 ~~division-level courses at a Florida College System institution.~~
 887 ~~An agreement may provide for concurrent enrollment at the~~
 888 ~~Florida College System institution and the state university and~~
 889 ~~may authorize the Florida College System institution to offer an~~
 890 ~~upper-division-level course or distance learning.~~

891 ~~(e) Student admissions, conduct and discipline,~~
 892 ~~nonclassroom activities, and fees.~~

893 ~~(f) Budgeting.~~

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

895 ~~(h) Student services.~~

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

898 Section 10. Subsections (7) through (17) of section
 899 1001.03, Florida Statutes, are amended to read:

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900 1001.03 Specific powers of State Board of Education.—

901 (7) ARTICULATION ACCOUNTABILITY.—The State Board of
 902 Education shall develop articulation accountability measures
 903 that assess the status of systemwide articulation processes, in
 904 conjunction with the Board of Governors regarding the State
 905 University System and the State Board of Community Colleges
 906 regarding the Florida Community College System, and shall
 907 establish an articulation accountability process in accordance
 908 with the provisions of chapter 1008, in conjunction with the
 909 Board of Governors regarding the State University System and the
 910 State Board of Community Colleges regarding the Florida
 911 Community College System.

912 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
 913 shall enforce compliance with law and state board rule by all
 914 school districts and public postsecondary educational
 915 institutions, except for institutions within the State
 916 University System and the Florida Community College System, in
 917 accordance with the provisions of s. 1008.32.

918 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
 919 Education, in conjunction with the Board of Governors regarding
 920 the State University System and the State Board of Community
 921 Colleges regarding the Florida Community College System, shall
 922 continue to collect and maintain, at a minimum, the management
 923 information databases for state universities, community
 924 colleges, and all other components of the public K-20 education
 925 system as such databases existed on June 30, 2002.

926 ~~(10) COMMON PLACEMENT TESTING FOR PUBLIC POSTSECONDARY~~
 927 ~~EDUCATION. The State Board of Education, in conjunction with the~~
 928 ~~Board of Governors, shall develop and implement a common~~

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929 placement test to assess the basic computation and communication
 930 skills of students who intend to enter a degree program at any
 931 Florida College System institution or state university.

932 (10)~~(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY
 933 EDUCATION.—The State Board of Education shall adopt minimum
 934 standards relating to nonpublic postsecondary education and
 935 institutions, in accordance with the provisions of chapter 1005.

936 ~~(12) COMMON POSTSECONDARY DEFINITIONS.—The State Board of~~
 937 ~~Education shall adopt, by rule, common definitions for associate~~
 938 ~~in science degrees and for certificates.~~

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

948 (11)~~(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
 949 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of
 950 Education shall maintain a uniform classification system for
 951 school district administrative and management personnel that
 952 will facilitate the uniform coding of administrative and
 953 management personnel to total district employees.

954 ~~(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE~~
 955 ~~DEGREE PROGRAMS.—The State Board of Education shall provide for~~
 956 ~~the review and approval of proposals by Florida College System~~
 957 ~~institutions to offer baccalaureate degree programs pursuant to~~

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958 s. 1007.33. A Florida College System institution, as defined in
 959 s. 1000.21, that is approved to offer baccalaureate degrees
 960 pursuant to s. 1007.33 remains under the authority of the State
 961 Board of Education and the Florida College System institution's
 962 board of trustees. The State Board of Education may not approve
 963 Florida College System institution baccalaureate degree program
 964 proposals from March 31, 2014, through May 31, 2015.

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

970 ~~(a) Performance metrics and standards common for all~~
 971 ~~institutions and metrics and standards unique to institutions~~
 972 ~~depending on institutional core missions, including, but not~~
 973 ~~limited to, remediation success, retention, graduation,~~
 974 ~~employment, transfer rates, licensure passage, excess hours,~~
 975 ~~student loan burden and default rates, job placement, faculty~~
 976 ~~awards, and highly respected rankings for institution and~~
 977 ~~program achievements.~~

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

981 (12)~~(17)~~ UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,
 982 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of
 983 Education, in consultation with the Board of Governors, the
 984 State Board of Community Colleges, and the Department of
 985 Economic Opportunity, shall adopt a unified state plan to
 986 improve K-20 STEM education and prepare students for high-skill,

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987 high-wage, and high-demand employment in STEM and STEM-related
988 fields.

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

992 1001.10 Commissioner of Education; general powers and
993 duties.—

994 (1) The Commissioner of Education is the chief educational
995 officer of the state and the sole custodian of the K-20 data
996 warehouse, and is responsible for giving full assistance to the
997 State Board of Education in enforcing compliance with the
998 mission and goals of the K-20 education system except for the
999 State University System and the Florida Community College
1000 System.

1001 (6) Additionally, the commissioner has the following
1002 general powers and duties:

1003 (g) To submit to the State Board of Education, on or before
1004 October 1 of each year, recommendations for a coordinated K-20
1005 education budget that estimates the expenditures for the Board
1006 of Governors, the State Board of Community Colleges, the State
1007 Board of Education, including the Department of Education and
1008 the Commissioner of Education, and all of the boards,
1009 institutions, agencies, and services under the general
1010 supervision of the Board of Governors, the State Board of
1011 Community Colleges, or the State Board of Education for the
1012 ensuing fiscal year. Any program recommended to the State Board
1013 of Education that will require increases in state funding for
1014 more than 1 year must be presented in a multiyear budget plan.

1015 (j) To implement a program of school improvement and

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1016 education accountability designed to provide all students the
1017 opportunity to make adequate learning gains in each year of
1018 school as provided by statute and State Board of Education rule
1019 based upon the achievement of the state education goals,
1020 recognizing the following:

1021 1. The district school board is responsible for school and
1022 student performance.

1023 2. The individual school is the unit for education
1024 accountability.

1025 ~~3. The Florida College System institution board of trustees~~
1026 ~~is responsible for Florida College System institution~~
1027 ~~performance and student performance.~~

1028 ~~(7) The commissioner, or the commissioner's designee, may~~
1029 ~~conduct a review or investigation of practices, procedures, or~~
1030 ~~actions at any Florida College System institution which appear~~
1031 ~~to be inconsistent with sound financial, management, or academic~~
1032 ~~practice.~~

1033 Section 12. Paragraphs (c) through (f) of subsection (1)
1034 and subsection (3) of section 1001.11, Florida Statutes, are
1035 amended to read:

1036 1001.11 Commissioner of Education; other duties.—

1037 (1) The Commissioner of Education must independently
1038 perform the following duties:

1039 (c) In cooperation with the Board of Governors and the
1040 State Board of Community Colleges, develop and implement a
1041 process for receiving and processing requests, in conjunction
1042 with the Legislature, for the allocation of PECO funds for
1043 qualified postsecondary education projects.

1044 ~~(d) Integrally work with the boards of trustees of the~~

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1045 ~~Florida College System institutions.~~

1046 ~~(d)~~(e) Monitor the activities of the State Board of
1047 Education and provide information related to current and pending
1048 policies to the members of the boards of trustees of the Florida
1049 Community College System institutions and state universities.

1050 ~~(e)~~(f) Ensure the timely provision of information requested
1051 by the Legislature from the State Board of Education, the
1052 commissioner's office, and the Department of Education.

1053 (3) Notwithstanding any other provision of law to the
1054 contrary, the Commissioner of Education, in conjunction with the
1055 Legislature, ~~and~~ the Board of Governors regarding the State
1056 University System, and the State Board of Community Colleges
1057 regarding the Florida Community College System, must recommend
1058 funding priorities for the distribution of capital outlay funds
1059 for public postsecondary educational institutions, based on
1060 priorities that include, but are not limited to, the following
1061 criteria:

1062 (a) Growth at the institutions.

1063 (b) Need for specific skills statewide.

1064 (c) Need for maintaining and repairing existing facilities.

1065 Section 13. Paragraph (e) of subsection (4) of section
1066 1001.20, Florida Statutes, is amended to read:

1067 1001.20 Department under direction of state board.—

1068 (4) The Department of Education shall establish the
1069 following offices within the Office of the Commissioner of
1070 Education which shall coordinate their activities with all other
1071 divisions and offices:

1072 (e) *Office of Inspector General.*—Organized using existing
1073 resources and funds and responsible for promoting

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1074 accountability, efficiency, and effectiveness and detecting
1075 fraud and abuse within school districts ~~and~~, the Florida School
1076 for the Deaf and the Blind, ~~and Florida College System~~
1077 ~~institutions in Florida.~~ If the Commissioner of Education
1078 determines that a district school board ~~or~~, the Board of
1079 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~
1080 ~~Florida College System institution board of trustees~~ is
1081 unwilling or unable to address substantiated allegations made by
1082 any person relating to waste, fraud, or financial mismanagement
1083 within the school district ~~or~~, the Florida School for the Deaf
1084 and the Blind, ~~or the Florida College System institution,~~ the
1085 office shall conduct, coordinate, or request investigations into
1086 such substantiated allegations. The office shall have access to
1087 all information and personnel necessary to perform its duties
1088 and shall have all of its current powers, duties, and
1089 responsibilities authorized in s. 20.055.

1090 Section 14. Section 1001.28, Florida Statutes, is amended
1091 to read:

1092 1001.28 Distance learning duties.—The duties of the
1093 Department of Education concerning distance learning include,
1094 but are not limited to, the duty to:

1095 (1) Facilitate the implementation of a statewide
1096 coordinated system and resource system for cost-efficient
1097 advanced telecommunications services and distance education
1098 which will increase overall student access to education.

1099 (2) Coordinate the use of existing resources, including,
1100 but not limited to, the state's satellite transponders, the
1101 Florida Information Resource Network (FIRN), and distance
1102 learning initiatives.

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1103 (3) Assist in the coordination of the utilization of the
 1104 production and uplink capabilities available through Florida's
 1105 public television stations, eligible facilities, independent
 1106 colleges and universities, private firms, and others as needed.

1107 (4) Seek the assistance and cooperation of Florida's cable
 1108 television providers in the implementation of the statewide
 1109 advanced telecommunications services and distance learning
 1110 network.

1111 (5) Seek the assistance and cooperation of Florida's
 1112 telecommunications carriers to provide affordable student access
 1113 to advanced telecommunications services and to distance
 1114 learning.

1115 (6) Coordinate partnerships for development, acquisition,
 1116 use, and distribution of distance learning.

1117 (7) Secure and administer funding for programs and
 1118 activities for distance learning from federal, state, local, and
 1119 private sources and from fees derived from services and
 1120 materials.

1121 (8) Hire appropriate staff which may include a position
 1122 that shall be exempt from part II of chapter 110 and is included
 1123 in the Senior Management Service in accordance with s. 110.205.

1124
 1125 Nothing in this section shall be construed to abrogate,
 1126 supersede, alter, or amend the powers and duties of any state
 1127 agency, district school board, Florida Community College System
 1128 institution board of trustees, university board of trustees, the
 1129 Board of Governors, the State Board of Community Colleges, or
 1130 the State Board of Education.

1131 Section 15. Effective July 1, 2018, subsection (26) of

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1132 section 1001.42, Florida Statutes, is amended to read:

1133 1001.42 Powers and duties of district school board.—The
 1134 district school board, acting as a board, shall exercise all
 1135 powers and perform all duties listed below:

1136 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a
 1137 governing board for a school district technical center or a
 1138 system of technical centers for the purpose of aligning the
 1139 educational programs of the technical center with the needs of
 1140 local businesses and responding quickly to the needs of local
 1141 businesses for employees holding industry certifications. A
 1142 technical center governing board shall be comprised of seven
 1143 members, three of whom must be members of the district school
 1144 board or their designees and four of whom must be local business
 1145 leaders. The district school board shall delegate to the
 1146 technical center governing board decisions regarding entrance
 1147 requirements for students, curriculum, program development,
 1148 budget and funding allocations, and the development with local
 1149 businesses of partnership agreements and appropriate industry
 1150 certifications in order to meet local and regional economic
 1151 needs. A technical center governing board may approve only
 1152 courses and programs that contain industry certifications. A
 1153 course may be continued if at least 25 percent of the students
 1154 enrolled in the course attain an industry certification. If
 1155 fewer than 25 percent of the students enrolled in a course
 1156 attain an industry certification, the course must be
 1157 discontinued the following year. However, notwithstanding the
 1158 authority to approve courses and programs under this subsection,
 1159 a technical center governing board may not approve a college
 1160 credit course or college credit certificate or an associate

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1161 degree or baccalaureate degree program.

1162 Section 16. Effective July 1, 2018, section 1001.44,
1163 Florida Statutes, is amended to read:

1164 1001.44 Career centers; governance, mission, and
1165 responsibilities.—

1166 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
1167 CENTERS.—Any district school board, after first obtaining the
1168 approval of the Department of Education, may, as a part of the
1169 district school system, organize, establish and operate a career
1170 center, or acquire and operate a career center previously
1171 established.

1172 (a) The primary mission of a career center that is operated
1173 by a district school board is to promote advances and
1174 innovations in workforce preparation and economic development. A
1175 career center may provide a learning environment that serves the
1176 needs of a specific population group or group of occupations,
1177 thus promoting diversity and choices within the public technical
1178 education community in this state.

1179 (b) A career center that is operated by a district school
1180 board may not offer a college credit course or college credit
1181 certificate or an associate degree or baccalaureate degree
1182 program.

1183 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
1184 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards
1185 of any two or more contiguous districts may, upon first
1186 obtaining the approval of the department, enter into an
1187 agreement to organize, establish and operate, or acquire and
1188 operate, a career center under this section.

1189 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED

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1190 BY A DIRECTOR.—

1191 (a) A career center established or acquired under
1192 provisions of law and minimum standards prescribed by the
1193 commissioner shall comprise a part of the district school system
1194 and shall mean an educational institution offering terminal
1195 courses of a technical nature which are not for college credit,
1196 and courses for out-of-school youth and adults; shall be subject
1197 to all applicable provisions of this code; shall be under the
1198 control of the district school board of the school district in
1199 which it is located; and shall be directed by a director
1200 responsible through the district school superintendent to the
1201 district school board of the school district in which the center
1202 is located.

1203 (b) Each career center shall maintain an academic
1204 transcript for each student enrolled in the center. Such
1205 transcript shall delineate each course completed by the student.
1206 Courses shall be delineated by the course prefix and title
1207 assigned pursuant to s. 1007.24. The center shall make a copy of
1208 a student's transcript available to any student who requests it.

1209 Section 17. Effective July 1, 2018, section 1001.60,
1210 Florida Statutes, is amended to read:

1211 1001.60 Florida Community College System.—

1212 (1) PURPOSES.—In order to maximize open access for
1213 students, respond to community needs for postsecondary academic
1214 education and career degree education, and provide associate and
1215 baccalaureate degrees that will best meet the state's employment
1216 needs, the Legislature establishes a system of governance for
1217 the Florida Community College System.

1218 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a

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1219 single Florida Community College System comprised of the Florida
1220 Community College System institutions identified in s.
1221 1000.21(3). A Florida Community College System institution may
1222 not offer graduate degree programs.

1223 (a) The programs and services offered by Florida Community
1224 College System institutions in providing associate and
1225 baccalaureate degrees shall be delivered in a cost-effective
1226 manner that demonstrates substantial savings to the student and
1227 to the state over the cost of providing the degree at a state
1228 university.

1229 (b)1. With the approval of its district board of trustees,
1230 a Florida Community College System institution may change the
1231 institution's name set forth in s. 1000.21(3) and use the
1232 designation "college" or "state college" if it has been
1233 authorized to grant baccalaureate degrees pursuant to s. 1007.33
1234 and has been accredited as a baccalaureate-degree-granting
1235 institution by the Commission on Colleges of the Southern
1236 Association of Colleges and Schools.

1237 2. With the approval of its district board of trustees, a
1238 Florida Community College System institution that does not meet
1239 the criteria in subparagraph 1. may request approval from the
1240 State Board of Community Colleges Education to change the
1241 institution's name set forth in s. 1000.21(3) and use the
1242 designation "college." The State Board of Community Colleges
1243 Education may approve the request if the Florida Community
1244 College System institution enters into an agreement with the
1245 State Board of Community Colleges Education to do the following:

1246 a. Maintain as its primary mission responsibility for
1247 responding to community needs for postsecondary academic

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1248 education and career degree education as prescribed in s.
1249 1004.65(5).

1250 b. Maintain an open-door admissions policy for associate-
1251 level degree programs and workforce education programs.

1252 c. Continue to provide outreach to underserved populations.

1253 d. Continue to provide remedial education.

1254 e. Comply with all provisions of the statewide articulation
1255 agreement that relate to 2-year and 4-year public degree-
1256 granting institutions as adopted by the State Board of Community
1257 Colleges Education pursuant to s. 1007.23.

1258 (c) A district board of trustees that approves a change to
1259 the name of an institution under paragraph (b) must seek
1260 statutory codification of such name change in s. 1000.21(3)
1261 during the next regular legislative session.

1262 (d) A Florida Community College System institution may not
1263 use the designation "university."

1264 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the
1265 Florida Community College System shall be governed by a local
1266 board of trustees as provided in s. 1001.64. The membership of
1267 each local board of trustees shall be as provided in s. 1001.61.

1268 Section 18. Effective July 1, 2018, section 1001.601,
1269 Florida Statutes, is created to read:

1270 1001.601 State Board of Community Colleges of the Florida
1271 Community College System.—

1272 (1) The State Board of Community Colleges is established as
1273 a body corporate consisting of 13 members, which shall consist
1274 of the Commissioner of Education and 12 citizen members who are
1275 appointed by the Governor in a manner that provides equitable
1276 geographical representation.

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1277 (a) The 12 appointed citizen members must include a student
 1278 enrolled in a Florida Community College System institution and a
 1279 faculty member employed at a Florida Community College System
 1280 institution.

1281 (b) Each citizen member must reside and be registered to
 1282 vote in this state.

1283 (c) Except for the student member, who shall serve a 1-year
 1284 term, appointed citizen members shall serve staggered 4-year
 1285 terms. In order to achieve staggered terms, beginning September
 1286 1, 2018, of the initial appointments, 3 members shall serve 2-
 1287 year terms, 4 members shall serve 3-year terms, and 4 members
 1288 shall serve 4-year terms.

1289 (d) Except for the student member, each citizen member must
 1290 be confirmed by the Senate.

1291 (2) Members of the State Board of Community Colleges may
 1292 not receive compensation but may be reimbursed for per diem and
 1293 travel expenses as provided in s. 112.061.

1294 Section 19. Section 1001.602, Florida Statutes, is created
 1295 to read:

1296 1001.602 Powers and duties of the State Board of Community
 1297 Colleges.—

1298 (1) RESPONSIBILITIES.—The State Board of Community Colleges
 1299 is responsible for the efficient and effective operation and
 1300 maintenance of the Florida Community College System, as
 1301 established in s. 1001.60. The State Board of Community Colleges
 1302 may adopt rules pursuant to ss. 120.536(1) and 120.54 to
 1303 implement provisions of law for the Florida Community College
 1304 System. For the purposes of this section, the State Board of
 1305 Community Colleges is referred to as the "state board."

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1306 (2) DUTIES.—The state board has the following duties:

1307 (a) Ensure that Florida Community College System
 1308 institutions operate consistent with the mission of the system,
 1309 pursuant to s. 1004.65.

1310 (b) Oversee the Florida Community College System and
 1311 coordinate with the State Board of Education and the Board of
 1312 Governors to avoid wasteful duplication of facilities or
 1313 programs.

1314 (c) Provide for each Florida Community College System
 1315 institution to offer educational training and service programs
 1316 designed to meet the needs of both students and the communities
 1317 served.

1318 (d) Hold meetings, transact business, keep records, and,
 1319 except as otherwise provided by law, perform such other duties
 1320 as may be necessary for the enforcement of laws and rules
 1321 relating to the Florida Community College System.

1322 (e) Provide for the coordination of educational plans and
 1323 programs to resolve controversies, minimize problems of
 1324 articulation and student transfers, ensure that students moving
 1325 from one level of education to the next have acquired
 1326 competencies necessary for satisfactory performance at that
 1327 level, and ensure maximum utilization of facilities.

1328 (f) Establish and review, in consultation with the State
 1329 Board of Education and the Board of Governors, minimum and
 1330 uniform standards of college-level communication and computation
 1331 skills generally associated with successful performance and
 1332 progression through the baccalaureate level, to identify
 1333 college-preparatory high school coursework and postsecondary-
 1334 level coursework that prepares students with the academic skills

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1335 necessary to succeed in postsecondary education.
 1336 (g) Approve plans for cooperating with the Federal
 1337 Government.
 1338 (h) Approve plans for cooperating with other public
 1339 agencies in the development of rules and in the enforcement of
 1340 laws for which the state board and the agencies are jointly
 1341 responsible.
 1342 (i) Create subordinate advisory bodies if required by law
 1343 or as necessary for the improvement of the Florida Community
 1344 College System.
 1345 (j) Coordinate with the State Board of Education and the
 1346 Board of Governors to collect and maintain data for the Florida
 1347 Community College System.
 1348 (k) Establish, in conjunction with the State Board of
 1349 Education and the Board of Governors, an effective information
 1350 system that will provide composite data concerning the Florida
 1351 Community College System institutions and state universities and
 1352 that will ensure that special analyses and studies concerning
 1353 the institutions are conducted, as necessary, for provision of
 1354 accurate and cost-effective information concerning the
 1355 institutions.
 1356 (l) Establish accountability standards for existing
 1357 legislative performance goals, standards, and measures, and
 1358 order the development of mechanisms to implement new legislative
 1359 goals, standards, and measures.
 1360 (m) Require each Florida Community College System
 1361 institution, before registration, to provide each enrolled
 1362 student electronic access to the economic security report of
 1363 employment and earning outcomes prepared by the Department of

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1364 Economic Opportunity pursuant to s. 445.07.
 1365 (n) Specify, by rule, procedures to be used by Florida
 1366 Community College System institution boards of trustees in the
 1367 annual evaluation of presidents, and review the evaluations of
 1368 presidents by the boards of trustees, including the extent to
 1369 which presidents serve both institutional and system goals.
 1370 (o) Establish, subject to existing law, the tuition and
 1371 out-of-state fees for developmental education and for credit
 1372 instruction that may be counted toward an associate in arts
 1373 degree, an associate in applied science degree, or an associate
 1374 in science degree.
 1375 (p) Develop, in conjunction with the State Board of
 1376 Education and the Board of Governors, and implement a common
 1377 placement test to assess the basic communication and computation
 1378 skills of students who intend to enter a degree program at a
 1379 Florida Community College System institution or state
 1380 university.
 1381 (q) May direct the Chancellor of the Florida Community
 1382 College System to conduct investigations of practices,
 1383 procedures, or actions at a Florida Community College System
 1384 institution which appear to be inconsistent with sound
 1385 financial, management, or academic practice.
 1386 (r) Examine the annual administrative review of each
 1387 Florida Community College System institution.
 1388 (s) Through the Chancellor of the Florida Community College
 1389 System, integrally work with the Florida Community College
 1390 System institution boards of trustees.
 1391 (t) Establish criteria for making recommendations
 1392 concerning all proposals to establish additional centers or

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1393 campuses for a Florida Community College System institution.
 1394 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
 1395 the requirements under subsection (4) and the performance
 1396 metrics and standards adopted under ss. 1001.66 and 1001.67, the
 1397 state board shall identify performance metrics for the Florida
 1398 Community College System and develop a plan that specifies goals
 1399 and objectives for each Florida Community College System
 1400 institution. The plan must include:
 1401 (a) Performance metrics and standards common for all
 1402 institutions and metrics and standards unique to institutions
 1403 depending on institutional core missions, including, but not
 1404 limited to, remediation success, retention, graduation,
 1405 employment, transfer rates, licensure passage, excess hours,
 1406 student loan burden and default rates, job placement, faculty
 1407 awards, and highly respected rankings for institution and
 1408 program achievements.
 1409 (b) Student enrollment and performance data delineated by
 1410 method of instruction, including, but not limited to,
 1411 traditional, online, and distance learning instruction.
 1412 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—
 1413 (a) The state board shall adopt a strategic plan that
 1414 specifies goals and objectives for the Florida Community College
 1415 System. The plan must be formulated in conjunction with plans of
 1416 the State Board of Education and the Board of Governors in order
 1417 to coordinate the roles of the school districts and state
 1418 universities to best meet state needs and reflect cost-effective
 1419 use of state resources. The strategic plan must clarify the
 1420 mission statements of the Florida Community College System and
 1421 each Florida Community College System institution and identify

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1422 degree programs, including baccalaureate degree programs, to be
 1423 offered at each Florida Community College System institution in
 1424 accordance with the objectives provided in this subsection and
 1425 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The
 1426 strategic plan must cover a period of 5 years, with modification
 1427 of the program lists after 2 years. Development of each 5-year
 1428 plan must be coordinated with and initiated after completion of
 1429 the master plan. The strategic plan must consider reports and
 1430 recommendations of the Higher Education Coordinating Council
 1431 pursuant to s. 1004.015 and the Articulation Coordinating
 1432 Committee pursuant to s. 1007.01. Upon modification of the plan,
 1433 the state board shall submit a report to the President of the
 1434 Senate and the Speaker of the House of Representatives as part
 1435 of its legislative budget request.
 1436 (b) The state board, the State Board of Education, and the
 1437 Board of Governors shall jointly develop long-range plans and
 1438 annual reports for financial aid in this state. The long-range
 1439 plans must establish goals and objectives for a comprehensive
 1440 program of financial aid for students and shall be updated every
 1441 5 years. The annual report must include programs administered by
 1442 the department as well as awards made from financial aid fee
 1443 revenues, other funds appropriated by the Legislature for
 1444 financial assistance, and the value of tuition and fees waived
 1445 for students enrolled in a dual enrollment course at a public
 1446 postsecondary educational institution. The annual report must
 1447 include an assessment of the progress made in achieving goals
 1448 and objectives established in the long-range plans and must
 1449 include recommendations for repealing or modifying existing
 1450 financial aid programs or establishing new programs. The state

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1451 board, the State Board of Education, and the Board of Governors
 1452 shall submit their long-range plans by July 1, 2018, and every 5
 1453 years thereafter and shall submit their annual reports on July
 1454 1, 2018, and in each successive year that a long-range plan is
 1455 not submitted, to the President of the Senate and the Speaker of
 1456 the House of Representatives.

1457 (c) The state board shall also:

1458 1. Adopt comprehensive long-range plans and short-range
 1459 programs for the development of the Florida Community College
 1460 System.

1461 2. Assist in the economic development of the state by
 1462 developing a state-level planning process to identify future
 1463 training needs for industry, especially high-technology
 1464 industry.

1465 3. Adopt criteria and implementation plans for future
 1466 growth issues, such as new Florida Community College System
 1467 institutions and Florida Community College System institution
 1468 campus mergers, and provide for cooperative agreements between
 1469 and within public and private education sectors.

1470 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
 1471 prescribe minimum standards, definitions, and guidelines for
 1472 Florida Community College System institutions which will ensure
 1473 the quality of education, coordination among the Florida
 1474 Community College System institutions and state universities,
 1475 and efficient progress toward accomplishing the Florida
 1476 Community College System institution's mission. At a minimum,
 1477 these rules must address all of the following:

1478 (a) Personnel.

1479 (b) Contracting.

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1480 (c) Program offerings and classification, including
 1481 college-level communication and computation skills associated
 1482 with successful performance in college and with tests and other
 1483 assessment procedures that measure student achievement of those
 1484 skills. The performance measures must provide that students
 1485 moving from one level of education to the next acquire the
 1486 necessary competencies for that level.

1487 (d) Provisions for curriculum development, graduation
 1488 requirements, college calendars, and program service areas.
 1489 These provisions must include rules that:

1490 1. Provide for the award of an associate in arts degree to
 1491 a student who successfully completes 60 semester credit hours at
 1492 the Florida Community College System institution.

1493 2. Require all of the credits accepted for the associate in
 1494 arts degree to be in the statewide course numbering system as
 1495 credits toward a baccalaureate degree offered by a state
 1496 university or a Florida Community College System institution.

1497 3. Require no more than 36 semester credit hours in general
 1498 education courses in the subject areas of communication,
 1499 mathematics, social sciences, humanities, and natural sciences.

1500 The rules under this paragraph should encourage Florida
 1501 Community College System institutions to enter into agreements
 1502 with state universities which allow a Florida Community College
 1503 System institution student to complete upper-division-level
 1504 courses at a Florida Community College System institution. An
 1505 agreement may provide for concurrent enrollment at the Florida
 1506 Community College System institution and the state university
 1507 and may authorize the Florida Community College System
 1508 and may authorize the Florida Community College System

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1509 institution to offer an upper-division-level course or distance
 1510 learning.

1511 (e) Student admissions, conduct, and discipline;
 1512 nonclassroom activities; and fees.

1513 (f) Budgeting.

1514 (g) Business and financial matters.

1515 (h) Student services.

1516 (i) Reports, surveys, and information systems, including
 1517 forms and dates of submission.

1518 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
 1519 shall provide for the cyclic review of all academic programs in
 1520 Florida Community College System institutions at least every 7
 1521 years. Program reviews must document how individual academic
 1522 programs are achieving stated student learning and program
 1523 objectives within the context of the institution’s mission. The
 1524 results of the program reviews must inform strategic planning,
 1525 program development, and budgeting decisions at the
 1526 institutional level.

1527 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION
 1528 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for
 1529 the review and approval of proposals by Florida Community
 1530 College System institutions to offer baccalaureate degree
 1531 programs pursuant to s. 1007.33. A Florida Community College
 1532 System institution, as defined in s. 1000.21, which is approved
 1533 to offer baccalaureate degrees pursuant to s. 1007.33 remains
 1534 under the authority of the state board and the Florida Community
 1535 College System institution’s board of trustees.

1536 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall
 1537 establish criteria for making recommendations for modifying

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1538 district boundary lines for a Florida Community College System
 1539 institution, including criteria for service delivery areas of a
 1540 Florida Community College System institution authorized to grant
 1541 baccalaureate degrees.

1542 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee
 1543 the performance of Florida Community College System institution
 1544 boards of trustees in enforcement of all laws and rules. Florida
 1545 Community College System institution boards of trustees are
 1546 primarily responsible for compliance with law and state board
 1547 rule.

1548 (a) In order to ensure compliance with law or state board
 1549 rule, the state board has the authority to request and receive
 1550 information, data, and reports from Florida Community College
 1551 System institutions. The Florida Community College System
 1552 institution president is responsible for the accuracy of the
 1553 information and data reported to the state board.

1554 (b) The Chancellor of the Florida Community College System
 1555 may investigate allegations of noncompliance with law or state
 1556 board rule and determine probable cause. The chancellor shall
 1557 report determinations of probable cause to the State Board of
 1558 Community Colleges, which shall require the Florida Community
 1559 College System institution board of trustees to document
 1560 compliance with law or state board rule.

1561 (c) If the Florida Community College System institution
 1562 board of trustees cannot satisfactorily document compliance, the
 1563 state board may order compliance within a specified timeframe.

1564 (d) If the state board determines that a Florida Community
 1565 College System institution board of trustees is unwilling or
 1566 unable to comply with law or state board rule within the

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1567 specified time, the state board has the authority to initiate
 1568 any of the following actions:

1569 1. Report to the Legislature that the Florida Community
 1570 College System institution is unwilling or unable to comply with
 1571 law or state board rule and recommend that the Legislature take
 1572 action against the institution;

1573 2. Withhold the transfer of state funds, discretionary
 1574 grant funds, discretionary lottery funds, or any other funds
 1575 specified as eligible for this purpose by the Legislature until
 1576 the Florida Community College System institution complies with
 1577 the law or state board rule;

1578 3. Declare the Florida Community College System institution
 1579 ineligible for competitive grants; or

1580 4. Require monthly or periodic reporting on the situation
 1581 related to noncompliance until it is remedied.

1582 (e) This section may not be construed to create a private
 1583 cause of action or create any rights for individuals or entities
 1584 in addition to those provided elsewhere in law or rule.

1585 (10) INSPECTOR GENERAL.—The inspector general is
 1586 responsible for promoting accountability, efficiency, and
 1587 effectiveness and detecting fraud and abuse within Florida
 1588 Community College System institutions. If the Chancellor of the
 1589 Florida Community College System determines that a Florida
 1590 Community College System institution board of trustees is
 1591 unwilling or unable to address substantiated allegations made by
 1592 any person relating to waste, fraud, or financial mismanagement
 1593 within the Florida Community College System institution, the
 1594 inspector general shall conduct, coordinate, or request
 1595 investigations into such substantiated allegations. The

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1596 inspector general shall have access to all information and
 1597 personnel necessary to perform its duties and shall have all of
 1598 his or her current powers, duties, and responsibilities
 1599 authorized in s. 20.055.

1600 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
 1601 state board shall coordinate with the State Board of Education:

1602 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
 1603 education budget.

1604 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
 1605 the Legislature a 3-year list of priorities for fixed capital
 1606 outlay projects.

1607 (12) COMMON POSTSECONDARY DEFINITIONS.—The state board
 1608 shall, in collaboration with the State Board of Education, adopt
 1609 by rule definitions for associate in science degrees and for
 1610 certificates offered by Florida Community College System
 1611 institutions.

1612 Section 20. Section 1001.61, Florida Statutes, is amended
 1613 to read:

1614 1001.61 Florida Community College System institution boards
 1615 of trustees; membership.—

1616 (1) Florida Community College System institution boards of
 1617 trustees shall be comprised of five members when a Florida
 1618 Community College System institution district is confined to one
 1619 school board district; seven members when a Florida Community
 1620 College System institution district is confined to one school
 1621 board district and the board of trustees so elects; and not more
 1622 than nine members when the district contains two or more school
 1623 board districts, as provided by rules of the State Board of
 1624 Community Colleges Education. However, Florida State College at

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1625 Jacksonville shall have an odd number of trustees, and St. Johns
 1626 River State College shall have seven trustees from the three-
 1627 county area that the college serves.

1628 (2) Trustees shall be appointed by the Governor to
 1629 staggered 4-year terms, subject to confirmation by the Senate in
 1630 regular session.

1631 (3) Members of the board of trustees shall receive no
 1632 compensation but may receive reimbursement for expenses as
 1633 provided in s. 112.061.

1634 (4) At its first regular meeting after July 1 of each year,
 1635 each Florida Community College System institution board of
 1636 trustees shall organize by electing a chair, whose duty as such
 1637 is to preside at all meetings of the board, to call special
 1638 meetings thereof, and to attest to actions of the board, and a
 1639 vice chair, whose duty as such is to act as chair during the
 1640 absence or disability of the elected chair. It is the further
 1641 duty of the chair of each board of trustees to notify the
 1642 Governor, in writing, whenever a board member fails to attend
 1643 three consecutive regular board meetings in any one fiscal year,
 1644 which absences may be grounds for removal.

1645 (5) A Florida Community College System institution
 1646 president shall serve as the executive officer and corporate
 1647 secretary of the board of trustees and shall be responsible to
 1648 the board of trustees for setting the agenda for meetings of the
 1649 board of trustees in consultation with the chair. The president
 1650 also serves as the chief administrative officer of the Florida
 1651 Community College System institution, and all the components of
 1652 the institution and all aspects of its operation are responsible
 1653 to the board of trustees through the president.

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1654 Section 21. Subsections (1) through (4), paragraphs (a) and
 1655 (g) of subsection (8), and subsections (11), (12), (14), (18),
 1656 (19), and (42) of section 1001.64, Florida Statutes, are amended
 1657 to read:

1658 1001.64 Florida Community College System institution boards
 1659 of trustees; powers and duties.—

1660 (1) The boards of trustees shall be responsible for cost-
 1661 effective policy decisions appropriate to the Florida Community
 1662 College System institution's mission, the implementation and
 1663 maintenance of high-quality education programs within law and
 1664 rules of the State Board of Community Colleges ~~Education~~, the
 1665 measurement of performance, the reporting of information, and
 1666 the provision of input regarding state policy, budgeting, and
 1667 education standards.

1668 (2) Each board of trustees is vested with the
 1669 responsibility to govern its respective Florida Community
 1670 College System institution and with such necessary authority as
 1671 is needed for the proper operation and improvement thereof in
 1672 accordance with rules of the State Board of Community Colleges
 1673 ~~Education~~.

1674 (3) A board of trustees shall have the power to take action
 1675 without a recommendation from the president and shall have the
 1676 power to require the president to deliver to the board of
 1677 trustees all data and information required by the board of
 1678 trustees in the performance of its duties. A board of trustees
 1679 shall ask the Chancellor of the Florida Community College System
 1680 ~~Commissioner of Education~~ to authorize an investigation of the
 1681 president's actions by the State Board of Community Colleges'
 1682 ~~department's~~ inspector general if the board considers such

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1683 investigation necessary. The inspector general shall provide a
 1684 report detailing each issue under investigation and shall
 1685 recommend corrective action. If the inspector general identifies
 1686 potential legal violations, he or she shall refer the potential
 1687 legal violations to the Commission on Ethics, the Department of
 1688 Law Enforcement, the Attorney General, or another appropriate
 1689 authority.

1690 (4) (a) The board of trustees, after considering
 1691 recommendations submitted by the Florida Community College
 1692 System institution president, may adopt rules pursuant to ss.
 1693 120.536(1) and 120.54 to implement the provisions of law
 1694 conferring duties upon it. These rules may supplement those
 1695 prescribed by the State Board of Community Colleges Education if
 1696 they will contribute to the more orderly and efficient operation
 1697 of Florida Community College System institutions.

1698 (b) Each board of trustees is specifically authorized to
 1699 adopt rules, procedures, and policies, consistent with law and
 1700 rules of the State Board of Community Colleges Education,
 1701 related to its mission and responsibilities as set forth in s.
 1702 1004.65, its governance, personnel, budget and finance,
 1703 administration, programs, curriculum and instruction, buildings
 1704 and grounds, travel and purchasing, technology, students,
 1705 contracts and grants, or college property.

1706 (8) Each board of trustees has authority for policies
 1707 related to students, enrollment of students, student records,
 1708 student activities, financial assistance, and other student
 1709 services.

1710 (a) Each board of trustees shall govern admission of
 1711 students pursuant to s. 1007.263 and rules of the State Board of

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1712 Community Colleges Education. A board of trustees may establish
 1713 additional admissions criteria, which shall be included in the
 1714 dual enrollment articulation agreement developed according to s.
 1715 1007.271(21), to ensure student readiness for postsecondary
 1716 instruction. Each board of trustees may consider the past
 1717 actions of any person applying for admission or enrollment and
 1718 may deny admission or enrollment to an applicant because of
 1719 misconduct if determined to be in the best interest of the
 1720 Florida Community College System institution.

1721 (g) Each board of trustees pursuant to s. 1006.53 shall
 1722 adopt a policy in accordance with rules of the State Board of
 1723 Community Colleges Education that reasonably accommodates the
 1724 religious observance, practice, and belief of individual
 1725 students in regard to admissions, class attendance, and the
 1726 scheduling of examinations and work assignments.

1727 (11) Each board of trustees shall submit an institutional
 1728 budget request, including a request for fixed capital outlay,
 1729 and an operating budget to the State Board of Community Colleges
 1730 Education for review in accordance with guidelines established
 1731 by the State Board of Community Colleges Education.

1732 (12) Each board of trustees shall account for expenditures
 1733 of all state, local, federal, and other funds in the manner
 1734 described by the State Board of Community Colleges Department of
 1735 Education.

1736 (14) Each board of trustees shall develop a strategic plan
 1737 specifying institutional goals and objectives for the Florida
 1738 Community College System institution for recommendation to the
 1739 State Board of Community Colleges Education.

1740 (18) Each board of trustees shall establish the personnel

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1741 program for all employees of the Florida Community College
 1742 System institution, including the president, pursuant to the
 1743 provisions of chapter 1012 and rules and guidelines of the State
 1744 Board of Community Colleges Education, including: compensation
 1745 and other conditions of employment; recruitment and selection;
 1746 nonreappointment; standards for performance and conduct;
 1747 evaluation; benefits and hours of work; leave policies;
 1748 recognition; inventions and work products; travel; learning
 1749 opportunities; exchange programs; academic freedom and
 1750 responsibility; promotion; assignment; demotion; transfer;
 1751 ethical obligations and conflict of interest; restrictive
 1752 covenants; disciplinary actions; complaints; appeals and
 1753 grievance procedures; and separation and termination from
 1754 employment.

1755 (19) Each board of trustees shall appoint, suspend, or
 1756 remove the president of the Florida Community College System
 1757 institution. The board of trustees may appoint a search
 1758 committee. The board of trustees shall conduct annual
 1759 evaluations of the president in accordance with rules of the
 1760 State Board of Community Colleges Education and submit such
 1761 evaluations to the State Board of Community Colleges Education
 1762 for review. The evaluation must address the achievement of the
 1763 performance goals established by the accountability process
 1764 implemented pursuant to s. 1008.45 and the performance of the
 1765 president in achieving the annual and long-term goals and
 1766 objectives established in the Florida Community College System
 1767 institution's employment accountability program implemented
 1768 pursuant to s. 1012.86.

1769 (42) Each board of trustees shall implement a plan, in

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1770 accordance with guidelines of the State Board of Community
 1771 Colleges Education, for working on a regular basis with the
 1772 other Florida Community College System institution boards of
 1773 trustees, representatives of the university boards of trustees,
 1774 and representatives of the district school boards to achieve the
 1775 goals of the seamless education system.

1776 Section 22. Section 1001.65, Florida Statutes, is amended
 1777 to read:

1778 1001.65 Florida Community College System institution
 1779 presidents; powers and duties.—The president is the chief
 1780 executive officer of the Florida Community College System
 1781 institution, shall be corporate secretary of the Florida
 1782 Community College System institution board of trustees, and is
 1783 responsible for the operation and administration of the Florida
 1784 Community College System institution. Each Florida Community
 1785 College System institution president shall:

1786 (1) Recommend the adoption of rules, as appropriate, to the
 1787 Florida Community College System institution board of trustees
 1788 to implement provisions of law governing the operation and
 1789 administration of the Florida Community College System
 1790 institution, which shall include the specific powers and duties
 1791 enumerated in this section. Such rules shall be consistent with
 1792 law, the mission of the Florida Community College System
 1793 institution, and the rules and policies of the State Board of
 1794 Community Colleges Education.

1795 (2) Prepare a budget request and an operating budget
 1796 pursuant to s. 1011.30 for approval by the Florida Community
 1797 College System institution board of trustees at such time and in
 1798 such format as the State Board of Community Colleges Education

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1799 may prescribe.

1800 (3) Establish and implement policies and procedures to
 1801 recruit, appoint, transfer, promote, compensate, evaluate,
 1802 reward, demote, discipline, and remove personnel, within law and
 1803 rules of the State Board of Community Colleges Education and in
 1804 accordance with rules or policies approved by the Florida
 1805 Community College System institution board of trustees.

1806 (4) Govern admissions, subject to law and rules or policies
 1807 of the Florida Community College System institution board of
 1808 trustees and the State Board of Community Colleges Education.

1809 (5) Approve, execute, and administer contracts for and on
 1810 behalf of the Florida Community College System institution board
 1811 of trustees for licenses; the acquisition or provision of
 1812 commodities, goods, equipment, and services; leases of real and
 1813 personal property; and planning and construction to be rendered
 1814 to or by the Florida Community College System institution,
 1815 provided such contracts are within law and guidelines of the
 1816 State Board of Community Colleges Education and in conformance
 1817 with policies of the Florida Community College System
 1818 institution board of trustees, and are for the implementation of
 1819 approved programs of the Florida Community College System
 1820 institution.

1821 (6) Act for the Florida Community College System
 1822 institution board of trustees as custodian of all Florida
 1823 Community College System institution property and financial
 1824 resources. The authority vested in the Florida Community College
 1825 System institution president under this subsection includes the
 1826 authority to prioritize the use of Florida Community College
 1827 System institution space, property, equipment, and resources and

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1828 the authority to impose charges for the use of those items.

1829 (7) Establish the internal academic calendar of the Florida
 1830 Community College System institution within general guidelines
 1831 of the State Board of Community Colleges Education.

1832 (8) Administer the Florida Community College System
 1833 institution's program of intercollegiate athletics.

1834 (9) Recommend to the board of trustees the establishment
 1835 and termination of programs within the approved role and scope
 1836 of the Florida Community College System institution.

1837 (10) Award degrees.

1838 (11) Recommend to the board of trustees a schedule of
 1839 tuition and fees to be charged by the Florida Community College
 1840 System institution, within law and rules of the State Board of
 1841 Community Colleges Education.

1842 (12) Organize the Florida Community College System
 1843 institution to efficiently and effectively achieve the goals of
 1844 the Florida Community College System institution.

1845 (13) Review periodically the operations of the Florida
 1846 Community College System institution in order to determine how
 1847 effectively and efficiently the Florida Community College System
 1848 institution is being administered and whether it is meeting the
 1849 goals of its strategic plan adopted by the State Board of
 1850 Community Colleges Education.

1851 (14) Enter into agreements for student exchange programs
 1852 that involve students at the Florida Community College System
 1853 institution and students in other institutions of higher
 1854 learning.

1855 (15) Approve the internal procedures of student government
 1856 organizations and provide purchasing, contracting, and budgetary

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1857 review processes for these organizations.

1858 (16) Ensure compliance with federal and state laws, rules,
1859 regulations, and other requirements that are applicable to the
1860 Florida Community College System institution.

1861 (17) Maintain all data and information pertaining to the
1862 operation of the Florida Community College System institution,
1863 and report on the attainment by the Florida Community College
1864 System institution of institutional and statewide performance
1865 accountability goals.

1866 (18) Certify to the department a project's compliance with
1867 the requirements for expenditure of PECO funds prior to release
1868 of funds pursuant to ~~the provisions of~~ chapter 1013.

1869 (19) Provide to the law enforcement agency and fire
1870 department that has jurisdiction over the Florida Community
1871 College System institution a copy of the floor plans and other
1872 relevant documents for each educational facility as defined in
1873 s. 1013.01(6). After the initial submission of the floor plans
1874 and other relevant documents, the Florida Community College
1875 System institution president shall submit, by October 1 of each
1876 year, revised floor plans and other relevant documents for each
1877 educational facility that was modified during the preceding
1878 year.

1879 (20) Develop and implement jointly with school
1880 superintendents a comprehensive dual enrollment articulation
1881 agreement for the students enrolled in their respective school
1882 districts and service areas pursuant to s. 1007.271(21).

1883 (21) Have authority, after notice to the student of the
1884 charges and after a hearing thereon, to expel, suspend, or
1885 otherwise discipline any student who is found to have violated

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1886 any law, ordinance, or rule or regulation of the State Board of
1887 Community Colleges Education or of the board of trustees of the
1888 Florida Community College System institution pursuant to the
1889 provisions of s. 1006.62.

1890 (22) Submit an annual employment accountability plan to the
1891 State Board of Community Colleges Department of Education
1892 pursuant to the provisions of s. 1012.86.

1893 (23) Annually evaluate, or have a designee annually
1894 evaluate, each department chairperson, dean, provost, and vice
1895 president in achieving the annual and long-term goals and
1896 objectives of the Florida Community College System institution's
1897 employment accountability plan.

1898 (24) Have vested with the president or the president's
1899 designee the authority that is vested with the Florida Community
1900 College System institution.

1901 Section 23. Effective July 1, 2018, section 1001.66,
1902 Florida Statutes, is amended to read:

1903 1001.66 Florida Community College System Performance-Based
1904 Incentive.-

1905 (1) The State Board of Community Colleges shall adopt the
1906 following performance-based metrics for use in awarding a
1907 Florida Community College System Performance-Based Incentive
1908 shall be awarded to a Florida Community College System
1909 institution; institutions using performance-based metrics

1910 (a) A student retention rate, as calculated by the State
1911 Board of Community Colleges;

1912 (b) A 100 percent-of-normal-time program completion and
1913 graduation rate for full-time, first-time-in-college students,
1914 as calculated by the State Board of Community Colleges using a

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1915 cohort definition of "full-time" based on a student's majority
 1916 enrollment in full-time terms. This paragraph does not apply to
 1917 nondegree-seeking students;

1918 (c) A continuing education or postgraduation job placement
 1919 rate for workforce education programs, including workforce
 1920 baccalaureate degree programs, as reported by the Florida
 1921 Education and Training Placement Information Program, with wage
 1922 thresholds that reflect the added value of the applicable
 1923 certificate or degree. This paragraph does not apply to
 1924 associate in arts degrees;

1925 (d) A graduation rate for full-time, first-time-in-college
 1926 students enrolled in an associate of arts degree program who
 1927 graduate with a baccalaureate degree in 4 years after initially
 1928 enrolling in an associates of arts degree program; and

1929 (e) One performance-based metric on college affordability
 1930 adopted by the State Board of Education. The performance-based
 1931 metrics must include retention rates, program completion and
 1932 graduation rates, postgraduation employment, salaries, and
 1933 continuing education for workforce education and baccalaureate
 1934 programs, with wage thresholds that reflect the added value of
 1935 the certificate or degree, and outcome measures appropriate for
 1936 associate of arts degree recipients.

1937
 1938 The state board shall adopt benchmarks to evaluate each
 1939 institution's performance on the metrics to measure the
 1940 institution's achievement of institutional excellence or need
 1941 for improvement and ~~the~~ minimum requirements for eligibility to
 1942 receive performance funding.

1943 (2) Each fiscal year, the amount of funds available for

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1944 allocation to the Florida Community College System institutions
 1945 based on the performance-based funding model shall consist of
 1946 the state's investment in performance funding plus institutional
 1947 investments consisting of funds to be redistributed from the
 1948 base funding of the Florida Community College System Program
 1949 Fund as determined in the General Appropriations Act. The State
 1950 Board of Community Colleges Education shall establish minimum
 1951 performance funding eligibility thresholds for the state's
 1952 investment and the institutional investments. An institution
 1953 that meets the minimum institutional investment eligibility
 1954 threshold, but fails to meet the minimum state investment
 1955 eligibility threshold, shall have its institutional investment
 1956 restored but is ineligible for a share of the state's investment
 1957 in performance funding. The institutional investment shall be
 1958 restored for all institutions eligible for the state's
 1959 investment under the performance-based funding model.

1960 (3) (a) Each Florida Community College System institution's
 1961 share of the performance funding shall be calculated based on
 1962 its relative performance on the established metrics in
 1963 conjunction with the institutional size and scope.

1964 (b) A Florida Community College System institution that
 1965 fails to meet the State Board of Community Colleges' Education's
 1966 minimum institutional investment performance funding eligibility
 1967 threshold shall have a portion of its institutional investment
 1968 withheld by the state board and must submit an improvement plan
 1969 to the state board which specifies the activities and strategies
 1970 for improving the institution's performance. The state board
 1971 must review and approve the improvement plan and, if the plan is
 1972 approved, must monitor the institution's progress in

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1973 implementing the activities and strategies specified in the
 1974 improvement plan. The institution shall submit monitoring
 1975 reports to the state board by December 31 and May 31 of each
 1976 year in which an improvement plan is in place. Beginning in the
 1977 2017-2018 fiscal year, the ability of an institution to submit
 1978 an improvement plan to the state board is limited to 1 fiscal
 1979 year.

1980 (c) The Chancellor of the Florida Community College System
 1981 ~~Commissioner of Education~~ shall withhold disbursement of the
 1982 institutional investment until the monitoring report is approved
 1983 by the State Board of Community Colleges Education. A Florida
 1984 Community College System institution determined by the state
 1985 board to be making satisfactory progress on implementing the
 1986 improvement plan shall receive no more than one-half of the
 1987 withheld institutional investment in January and the balance of
 1988 the withheld institutional investment in June. An institution
 1989 that fails to make satisfactory progress may not have its full
 1990 institutional investment restored. Any institutional investment
 1991 funds that are not restored shall be redistributed in accordance
 1992 with the state board's performance-based metrics.

1993 (4) Distributions of performance funding, as provided in
 1994 this section, shall be made to each of the Florida Community
 1995 College System institutions listed in the Florida Community
 1996 Colleges category in the General Appropriations Act.

1997 (5) By October 1 of each year, the State Board of Community
 1998 Colleges Education shall submit to the Governor, the President
 1999 of the Senate, and the Speaker of the House of Representatives a
 2000 report on the previous fiscal year's performance funding
 2001 allocation, which must reflect the rankings and award

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2002 distributions.

2003 (6) The State Board of Community Colleges Education shall
 2004 adopt rules to administer this section.

2005 Section 24. Effective July 1, 2018, section 1001.67,
 2006 Florida Statutes, is amended to read:

2007 1001.67 Distinguished Florida Community College System
 2008 Institution Program.—A collaborative partnership is established
 2009 between the State Board of Community Colleges Education and the
 2010 Legislature to recognize the excellence of Florida's highest-
 2011 performing Florida Community College System institutions.

2012 (1) EXCELLENCE STANDARDS.—The following excellence
 2013 standards are established for the program:

2014 (a) A 100 150 percent-of-normal-time completion rate for
 2015 full-time, first-time-in-college students of 50 percent or
 2016 higher, as calculated by the State Board of Community Division
 2017 of Florida Colleges.

2018 (b) A 100 150 percent-of-normal-time completion rate for
 2019 full-time, first-time-in-college Pell Grant recipients of 40
 2020 percent or higher, as calculated by the State Board of Community
 2021 Division of Florida Colleges.

2022 (c) A retention rate of 70 percent or higher, as calculated
 2023 by the State Board of Community Division of Florida Colleges.

2024 (d) A continuing education, or transfer, rate of 72 percent
 2025 or higher for students graduating with an associate of arts
 2026 degree, as reported by the Florida Education and Training
 2027 Placement Information Program (FETPIP).

2028 (e) A licensure passage rate on the National Council
 2029 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
 2030 percent or higher for first-time exam takers, as reported by the

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2031 Board of Nursing.

2032 (f) A ~~job placement or~~ continuing education or job
 2033 placement rate of 88 percent or higher for workforce programs,
 2034 as reported by FETPIP, with wage thresholds that reflect the
 2035 added value of the applicable certificate or degree. This
 2036 paragraph does not apply to associate of arts degrees.

2037 (g) ~~An excess hours rate of 40 percent or lower for A time-~~
 2038 ~~to-degree for students graduating with an~~ associate of arts
 2039 degree recipients who graduate with 72 or more credit hours, as
 2040 calculated by the State Board of Community Colleges of 2.25
 2041 years or less for first-time-in-college students with
 2042 accelerated college credits, as reported by the Southern
 2043 Regional Education Board.

2044 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
 2045 Community Colleges Education shall designate each Florida
 2046 Community College System institution that meets five of the
 2047 seven standards identified in subsection (1) as a distinguished
 2048 college.

2049 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community
 2050 College System institution designated as a distinguished college
 2051 by the State Board of Community Colleges Education is eligible
 2052 for funding as specified in the General Appropriations Act.

2053 Section 25. Effective July 1, 2018, subsection (9) of
 2054 section 1001.706, Florida Statutes, is amended to read:

2055 1001.706 Powers and duties of the Board of Governors.—

2056 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
 2057 shall implement a plan for working on a regular basis with the
 2058 State Board of Education, the State Board of Community Colleges,
 2059 the Commission for Independent Education, the Higher Education

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2060 Coordinating Council, the Articulation Coordinating Committee,
 2061 the university boards of trustees, representatives of the
 2062 Florida Community College System institution boards of trustees,
 2063 representatives of the private colleges and universities, and
 2064 representatives of the district school boards to achieve a
 2065 seamless education system.

2066 Section 26. Section 1002.34, Florida Statutes, is amended
 2067 to read:

2068 1002.34 Charter technical career centers; governance,
 2069 mission, and responsibilities.—

2070 (1) MISSION AND AUTHORIZATION.—

2071 (a) The primary mission of a charter technical career
 2072 center is to promote ~~The Legislature finds that the~~
 2073 ~~establishment of charter technical career centers can assist in~~
 2074 ~~promoting~~ advances and innovations in workforce preparation and
 2075 economic development. A charter technical career center may
 2076 provide a learning environment that ~~better~~ serves the needs of a
 2077 specific population group or a group of occupations, thus
 2078 promoting diversity and choices within the public education and
 2079 public postsecondary technical education community in this
 2080 state. Therefore, the creation of such centers is authorized as
 2081 part of the state's program of public education. A charter
 2082 technical career center may be formed by creating a new school
 2083 or converting an existing school district or Florida Community
 2084 College System institution program to charter technical status.

2085 (b) A charter technical career center that is operated by a
 2086 district school board may not offer a college credit course or
 2087 college credit certificate or an associate degree or
 2088 baccalaureate degree program.

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- 2089 (2) PURPOSE.—The purpose of a charter technical career
 2090 center is to:
- 2091 (a) Develop a competitive workforce to support local
 2092 business and industry and economic development.
- 2093 (b) Create a training and education model that is
 2094 reflective of marketplace realities.
- 2095 (c) Offer a continuum of career educational opportunities
 2096 using a school-to-work, tech-prep, technical, academy, and
 2097 magnet school model.
- 2098 (d) Provide career pathways for lifelong learning and
 2099 career mobility.
- 2100 (e) Enhance career and technical training.
- 2101 (3) DEFINITIONS.—As used in this section, the term:
- 2102 (a) "Charter technical career center" or "center" means a
 2103 public school or a public technical center operated under a
 2104 charter granted by a district school board or Florida Community
 2105 College System institution board of trustees or a consortium,
 2106 including one or more district school boards and Florida
 2107 Community College System institution boards of trustees, that
 2108 includes the district in which the facility is located, that is
 2109 nonsectarian in its programs, admission policies, employment
 2110 practices, and operations, and is managed by a board of
 2111 directors.
- 2112 (b) "Sponsor" means a district school board, a Florida
 2113 Community College System institution board of trustees, or a
 2114 consortium of one or more of each.
- 2115 (4) CHARTER.—A sponsor may designate centers as provided in
 2116 this section. An application to establish a center may be
 2117 submitted by a sponsor or another organization that is

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- 2118 determined, by rule of the State Board of Education, to be
 2119 appropriate. However, an independent school is not eligible for
 2120 status as a center. The charter must be signed by the governing
 2121 body of the center and the sponsor and must be approved by the
 2122 district school board and Florida Community College System
 2123 institution board of trustees in whose geographic region the
 2124 facility is located. If a charter technical career center is
 2125 established by the conversion to charter status of a public
 2126 technical center formerly governed by a district school board,
 2127 the charter status of that center takes precedence in any
 2128 question of governance. The governance of the center or of any
 2129 program within the center remains with its board of directors
 2130 unless the board agrees to a change in governance or its charter
 2131 is revoked as provided in subsection (15). Such a conversion
 2132 charter technical career center is not affected by a change in
 2133 the governance of public technical centers or of programs within
 2134 other centers that are or have been governed by district school
 2135 boards. A charter technical career center, or any program within
 2136 such a center, that was governed by a district school board and
 2137 transferred to a Florida Community College System institution
 2138 prior to the effective date of this act is not affected by this
 2139 provision. An applicant who wishes to establish a center must
 2140 submit to the district school board or Florida Community College
 2141 System institution board of trustees, or a consortium of one or
 2142 more of each, an application on a form developed by the
 2143 Department of Education which includes:
- 2144 (a) The name of the proposed center.
- 2145 (b) The proposed structure of the center, including a list
 2146 of proposed members of the board of directors or a description

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2147 of the qualifications for and method of their appointment or
2148 election.

2149 (c) The workforce development goals of the center, the
2150 curriculum to be offered, and the outcomes and the methods of
2151 assessing the extent to which the outcomes are met.

2152 (d) The admissions policy and criteria for evaluating the
2153 admission of students.

2154 (e) A description of the staff responsibilities and the
2155 proposed qualifications of the teaching staff.

2156 (f) A description of the procedures to be implemented to
2157 ensure significant involvement of representatives of business
2158 and industry in the operation of the center.

2159 (g) A method for determining whether a student has
2160 satisfied the requirements for graduation specified in s.
2161 1002.3105(5), s. 1003.4281, or s. 1003.4282 and for completion
2162 of a postsecondary certificate or degree.

2163 (h) A method for granting secondary and postsecondary
2164 diplomas, certificates, and degrees.

2165 (i) A description of and address for the physical facility
2166 in which the center will be located.

2167 (j) A method for resolving conflicts between the governing
2168 body of the center and the sponsor and between consortium
2169 members, if applicable.

2170 (k) A method for reporting student data as required by law
2171 and rule.

2172 (l) A statement that the applicant has participated in the
2173 training provided by the Department of Education.

2174 (m) The identity of all relatives employed by the charter
2175 technical career center who are related to the center owner,

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2176 president, chairperson of the governing board of directors,
2177 superintendent, governing board member, principal, assistant
2178 principal, or any other person employed by the center who has
2179 equivalent decisionmaking authority. As used in this paragraph,
2180 the term "relative" means father, mother, son, daughter,
2181 brother, sister, uncle, aunt, first cousin, nephew, niece,
2182 husband, wife, father-in-law, mother-in-law, son-in-law,
2183 daughter-in-law, brother-in-law, sister-in-law, stepfather,
2184 stepmother, stepson, stepdaughter, stepbrother, stepsister, half
2185 brother, or half sister.

2186 (n) Other information required by the district school board
2187 or Florida Community College System institution board of
2188 trustees.

2189 Students at a center must meet the same testing and academic
2190 performance standards as those established by law and rule for
2191 students at public schools and public technical centers. The
2192 students must also meet any additional assessment indicators
2193 that are included within the charter approved by the district
2194 school board or Florida Community College System institution
2195 board of trustees.

2196 (5) APPLICATION.—An application to establish a center must
2197 be submitted by February 1 of the year preceding the school year
2198 in which the center will begin operation. The sponsor must
2199 review the application using an evaluation instrument developed
2200 by the Department of Education and make a final decision on
2201 whether to approve the application and grant the charter by
2202 March 1, and may condition the granting of a charter on the
2203 center's taking certain actions or maintaining certain
2204

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2205 conditions. Such actions and conditions must be provided to the
 2206 applicant in writing. The district school board or Florida
 2207 Community College System institution board of trustees is not
 2208 required to issue a charter to any person.

2209 (6) SPONSOR.—A district school board or Florida Community
 2210 College System institution board of trustees or a consortium of
 2211 one or more of each may sponsor a center in the county in which
 2212 the board has jurisdiction.

2213 (a) A sponsor must review all applications for centers
 2214 received through at least February 1 of each calendar year for
 2215 centers to be opened at the beginning of the sponsor's next
 2216 school year. A sponsor may receive applications later than this
 2217 date if it so chooses. To facilitate an accurate budget
 2218 projection process, a sponsor shall be held harmless for FTE
 2219 students who are not included in the FTE projection due to
 2220 approval of applications after the FTE projection deadline. A
 2221 sponsor must, by a majority vote, approve or deny an application
 2222 no later than 60 days after the application is received. If an
 2223 application is denied, the sponsor must, within 10 days, notify
 2224 the applicant in writing of the specific reasons for denial,
 2225 which must be based upon good cause. Upon approval of a charter
 2226 application, the initial startup must be consistent with the
 2227 beginning of the public school or Florida Community College
 2228 System institution calendar for the district in which the
 2229 charter is granted, unless the sponsor allows a waiver of this
 2230 provision for good cause.

2231 (b) An applicant may appeal any denial of its application
 2232 to the State Board of Education within 30 days after the
 2233 sponsor's denial and shall notify the sponsor of its appeal. Any

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2234 response of the sponsor must be submitted to the state board
 2235 within 30 days after notification of the appeal. The State Board
 2236 of Education must, by majority vote, accept or reject the
 2237 decision of the sponsor no later than 60 days after an appeal is
 2238 filed, pursuant to State Board of Education rule. The State
 2239 Board of Education may reject an appeal for failure to comply
 2240 with procedural rules governing the appeals process, and the
 2241 rejection must describe the submission errors. The appellant may
 2242 have up to 15 days after notice of rejection to resubmit an
 2243 appeal. An application for appeal submitted after a rejection is
 2244 timely if the original appeal was filed within 30 days after the
 2245 sponsor's denial. The State Board of Education shall remand the
 2246 application to the sponsor with a written recommendation that
 2247 the sponsor approve or deny the application, consistent with the
 2248 state board's decision. The decision of the State Board of
 2249 Education is not subject to the provisions of chapter 120.

2250 (c) The sponsor must act upon the recommendation of the
 2251 State Board of Education within 30 days after it is received,
 2252 unless the sponsor determines by competent substantial evidence
 2253 that approving the state board's recommendation would be
 2254 contrary to law or the best interests of the students or the
 2255 community. The sponsor must notify the applicant in writing
 2256 concerning the specific reasons for its failure to follow the
 2257 state board's recommendation. The sponsor's action on the state
 2258 board's recommendation is a final action, subject to judicial
 2259 review.

2260 (d)1. The Department of Education shall offer or arrange
 2261 for training and technical assistance to centers which must
 2262 include developing and amending business plans, estimating and

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2263 accounting for costs and income, complying with state and
 2264 federal grant and student performance accountability reporting
 2265 requirements, implementing good business practices, and
 2266 identifying state and federal financial aid the center may be
 2267 eligible to receive.

2268 2. An applicant must participate in the training provided
 2269 by the department after approval of its application but at least
 2270 30 days before the first day of classes at the center. The
 2271 department may provide technical assistance to an applicant upon
 2272 written request.

2273 (e) The terms and conditions for the operation of a center
 2274 must be agreed to by the sponsor and the applicant in a written
 2275 contract. The sponsor may not impose unreasonable requirements
 2276 that violate the intent of giving centers greater flexibility to
 2277 meet educational goals. The applicant and sponsor must reach an
 2278 agreement on the provisions of the contract or the application
 2279 is deemed denied.

2280 (f) The sponsor shall monitor and review the center's
 2281 progress toward charter goals and shall monitor the center's
 2282 revenues and expenditures. The sponsor shall perform the duties
 2283 provided in s. 1002.345.

2284 (7) LEGAL ENTITY.—A center must organize as a nonprofit
 2285 organization and adopt a name and corporate seal. A center is a
 2286 body corporate and politic, with all powers to implement its
 2287 charter program. The center may:

2288 (a) Be a private or a public employer.
 2289 (b) Sue and be sued, but only to the same extent and upon
 2290 the same conditions that a public entity can be sued.
 2291 (c) Acquire real property by purchase, lease, lease with an

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2292 option to purchase, or gift, to use as a center facility.
 2293 (d) Receive and disburse funds.
 2294 (e) Enter into contracts or leases for services, equipment,
 2295 or supplies.
 2296 (f) Incur temporary debts in anticipation of the receipt of
 2297 funds.
 2298 (g) Solicit and accept gifts or grants for career center
 2299 purposes.
 2300 (h) Take any other action that is not inconsistent with
 2301 this section and rules adopted under this section.
 2302 (8) ELIGIBLE STUDENTS.—A center must be open to all
 2303 students as space is available and may not discriminate in
 2304 admissions policies or practices on the basis of an individual's
 2305 physical disability or proficiency in English or on any other
 2306 basis that would be unlawful if practiced by a public school or
 2307 a Florida Community College System institution. A center may
 2308 establish reasonable criteria by which to evaluate prospective
 2309 students, which criteria must be outlined in the charter.

2310 (9) FACILITIES.—A center may be located in any suitable
 2311 location, including part of an existing public school or Florida
 2312 Community College System institution building, space provided on
 2313 a public worksite, or a public building. A center's facilities
 2314 must comply with the State Uniform Building Code for Public
 2315 Educational Facilities Construction adopted pursuant to s.
 2316 1013.37, or with applicable state minimum building codes
 2317 pursuant to chapter 553, and state minimum fire protection codes
 2318 pursuant to s. 633.208, adopted by the authority in whose
 2319 jurisdiction the facility is located. If K-12 public school
 2320 funds are used for construction, the facility must remain on the

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2321 local school district's Florida Inventory of School Houses
 2322 (FISH) school building inventory of the district school board
 2323 and must revert to the district school board if the consortium
 2324 dissolves and the program is discontinued. If Florida Community
 2325 College System institution public school funds are used for
 2326 construction, the facility must remain on the local Florida
 2327 Community College System institution's facilities inventory and
 2328 must revert to the local Florida Community College System
 2329 institution board of trustees if the consortium dissolves and
 2330 the program is discontinued. The additional student capacity
 2331 created by the addition of the center to the local school
 2332 district's FISH may not be calculated in the permanent student
 2333 capacity for the purpose of determining need or eligibility for
 2334 state capital outlay funds while the facility is used as a
 2335 center. If the construction of the center is funded jointly by
 2336 K-12 public school funds and Florida Community College System
 2337 institution funds, the sponsoring entities must agree, before
 2338 granting the charter, on the appropriate owner and terms of
 2339 transfer of the facility if the charter is dissolved.

(10) EXEMPTION FROM STATUTES.—

2341 (a) A center must operate pursuant to its charter and is
 2342 exempt from all statutes of the Florida School Code except
 2343 provisions pertaining to civil rights and to student health,
 2344 safety, and welfare, or as otherwise required by law.

2345 (b) A center must comply with the Florida K-20 Education
 2346 Code with respect to providing services to students with
 2347 disabilities.

2348 (c) A center must comply with the antidiscrimination
 2349 provisions in s. 1000.05 and the provisions in s. 1002.33(24)

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2350 which relate to the employment of relatives.

(11) FUNDING.—

2352 (a) Notwithstanding any other provision of law, a charter
 2353 technical career center's student membership enrollment must be
 2354 calculated pursuant to this section.

2355 (b) Each district school board and Florida Community
 2356 College System institution that sponsors a charter technical
 2357 career center shall pay directly to the center an amount stated
 2358 in the charter. State funding shall be generated for the center
 2359 for its student enrollment and program outcomes as provided in
 2360 law. A center is eligible for funding from workforce education
 2361 funds, the Florida Education Finance Program, and the Florida
 2362 Community College System Program Fund, depending upon the
 2363 programs conducted by the center.

2364 (c) A center may receive other state and federal aid,
 2365 grants, and revenue through the district school board or Florida
 2366 Community College System institution board of trustees.

2367 (d) A center may receive gifts and grants from private
 2368 sources.

2369 (e) A center may not levy taxes or issue bonds, but it may
 2370 charge a student tuition fee consistent with authority granted
 2371 in its charter and permitted by law.

2372 (f) A center shall provide for an annual financial audit in
 2373 accordance with s. 218.39. A center shall provide a monthly
 2374 financial statement to the sponsor. The monthly financial
 2375 statement shall be in a form prescribed by the Department of
 2376 Education.

2377 (g) A center must define in the charter agreement the
 2378 delivery system in which the instructional offering of

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2379 educational services will be placed. The rules governing this
 2380 delivery system must be applied to all of the center's students
 2381 and must authorize all other sponsoring educational systems to
 2382 report required enrollment and student data based solely on the
 2383 rules of the offering institution. Each sponsor shall earn full-
 2384 time equivalent membership for each student for funding and
 2385 reporting purposes.

2386 (12) EMPLOYEES OF A CENTER.—

2387 (a) A center may select its own employees.

2388 (b) A center may contract for services with an individual,
 2389 partnership, or a cooperative. Such persons contracted with are
 2390 not public employees.

2391 (c) If a center contracts with a public educational agency
 2392 for services, the terms of employment must follow existing state
 2393 law and rule and local policies and procedures.

2394 (d) The employees of a center may bargain collectively, as
 2395 a separate unit or as part of the existing district collective
 2396 bargaining unit, as determined by the structure of the center.

2397 (e) As a public employer, a center may participate in:

2398 1. The Florida Retirement System upon application and
 2399 approval as a "covered group" under s. 121.021(34). If a center
 2400 participates in the Florida Retirement System, its employees are
 2401 compulsory members of the Florida Retirement System.

2402 2. The State Community College System Optional Retirement
 2403 Program pursuant to s. 1012.875(2), if the charter is granted by
 2404 a Florida Community College System institution that participates
 2405 in the optional retirement program and meets the eligibility
 2406 criteria of s. 121.051(2)(c).

2407 (f) Teachers who are considered qualified by the career

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2408 center are exempt from state certification requirements.

2409 (g) A public school or Florida Community College System
 2410 institution teacher or administrator may take a leave of absence
 2411 to accept employment in a charter technical career center upon
 2412 the approval of the school district or Florida Community College
 2413 System institution.

2414 (h) An employee who is on a leave of absence under this
 2415 section may retain seniority accrued in that school district or
 2416 Florida Community College System institution and may continue to
 2417 be covered by the benefit programs of that district or Florida
 2418 Community College System institution if the center and the
 2419 district school board or Florida Community College System
 2420 institution board of trustees agree to this arrangement and its
 2421 financing.

2422 (13) BOARD OF DIRECTORS AUTHORITY.—The board of directors
 2423 of a center may decide matters relating to the operation of the
 2424 school, including budgeting, curriculum, and operating
 2425 procedures, subject to the center's charter. The board of
 2426 directors is responsible for performing the duties provided in
 2427 s. 1002.345, including monitoring the corrective action plan.
 2428 The board of directors must comply with s. 1002.33(26).

2429 (14) ACCOUNTABILITY.—Each center must submit a report to
 2430 the participating district school board or Florida Community
 2431 College System institution board of trustees by August 1 of each
 2432 year. The report must be in such form as the sponsor prescribes
 2433 and must include:

2434 (a) A discussion of progress made toward the achievement of
 2435 the goals outlined in the center's charter.

2436 (b) A financial statement setting forth by appropriate

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2437 categories the revenue and expenditures for the previous school
 2438 year.

2439 (15) TERMS OF THE CHARTER.—The term of an initial charter
 2440 may not exceed 5 years. Thereafter, the sponsor may renew a
 2441 charter for a period up to 5 years. The sponsor may refuse to
 2442 renew a charter or may revoke a charter if the center has not
 2443 fulfilled a condition imposed under the charter or if the center
 2444 has violated any provision of the charter. The sponsor may place
 2445 the center on probationary status to allow the implementation of
 2446 a remedial plan, after which, if the plan is unsuccessful, the
 2447 charter may be summarily revoked. The sponsor shall develop
 2448 procedures and guidelines for the revocation and renewal of a
 2449 center's charter. The sponsor must give written notice of its
 2450 intent not to renew the charter at least 12 months before the
 2451 charter expires. If the sponsor revokes a charter before the
 2452 scheduled expiration date, the sponsor must provide written
 2453 notice to the governing board of the center at least 60 days
 2454 before the date of termination, stating the grounds for the
 2455 proposed revocation. The governing board of the center may
 2456 request in writing an informal hearing before the sponsor within
 2457 14 days after receiving the notice of revocation. A revocation
 2458 takes effect at the conclusion of a school year, unless the
 2459 sponsor determines that earlier revocation is necessary to
 2460 protect the health, safety, and welfare of students. The sponsor
 2461 shall monitor and review the center in its progress toward the
 2462 goals established in the charter and shall monitor the revenues
 2463 and expenditures of the center.

2464 (16) TRANSPORTATION.—The center may provide transportation,
 2465 pursuant to chapter 1006, through a contract with the district

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2466 school board or the Florida Community College System institution
 2467 board of trustees, a private provider, or parents of students.
 2468 The center must ensure that transportation is not a barrier to
 2469 equal access for all students in grades K-12 residing within a
 2470 reasonable distance of the facility.

2471 (17) IMMUNITY.—For the purposes of tort liability, the
 2472 governing body and employees of a center are governed by s.
 2473 768.28.

2474 (18) RULES.—The State Board of Education, for technical
 2475 centers operated by school districts, and the State Board of
 2476 Community Colleges, for technical centers operated by Florida
 2477 Community College System institutions, shall adopt rules,
 2478 pursuant to ss. 120.536(1) and 120.54, relating to the
 2479 implementation of charter technical career centers, including
 2480 rules to implement a charter model application form and an
 2481 evaluation instrument in accordance with this section.

2482 (19) EVALUATION; REPORT.—The Commissioner of Education
 2483 shall provide for an annual comparative evaluation of charter
 2484 technical career centers and public technical centers. The
 2485 evaluation may be conducted in cooperation with the sponsor,
 2486 through private contracts, or by department staff. At a minimum,
 2487 the comparative evaluation must address the demographic and
 2488 socioeconomic characteristics of the students served, the types
 2489 and costs of services provided, and the outcomes achieved. By
 2490 December 30 of each year, the Commissioner of Education shall
 2491 submit to the Governor, the President of the Senate, the Speaker
 2492 of the House of Representatives, and the Senate and House
 2493 committees that have responsibility for secondary and
 2494 postsecondary career and technical education a report of the

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2495 comparative evaluation completed for the previous school year.

2496 Section 27. Paragraph (b) of subsection (4) of section

2497 1003.491, Florida Statutes, is amended to read:

2498 1003.491 Florida Career and Professional Education Act.—The

2499 Florida Career and Professional Education Act is created to

2500 provide a statewide planning partnership between the business

2501 and education communities in order to attract, expand, and

2502 retain targeted, high-value industry and to sustain a strong,

2503 knowledge-based economy.

2504 (4) The State Board of Education shall establish a process

2505 for the continual and uninterrupted review of newly proposed

2506 core secondary courses and existing courses requested to be

2507 considered as core courses to ensure that sufficient rigor and

2508 relevance is provided for workforce skills and postsecondary

2509 education and aligned to state curriculum standards.

2510 (b) The curriculum review committee shall review newly

2511 proposed core courses electronically. Each proposed core course

2512 shall be approved or denied within 30 days after submission by a

2513 district school board or local workforce development board. All

2514 courses approved as core courses for purposes of middle school

2515 promotion and high school graduation shall be immediately added

2516 to the Course Code Directory. Approved core courses shall also

2517 be reviewed and considered for approval for dual enrollment

2518 credit. The Board of Governors, the State Board of Community

2519 Colleges, and the Commissioner of Education shall jointly

2520 recommend an annual deadline for approval of new core courses to

2521 be included for purposes of postsecondary admissions and dual

2522 enrollment credit the following academic year. The State Board

2523 of Education shall establish an appeals process in the event

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2524 that a proposed course is denied which shall require a consensus

2525 ruling by the Department of Economic Opportunity and the

2526 Commissioner of Education within 15 days.

2527 Section 28. Paragraph (b) of subsection (4) of section

2528 1003.493, Florida Statutes, is amended to read:

2529 1003.493 Career and professional academies and career-

2530 themed courses.—

2531 (4) Each career and professional academy and secondary

2532 school providing a career-themed course must:

2533 (b) Include one or more partnerships with postsecondary

2534 institutions, businesses, industry, employers, economic

2535 development organizations, or other appropriate partners from

2536 the local community. Such partnerships with postsecondary

2537 institutions shall be delineated in articulation agreements and

2538 include any career and professional academy courses or career-

2539 themed courses that earn postsecondary credit. Such agreements

2540 may include articulation between the secondary school and public

2541 or private 2-year and 4-year postsecondary institutions and

2542 technical centers. The Department of Education, in consultation

2543 with the Board of Governors and the State Board of Community

2544 Colleges, shall establish a mechanism to ensure articulation and

2545 transfer of credits to postsecondary institutions in this state.

2546 Such partnerships must provide opportunities for:

2547 1. Instruction from highly skilled professionals who

2548 possess industry-certification credentials for courses they are

2549 teaching.

2550 2. Internships, externships, and on-the-job training.

2551 3. A postsecondary degree, diploma, or certificate.

2552 4. The highest available level of industry certification.

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2553 5. Maximum articulation of credits pursuant to s. 1007.23
 2554 upon program completion.

2555 Section 29. Subsections (4), (5), and (6) of section
 2556 1004.015, Florida Statutes, are amended to read:

2557 1004.015 Higher Education Coordinating Council.—

2558 (4) The council shall serve as an advisory board to the
 2559 Legislature, the State Board of Education, ~~and~~ the Board of
 2560 Governors, and the State Board of Community Colleges.

2561 Recommendations of the council shall be consistent with the
 2562 following guiding principles:

2563 (a) To achieve within existing resources a seamless
 2564 academic educational system that fosters an integrated continuum
 2565 of kindergarten through graduate school education for Florida's
 2566 students.

2567 (b) To promote consistent education policy across all
 2568 educational delivery systems, focusing on students.

2569 (c) To promote substantially improved articulation across
 2570 all educational delivery systems.

2571 (d) To promote a system that maximizes educational access
 2572 and allows the opportunity for a high-quality education for all
 2573 Floridians.

2574 (e) To promote a system of coordinated and consistent
 2575 transfer of credit and data collection for improved
 2576 accountability purposes between the educational delivery
 2577 systems.

2578 (5) The council shall annually by December 31 submit to the
 2579 Governor, the President of the Senate, the Speaker of the House
 2580 of Representatives, the Board of Governors, the State Board of
 2581 Community Colleges, and the State Board of Education a report

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2582 outlining its recommendations relating to:

2583 (a) The primary core mission of public and nonpublic
 2584 postsecondary education institutions in the context of state
 2585 access demands and economic development goals.

2586 (b) Performance outputs and outcomes designed to meet
 2587 annual and long-term state goals, including, but not limited to,
 2588 increased student access, preparedness, retention, transfer, and
 2589 completion. Performance measures must be consistent across
 2590 sectors and allow for a comparison of the state's performance to
 2591 that of other states.

2592 (c) The state's articulation policies and practices to
 2593 ensure that cost benefits to the state are maximized without
 2594 jeopardizing quality. The recommendations shall consider return
 2595 on investment for both the state and students and propose
 2596 systems to facilitate and ensure institutional compliance with
 2597 state articulation policies.

2598 (d) Workforce development education, specifically
 2599 recommending improvements to the consistency of workforce
 2600 education data collected and reported by Florida Community
 2601 College System institutions and school districts, including the
 2602 establishment of common elements and definitions for any data
 2603 that is used for state and federal funding and program
 2604 accountability.

2605 (6) The Office of K-20 Articulation, in collaboration with
 2606 the Board of Governors and the State Board of Community Division
 2607 ~~of Florida~~ Colleges, shall provide administrative support for
 2608 the council.

2609 Section 30. Subsection (7) of section 1004.02, Florida
 2610 Statutes, is amended to read:

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2611 1004.02 Definitions.—As used in this chapter:

2612 (7) “Applied technology diploma program” means a course of

2613 study that is part of a technical degree program, is less than

2614 60 credit hours, and leads to employment in a specific

2615 occupation. An applied technology diploma program may consist of

2616 either technical credit or college credit. A public school

2617 district may offer an applied technology diploma program only as

2618 technical credit, with college credit awarded to a student upon

2619 articulation to a Florida Community College System institution.

2620 Statewide articulation among public schools and Florida

2621 Community College System institutions is guaranteed by s.

2622 1007.23, and is subject to guidelines and standards adopted by

2623 the State Board of Community Colleges Education pursuant to ss.

2624 1007.24 and 1007.25.

2625 Section 31. Subsection (2) of section 1004.03, Florida

2626 Statutes, is amended to read:

2627 1004.03 Program approval.—

2628 (2) The State Board of Community Colleges Education shall

2629 establish criteria for the approval of new programs at Florida

2630 Community College System institutions, which criteria include,

2631 but are not limited to, the following:

2632 (a) New programs may not be approved unless the same

2633 objectives cannot be met through use of educational technology.

2634 (b) Unnecessary duplication of programs offered by

2635 independent institutions shall be avoided.

2636 (c) Cooperative programs, particularly within regions,

2637 should be encouraged.

2638 (d) New programs may be approved only if they are

2639 consistent with the ~~state master~~ plan adopted by the State Board

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2640 of Community Colleges Education.

2641 Section 32. Paragraph (f) of subsection (4) of section

2642 1004.04, Florida Statutes, is amended to read:

2643 1004.04 Public accountability and state approval for

2644 teacher preparation programs.—

2645 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a

2646 teacher preparation program shall be based upon evidence that

2647 the program continues to implement the requirements for initial

2648 approval and upon significant, objective, and quantifiable

2649 measures of the program and the performance of the program

2650 completers.

2651 (f) By January 1 of each year, the Department of Education

2652 shall report the results of each approved program’s annual

2653 progress on the performance measures in paragraph (a) as well as

2654 the current approval status of each program to:

2655 1. The Governor.

2656 2. The President of the Senate.

2657 3. The Speaker of the House of Representatives.

2658 4. The State Board of Education.

2659 5. The Board of Governors.

2660 6. The State Board of Community Colleges.

2661 7. The Commissioner of Education.

2662 ~~8.7-~~ Each Florida postsecondary teacher preparation

2663 program.

2664 ~~9.8-~~ Each district school superintendent.

2665 ~~10.9-~~ The public.

2666

2667 This report may include the results of other continued approval

2668 requirements provided by State Board of Education rule and

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2669 recommendations for improving teacher preparation programs in
2670 the state.

2671 Section 33. Section 1004.07, Florida Statutes, is amended
2672 to read:

2673 1004.07 Student withdrawal from courses due to military
2674 service; effect.—

2675 (1) Each district school board, Florida Community College
2676 System institution board of trustees, and state university board
2677 of trustees shall establish policies regarding currently
2678 enrolled students who are called to, or enlist in, active
2679 military service.

2680 (2) Such policies must ~~shall~~ provide that any student
2681 enrolled in a postsecondary course or courses at a career
2682 center, a Florida Community College System institution, or a
2683 state university may ~~shall~~ not incur academic or financial
2684 penalties by virtue of performing military service on behalf of
2685 our country. Such student shall be permitted the option of
2686 either completing the course or courses at a later date without
2687 penalty or withdrawing from the course or courses with a full
2688 refund of fees paid. If the student chooses to withdraw, the
2689 student's record shall reflect that the withdrawal is due to
2690 active military service.

2691 (3) Policies of district school boards must ~~and Florida~~
2692 ~~College System institution boards of trustees shall be~~
2693 established by rule and pursuant to guidelines of the State
2694 Board of Education.

2695 (4) Policies of state university boards of trustees must
2696 ~~shall~~ be established by regulation and pursuant to guidelines of
2697 the Board of Governors.

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2698 (5) Policies of Florida Community College System
2699 institution boards of trustees must be established by rule and
2700 pursuant to guidelines of the State Board of Community Colleges.

2701 Section 34. Section 1004.084, Florida Statutes, is amended
2702 to read:

2703 1004.084 College affordability.—

2704 (1) The Board of Governors and the State Board of Community
2705 Colleges ~~Education~~ shall annually identify strategies to promote
2706 college affordability for all Floridians by evaluating, at a
2707 minimum, the impact of:

2708 (a) Tuition and fees on undergraduate, graduate, and
2709 professional students at public colleges and universities and
2710 graduate assistants employed by public universities.

2711 (b) Federal, state, and institutional financial aid
2712 policies on the actual cost of attendance for students and their
2713 families.

2714 (c) The costs of textbooks and instructional materials.

2715 (2) By December 31 of each year, ~~beginning in 2016,~~ the
2716 Board of Governors and the State Board of Community Colleges
2717 ~~Education~~ shall submit a report on their respective college
2718 affordability initiatives to the Governor, the President of the
2719 Senate, and the Speaker of the House of Representatives.

2720 Section 35. Paragraph (d) of subsection (3) and subsections
2721 (6), (7), and (8) of section 1004.085, Florida Statutes, are
2722 amended to read:

2723 1004.085 Textbook and instructional materials
2724 affordability.—

2725 (3) An employee may receive:

2726 (d) Fees associated with activities such as reviewing,

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2727 critiquing, or preparing support materials for textbooks or
 2728 instructional materials pursuant to guidelines adopted by the
 2729 State Board of Community Colleges Education or the Board of
 2730 Governors.

2731 (6) Each Florida Community College System institution and
 2732 state university shall post prominently in the course
 2733 registration system and on its website, as early as is feasible,
 2734 but at least 45 days before the first day of class for each
 2735 term, a hyperlink to lists of required and recommended textbooks
 2736 and instructional materials for at least 95 percent of all
 2737 courses and course sections offered at the institution during
 2738 the upcoming term. The lists must include the International
 2739 Standard Book Number (ISBN) for each required and recommended
 2740 textbook and instructional material or other identifying
 2741 information, which must include, at a minimum, all of the
 2742 following: the title, all authors listed, publishers, edition
 2743 number, copyright date, published date, and other relevant
 2744 information necessary to identify the specific textbooks or
 2745 instructional materials required and recommended for each
 2746 course. The State Board of Community Colleges Education and the
 2747 Board of Governors shall include in the policies, procedures,
 2748 and guidelines adopted under subsection (7) certain limited
 2749 exceptions to this notification requirement for classes added
 2750 after the notification deadline.

2751 (7) After receiving input from students, faculty,
 2752 bookstores, and publishers, the State Board of Community
 2753 Colleges Education and the Board of Governors each shall adopt
 2754 textbook and instructional materials affordability policies,
 2755 procedures, and guidelines for implementation by Florida

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2756 Community College System institutions and state universities,
 2757 respectively, that further efforts to minimize the cost of
 2758 textbooks and instructional materials for students attending
 2759 such institutions while maintaining the quality of education and
 2760 academic freedom. The policies, procedures, and guidelines shall
 2761 address:

2762 (a) The establishment of deadlines for an instructor or
 2763 department to notify the bookstore of required and recommended
 2764 textbooks and instructional materials so that the bookstore may
 2765 verify availability, source lower cost options when practicable,
 2766 explore alternatives with faculty when academically appropriate,
 2767 and maximize the availability of used textbooks and
 2768 instructional materials.

2769 (b) Confirmation by the course instructor or academic
 2770 department offering the course, before the textbook or
 2771 instructional materials adoption is finalized, of the intent to
 2772 use all items ordered, particularly each individual item sold as
 2773 part of a bundled package.

2774 (c) Determination by a course instructor or the academic
 2775 department offering the course, before a textbook or
 2776 instructional material is adopted, of the extent to which a new
 2777 edition differs significantly and substantively from earlier
 2778 versions and the value to the student of changing to a new
 2779 edition or the extent to which an open-access textbook or
 2780 instructional material is available.

2781 (d) The availability of required and recommended textbooks
 2782 and instructional materials to students otherwise unable to
 2783 afford the cost, including consideration of the extent to which
 2784 an open-access textbook or instructional material may be used.

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2785 (e) Participation by course instructors and academic
2786 departments in the development, adaptation, and review of open-
2787 access textbooks and instructional materials and, in particular,
2788 open-access textbooks and instructional materials for high-
2789 demand general education courses.

2790 (f) Consultation with school districts to identify
2791 practices that impact the cost of dual enrollment textbooks and
2792 instructional materials to school districts, including, but not
2793 limited to, the length of time that textbooks and instructional
2794 materials remain in use.

2795 (g) Selection of textbooks and instructional materials
2796 through cost-benefit analyses that enable students to obtain the
2797 highest-quality product at the lowest available price, by
2798 considering:

- 2799 1. Purchasing digital textbooks in bulk.
- 2800 2. Expanding the use of open-access textbooks and
2801 instructional materials.
- 2802 3. Providing rental options for textbooks and instructional
2803 materials.
- 2804 4. Increasing the availability and use of affordable
2805 digital textbooks and learning objects.
- 2806 5. Developing mechanisms to assist in buying, renting,
2807 selling, and sharing textbooks and instructional materials.
- 2808 6. The length of time that textbooks and instructional
2809 materials remain in use.
- 2810 7. An evaluation of cost savings for textbooks and
2811 instructional materials which a student may realize if
2812 individual students are able to exercise opt-in provisions for
2813 the purchase of the materials.

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2814 (8) The board of trustees of each Florida Community College
2815 System institution and state university shall report, by
2816 September 30 of each year, beginning in 2016, to the Chancellor
2817 of the Florida Community College System or the Chancellor of the
2818 State University System, as applicable, the textbook and
2819 instructional materials selection process for general education
2820 courses with a wide cost variance identified pursuant to
2821 subsection (4) and high-enrollment courses; specific initiatives
2822 of the institution designed to reduce the costs of textbooks and
2823 instructional materials; policies implemented in accordance with
2824 subsection (6); the number of courses and course sections that
2825 were not able to meet the textbook and instructional materials
2826 posting deadline for the previous academic year; and any
2827 additional information determined by the chancellors. By
2828 November 1 of each year, ~~beginning in 2016~~, each chancellor
2829 shall provide a summary of the information provided by
2830 institutions to the State Board of Community Colleges ~~Education~~
2831 and the Board of Governors, as applicable.

2832 Section 36. Section 1004.096, Florida Statutes, is amended
2833 to read:

2834 1004.096 College credit for military training and education
2835 courses.—The Board of Governors shall adopt regulations and the
2836 State Board of Community Colleges ~~Education~~ shall adopt rules
2837 that enable eligible servicemembers or veterans of the United
2838 States Armed Forces to earn academic college credit at public
2839 postsecondary educational institutions for college-level
2840 training and education acquired in the military. The regulations
2841 and rules shall include procedures for credential evaluation and
2842 the award of academic college credit, including, but not limited

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2843 to, equivalency and alignment of military coursework with
2844 appropriate college courses, course descriptions, type and
2845 amount of college credit that may be awarded, and transfer of
2846 credit.

2847 Section 37. Section 1004.0961, Florida Statutes, is amended
2848 to read:

2849 1004.0961 Credit for online courses. ~~Beginning in the 2015-~~
2850 ~~2016 school year,~~ The State Board of Community Colleges
2851 ~~Education~~ shall adopt rules and the Board of Governors shall
2852 adopt regulations that enable students to earn academic credit
2853 for online courses, including massive open online courses,
2854 before initial enrollment at a postsecondary institution. The
2855 rules of the State Board of Community Colleges ~~Education~~ and
2856 regulations of the Board of Governors must include procedures
2857 for credential evaluation and the award of credit, including,
2858 but not limited to, recommendations for credit by the American
2859 Council on Education; equivalency and alignment of coursework
2860 with appropriate courses; course descriptions; type and amount
2861 of credit that may be awarded; and transfer of credit.

2862 Section 38. Section 1004.35, Florida Statutes, is amended
2863 to read:

2864 1004.35 Broward County campuses of Florida Atlantic
2865 University; coordination with other institutions.—The State
2866 Board of Community Colleges ~~Education~~, the Board of Governors,
2867 and Florida Atlantic University shall consult with Broward
2868 College and Florida International University in coordinating
2869 course offerings at the postsecondary level in Broward County.
2870 Florida Atlantic University may contract with the Board of
2871 Trustees of Broward College and with Florida International

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2872 University to provide instruction in courses offered at the
2873 Southeast Campus. Florida Atlantic University shall increase
2874 course offerings at the Southeast Campus as facilities become
2875 available.

2876 Section 39. Paragraphs (c) and (d) of subsection (5) and
2877 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2878 are amended to read:

2879 1004.6495 Florida Postsecondary Comprehensive Transition
2880 Program and Florida Center for Students with Unique Abilities.—

2881 (5) CENTER RESPONSIBILITIES.—The Florida Center for
2882 Students with Unique Abilities is established within the
2883 University of Central Florida. At a minimum, the center shall:

2884 (c) Create the application for the initial approval and
2885 renewal of approval as an FPCTP for use by an eligible
2886 institution which, at a minimum, must align with the federal
2887 comprehensive transition and postsecondary program application
2888 requirements. Notwithstanding the program approval requirements
2889 of s. 1004.03, the director shall review applications for the
2890 initial approval of an application for, or renewal of approval
2891 of, an FPCTP.

2892 1. Within 30 days after receipt of an application, the
2893 director shall issue his or her recommendation regarding
2894 approval to the Chancellor of the State University System, ~~or~~
2895 the Chancellor of the Florida Community College System, or the
2896 Commissioner of Education, as applicable, or shall give written
2897 notice to the applicant of any deficiencies in the application,
2898 which the eligible institution must be given an opportunity to
2899 correct. Within 15 days after receipt of a notice of
2900 deficiencies, an eligible institution that chooses to continue

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2901 to seek program approval shall correct the application
 2902 deficiencies and return the application to the center. Within 30
 2903 days after receipt of a revised application, the director shall
 2904 recommend approval or disapproval of the revised application to
 2905 the applicable chancellor ~~or the commissioner, as applicable~~.
 2906 Within 15 days after receipt of the director's recommendation,
 2907 the applicable chancellor ~~or the commissioner~~ shall approve or
 2908 disapprove the recommendation. If the applicable chancellor ~~or~~
 2909 ~~the commissioner~~ does not act on the director's recommendation
 2910 within 15 days after receipt of such recommendation, the
 2911 comprehensive transition program proposed by the institution
 2912 shall be considered approved.

2913 2. Initial approval of an application for an FPCTP that
 2914 meets the requirements of this section is valid for the 3
 2915 academic years immediately following the academic year during
 2916 which the approval is granted. An eligible institution may
 2917 submit an application to the center requesting that the initial
 2918 approval be renewed. If the approval is granted and the FPCTP
 2919 continues to meet the requirements of this section, including,
 2920 but not limited to, program and student performance outcomes,
 2921 and federal requirements, a renewal is valid for the 5 academic
 2922 years immediately following the academic year during which the
 2923 renewal is granted.

2924 3. An application must, at a minimum:

2925 a. Identify a credential associated with the proposed
 2926 program which will be awarded to eligible students upon
 2927 completion of the FPCTP.

2928 b. Outline the program length and design, including, at a
 2929 minimum, inclusive and successful experiential education

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2930 practices relating to curricular, assessment, and advising
 2931 structure and internship and employment opportunities, which
 2932 must support students with intellectual disabilities who are
 2933 seeking to continue academic, career and technical, and
 2934 independent living instruction at an eligible institution,
 2935 including, but not limited to, opportunities to earn industry
 2936 certifications, to prepare students for gainful employment. If
 2937 an eligible institution offers a credit-bearing degree program,
 2938 the institution is responsible for maintaining the rigor and
 2939 effectiveness of a comprehensive transition degree program at
 2940 the same level as other comparable degree programs offered by
 2941 the institution pursuant to applicable accreditation standards.

2942 c. Outline a plan for students with intellectual
 2943 disabilities to be integrated socially and academically with
 2944 nondisabled students, to the maximum extent possible, and to
 2945 participate on not less than a half-time basis, as determined by
 2946 the eligible institution, with such participation focusing on
 2947 academic components and occurring through one or more of the
 2948 following activities with nondisabled students:

2949 (I) Regular enrollment in credit-bearing courses offered by
 2950 the institution.

2951 (II) Auditing or participating in courses offered by the
 2952 institution for which the student does not receive academic
 2953 credit.

2954 (III) Enrollment in noncredit-bearing, nondegree courses.

2955 (IV) Participation in internships or work-based training.

2956 d. Outline a plan for partnerships with businesses to
 2957 promote experiential training and employment opportunities for
 2958 students with intellectual disabilities.

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2959 e. Identify performance indicators pursuant to subsection
2960 (8) and other requirements identified by the center.

2961 f. Outline a 5-year plan incorporating enrollment and
2962 operational expectations for the program.

2963 (d) Provide technical assistance regarding programs and
2964 services for students with intellectual disabilities to
2965 administrators, instructors, staff, and others, as applicable,
2966 at eligible institutions by:

2967 1. Holding meetings and annual workshops to share
2968 successful practices and to address issues or concerns.

2969 2. Facilitating collaboration between eligible institutions
2970 and school districts, private schools operating pursuant to s.
2971 1002.42, and parents of students enrolled in home education
2972 programs operating pursuant to s. 1002.41 in assisting students
2973 with intellectual disabilities and their parents to plan for the
2974 transition of such students into an FPCTP or another program at
2975 an eligible institution.

2976 3. Assisting eligible institutions with FPCTP and federal
2977 comprehensive transition and postsecondary program applications.

2978 4. Assisting eligible institutions with the identification
2979 of funding sources for an FPCTP and for student financial
2980 assistance for students enrolled in an FPCTP.

2981 5. Monitoring federal and state law relating to the
2982 comprehensive transition program and notifying the Legislature,
2983 the Governor, the Board of Governors, the State Board of
2984 Community Colleges, and the State Board of Education of any
2985 change in law which may impact the implementation of this
2986 section.

2987 (8) ACCOUNTABILITY.—

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2988 (a) The center, in collaboration with the Board of
2989 Governors and the State Board of Community Colleges Education,
2990 shall identify indicators for the satisfactory progress of a
2991 student in an FPCTP and for the performance of such programs.
2992 Each eligible institution must address the indicators identified
2993 by the center in its application for the approval of a proposed
2994 program and for the renewal of an FPCTP and in the annual report
2995 that the institution submits to the center.

2996 (b) By October 1 of each year, the center shall provide to
2997 the Governor, the President of the Senate, the Speaker of the
2998 House of Representatives, the Chancellor of the State University
2999 System, and the Chancellor of the Florida Community College
3000 System ~~Commissioner of Education~~ a report summarizing
3001 information including, but not limited to:

3002 1. The status of the statewide coordination of FPCTPs and
3003 the implementation of FPCTPs at eligible institutions including,
3004 but not limited to:

3005 a. The number of applications approved and disapproved and
3006 the reasons for each disapproval and no action taken by the
3007 chancellor or the commissioner.

3008 b. The number and value of all scholarships awarded to
3009 students and undisbursed advances remitted to the center
3010 pursuant to subsection (7).

3011 2. Indicators identified by the center pursuant to
3012 paragraph (a) and the performance of each eligible institution
3013 based on the indicators identified in paragraph (6)(c).

3014 3. The projected number of students with intellectual
3015 disabilities who may be eligible to enroll in the FPCTPs within
3016 the next academic year.

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3017 4. Education programs and services for students with
3018 intellectual disabilities which are available at eligible
3019 institutions.

3020 (c) ~~Beginning in the 2016-2017 fiscal year,~~ The center, in
3021 collaboration with the Board of Governors, State Board of
3022 Community Colleges Education, Higher Education Coordinating
3023 Council, and other stakeholders, by December 1 of each year,
3024 shall submit to the Governor, the President of the Senate, and
3025 the Speaker of the House of Representatives statutory and budget
3026 recommendations for improving the implementation and delivery of
3027 FPCTPs and other education programs and services for students
3028 with disabilities.

3029 (9) RULES.—The Board of Governors and the State Board of
3030 Community Colleges Education, in consultation with the center,
3031 shall expeditiously adopt any necessary regulations and rules,
3032 as applicable, to allow the center to perform its
3033 responsibilities pursuant to this section ~~beginning in the 2016-~~
3034 ~~2017 fiscal year.~~

3035 Section 40. Section 1004.65, Florida Statutes, is amended
3036 to read:

3037 1004.65 Florida Community College System institutions;
3038 governance, mission, and responsibilities.—

3039 (1) Each Florida Community College System institution shall
3040 be governed by a district board of trustees under statutory
3041 authority and rules of the State Board of Community Colleges
3042 Education.

3043 (2) Each Florida Community College System institution
3044 district shall:

3045 (a) Consist of the county or counties served by the Florida

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3046 Community College System institution pursuant to s. 1000.21(3).

3047 (b) Be an independent, separate, legal entity created for
3048 the operation of a Florida Community College System institution.

3049 (3) Florida Community College System institutions are
3050 locally based and governed entities with statutory and funding
3051 ties to state government. As such, the mission for Florida
3052 Community College System institutions reflects a commitment to
3053 be responsive to local educational needs and challenges. In
3054 achieving this mission, Florida Community College System
3055 institutions strive to maintain sufficient local authority and
3056 flexibility while preserving appropriate legal accountability to
3057 the state.

3058 (4) As comprehensive institutions, Florida Community
3059 College System institutions shall provide high-quality,
3060 affordable education and training opportunities, shall foster a
3061 climate of excellence, and shall provide opportunities to all
3062 while combining high standards with an open-door admission
3063 policy for lower-division programs. Florida Community College
3064 System institutions shall, as open-access institutions, serve
3065 all who can benefit, without regard to age, race, gender, creed,
3066 or ethnic or economic background, while emphasizing the
3067 achievement of social and educational equity so that all can be
3068 prepared for full participation in society.

3069 (5) The primary mission and responsibility of Florida
3070 Community College System institutions is responding to community
3071 needs for postsecondary academic education and career degree
3072 education. This mission and responsibility includes being
3073 responsible for:

3074 (a) Providing lower-level ~~lower-level~~ undergraduate

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3075 instruction and awarding associate degrees.

3076 (b) Preparing students directly for careers requiring less
3077 than baccalaureate degrees. This may include preparing for job
3078 entry, supplementing of skills and knowledge, and responding to
3079 needs in new areas of technology. Career education in a Florida
3080 Community College System institution ~~consists shall consist~~ of
3081 career certificates, nationally recognized industry
3082 certifications, credit courses leading to associate in science
3083 degrees and associate in applied science degrees, and other
3084 programs in fields requiring substantial academic work,
3085 background, or qualifications. A Florida Community College
3086 System institution may offer career education programs in fields
3087 having lesser academic or technical requirements.

3088 (c) Providing student development services, including
3089 assessment, student tracking, support for disabled students,
3090 advisement, counseling, financial aid, career development, and
3091 remedial and tutorial services, to ensure student success.

3092 (d) Promoting economic development for the state within
3093 each Florida Community College System institution district
3094 through the provision of special programs, including, but not
3095 limited to, the:

- 3096 1. Enterprise Florida-related programs.
- 3097 2. Technology transfer centers.
- 3098 3. Economic development centers.
- 3099 4. Workforce literacy programs.

3100 (e) Providing dual enrollment instruction.

3101 ~~(f) Providing upper level instruction and awarding~~
3102 ~~baccalaureate degrees as specifically authorized by law.~~

3103 (6) A separate and secondary role for Florida Community

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3104 College System institutions includes ~~the offering of programs~~
3105 ~~in~~:

3106 (a) Programs in community services that are not directly
3107 related to academic or occupational advancement.

3108 (b) Programs in adult education services, including adult
3109 basic education, adult general education, adult secondary
3110 education, and high school equivalency examination instruction.

3111 (c) Programs in recreational and leisure services.

3112 (d) Upper-level instruction and awarding baccalaureate
3113 degrees as specifically authorized by law.

3114 (7) Funding for Florida Community College System
3115 institutions must shall reflect their mission as follows:

3116 (a) Postsecondary academic and career education programs
3117 and adult general education programs must shall have first
3118 priority in Florida Community College System institution
3119 funding.

3120 (b) Community service programs shall be presented to the
3121 Legislature with rationale for state funding. The Legislature
3122 may identify priority areas for use of these funds.

3123 (c) The resources of a Florida Community College System
3124 institution, including staff, faculty, land, and facilities, may
3125 ~~shall~~ not be used to support the establishment of a new
3126 independent nonpublic educational institution. If any
3127 institution uses resources for such purpose, the State Board of
3128 Community ~~Division of Florida~~ Colleges shall notify the
3129 President of the Senate and the Speaker of the House of
3130 Representatives.

3131 (8) Florida Community College System institutions are
3132 authorized to:

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3133 (a) Offer such programs and courses as are necessary to
 3134 fulfill their mission.

3135 (b) Grant associate in arts degrees, associate in science
 3136 degrees, associate in applied science degrees, certificates,
 3137 awards, and diplomas.

3138 (c) Make provisions for the high school equivalency
 3139 examination.

3140 (d) Provide access to and award baccalaureate degrees in
 3141 accordance with law.

3142

3143 Authority to offer one or more baccalaureate degree programs
 3144 does not alter the governance relationship of the Florida
 3145 Community College System institution with its district board of
 3146 trustees or the State Board of Community Colleges Education.

3147 Section 41. Section 1004.67, Florida Statutes, is amended
 3148 to read:

3149 1004.67 Florida Community College System institutions;
 3150 legislative intent.—It is The legislative intent that Florida
 3151 Community College System institutions, constituted as political
 3152 subdivisions of the state, continue to be operated by Florida
 3153 Community College System institution boards of trustees as
 3154 provided in s. 1001.63 and that no department, bureau, division,
 3155 agency, or subdivision of the state exercise any responsibility
 3156 and authority to operate any Florida Community College System
 3157 institution of the state except as specifically provided by law
 3158 or rules of the State Board of Community Colleges Education.

3159 Section 42. Section 1004.70, Florida Statutes, is amended
 3160 to read:

3161 1004.70 Florida Community College System institution

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3162 direct-support organizations.—

3163 (1) DEFINITIONS.—For the purposes of this section:

3164 (a) “Florida Community College System institution direct-
 3165 support organization” means an organization that is:

3166 1. A Florida corporation not for profit, incorporated under
 3167 the provisions of chapter 617 and approved by the Department of
 3168 State.

3169 2. Organized and operated exclusively to receive, hold,
 3170 invest, and administer property and to make expenditures to, or
 3171 for the benefit of, a Florida Community College System
 3172 institution in this state.

3173 3. An organization that the Florida Community College
 3174 System institution board of trustees, after review, has
 3175 certified to be operating in a manner consistent with the goals
 3176 of the Florida Community College System institution and in the
 3177 best interest of the state. Any organization that is denied
 3178 certification by the board of trustees may not use the name of
 3179 the Florida Community College System institution that it serves.

3180 (b) “Personal services” includes full-time or part-time
 3181 personnel as well as payroll processing.

3182 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
 3183 shall appoint at least one ~~a~~ representative to the board of
 3184 directors and the executive committee of each direct-support
 3185 organization established under this section, including those
 3186 established before July 1, 1998. The president of the Florida
 3187 Community College System institution for which the direct-
 3188 support organization is established, or the president’s
 3189 designee, shall also serve on the board of directors and the
 3190 executive committee of the direct-support organization,

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3191 including any direct-support organization established before
 3192 July 1, 1998.

3193 (3) USE OF PROPERTY.—

3194 (a) The board of trustees is authorized to permit the use
 3195 of property, facilities, and personal services at any Florida
 3196 Community College System institution by any Florida Community
 3197 College System institution direct-support organization, subject
 3198 to the provisions of this section. Beginning July 1, 2022, a
 3199 community college board of trustees may not permit any Florida
 3200 Community College System institution direct-support organization
 3201 to use personal services.

3202 (b) The board of trustees is authorized to prescribe by
 3203 rule any condition with which a Florida Community College System
 3204 institution direct-support organization must comply in order to
 3205 use property, facilities, or personal services at any Florida
 3206 Community College System institution.

3207 (c) The board of trustees may not permit the use of
 3208 property, facilities, or personal services at any Florida
 3209 Community College System institution by any Florida Community
 3210 College System institution direct-support organization that does
 3211 not provide equal employment opportunities to all persons
 3212 regardless of race, color, national origin, gender, age, or
 3213 religion.

3214 (d) The board of trustees may not permit the use of state
 3215 funds for travel expenses by any Florida Community College
 3216 System institution direct-support organization.

3217 (4) ACTIVITIES; RESTRICTIONS.—

3218 (a) A direct-support organization may, at the request of
 3219 the board of trustees, provide residency opportunities on or

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3220 near campus for students.

3221 (b) A direct-support organization that constructs
 3222 facilities for use by a Florida Community College System
 3223 institution or its students must comply with all requirements of
 3224 law relating to the construction of facilities by a Florida
 3225 Community College System institution, including requirements for
 3226 competitive bidding.

3227 (c) Any transaction or agreement between one direct-support
 3228 organization and another direct-support organization must be
 3229 approved by the board of trustees.

3230 (d) A Florida Community College System institution direct-
 3231 support organization is prohibited from giving, either directly
 3232 or indirectly, any gift to a political committee as defined in
 3233 s. 106.011 for any purpose ~~other than those certified by a~~
 3234 ~~majority roll call vote of the governing board of the direct-~~
 3235 ~~support organization at a regularly scheduled meeting as being~~
 3236 ~~directly related to the educational mission of the Florida~~
 3237 ~~College System institution.~~

3238 (e) A Florida Community College System institution board of
 3239 trustees must authorize all debt, including lease-purchase
 3240 agreements, incurred by a direct-support organization.
 3241 Authorization for approval of short-term loans and lease-
 3242 purchase agreements for a term of not more than 5 years,
 3243 including renewals, extensions, and refundings, for goods,
 3244 materials, equipment, and services may be delegated by the board
 3245 of trustees to the board of directors of the direct-support
 3246 organization. Trustees shall evaluate proposals for debt
 3247 according to guidelines issued by the State Board of Community
 3248 ~~Division of Florida Colleges~~. Revenues of the Florida Community

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3249 College System institution may not be pledged to debt issued by
3250 direct-support organizations.

3251 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
3252 organization shall submit to the board of trustees its federal
3253 Internal Revenue Service Application for Recognition of
3254 Exemption form (Form 1023) and its federal Internal Revenue
3255 Service Return of Organization Exempt from Income Tax form (Form
3256 990).

3257 (6) ANNUAL AUDIT.—Each direct-support organization shall
3258 provide for an annual financial audit in accordance with rules
3259 adopted by the Auditor General pursuant to s. 11.45(8). The
3260 annual audit report must be submitted, within 9 months after the
3261 end of the fiscal year, to the Auditor General, the State Board
3262 of Community Colleges Education, and the board of trustees for
3263 review. The board of trustees, the Auditor General, and the
3264 Office of Program Policy Analysis and Government Accountability
3265 may require and receive from the organization or from its
3266 independent auditor any detail or supplemental data relative to
3267 the operation of the organization. The identity of donors who
3268 desire to remain anonymous shall be protected, and that
3269 anonymity shall be maintained in the auditor's report. All
3270 records of the organization, other than the auditor's report,
3271 any information necessary for the auditor's report, any
3272 information related to the expenditure of funds, and any
3273 supplemental data requested by the board of trustees, the
3274 Auditor General, and the Office of Program Policy Analysis and
3275 Government Accountability, shall be confidential and exempt from
3276 the provisions of s. 119.07(1).

3277 Section 43. Section 1004.71, Florida Statutes, is amended

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3278 to read:

3279 1004.71 Statewide Florida Community College System
3280 institution direct-support organizations.—

3281 (1) DEFINITIONS.—For the purposes of this section:

3282 (a) "Statewide Florida Community College System institution
3283 direct-support organization" means an organization that is:

3284 1. A Florida corporation not for profit, incorporated under
3285 the provisions of chapter 617 and approved by the Department of
3286 State.

3287 2. Organized and operated exclusively to receive, hold,
3288 invest, and administer property and to make expenditures to, or
3289 for the benefit of, the Florida Community College System
3290 institutions in this state.

3291 3. An organization that the State Board of Community
3292 Colleges Education, after review, has certified to be operating
3293 in a manner consistent with the goals of the Florida Community
3294 College System institutions and in the best interest of the
3295 state.

3296 (b) "Personal services" includes full-time or part-time
3297 personnel as well as payroll processing.

3298 (2) BOARD OF DIRECTORS.—The chair of the State Board of
3299 Community Colleges Education may appoint a representative to the
3300 board of directors and the executive committee of any statewide,
3301 direct-support organization established under this section or s.
3302 1004.70. The chair of the State Board of Community Colleges
3303 Education, or the chair's designee, shall also serve on the
3304 board of directors and the executive committee of any direct-
3305 support organization established to benefit Florida Community
3306 College System institutions.

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3307 (3) USE OF PROPERTY.—

3308 (a) The State Board of Education may permit the use of
 3309 property, facilities, and personal services of the Department of
 3310 Education by any statewide Florida Community College System
 3311 institution direct-support organization, subject to the
 3312 provisions of this section.

3313 (b) The State Board of Education may prescribe by rule any
 3314 condition with which a statewide Florida Community College
 3315 System institution direct-support organization must comply in
 3316 order to use property, facilities, or personal services of the
 3317 Department of Education.

3318 (c) The State Board of Education may not permit the use of
 3319 property, facilities, or personal services of the Department of
 3320 Education by any statewide Florida Community College System
 3321 institution direct-support organization that does not provide
 3322 equal employment opportunities to all persons regardless of
 3323 race, color, national origin, gender, age, or religion.

3324 (4) RESTRICTIONS.—

3325 (a) A statewide, direct-support organization may not use
 3326 public funds to acquire, construct, maintain, or operate any
 3327 facilities.

3328 (b) Any transaction or agreement between a statewide,
 3329 direct-support organization and any other direct-support
 3330 organization must be approved by the State Board of Community
 3331 Colleges Education.

3332 (c) A statewide Florida Community College System
 3333 institution direct-support organization is prohibited from
 3334 giving, either directly or indirectly, any gift to a political
 3335 committee as defined in s. 106.011 for any purpose other than

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3336 those certified by a majority roll call vote of the governing
 3337 board of the direct-support organization at a regularly
 3338 scheduled meeting as being directly related to the educational
 3339 mission of the State Board of Community Colleges Education.

3340 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
 3341 organization shall submit to the State Board of Community
 3342 Colleges Education its federal Internal Revenue Service
 3343 Application for Recognition of Exemption form (Form 1023) and
 3344 its federal Internal Revenue Service Return of Organization
 3345 Exempt from Income Tax form (Form 990).

3346 (6) ANNUAL AUDIT.—A statewide Florida Community College
 3347 System institution direct-support organization shall provide for
 3348 an annual financial audit in accordance with s. 1004.70. The
 3349 identity of a donor or prospective donor who desires to remain
 3350 anonymous and all information identifying such donor or
 3351 prospective donor are confidential and exempt from the
 3352 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 3353 Constitution. Such anonymity shall be maintained in the
 3354 auditor's report.

3355 Section 44. Subsection (4) of section 1004.74, Florida
 3356 Statutes, is amended to read:

3357 1004.74 Florida School of the Arts.—

3358 (4) The Council for the Florida School of the Arts shall be
 3359 established to advise the Florida Community College System
 3360 institution district board of trustees on matters pertaining to
 3361 the operation of the school. The council shall consist of nine
 3362 members, appointed jointly by the Chancellor of the Florida
 3363 Community College System and the Commissioner of Education for
 3364 4-year terms. A member may serve three terms and may serve until

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3365 replaced.

3366 Section 45. Section 1004.78, Florida Statutes, is amended

3367 to read:

3368 1004.78 Technology transfer centers at Florida Community

3369 College System institutions.—

3370 (1) Each Florida Community College System institution may

3371 establish a technology transfer center for the purpose of

3372 providing institutional support to local business and industry

3373 and governmental agencies in the application of new research in

3374 technology. The primary responsibilities of such centers may

3375 include: identifying technology research developed by

3376 universities, research institutions, businesses, industries, the

3377 United States Armed Forces, and other state or federal

3378 governmental agencies; determining and demonstrating the

3379 application of technologies; training workers to integrate

3380 advanced equipment and production processes; and determining for

3381 business and industry the feasibility and efficiency of

3382 accommodating advanced technologies.

3383 (2) The Florida Community College System institution board

3384 of trustees shall set such policies to regulate the activities

3385 of the technology transfer center as it may consider necessary

3386 to effectuate the purposes of this section and to administer the

3387 programs of the center in a manner which assures efficiency and

3388 effectiveness, producing the maximum benefit for the educational

3389 programs and maximum service to the state. To this end,

3390 materials that relate to methods of manufacture or production,

3391 potential trade secrets, potentially patentable material, actual

3392 trade secrets, business transactions, or proprietary information

3393 received, generated, ascertained, or discovered during the

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3394 course of activities conducted within the Florida Community

3395 College System institutions shall be confidential and exempt

3396 from the provisions of s. 119.07(1), except that a Florida

3397 Community College System institution shall make available upon

3398 request the title and description of a project, the name of the

3399 investigator, and the amount and source of funding provided for

3400 such project.

3401 (3) A technology transfer center created under the

3402 provisions of this section shall be under the supervision of the

3403 board of trustees of that Florida Community College System

3404 institution, which is authorized to appoint a director; to

3405 employ full-time and part-time staff, research personnel, and

3406 professional services; to employ on a part-time basis personnel

3407 of the Florida Community College System institution; and to

3408 employ temporary employees whose salaries are paid entirely from

3409 the permanent technology transfer fund or from that fund in

3410 combination with other nonstate sources, with such positions

3411 being exempt from the requirements of the Florida Statutes

3412 relating to salaries, except that no such appointment shall be

3413 made for a total period of longer than 1 year.

3414 (4) The board of trustees of the Florida Community College

3415 System institution in which a technology transfer center is

3416 created, or its designee, may negotiate, enter into, and execute

3417 contracts; solicit and accept grants and donations; and fix and

3418 collect fees, other payments, and donations that may accrue by

3419 reason thereof for technology transfer activities. The board of

3420 trustees or its designee may negotiate, enter into, and execute

3421 contracts on a cost-reimbursement basis and may provide

3422 temporary financing of such costs prior to reimbursement from

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3423 moneys on deposit in the technology transfer fund, except as may
3424 be prohibited elsewhere by law.

3425 (5) A technology transfer center shall be financed from the
3426 Academic Improvement Program or from moneys of a Florida
3427 Community College System institution which are on deposit or
3428 received for use in the activities conducted in the center. Such
3429 moneys shall be deposited by the Florida Community College
3430 System institution in a permanent technology transfer fund in a
3431 depository or depositories approved for the deposit of state
3432 funds and shall be accounted for and disbursed subject to audit
3433 by the Auditor General.

3434 (6) The fund balance in any existing research trust fund of
3435 a Florida Community College System institution at the time a
3436 technology transfer center is created shall be transferred to a
3437 permanent technology transfer fund established for the Florida
3438 Community College System institution, and thereafter the fund
3439 balance of the technology transfer fund at the end of any fiscal
3440 period may be used during any succeeding period pursuant to this
3441 section.

3442 (7) Moneys deposited in the permanent technology transfer
3443 fund of a Florida Community College System institution shall be
3444 disbursed in accordance with the terms of the contract, grant,
3445 or donation under which they are received. Moneys received for
3446 overhead or indirect costs and other moneys not required for the
3447 payment of direct costs shall be applied to the cost of
3448 operating the technology transfer center.

3449 (8) All purchases of a technology transfer center shall be
3450 made in accordance with the policies and procedures of the
3451 Florida Community College System institution.

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3452 (9) The Florida Community College System institution board
3453 of trustees may authorize the construction, alteration, or
3454 remodeling of buildings when the funds used are derived entirely
3455 from the technology transfer fund of a Florida Community College
3456 System institution or from that fund in combination with other
3457 nonstate sources, provided that such construction, alteration,
3458 or remodeling is for use exclusively by the center. It also may
3459 authorize the acquisition of real property when the cost is
3460 entirely from said funds. Title to all real property shall vest
3461 in the board of trustees.

3462 (10) The State Board of Community Colleges ~~Education~~ may
3463 award grants to Florida Community College System institutions,
3464 or consortia of public and private colleges and universities and
3465 other public and private entities, for the purpose of supporting
3466 the objectives of this section. Grants awarded pursuant to this
3467 subsection shall be in accordance with rules of the State Board
3468 of Community Colleges ~~Education~~. Such rules shall include the
3469 following provisions:

3470 (a) The number of centers established with state funds
3471 provided expressly for the purpose of technology transfer shall
3472 be limited, but shall be geographically located to maximize
3473 public access to center resources and services.

3474 (b) Grants to centers funded with state revenues
3475 appropriated specifically for technology transfer activities
3476 shall be reviewed and approved by the State Board of Community
3477 Colleges ~~Education~~ using proposal solicitation, evaluation, and
3478 selection procedures established by the state board in
3479 consultation with Enterprise Florida, Inc. Such procedures may
3480 include designation of specific areas or applications of

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3481 technology as priorities for the receipt of funding.

3482 (c) Priority for the receipt of state funds appropriated
3483 specifically for the purpose of technology transfer shall be
3484 given to grant proposals developed jointly by Florida Community
3485 College System institutions and public and private colleges and
3486 universities.

3487 (11) Each technology transfer center established under the
3488 provisions of this section shall establish a technology transfer
3489 center advisory committee. Each committee shall include
3490 representatives of a university or universities conducting
3491 research in the area of specialty of the center. Other members
3492 shall be determined by the Florida Community College System
3493 institution board of trustees.

3494 Section 46. Subsection (4) of section 1004.80, Florida
3495 Statutes, is amended to read:

3496 1004.80 Economic development centers.—

3497 (4) The State Board of Community Colleges ~~Education~~ may
3498 award grants to economic development centers for the purposes of
3499 this section. Grants awarded pursuant to this subsection shall
3500 be in accordance with rules established by the State Board of
3501 Community Colleges ~~Education~~.

3502 Section 47. Section 1004.91, Florida Statutes, is amended
3503 to read:

3504 1004.91 Requirements for career education program basic
3505 skills.—

3506 (1) The State Board of Education, for career centers
3507 operated by district school boards, and the State Board of
3508 Community Colleges, for charter technical career centers
3509 operated by Florida Community College System institutions, shall

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3510 collaborate to adopt, by rule, standards of basic skill mastery
3511 for completion of certificate career education programs. Each
3512 school district and Florida Community College System institution
3513 that conducts programs that confer career and technical
3514 certificates shall provide applied academics instruction through
3515 which students receive the basic skills instruction required
3516 pursuant to this section.

3517 (2) Students who enroll in a program offered for career
3518 credit of 450 hours or more shall complete an entry-level
3519 examination within the first 6 weeks after admission into the
3520 program. The State Board of Education and the State Board of
3521 Community Colleges shall collaborate to designate examinations
3522 that are currently in existence, the results of which are
3523 comparable across institutions, to assess student mastery of
3524 basic skills. Any student found to lack the required level of
3525 basic skills for such program shall be referred to applied
3526 academics instruction or another adult general education program
3527 for a structured program of basic skills instruction. Such
3528 instruction may include English for speakers of other languages.
3529 A student may not receive a career or technical certificate of
3530 completion without first demonstrating the basic skills required
3531 in the state curriculum frameworks for the career education
3532 program.

3533 (3) (a) An adult student with a disability may be exempted
3534 from this section.

3535 (b) The following students are exempt from this section:

3536 1. A student who possesses a college degree at the
3537 associate in applied science level or higher.

3538 2. A student who demonstrates readiness for public

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3539 postsecondary education pursuant to s. 1008.30 and applicable
 3540 rules adopted by the State Board of Education and State Board of
 3541 Community Colleges.

3542 3. A student who passes a state or national industry
 3543 certification or licensure examination that is identified in
 3544 State Board of Education or State Board of Community Colleges
 3545 rules and aligned to the career education program in which the
 3546 student is enrolled.

3547 4. An adult student who is enrolled in an apprenticeship
 3548 program that is registered with the Department of Education in
 3549 accordance with chapter 446.

3550 Section 48. Paragraph (b) of subsection (2) of section
 3551 1004.92, Florida Statutes, is amended, and subsection (4) is
 3552 added to that section, to read:

3553 1004.92 Purpose and responsibilities for career education.-

3554 (2)

3555 (b) The Department of Education, for school districts, and
 3556 the State Board of Community Colleges, for Florida Community
 3557 College System institutions, have the following responsibilities
 3558 related to accountability for career education ~~includes, but is~~
 3559 not limited to:

3560 1. The provision of timely, accurate technical assistance
 3561 to school districts and Florida Community College System
 3562 institutions.

3563 2. The provision of timely, accurate information to the
 3564 State Board of Education, the Legislature, and the public.

3565 3. The development of policies, rules, and procedures that
 3566 facilitate institutional attainment of the accountability
 3567 standards and coordinate the efforts of all divisions within the

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3568 department.

3569 4. The development of program standards and industry-driven
 3570 benchmarks for career, adult, and community education programs,
 3571 which must be updated every 3 years. The standards must include
 3572 career, academic, and workplace skills; viability of distance
 3573 learning for instruction; ~~and~~ work/learn cycles that are
 3574 responsive to business and industry; and provisions that reflect
 3575 the quality components of career and technical education
 3576 programs. The Department of Education and the State Board of
 3577 Community Colleges shall collaborate to develop a common set of
 3578 standards and benchmarks as specified under this subparagraph
 3579 for the programs that are offered by both the school districts
 3580 and Florida Community College System institutions.

3581 5. Overseeing school district and Florida Community College
 3582 System institution compliance with ~~the provisions of~~ this
 3583 chapter.

3584 6. Ensuring that the educational outcomes for the technical
 3585 component of career programs are uniform and designed to provide
 3586 a graduate who is capable of entering the workforce on an
 3587 equally competitive basis regardless of the institution of
 3588 choice.

3589 (4) The State Board of Education, for career education
 3590 provided by school districts, and the State Board of Community
 3591 Colleges, for career education provided by Florida Community
 3592 College System institutions, shall collaborate to adopt rules to
 3593 administer this section.

3594 Section 49. Subsection (1) of section 1004.925, Florida
 3595 Statutes, is amended to read:

3596 1004.925 Automotive service technology education programs;

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3597 certification.-

3598 (1) All automotive service technology education programs
3599 shall be industry certified in accordance with rules adopted by
3600 the State Board of Education and the State Board of Community
3601 Colleges.

3602 Section 50. Paragraphs (c) and (d) of subsection (4) and
3603 subsections (6) and (9) of section 1004.93, Florida Statutes,
3604 are amended to read:

3605 1004.93 Adult general education.-

3606 (4)

3607 (c) The State Board of Community Colleges ~~Education~~ shall
3608 define, by rule, the levels and courses of instruction to be
3609 funded through the developmental education program. The State
3610 Board of Community Colleges shall coordinate the establishment
3611 of costs for developmental education courses, the establishment
3612 of statewide standards that define required levels of
3613 competence, acceptable rates of student progress, and the
3614 maximum amount of time to be allowed for completion of
3615 developmental education. Developmental education is part of an
3616 associate in arts degree program and may not be funded as an
3617 adult career education program.

3618 (d) Expenditures for developmental education and lifelong
3619 learning students shall be reported separately. Allocations for
3620 developmental education shall be based on proportional full-time
3621 equivalent enrollment. Program review results shall be included
3622 in the determination of subsequent allocations. A student shall
3623 be funded to enroll in the same developmental education class
3624 within a skill area only twice, after which time the student
3625 shall pay 100 percent of the full cost of instruction to support

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3626 the continuous enrollment of that student in the same class;
3627 however, students who withdraw or fail a class due to
3628 extenuating circumstances may be granted an exception only once
3629 for each class, provided approval is granted according to policy
3630 established by the board of trustees. Each Florida Community
3631 College System institution shall have the authority to review
3632 and reduce payment for increased fees due to continued
3633 enrollment in a developmental education class on an individual
3634 basis contingent upon the student's financial hardship, pursuant
3635 to definitions and fee levels established by the State Board of
3636 Community Colleges ~~Education~~. Developmental education and
3637 lifelong learning courses do not generate credit toward an
3638 associate or baccalaureate degree.

3639 (6) The commissioner, for school districts, and the
3640 Chancellor of the Florida Community College System, for Florida
3641 Community College System institutions, shall recommend the level
3642 of funding for public school and Florida Community College
3643 System institution adult education within the legislative budget
3644 request and make other recommendations and reports considered
3645 necessary or required by rules of the State Board of Education.

3646 (9) The State Board of Education and the State Board of
3647 Community Colleges may adopt rules necessary for the
3648 implementation of this section.

3649 Section 51. Subsection (3) of section 1006.60, Florida
3650 Statutes, is amended to read:

3651 1006.60 Codes of conduct; disciplinary measures; authority
3652 to adopt rules or regulations.-

3653 (3) Sanctions authorized by such codes of conduct may be
3654 imposed only for acts or omissions in violation of rules or

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3655 regulations adopted by the institution, including rules or
 3656 regulations adopted under this section, rules of the State Board
 3657 of Community Colleges regarding the Florida Community College
 3658 System Education, rules or regulations of the Board of Governors
 3659 regarding the State University System, county and municipal
 3660 ordinances, and the laws of this state, the United States, or
 3661 any other state.

3662 Section 52. Subsection (1) of section 1006.61, Florida
 3663 Statutes, is amended to read:

3664 1006.61 Participation by students in disruptive activities
 3665 at public postsecondary educational institution; penalties.—

3666 (1) Any person who accepts the privilege extended by the
 3667 laws of this state of attendance at any public postsecondary
 3668 educational institution shall, by attending such institution, be
 3669 deemed to have given his or her consent to the policies of that
 3670 institution, the State Board of Community Colleges regarding the
 3671 Florida Community College System Education, and the Board of
 3672 Governors regarding the State University System, and the laws of
 3673 this state. Such policies shall include prohibition against
 3674 disruptive activities at public postsecondary educational
 3675 institutions.

3676 Section 53. Section 1006.62, Florida Statutes, is amended
 3677 to read:

3678 1006.62 Expulsion and discipline of students of Florida
 3679 Community College System institutions and state universities.—

3680 (1) Each student in a Florida Community College System
 3681 institution or state university is subject to federal and state
 3682 law, respective county and municipal ordinances, and all rules
 3683 and regulations of the State Board of Community Colleges

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3684 regarding the Florida Community College System Education, the
 3685 Board of Governors regarding the State University System, or the
 3686 board of trustees of the institution.

3687 (2) Violation of these published laws, ordinances, or rules
 3688 and regulations may subject the violator to appropriate action
 3689 by the institution's authorities.

3690 (3) Each president of a Florida Community College System
 3691 institution or state university may, after notice to the student
 3692 of the charges and after a hearing thereon, expel, suspend, or
 3693 otherwise discipline any student who is found to have violated
 3694 any law, ordinance, or rule or regulation of the State Board of
 3695 Community Colleges regarding the Florida Community College
 3696 System Education, the Board of Governors regarding the State
 3697 University System, or the board of trustees of the institution.
 3698 A student may be entitled to waiver of expulsion:

3699 (a) If the student provides substantial assistance in the
 3700 identification, arrest, or conviction of any of his or her
 3701 accomplices, accessories, coconspirators, or principals or of
 3702 any other person engaged in violations of chapter 893 within a
 3703 state university or Florida Community College System
 3704 institution;

3705 (b) If the student voluntarily discloses his or her
 3706 violations of chapter 893 prior to his or her arrest; or

3707 (c) If the student commits himself or herself, or is
 3708 referred by the court in lieu of sentence, to a state-licensed
 3709 drug abuse program and successfully completes the program.

3710 Section 54. Paragraphs (c) and (g) of subsection (1),
 3711 paragraph (b) of subsection (2), and subsection (3) of section
 3712 1006.71, Florida Statutes, are amended to read:

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3713 1006.71 Gender equity in intercollegiate athletics.-

3714 (1) GENDER EQUITY PLAN.-

3715 (c) The Chancellor of the Florida Community College System
3716 ~~Commissioner of Education~~ shall annually assess the progress of
3717 each Florida Community College System institution's plan and
3718 advise the State Board of Community Colleges Education and the
3719 Legislature regarding compliance.

3720 (g)1. If a Florida Community College System institution is
3721 not in compliance with Title IX of the Education Amendments of
3722 1972 and the Florida Educational Equity Act, the State Board of
3723 Community Colleges Education shall:

3724 a. Declare the Florida Community College System institution
3725 ineligible for competitive state grants.

3726 b. Withhold funds sufficient to obtain compliance.

3727

3728 The Florida Community College System institution shall remain
3729 ineligible and the funds may shall not be paid until the Florida
3730 Community College System institution comes into compliance or
3731 the Chancellor of the Florida Community College System
3732 ~~Commissioner of Education~~ approves a plan for compliance.

3733 2. If a state university is not in compliance with Title IX
3734 of the Education Amendments of 1972 and the Florida Educational
3735 Equity Act, the Board of Governors shall:

3736 a. Declare the state university ineligible for competitive
3737 state grants.

3738 b. Withhold funds sufficient to obtain compliance.

3739

3740 The state university shall remain ineligible and the funds may
3741 ~~shall~~ not be paid until the state university comes into

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3742 compliance or the Board of Governors approves a plan for
3743 compliance.

3744 (2) FUNDING.-

3745 (b) The level of funding and percentage share of support
3746 for women's intercollegiate athletics for Florida Community
3747 College System institutions shall be determined by the State
3748 Board of Community Colleges Education. The level of funding and
3749 percentage share of support for women's intercollegiate
3750 athletics for state universities shall be determined by the
3751 Board of Governors. The level of funding and percentage share
3752 attained in the 1980-1981 fiscal year shall be the minimum level
3753 and percentage maintained by each institution, except as the
3754 State Board of Community Colleges Education or the Board of
3755 Governors otherwise directs its respective institutions for the
3756 purpose of assuring equity. Consideration shall be given by the
3757 State Board of Community Colleges Education or the Board of
3758 Governors to emerging athletic programs at institutions which
3759 may not have the resources to secure external funds to provide
3760 athletic opportunities for women. It is the intent that the
3761 effect of any redistribution of funds among institutions may
3762 ~~shall~~ not negate the requirements as set forth in this section.

3763 (3) STATE BOARD OF COMMUNITY COLLEGES EDUCATION.-The State
3764 Board of Community Colleges Education shall assure equal
3765 opportunity for female athletes at Florida Community College
3766 System institutions and establish:

3767 (a) In conjunction with the State Board of Education,
3768 guidelines for reporting of intercollegiate athletics data
3769 concerning financial, program, and facilities information for
3770 review by the State Board of Community Colleges Education

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3771 annually.

3772 (b) Systematic audits for the evaluation of such data.

3773 (c) Criteria for determining and assuring equity.

3774 Section 55. Section 1007.01, Florida Statutes, is amended
3775 to read:3776 1007.01 Articulation; legislative intent; purpose; role of
3777 the State Board of Education, the State Board of Community
3778 Colleges, and the Board of Governors; Articulation Coordinating
3779 Committee.-3780 (1) It is the intent of the Legislature to facilitate
3781 articulation and seamless integration of the K-20 education
3782 system by building, sustaining, and strengthening relationships
3783 among K-20 public organizations, between public and private
3784 organizations, and between the education system as a whole and
3785 Florida's communities. The purpose of building, sustaining, and
3786 strengthening these relationships is to provide for the
3787 efficient and effective progression and transfer of students
3788 within the education system and to allow students to proceed
3789 toward their educational objectives as rapidly as their
3790 circumstances permit. The Legislature further intends that
3791 articulation policies and budget actions be implemented
3792 consistently in the practices of the Department of Education and
3793 postsecondary educational institutions and expressed in the
3794 collaborative policy efforts of the State Board of Education,
3795 ~~and~~ the Board of Governors, and the State Board of Community
3796 Colleges.3797 (2) To preserve Florida's "2+2" system of articulation and
3798 improve and facilitate articulation systemwide, the State Board
3799 of Education, and the Board of Governors, and the State Board of

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3800 Community Colleges shall collaboratively establish and adopt
3801 policies with input from statewide K-20 advisory groups
3802 established by the Commissioner of Education, the Chancellor of
3803 the Florida Community College System, and the Chancellor of the
3804 State University System and shall recommend the policies to the
3805 Legislature. The policies shall relate to:3806 (a) The alignment between the exit requirements of one
3807 education system and the admissions requirements of another
3808 education system into which students typically transfer.3809 (b) The identification of common courses, the level of
3810 courses, institutional participation in a statewide course
3811 numbering system, and the transferability of credits among such
3812 institutions.3813 (c) Identification of courses that meet general education
3814 or common degree program prerequisite requirements at public
3815 postsecondary educational institutions.

3816 (d) Dual enrollment course equivalencies.

3817 (e) Articulation agreements.

3818 (3) The Commissioner of Education, in consultation with the
3819 Chancellor of the Florida Community College System and the
3820 Chancellor of the State University System, shall establish the
3821 Articulation Coordinating Committee, which shall make
3822 recommendations related to statewide articulation policies and
3823 issues regarding access, quality, and reporting of data
3824 maintained by the K-20 data warehouse, established pursuant to
3825 ss. 1001.10 and 1008.31, to the Higher Education Coordination
3826 Council, the State Board of Education, ~~and~~ the Board of
3827 Governors, and the State Board of Community Colleges. The
3828 committee shall consist of two members each representing the

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3829 State University System, the Florida Community College System,
 3830 public career and technical education, K-12 education, and
 3831 nonpublic postsecondary education and one member representing
 3832 students. The chair shall be elected from the membership. The
 3833 Office of K-20 Articulation shall provide administrative support
 3834 for the committee. The committee shall:

3835 (a) Monitor the alignment between the exit requirements of
 3836 one education system and the admissions requirements of another
 3837 education system into which students typically transfer and make
 3838 recommendations for improvement.

3839 (b) Propose guidelines for interinstitutional agreements
 3840 between and among public schools, career and technical education
 3841 centers, Florida Community College System institutions, state
 3842 universities, and nonpublic postsecondary institutions.

3843 (c) Annually recommend dual enrollment course and high
 3844 school subject area equivalencies for approval by the State
 3845 Board of Education, ~~and~~ the Board of Governors, and the State
 3846 Board of Community Colleges.

3847 (d) Annually review the statewide articulation agreement
 3848 pursuant to s. 1007.23 and make recommendations for revisions.

3849 (e) Annually review the statewide course numbering system,
 3850 the levels of courses, and the application of transfer credit
 3851 requirements among public and nonpublic institutions
 3852 participating in the statewide course numbering system and
 3853 identify instances of student transfer and admissions
 3854 difficulties.

3855 (f) Annually publish a list of courses that meet common
 3856 general education and common degree program prerequisite
 3857 requirements at public postsecondary institutions identified

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3858 pursuant to s. 1007.25.

3859 (g) Foster timely collection and reporting of statewide
 3860 education data to improve the K-20 education performance
 3861 accountability system pursuant to ss. 1001.10 and 1008.31,
 3862 including, but not limited to, data quality, accessibility, and
 3863 protection of student records.

3864 (h) Recommend roles and responsibilities of public
 3865 education entities in interfacing with the single, statewide
 3866 computer-assisted student advising system established pursuant
 3867 to s. 1006.735.

3868 (i) Make recommendations regarding the cost and
 3869 requirements to develop and implement an online system for
 3870 collecting and analyzing data regarding requests for transfer of
 3871 credit by postsecondary education students. The online system,
 3872 at a minimum, must collect information regarding the total
 3873 number of credit transfer requests denied and the reason for
 3874 each denial. Recommendations shall be reported to the President
 3875 of the Senate and the Speaker of the House of Representatives on
 3876 or before January 31, 2015.

3877 Section 56. Subsections (1) and (6) of section 1007.23,
 3878 Florida Statutes, are amended, and subsection (7) is added to
 3879 that section, to read:

3880 1007.23 Statewide articulation agreement.—

3881 (1) The State Board of Education, ~~and~~ the Board of
 3882 Governors, and the State Board of Community Colleges shall enter
 3883 into a statewide articulation agreement which the State Board of
 3884 Education and the State Board of Community Colleges shall adopt
 3885 by rule. The agreement must preserve Florida's "2+2" system of
 3886 articulation, facilitate the seamless articulation of student

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3887 credit across and among Florida's educational entities, and
 3888 reinforce the provisions of this chapter by governing:
 3889 (a) Articulation between secondary and postsecondary
 3890 education;
 3891 (b) Admission of associate in arts degree graduates from
 3892 Florida Community College System institutions and state
 3893 universities;
 3894 (c) Admission of applied technology diploma program
 3895 graduates from Florida Community College System institutions or
 3896 career centers;
 3897 (d) Admission of associate in science degree and associate
 3898 in applied science degree graduates from Florida Community
 3899 College System institutions;
 3900 (e) The use of acceleration mechanisms, including
 3901 nationally standardized examinations through which students may
 3902 earn credit;
 3903 (f) General education requirements and statewide course
 3904 numbers as provided for in ss. 1007.24 and 1007.25; and
 3905 (g) Articulation among programs in nursing.
 3906 (6) The articulation agreement must guarantee the
 3907 articulation of 9 credit hours toward a postsecondary degree in
 3908 early childhood education for programs approved by the State
 3909 Board of Community Colleges Education and the Board of Governors
 3910 which:
 3911 (a) Award a child development associate credential issued
 3912 by the National Credentialing Program of the Council for
 3913 Professional Recognition or award a credential approved under s.
 3914 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
 3915 child development associate credential; and

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3916 (b) Include training in emergent literacy which meets or
 3917 exceeds the minimum standards for training courses for
 3918 prekindergarten instructors of the Voluntary Prekindergarten
 3919 Education Program in s. 1002.59.
 3920 (7) To strengthen Florida's "2+2" system of articulation
 3921 and improve student retention and on-time graduation, by the
 3922 2018-2019 academic year, each Florida Community College System
 3923 institution shall execute at least one "2+2" targeted pathway
 3924 articulation agreement with one or more state universities and
 3925 each state university shall execute at least one such agreement
 3926 with one or more Florida Community College System institutions
 3927 to establish "2+2" targeted pathway programs. The agreement must
 3928 provide students who graduate with an associate in arts degree
 3929 and who meet specified requirements guaranteed access to the
 3930 state university and a degree program at that university, in
 3931 accordance with the terms of the "2+2" targeted pathway
 3932 articulation agreement.
 3933 (a) To participate in a "2+2" targeted pathway program, a
 3934 student must:
 3935 1. Enroll in the program before completing 30 credit hours,
 3936 including, but not limited to, college credits earned through
 3937 articulated acceleration mechanisms pursuant to s. 1007.27;
 3938 2. Complete an associate in arts degree; and
 3939 3. Meet the university's transfer requirements.
 3940 (b) A state university that executes a "2+2" targeted
 3941 pathway articulation agreement must meet the following
 3942 requirements in order to implement a "2+2" targeted pathway
 3943 program in collaboration with its partner Florida Community
 3944 College System institution:

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3945 1. Establish a 4-year on-time graduation plan for a
 3946 baccalaureate degree program, including, but not limited to, a
 3947 plan for students to complete associate in arts degree programs,
 3948 general education courses, common prerequisite courses, and
 3949 elective courses;

3950 2. Advise students enrolled in the program about the
 3951 university's transfer and degree program requirements; and

3952 3. Provide students who meet the requirements under this
 3953 paragraph with access to academic advisors and campus events and
 3954 with guaranteed admittance to the state university and a degree
 3955 program of the state university, in accordance with the terms of
 3956 the agreement.

3957 (c) To assist the state universities and Florida Community
 3958 College System institutions with implementing the "2+2" targeted
 3959 pathway programs effectively, the State Board of Community
 3960 Colleges and the Board of Governors shall collaborate to
 3961 eliminate barriers in executing "2+2" targeted pathway
 3962 articulation agreements.

3963 Section 57. Subsections (1), (2), and (3) of section
 3964 1007.24, Florida Statutes, are amended to read:

3965 1007.24 Statewide course numbering system.—

3966 (1) The Department of Education, in conjunction with the
 3967 Board of Governors and the State Board of Community Colleges,
 3968 shall develop, coordinate, and maintain a statewide course
 3969 numbering system for postsecondary and dual enrollment education
 3970 in school districts, public postsecondary educational
 3971 institutions, and participating nonpublic postsecondary
 3972 educational institutions that will improve program planning,
 3973 increase communication among all delivery systems, and

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3974 facilitate student acceleration and the transfer of students and
 3975 credits between public school districts, public postsecondary
 3976 educational institutions, and participating nonpublic
 3977 educational institutions. The continuing maintenance of the
 3978 system shall be accomplished with the assistance of appropriate
 3979 faculty committees representing public and participating
 3980 nonpublic educational institutions.

3981 (2) The Commissioner of Education, in conjunction with the
 3982 Chancellor of the Florida Community College System and the
 3983 Chancellor of the State University System, shall appoint faculty
 3984 committees representing faculties of participating institutions
 3985 to recommend a single level for each course, including
 3986 postsecondary career education courses, included in the
 3987 statewide course numbering system.

3988 (a) Any course designated as an upper-division-level course
 3989 must be characterized by a need for advanced academic
 3990 preparation and skills that a student would be unlikely to
 3991 achieve without significant prior coursework.

3992 (b) A course that is offered as part of an associate in
 3993 science degree program and as an upper-division course for a
 3994 baccalaureate degree shall be designated for both the lower and
 3995 upper division.

3996 (c) A course designated as lower-division may be offered by
 3997 any Florida Community College System institution.

3998 (3) The Commissioner of Education shall recommend to the
 3999 State Board of Education the levels for the courses. The State
 4000 Board of Education, with input from the Board of Governors and
 4001 the State Board of Community Colleges, shall approve the levels
 4002 for the courses.

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4003 Section 58. Subsections (3), (6), and (9) through (12) of
4004 section 1007.25, Florida Statutes, are amended to read:

4005 1007.25 General education courses; common prerequisites;
4006 other degree requirements.—

4007 (3) The chair of the State Board of Community Colleges
4008 ~~Education~~ and the chair of the Board of Governors, or their
4009 designees, shall jointly appoint faculty committees to identify
4010 statewide general education core course options. General
4011 education core course options shall consist of a maximum of five
4012 courses within each of the subject areas of communication,
4013 mathematics, social sciences, humanities, and natural sciences.
4014 The core courses may be revised, or the five-course maximum
4015 within each subject area may be exceeded, if approved by the
4016 State Board of Community Colleges ~~Education~~ and the Board of
4017 Governors, as recommended by the subject area faculty committee
4018 and approved by the Articulation Coordinating Committee as
4019 necessary for a subject area. Each general education core course
4020 option must contain high-level academic and critical thinking
4021 skills and common competencies that students must demonstrate to
4022 successfully complete the course. Beginning with students
4023 initially entering a Florida Community College System
4024 institution or state university in 2015–2016 and thereafter,
4025 each student must complete at least one identified core course
4026 in each subject area as part of the general education course
4027 requirements. All public postsecondary educational institutions
4028 shall accept these courses as meeting general education core
4029 course requirements. The remaining general education course
4030 requirements shall be identified by each institution and
4031 reported to the department by their statewide course number. The

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4032 general education core course options shall be adopted in rule
4033 by the State Board of Community Colleges ~~Education~~ and in
4034 regulation by the Board of Governors.

4035 (6) The department shall identify common prerequisite
4036 courses and course substitutions for degree programs across all
4037 institutions. Common degree program prerequisites shall be
4038 offered and accepted by all state universities and Florida
4039 Community College System institutions, except in cases approved
4040 by the State Board of Community Colleges, ~~Education~~ for Florida
4041 Community College System institutions, and the Board of
4042 Governors, for state universities. The department shall develop
4043 a centralized database containing the list of courses and course
4044 substitutions that meet the prerequisite requirements for each
4045 baccalaureate degree program.

4046 (9) A baccalaureate degree program shall require no more
4047 than 120 semester hours of college credit and include 36
4048 semester hours of general education coursework, unless prior
4049 approval has been granted by the Board of Governors for
4050 baccalaureate degree programs offered by state universities and
4051 by the State Board of Community Colleges ~~Education~~ for
4052 baccalaureate degree programs offered by Florida Community
4053 College System institutions.

4054 (10) A student who received an associate in arts degree for
4055 successfully completing 60 semester credit hours may continue to
4056 earn ~~additional~~ credits at a Florida Community College System
4057 institution. The university must provide credit toward the
4058 student's baccalaureate degree for ~~a an-additional~~ Florida
4059 Community College System institution course if, according to the
4060 statewide course numbering, the Florida Community College System

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4061 institution course is a course listed in the university catalog
 4062 as required for the degree or as prerequisite to a course
 4063 required for the degree. Of the courses required for the degree,
 4064 at least half of the credit hours required for the degree shall
 4065 be achievable through courses designated as lower division,
 4066 except in degree programs approved by the State Board of
 4067 Community Colleges Education for programs offered by Florida
 4068 Community College System institutions and by the Board of
 4069 Governors for programs offered by state universities.

4070 (11) Students at state universities may request associate
 4071 in arts certificates if they have successfully completed the
 4072 minimum requirements for the degree of associate in arts (A.A.).
 4073 The university must grant the student an associate in arts
 4074 degree if the student has successfully completed minimum
 4075 requirements for college-level communication and computation
 4076 skills adopted by the State Board of Community Colleges
 4077 ~~Education~~ and 60 academic semester hours or the equivalent
 4078 within a degree program area, including 36 semester hours in
 4079 general education courses in the subject areas of communication,
 4080 mathematics, social sciences, humanities, and natural sciences,
 4081 consistent with the general education requirements specified in
 4082 the articulation agreement pursuant to s. 1007.23.

4083 (12) The Commissioner of Education and the Chancellor of
 4084 the Florida Community College System shall jointly appoint
 4085 faculty committees representing both Florida Community College
 4086 System institution and public school faculties to recommend to
 4087 the commissioner, or the Chancellor of the Florida Community
 4088 College System, as applicable, for approval by the State Board
 4089 of Education and the State Board of Community Colleges, as

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4090 applicable, a standard program length and appropriate
 4091 occupational completion points for each postsecondary career
 4092 certificate program, diploma, and degree offered by a school
 4093 district or a Florida Community College System institution.

4094 Section 59. Section 1007.262, Florida Statutes, is amended
 4095 to read:

4096 1007.262 Foreign language competence; equivalence
 4097 determinations.—The Department of Education shall identify the
 4098 competencies demonstrated by students upon the successful
 4099 completion of 2 credits of sequential high school foreign
 4100 language instruction. For the purpose of determining
 4101 postsecondary equivalence, the State Board of Community Colleges
 4102 ~~department~~ shall develop rules through which Florida Community
 4103 College System institutions correlate such competencies to the
 4104 competencies required of students in the colleges' respective
 4105 courses. Based on this correlation, each Florida Community
 4106 College System institution shall identify the minimum number of
 4107 postsecondary credits that students must earn in order to
 4108 demonstrate a level of competence in a foreign language at least
 4109 equivalent to that of students who have completed 2 credits of
 4110 such instruction in high school. The department may also specify
 4111 alternative means by which students can demonstrate equivalent
 4112 foreign language competence, including means by which a student
 4113 whose native language is not English may demonstrate proficiency
 4114 in the native language. A student who demonstrates proficiency
 4115 in a native language other than English is exempt from a
 4116 requirement of completing foreign language courses at the
 4117 secondary or Florida Community College System level.

4118 Section 60. Section 1007.263, Florida Statutes, is amended

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4119 to read:

4120 1007.263 Florida Community College System institutions;
 4121 admissions of students.—Each Florida Community College System
 4122 institution board of trustees is authorized to adopt rules
 4123 governing admissions of students subject to this section and
 4124 rules of the State Board of Community Colleges Education. These
 4125 rules shall include the following:

4126 (1) Admissions counseling shall be provided to all students
 4127 entering college or career credit programs. For students who are
 4128 not otherwise exempt from testing under s. 1008.30, counseling
 4129 must use tests to measure achievement of college-level
 4130 communication and computation competencies by students entering
 4131 college credit programs or tests to measure achievement of basic
 4132 skills for career education programs as prescribed in s.
 4133 1004.91. Counseling includes providing developmental education
 4134 options for students whose assessment results, determined under
 4135 s. 1008.30, indicate that they need to improve communication or
 4136 computation skills that are essential to perform college-level
 4137 work.

4138 (2) Admission to associate degree programs is subject to
 4139 minimum standards adopted by the State Board of Community
 4140 Colleges Education and shall require:

4141 (a) A standard high school diploma, a high school
 4142 equivalency diploma as prescribed in s. 1003.435, previously
 4143 demonstrated competency in college credit postsecondary
 4144 coursework, or, in the case of a student who is home educated, a
 4145 signed affidavit submitted by the student's parent or legal
 4146 guardian attesting that the student has completed a home
 4147 education program pursuant to the requirements of s. 1002.41.

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4148 Students who are enrolled in a dual enrollment or early
 4149 admission program pursuant to s. 1007.271 are exempt from this
 4150 requirement.

4151 (b) A demonstrated level of achievement of college-level
 4152 communication and computation skills.

4153 (c) Any other requirements established by the board of
 4154 trustees.

4155 (3) Admission to other programs within the Florida
 4156 Community College System institution shall include education
 4157 requirements as established by the board of trustees.

4158 (4) A student who has been awarded a certificate of
 4159 completion under s. 1003.4282 is eligible to enroll in
 4160 certificate career education programs.

4161 (5) A student with a documented disability may be eligible
 4162 for reasonable substitutions, as prescribed in ss. 1007.264 and
 4163 1007.265.

4164 Each board of trustees shall establish policies that notify
 4165 students about developmental education options for improving
 4166 their communication or computation skills that are essential to
 4167 performing college-level work, including tutoring, extended time
 4168 in gateway courses, free online courses, adult basic education,
 4169 adult secondary education, or private provider instruction.

4170 Section 61. Subsection (2) of section 1007.264, Florida
 4171 Statutes, is amended to read:

4172 1007.264 Persons with disabilities; admission to
 4173 postsecondary educational institutions; substitute requirements;
 4174 rules and regulations.—

4175 (2) The State Board of Community Colleges Education, in
 4176

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4177 consultation with the Board of Governors, shall adopt rules to
 4178 implement this section for Florida Community College System
 4179 institutions and shall develop substitute admission requirements
 4180 where appropriate.

4181 Section 62. Subsections (2) and (3) of section 1007.265,
 4182 Florida Statutes, are amended to read:

4183 1007.265 Persons with disabilities; graduation, study
 4184 program admission, and upper-division entry; substitute
 4185 requirements; rules and regulations.—

4186 (2) The State Board of Community Colleges Education, in
 4187 consultation with the Board of Governors, shall adopt rules to
 4188 implement this section for Florida Community College System
 4189 institutions and shall develop substitute requirements where
 4190 appropriate.

4191 (3) The Board of Governors, in consultation with the State
 4192 Board of Community Colleges Education, shall adopt regulations
 4193 to implement this section for state universities and shall
 4194 develop substitute requirements where appropriate.

4195 Section 63. Effective July 1, 2018, subsections (2), (6),
 4196 (7), and (8) of section 1007.27, Florida Statutes, are amended
 4197 to read:

4198 1007.27 Articulated acceleration mechanisms.—

4199 (2) (a) The Department of Education shall annually identify
 4200 and publish the minimum scores, maximum credit, and course or
 4201 courses for which credit is to be awarded for each College Level
 4202 Examination Program (CLEP) subject examination, College Board
 4203 Advanced Placement Program examination, Advanced International
 4204 Certificate of Education examination, International
 4205 Baccalaureate examination, Excelsior College subject

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4206 examination, Defense Activity for Non-Traditional Education
 4207 Support (DANTES) subject standardized test, and Defense Language
 4208 Proficiency Test (DLPT). The department shall use student
 4209 performance data in subsequent postsecondary courses to
 4210 determine the appropriate examination scores and courses for
 4211 which credit is to be granted. Minimum scores may vary by
 4212 subject area based on available performance data. In addition,
 4213 the department shall identify such courses in the general
 4214 education core curriculum of each state university and Florida
 4215 Community College System institution.

4216 (b) Each district school board shall notify students who
 4217 enroll in articulated acceleration mechanism courses or take
 4218 examinations pursuant to this section of the credit-by-
 4219 examination equivalency list adopted by rule by the State Board
 4220 of Education and the dual enrollment course and high school
 4221 subject area equivalencies approved by the state board pursuant
 4222 to s. 1007.271(9).

4223 (6) Credit by examination shall be the program through
 4224 which secondary and postsecondary students generate
 4225 postsecondary credit based on the receipt of a specified minimum
 4226 score on nationally standardized general or subject-area
 4227 examinations. For the purpose of statewide application, such
 4228 examinations and the corresponding minimum scores required for
 4229 an award of credit shall be delineated by the State Board of
 4230 Education, ~~and~~ the Board of Governors, and the State Board of
 4231 Community Colleges in the statewide articulation agreement
 4232 required by s. 1007.23(1). The maximum credit generated by a
 4233 student pursuant to this subsection shall be mitigated by any
 4234 related postsecondary credit earned by the student prior to the

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4235 administration of the examination. This subsection shall not
 4236 preclude Florida Community College System institutions and
 4237 universities from awarding credit by examination based on
 4238 student performance on examinations developed within and
 4239 recognized by the individual postsecondary institutions.

4240 (7) The International Baccalaureate Program shall be the
 4241 curriculum in which eligible secondary students are enrolled in
 4242 a program of studies offered through the International
 4243 Baccalaureate Program administered by the International
 4244 Baccalaureate Office. The State Board of Community Colleges
 4245 ~~Education~~ and the Board of Governors shall specify in the
 4246 statewide articulation agreement required by s. 1007.23(1) the
 4247 cutoff scores and International Baccalaureate Examinations which
 4248 will be used to grant postsecondary credit at Florida Community
 4249 College System institutions and universities. Any changes to the
 4250 articulation agreement, which have the effect of raising the
 4251 required cutoff score or of changing the International
 4252 Baccalaureate Examinations which will be used to grant
 4253 postsecondary credit, shall only apply to students taking
 4254 International Baccalaureate Examinations after such changes are
 4255 adopted by the State Board of Community Colleges ~~Education~~ and
 4256 the Board of Governors. Students shall be awarded a maximum of
 4257 30 semester credit hours pursuant to this subsection. The
 4258 specific course for which a student may receive such credit
 4259 shall be specified in the statewide articulation agreement
 4260 required by s. 1007.23(1). Students enrolled pursuant to this
 4261 subsection shall be exempt from the payment of any fees for
 4262 administration of the examinations regardless of whether or not
 4263 the student achieves a passing score on the examination.

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4264 (8) The Advanced International Certificate of Education
 4265 Program and the International General Certificate of Secondary
 4266 Education (pre-AICE) Program shall be the curricula in which
 4267 eligible secondary students are enrolled in programs of study
 4268 offered through the Advanced International Certificate of
 4269 Education Program or the International General Certificate of
 4270 Secondary Education (pre-AICE) Program administered by the
 4271 University of Cambridge Local Examinations Syndicate. The State
 4272 Board of Community Colleges ~~Education~~ and the Board of Governors
 4273 shall specify in the statewide articulation agreement required
 4274 by s. 1007.23(1) the cutoff scores and Advanced International
 4275 Certificate of Education examinations which will be used to
 4276 grant postsecondary credit at Florida Community College System
 4277 institutions and universities. Any changes to the cutoff scores,
 4278 which changes have the effect of raising the required cutoff
 4279 score or of changing the Advanced International Certification of
 4280 Education examinations which will be used to grant postsecondary
 4281 credit, shall apply to students taking Advanced International
 4282 Certificate of Education examinations after such changes are
 4283 adopted by the State Board of Community Colleges ~~Education~~ and
 4284 the Board of Governors. Students shall be awarded a maximum of
 4285 30 semester credit hours pursuant to this subsection. The
 4286 specific course for which a student may receive such credit
 4287 shall be determined by the Florida Community College System
 4288 institution or university that accepts the student for
 4289 admission. Students enrolled in either program of study pursuant
 4290 to this subsection shall be exempt from the payment of any fees
 4291 for administration of the examinations regardless of whether the
 4292 student achieves a passing score on the examination.

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4293 Section 64. Subsections (3) and (22) of section 1007.271,
 4294 Florida Statutes, are amended to read:
 4295 1007.271 Dual enrollment programs.—
 4296 (3) Student eligibility requirements for initial enrollment
 4297 in college credit dual enrollment courses must include a 3.0
 4298 unweighted high school grade point average and the minimum score
 4299 on a common placement test adopted by the State Board of
 4300 Education which indicates that the student is ready for college-
 4301 level coursework. Student eligibility requirements for continued
 4302 enrollment in college credit dual enrollment courses must
 4303 include the maintenance of a 3.0 unweighted high school grade
 4304 point average and the minimum postsecondary grade point average
 4305 established by the postsecondary institution. Regardless of
 4306 meeting student eligibility requirements for continued
 4307 enrollment, a student may lose the opportunity to participate in
 4308 a dual enrollment course if the student is disruptive to the
 4309 learning process such that the progress of other students or the
 4310 efficient administration of the course is hindered. Student
 4311 eligibility requirements for initial and continued enrollment in
 4312 career certificate dual enrollment courses must include a 2.0
 4313 unweighted high school grade point average. Exceptions to the
 4314 required grade point averages may be granted on an individual
 4315 student basis if the educational entities agree and the terms of
 4316 the agreement are contained within the dual enrollment
 4317 articulation agreement established pursuant to subsection (21).
 4318 Florida Community College System institution boards of trustees
 4319 may establish additional initial student eligibility
 4320 requirements, which shall be included in the dual enrollment
 4321 articulation agreement, to ensure student readiness for

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4322 postsecondary instruction. Additional requirements included in
 4323 the agreement may not arbitrarily prohibit students who have
 4324 demonstrated the ability to master advanced courses from
 4325 participating in dual enrollment courses.
 4326 (22) The Department of Education shall develop an
 4327 electronic submission system for dual enrollment articulation
 4328 agreements and shall review, for compliance, each dual
 4329 enrollment articulation agreement submitted pursuant to
 4330 subsections (13), (21), and (24). The Commissioner of Education
 4331 shall notify the district school superintendent and the Florida
 4332 Community College System institution president if the dual
 4333 enrollment articulation agreement does not comply with statutory
 4334 requirements and shall submit any dual enrollment articulation
 4335 agreement with unresolved issues of noncompliance to the State
 4336 Board of Education. The State Board of Education shall
 4337 collaborate with the State Board of Community Colleges to settle
 4338 unresolved issues of noncompliance.
 4339 Section 65. Subsection (6) of section 1007.273, Florida
 4340 Statutes, is amended to read:
 4341 1007.273 Collegiate high school program.—
 4342 (6) The collegiate high school program shall be funded
 4343 pursuant to ss. 1007.271 and 1011.62. The State Board of
 4344 Education shall enforce compliance with this section by
 4345 withholding the transfer of funds for the school districts ~~and~~
 4346 ~~the Florida College System institutions~~ in accordance with s.
 4347 1008.32. Annually, by December 31, the State Board of Community
 4348 Colleges shall enforce compliance with this section by
 4349 withholding the transfer of funds for the Florida Community
 4350 College System institutions in accordance with s. 1001.602.

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4351 Section 66. Section 1007.33, Florida Statutes, is amended
4352 to read:

4353 1007.33 Site-determined baccalaureate degree access.—

4354 (1) (a) The Legislature recognizes that public and private
4355 postsecondary educational institutions play an essential role in
4356 improving the quality of life and economic well-being of the
4357 state and its residents. The Legislature also recognizes that
4358 economic development needs and the educational needs of place-
4359 bound, nontraditional students have increased the demand for
4360 local access to baccalaureate degree programs. It is therefore
4361 the intent of the Legislature to further expand access to
4362 baccalaureate degree programs through the use of Florida
4363 Community College System institutions.

4364 (b) For purposes of this section, the term “district”
4365 refers to the county or counties served by a Florida Community
4366 College System institution pursuant to s. 1000.21(3).

4367 (2) Any Florida Community College System institution that
4368 offers one or more baccalaureate degree programs must:

4369 (a) Maintain as its primary mission:

4370 1. Responsibility for responding to community needs for
4371 postsecondary academic education and career degree education as
4372 prescribed in s. 1004.65(5).

4373 2. The provision of associate degrees that provide access
4374 to a university.

4375 (b) Maintain an open-door admission policy for associate-
4376 level degree programs and workforce education programs.

4377 (c) Continue to provide outreach to underserved
4378 populations.

4379 (d) Continue to provide remedial education pursuant to s.

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4380 1008.30.

4381 (e) Comply with all provisions of the statewide
4382 articulation agreement which relate to 2-year and 4-year public
4383 degree-granting institutions as adopted by the State Board of
4384 Education or the State Board of Community Colleges, as
4385 applicable, pursuant to s. 1007.23.

4386 (f) Not award graduate credit.

4387 (g) Not participate in intercollegiate athletics beyond the
4388 2-year level.

4389 (3) A Florida Community College System institution may not
4390 terminate its associate in arts or associate in science degree
4391 programs as a result of being authorized to offer one or more
4392 baccalaureate degree programs. The Legislature intends that the
4393 primary responsibility of a Florida Community College System
4394 institution, including a Florida Community College System
4395 institution that offers baccalaureate degree programs, continues
4396 to be the provision of associate degrees that provide access to
4397 a university.

4398 (4) A Florida Community College System institution may:

4399 (a) Offer specified baccalaureate degree programs through
4400 formal agreements between the Florida Community College System
4401 institution and other regionally accredited postsecondary
4402 educational institutions pursuant to s. 1007.22.

4403 (b) Offer baccalaureate degree programs that are ~~were~~
4404 authorized by law ~~prior to July 1, 2009.~~

4405 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~
4406 ~~baccalaureate degree program~~ for purposes of meeting district,
4407 regional, or statewide workforce needs if approved by the State
4408 Board of Community Colleges Education under this section.

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4409 ~~However, a Florida Community College System institution may not~~
 4410 ~~offer a bachelor of arts degree program.~~

4411
 4412 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
 4413 ~~College is authorized to establish one or more bachelor of~~
 4414 ~~applied science degree programs based on an analysis of~~
 4415 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
 4416 ~~other counties approved by the Department of Education. For each~~
 4417 ~~program selected, St. Petersburg College must offer a related~~
 4418 ~~associate in science or associate in applied science degree~~
 4419 ~~program, and the baccalaureate degree level program must be~~
 4420 ~~designed to articulate fully with at least one associate in~~
 4421 ~~science degree program. The college is encouraged to develop~~
 4422 ~~articulation agreements for enrollment of graduates of related~~
 4423 ~~associate in applied science degree programs. The Board of~~
 4424 ~~Trustees of St. Petersburg College is authorized to establish~~
 4425 ~~additional baccalaureate degree programs if it determines a~~
 4426 ~~program is warranted and feasible based on each of the factors~~
 4427 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~
 4428 ~~Petersburg College may not establish any new baccalaureate~~
 4429 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~
 4430 ~~to developing or proposing a new baccalaureate degree program,~~
 4431 ~~St. Petersburg College shall engage in need, demand, and impact~~
 4432 ~~discussions with the state university in its service district~~
 4433 ~~and other local and regional, accredited postsecondary providers~~
 4434 ~~in its region. Documentation, data, and other information from~~
 4435 ~~inter-institutional discussions regarding program need, demand,~~
 4436 ~~and impact shall be provided to the college's board of trustees~~
 4437 ~~to inform the program approval process. Employment at St.~~

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4438 ~~Petersburg College is governed by the same laws that govern~~
 4439 ~~Florida College System institutions, except that upper division~~
 4440 ~~faculty are eligible for continuing contracts upon the~~
 4441 ~~completion of the fifth year of teaching. Employee records for~~
 4442 ~~all personnel shall be maintained as required by s. 1012.01.~~

4443 (5) The approval process for baccalaureate degree programs
 4444 requires ~~shall require~~:

4445 (a) Each Florida Community College System institution to
 4446 submit a notice of interest at least 180 days before submitting
 4447 a notice of its intent to propose a baccalaureate degree program
 4448 to the Division of Florida Colleges at least 100 days before the
 4449 submission of its proposal under paragraph (d). The notice of
 4450 interest must be submitted into a shared postsecondary database
 4451 that allows other postsecondary institutions to preview and
 4452 provide feedback on the notice of interest. A written notice of
 4453 intent must be submitted to the Chancellor of the Florida
 4454 Community College System at least 100 days before the submission
 4455 of a baccalaureate degree program proposal under paragraph (c).
 4456 The notice of intent must include a brief description of the
 4457 program, the workforce demand and unmet need for graduates of the
 4458 program to include evidence from entities independent of the
 4459 institution, the geographic region to be served, and an
 4460 estimated timeframe for implementation. Notices of interest and
 4461 intent may be submitted by a Florida Community College System
 4462 institution at any time throughout the year. The notice of
 4463 intent must also include evidence that the Florida Community
 4464 College System institution engaged in need, demand, and impact
 4465 discussions with the state university and other regionally
 4466 accredited postsecondary education providers in its service

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 4467 district.
 4468 (b) The Chancellor of the Florida Community College System
 4469 ~~Division of Florida Colleges~~ to forward the notice of intent
 4470 submitted pursuant to paragraph (a) and the justification for
 4471 the proposed baccalaureate degree program required under
 4472 paragraph (c) within 10 business days after receiving such
 4473 notice and justification to the Chancellor of the State
 4474 University System, the president of the Independent Colleges and
 4475 Universities of Florida, and the Executive Director of the
 4476 Commission for Independent Education. State universities shall
 4477 have 60 days following receipt of the notice of intent and
 4478 justification by the Chancellor of the State University System
 4479 to submit an objection and a reason for the objection to the
 4480 proposed baccalaureate degree program which may include
 4481 objections to the proposed new program or submit an alternative
 4482 proposal to offer the baccalaureate degree program. The
 4483 Chancellor of the State University System shall review the
 4484 objection raised by a state university and inform the Board of
 4485 Governors of the objection before a state university submits its
 4486 objection to the Chancellor of the Florida Community College
 4487 System. The Chancellor of the Florida Community College System
 4488 must consult with the Chancellor of the State University System
 4489 to consider the objection raised by the state university before
 4490 the State Board of Community Colleges approves or denies a
 4491 Florida Community College System institution's proposal
 4492 submitted pursuant to paragraph (c). If a proposal from a state
 4493 university is not received within the 60 day period, The
 4494 Chancellor of the Florida Community College System State Board
 4495 of Education shall also provide regionally accredited private

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 4496 colleges and universities 60 ~~30~~ days to submit an objection and
 4497 a reason for the objection to the proposed baccalaureate degree
 4498 program which may include an alternative proposal to offer a
 4499 baccalaureate degree program objections to the proposed new
 4500 program or submit an alternative proposal. Objections by a
 4501 regionally accredited private college or university or
 4502 alternative proposals shall be submitted to the Chancellor of
 4503 the Florida Community College System, and the state board must
 4504 consider such objections before ~~Division of Florida Colleges and~~
 4505 ~~must be considered by the State Board of Education in making its~~
 4506 decision to approve or deny a Florida Community College System
 4507 institution's proposal submitted pursuant to paragraph (c).
 4508 ~~(c) An alternative proposal submitted by a state university~~
 4509 ~~or private college or university to adequately address:~~
 4510 1. The extent to which the workforce demand and unmet need
 4511 described in the notice of intent will be met.
 4512 2. The extent to which students will be able to complete
 4513 the degree in the geographic region proposed to be served by the
 4514 Florida College System institution.
 4515 3. The level of financial commitment of the college or
 4516 university to the development, implementation, and maintenance
 4517 of the specified degree program, including timelines.
 4518 4. The extent to which faculty at both the Florida College
 4519 System institution and the college or university will
 4520 collaborate in the development and offering of the curriculum.
 4521 5. The ability of the Florida College System institution
 4522 and the college or university to develop and approve the
 4523 curriculum for the specified degree program within 6 months
 4524 after an agreement between the Florida College System

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4525 ~~institution and the college or university is signed.~~

4526 ~~6. The extent to which the student may incur additional~~
 4527 ~~costs above what the student would expect to incur if the~~
 4528 ~~program were offered by the Florida College System institution.~~

4529 ~~(c) (d)~~ Each Florida Community College System institution to
 4530 submit a baccalaureate degree program proposal at least 100 days
 4531 after submitting the notice of intent. Each proposal must
 4532 submitted by a Florida College System institution to, at a
 4533 minimum, include:

4534 1. A description of the planning process and timeline for
 4535 implementation.

4536 2. A justification for the proposed baccalaureate degree
 4537 program, including, at a minimum, a data-driven ~~An~~ analysis of
 4538 workforce demand and unmet need for graduates of the program on
 4539 a district, regional, or statewide basis, as appropriate, and
 4540 the extent to which the proposed program will meet the workforce
 4541 demand and unmet need. The analysis must include workforce and
 4542 employment data for the most recent years and projections by the
 4543 Department of Economic Opportunity for future years, and a
 4544 summary of degree programs similar to the proposed degree
 4545 program which are currently offered by state universities or by
 4546 independent nonprofit colleges or universities that are eligible
 4547 to participate in a grant program pursuant to s. 1009.89 and
 4548 which are located in the Florida Community College System
 4549 institution's regional service area. The analysis and evidence
 4550 must be verified by the Chancellor of the Florida Community
 4551 College System including evidence from entities independent of
 4552 the institution.

4553 3. Identification of the facilities, equipment, and library

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4554 and academic resources that will be used to deliver the program.

4555 4. The program cost analysis of creating a new
 4556 baccalaureate degree when compared to alternative proposals and
 4557 other program delivery options.

4558 5. The program's admission requirements, academic content,
 4559 curriculum, faculty credentials, student-to-teacher ratios, and
 4560 accreditation plan.

4561 6. The program's student enrollment projections and funding
 4562 requirements, including:

4563 a. The impact of the program's enrollment projections on
 4564 compliance with the upper-level enrollment provisions under
 4565 subsection (6); and

4566 b. The institution's efforts to sustain the program at the
 4567 cost of tuition and fees for students who are classified as
 4568 residents for tuition purposes under s. 1009.21, not to exceed
 4569 \$10,000 for the entire degree program, including flexible
 4570 tuition and fee rates, and the use of waivers pursuant to s.
 4571 1009.26(11).

4572 7. A plan of action if the program is terminated.

4573 ~~(d) (e)~~ The State Board of Community Division of Florida
 4574 Colleges to review the proposal, notify the Florida Community
 4575 College System institution of any deficiencies in writing within
 4576 30 days following receipt of the proposal, and provide the
 4577 Florida Community College System institution with an opportunity
 4578 to correct the deficiencies. Within 45 days following receipt of
 4579 a completed proposal by the State Board of Community Division of
 4580 Florida Colleges, the Chancellor of the Florida Community
 4581 College System Commissioner of Education shall recommend
 4582 approval or disapproval of the proposal to the State Board of

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4583 ~~Community Colleges Education~~. The State Board of Community
 4584 ~~Colleges Education~~ shall consider such recommendation, the
 4585 proposal, input from the Chancellor of the State University
 4586 System and the president of the Independent Colleges and
 4587 Universities of Florida, and any objections or alternative
 4588 proposals at its next meeting. If the State Board of Community
 4589 ~~Colleges Education~~ disapproves the Florida Community College
 4590 System institution's proposal, it shall provide the Florida
 4591 Community College System institution with written reasons for
 4592 that determination.

4593 ~~(e)(f)~~ The Florida Community College System institution to
 4594 obtain from the Commission on Colleges of the Southern
 4595 Association of Colleges and Schools accreditation as a
 4596 baccalaureate-degree-granting institution if approved by the
 4597 State Board of Community Colleges Education to offer its first
 4598 baccalaureate degree program.

4599 ~~(f)(g)~~ The Florida Community College System institution to
 4600 notify the Commission on Colleges of the Southern Association of
 4601 Colleges and Schools of subsequent degree programs that are
 4602 approved by the State Board of Community Colleges Education and
 4603 to comply with the association's required substantive change
 4604 protocols for accreditation purposes.

4605 ~~(g)(h)~~ The Florida Community College System institution to
 4606 annually report to the State Board of Community Colleges, the
 4607 Chancellor of the State University System, and upon request of
 4608 ~~the State Board of Education, the Commissioner of Education, the~~
 4609 ~~Chancellor of the Florida College System, or the Legislature,~~
 4610 ~~report~~ its status using the following performance and compliance
 4611 indicators:

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4612 1. Obtaining and maintaining appropriate Southern
 4613 Association of Colleges and Schools accreditation;
 4614 2. Maintaining qualified faculty and institutional
 4615 resources;
 4616 3. Maintaining student enrollment in previously approved
 4617 programs;
 4618 4. Managing fiscal resources appropriately;
 4619 5. Complying with the primary mission and responsibility
 4620 requirements in subsections (2) and (3); ~~and~~
 4621 6. Incorporating other indicators of success, including
 4622 program completions, employment and earnings outcomes, student
 4623 acceptance into and performance in graduate programs placements,
 4624 and surveys of graduates and employers; ~~-~~
 4625 7. Continuing to meet workforce demand, as provided in
 4626 subparagraph (c)2., as demonstrated through a data-driven needs
 4627 assessment by the Florida Community College System institution
 4628 which is verified by more than one third-party professional
 4629 entity that is independent of the institution; and
 4630 8. Complying with the upper-level enrollment provisions
 4631 under subsection (6).
 4632
 4633 The State Board of Community Colleges Education, upon annual
 4634 review of the baccalaureate degree program performance and
 4635 compliance indicators and needs assessment, may require a
 4636 Florida Community College System institution's board of trustees
 4637 to modify or terminate a baccalaureate degree program authorized
 4638 under this section. If the annual review indicates negative
 4639 program performance and compliance results, and if the needs
 4640 assessment fails to demonstrate a need for the program, the

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4641 State Board of Community Colleges must require a Florida
 4642 Community College System institution's board of trustees to
 4643 terminate that baccalaureate degree program.

4644 (6) (a) The upper-level, undergraduate full-time equivalent
 4645 enrollment at a Florida Community College System institution may
 4646 not exceed 20 percent of the total full-time equivalent
 4647 enrollment at that institution.

4648 (b) The upper-level, undergraduate full-time equivalent
 4649 enrollment in the Florida Community College System may not
 4650 exceed 10 percent of the total full-time equivalent enrollment
 4651 of the Florida Community College System.

4652 (c) For any planned and purposeful expansion of existing
 4653 baccalaureate degree programs or creation of a new baccalaureate
 4654 program, a Florida Community College System institution must
 4655 demonstrate satisfactory performance in fulfilling its primary
 4656 mission pursuant to s. 1004.65, executing at least one "2+2"
 4657 targeted pathway articulation agreement pursuant to s. 1007.23,
 4658 and meeting or exceeding the performance standards related to
 4659 on-time completion and graduation rates under s. 1001.66 for
 4660 students earning associate in arts or baccalaureate degrees. The
 4661 State Board of Community Colleges may not approve a new
 4662 baccalaureate degree program proposal for a Florida Community
 4663 College System institution that does not meet the conditions
 4664 specified in this subsection in addition to the other
 4665 requirements for approval under this section. Each community
 4666 college that offers a baccalaureate degree must annually review
 4667 each baccalaureate degree program and annually report to the
 4668 State Board of Community Colleges, in a format prescribed by the
 4669 state board, current and projected student enrollment for such

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4670 program, justification for continuation of each baccalaureate
 4671 degree program, and a plan to comply with the upper-level
 4672 enrollment provisions of this subsection. A Florida Community
 4673 College System institution that does not comply with the
 4674 requirements of this section is subject to s. 1001.602(9) and
 4675 may not report for funding the upper-level, undergraduate full-
 4676 time equivalent enrollment that exceeds the upper-level
 4677 enrollment percent provision of this subsection.

4678 (7)(6) The State Board of Community Colleges ~~Education~~
 4679 shall adopt rules to prescribe format and content requirements
 4680 and submission procedures for notices of interest and intent,
 4681 baccalaureate degree program proposals, objections ~~alternative~~
 4682 proposals, and compliance reviews under subsection (5).

4683 Section 67. Effective July 1, 2018, subsections (1), (3),
 4684 (4), and (5) of section 1008.30, Florida Statutes, are amended
 4685 and subsection (7) is added to that section, to read:

4686 1008.30 Common placement testing for public postsecondary
 4687 education.-

4688 (1) The State Board of Community Colleges ~~Education~~, in
 4689 conjunction with the Board of Governors and the State Board of
 4690 Education, shall develop and implement a common placement test
 4691 for the purpose of assessing the basic computation and
 4692 communication skills of students who intend to enter a degree
 4693 program at any public postsecondary educational institution.
 4694 Alternative assessments that may be accepted in lieu of the
 4695 common placement test shall also be identified in rule. Public
 4696 postsecondary educational institutions shall provide appropriate
 4697 modifications of the test instruments or test procedures for
 4698 students with disabilities.

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4699 (3) ~~By October 31, 2013,~~ The State Board of Community
 4700 Colleges, in conjunction with the Board of Governors and the
 4701 State Board of Education, Education shall establish by rule the
 4702 test scores a student must achieve to demonstrate readiness to
 4703 perform college-level work, and the rules must specify the
 4704 following:

4705 (a) A student who entered 9th grade in a Florida public
 4706 school in the 2003-2004 school year, or any year thereafter, and
 4707 earned a Florida standard high school diploma or a student who
 4708 is serving as an active duty member of any branch of the United
 4709 States Armed Services shall not be required to take the common
 4710 placement test and shall not be required to enroll in
 4711 developmental education instruction in a Florida Community
 4712 College System institution. However, a student who is not
 4713 required to take the common placement test and is not required
 4714 to enroll in developmental education under this paragraph may
 4715 opt to be assessed and to enroll in developmental education
 4716 instruction, and the college shall provide such assessment and
 4717 instruction upon the student's request.

4718 (b) A student who takes the common placement test and whose
 4719 score on the test indicates a need for developmental education
 4720 must be advised of all the developmental education options
 4721 offered at the institution and, after advisement, shall be
 4722 allowed to enroll in the developmental education option of his
 4723 or her choice.

4724 (c) A student who demonstrates readiness by achieving or
 4725 exceeding the test scores established by the state board and
 4726 enrolls in a Florida Community College System institution within
 4727 2 years after achieving such scores shall not be required to

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4728 retest or complete developmental education when admitted to any
 4729 Florida Community College System institution.

4730 (4) ~~By December 31, 2013,~~ The State Board of Community
 4731 Colleges Education, in consultation with the Board of Governors,
 4732 shall approve a series of meta-majors and the academic pathways
 4733 that identify the gateway courses associated with each meta-
 4734 major. Florida Community College System institutions shall use
 4735 placement test results to determine the extent to which each
 4736 student demonstrates sufficient communication and computation
 4737 skills to indicate readiness for his or her chosen meta-major.
 4738 Florida Community College System institutions shall counsel
 4739 students into college credit courses as quickly as possible,
 4740 with developmental education limited to that content needed for
 4741 success in the meta-major.

4742 (5) (a) Each Florida Community College System institution
 4743 board of trustees shall develop a plan to implement the
 4744 developmental education strategies defined in s. 1008.02 and
 4745 rules established by the State Board of Community Colleges
 4746 Education. The plan must be submitted to the Chancellor of the
 4747 Florida Community College System for approval no later than
 4748 March 1, 2014, for implementation no later than the fall
 4749 semester 2014. Each plan must include, at a minimum, local
 4750 policies that outline:

4751 1. Documented student achievements such as grade point
 4752 averages, work history, military experience, participation in
 4753 juried competitions, career interests, degree major declaration,
 4754 or any combination of such achievements that the institution may
 4755 consider, in addition to common placement test scores, for
 4756 advising students regarding enrollment options.

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4757 2. Developmental education strategies available to
4758 students.

4759 3. A description of student costs and financial aid
4760 opportunities associated with each option.

4761 4. Provisions for the collection of student success data.

4762 5. A comprehensive plan for advising students into
4763 appropriate developmental education strategies based on student
4764 success data.

4765 (b) Beginning October 31, 2015, each Florida Community
4766 College System institution shall annually prepare an
4767 accountability report that includes student success data
4768 relating to each developmental education strategy implemented by
4769 the institution. The report shall be submitted to the State
4770 Board of Community ~~Division of Florida~~ Colleges by October 31 in
4771 a format determined by the Chancellor of the Florida Community
4772 College System. By December 31, the chancellor shall compile and
4773 submit the institutional reports to the Governor, the President
4774 of the Senate, the Speaker of the House of Representatives, and
4775 the State Board of Community Colleges and the State Board of
4776 Education.

4777 (c) A university board of trustees may contract with a
4778 Florida Community College System institution board of trustees
4779 for the Florida Community College System institution to provide
4780 developmental education on the state university campus. Any
4781 state university in which the percentage of incoming students
4782 requiring developmental education equals or exceeds the average
4783 percentage of such students for the Florida Community College
4784 System may offer developmental education without contracting
4785 with a Florida Community College System institution; however,

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4786 any state university offering college-preparatory instruction as
4787 of January 1, 1996, may continue to provide developmental
4788 education instruction pursuant to s. 1008.02(1) such services.

4789 (7) The Supporting Students for Academic Success Program is
4790 established to fund the efforts of Florida Community College
4791 System institutions in assisting students enrolled in an
4792 associate in arts degree program with successfully completing
4793 college credit courses, graduating with an associate in arts
4794 degree, and transferring to a baccalaureate degree program. It
4795 is the intent of the Legislature to boost student achievement
4796 through investments in effective and purposeful outcome-based
4797 strategies and efforts to increase student access to relevant
4798 supports and services. Such investments shall be used to boost
4799 the achievement of students, including, but not limited to,
4800 nontraditional students and underprepared students participating
4801 in developmental education.

4802 (a) A Florida Community College institution's efforts must
4803 include the implementation of the developmental education
4804 instructional strategies under s. 1008.02 and other effective
4805 approaches to improve student completion and graduation
4806 outcomes. Such approaches may relate to direct instruction,
4807 academic support, and student services.

4808 (b) Funding for the Supporting Students for Academic
4809 Success Program shall be as provided in the General
4810 Appropriations Act. Each Florida Community College System
4811 institution shall use the funds only for the purpose and
4812 investments authorized under this subsection.

4813 (c) The Chancellor of the Florida Community College System
4814 must include in the accountability report required under

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4815 subsection (5) a summary of information from each Florida
 4816 Community College System institution which includes, but is not
 4817 limited to, the number and percentage of students enrolled at
 4818 Florida Community College System institutions who:
 4819 1. Successfully complete a gateway course in mathematics
 4820 within the first academic year after initial enrollment;
 4821 2. Successfully complete at least 24 credit hours at a
 4822 Florida Community College System institution within the first
 4823 academic year after initial enrollment and who remain enrolled
 4824 at that institution in the academic year immediately following
 4825 the first academic year;
 4826 3. Graduate with an associate in arts degree; and
 4827 4. Transfer to a baccalaureate degree program offered by an
 4828 institution of higher education in Florida within one year after
 4829 earning an associate in arts degree.
 4830 Section 68. Paragraphs (d) and (e) of subsection (1) and
 4831 paragraphs (a) and (c) of subsection (3) of section 1008.31,
 4832 Florida Statutes, are amended to read:
 4833 1008.31 Florida's K-20 education performance accountability
 4834 system; legislative intent; mission, goals, and systemwide
 4835 measures; data quality improvements.-
 4836 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
 4837 that:
 4838 (d) The State Board of Education, ~~and~~ the Board of
 4839 Governors of the State University System, and the State Board of
 4840 Community Colleges of the Florida Community College System
 4841 recommend to the Legislature systemwide performance standards;
 4842 the Legislature establish systemwide performance measures and
 4843 standards; and the systemwide measures and standards provide

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4844 Floridians with information on what the public is receiving in
 4845 return for the funds it invests in education and how well the K-
 4846 20 system educates its students.
 4847 (e)1. The State Board of Education establish performance
 4848 measures and set performance standards for individual public
 4849 schools ~~and Florida College System institutions~~, with measures
 4850 and standards based primarily on student achievement.
 4851 2. The Board of Governors of the State University System
 4852 establish performance measures and set performance standards for
 4853 individual state universities, including actual completion
 4854 rates.
 4855 3. The State Board of Community Colleges establish
 4856 performance measures and set performance standards for
 4857 individual Florida Community College System institutions.
 4858 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
 4859 data required to implement education performance accountability
 4860 measures in state and federal law, the Commissioner of Education
 4861 shall initiate and maintain strategies to improve data quality
 4862 and timeliness. The Board of Governors shall make available to
 4863 the department all data within the State University Database
 4864 System to be integrated into the K-20 data warehouse. The
 4865 commissioner shall have unlimited access to such data for the
 4866 purposes of conducting studies, reporting annual and
 4867 longitudinal student outcomes, and improving college readiness
 4868 and articulation. All public educational institutions shall
 4869 annually provide data from the prior year to the K-20 data
 4870 warehouse in a format based on data elements identified by the
 4871 commissioner.
 4872 (a) School districts and public postsecondary educational

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4873 institutions shall maintain information systems that will
 4874 provide the State Board of Education, the Board of Governors of
 4875 the State University System, the State Board of Community
 4876 Colleges of the Florida Community College System, and the
 4877 Legislature with information and reports necessary to address
 4878 the specifications of the accountability system. The level of
 4879 comprehensiveness and quality must be no less than that which
 4880 was available as of June 30, 2001.

4881 (c) The Commissioner of Education shall determine the
 4882 standards for the required data, monitor data quality, and
 4883 measure improvements. The commissioner shall report annually to
 4884 the State Board of Education, the Board of Governors of the
 4885 State University System, the State Board of Community Colleges
 4886 of the Florida Community College System, the President of the
 4887 Senate, and the Speaker of the House of Representatives data
 4888 quality indicators and ratings for all school districts and
 4889 public postsecondary educational institutions.

4890 Section 69. Section 1008.32, Florida Statutes, is amended
 4891 to read:

4892 1008.32 State Board of Education oversight enforcement
 4893 authority.—The State Board of Education shall oversee the
 4894 performance of district school boards ~~and Florida College System~~
 4895 ~~institution boards of trustees~~ in enforcement of all laws and
 4896 rules. District school boards ~~and Florida College System~~
 4897 ~~institution boards of trustees~~ shall be primarily responsible
 4898 for compliance with law and state board rule.

4899 (1) In order to ensure compliance with law or state board
 4900 rule, the State Board of Education shall have the authority to
 4901 request and receive information, data, and reports from school

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4902 districts ~~and Florida College System institutions.~~ District
 4903 school superintendents ~~and Florida College System institution~~
 4904 ~~presidents~~ are responsible for the accuracy of the information
 4905 and data reported to the state board.

4906 (2) The Commissioner of Education may investigate
 4907 allegations of noncompliance with law or state board rule and
 4908 determine probable cause. The commissioner shall report
 4909 determinations of probable cause to the State Board of Education
 4910 which shall require the district school board ~~or Florida College~~
 4911 ~~System institution board of trustees~~ to document compliance with
 4912 law or state board rule.

4913 (3) If the district school board ~~or Florida College System~~
 4914 ~~institution board of trustees~~ cannot satisfactorily document
 4915 compliance, the State Board of Education may order compliance
 4916 within a specified timeframe.

4917 (4) If the State Board of Education determines that a
 4918 district school board ~~or Florida College System institution~~
 4919 ~~board of trustees~~ is unwilling or unable to comply with law or
 4920 state board rule within the specified time, the state board
 4921 shall have the authority to initiate any of the following
 4922 actions:

4923 (a) Report to the Legislature that the school district ~~or~~
 4924 ~~Florida College System institution~~ is unwilling or unable to
 4925 comply with law or state board rule and recommend action to be
 4926 taken by the Legislature.

4927 (b) Withhold the transfer of state funds, discretionary
 4928 grant funds, discretionary lottery funds, or any other funds
 4929 specified as eligible for this purpose by the Legislature until
 4930 the school district ~~or Florida College System institution~~

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4931 complies with the law or state board rule.

4932 (c) Declare the school district ~~or Florida College System~~
4933 ~~institution~~ ineligible for competitive grants.

4934 (d) Require monthly or periodic reporting on the situation
4935 related to noncompliance until it is remedied.

4936 (5) Nothing in this section shall be construed to create a
4937 private cause of action or create any rights for individuals or
4938 entities in addition to those provided elsewhere in law or rule.

4939 Section 70. Paragraphs (e) and (f) of subsection (7) of
4940 section 1008.345, Florida Statutes, are amended to read:

4941 1008.345 Implementation of state system of school
4942 improvement and education accountability.—

4943 (7) As a part of the system of educational accountability,
4944 the Department of Education shall:

4945 (e) Maintain a listing of college-level communication and
4946 mathematics skills associated with successful student
4947 performance through the baccalaureate level and submit it to the
4948 State Board of Education, ~~and~~ the Board of Governors, and the
4949 State Board of Community Colleges for approval.

4950 (f) Perform any other functions that may be involved in
4951 educational planning, research, and evaluation or that may be
4952 required by the commissioner, the State Board of Education, the
4953 State Board of Community Colleges, the Board of Governors, or
4954 law.

4955 Section 71. Subsections (1) and (2) of section 1008.37,
4956 Florida Statutes, are amended to read:

4957 1008.37 Postsecondary feedback of information to high
4958 schools.—

4959 (1) The Commissioner of Education shall report to the State

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4960 Board of Education, the Board of Governors, the State Board of
4961 Community Colleges, the Legislature, and the district school
4962 boards on the performance of each first-time-in-postsecondary
4963 education student from each public high school in this state who
4964 is enrolled in a public postsecondary institution or public
4965 career center. Such reports must be based on information
4966 databases maintained by the Department of Education. In
4967 addition, the public postsecondary educational institutions and
4968 career centers shall provide district school boards access to
4969 information on student performance in regular and preparatory
4970 courses and shall indicate students referred for remediation
4971 pursuant to s. 1004.91 or s. 1008.30.

4972 (2) The Commissioner of Education shall report, by high
4973 school, to the State Board of Education, the Board of Governors,
4974 the State Board of Community Colleges, and the Legislature, no
4975 later than November 30 of each year, on the number of prior year
4976 Florida high school graduates who enrolled for the first time in
4977 public postsecondary education in this state during the previous
4978 summer, fall, or spring term, indicating the number of students
4979 whose scores on the common placement test indicated the need for
4980 developmental education under s. 1008.30 or for applied
4981 academics for adult education under s. 1004.91.

4982 Section 72. Section 1008.38, Florida Statutes, is amended
4983 to read:

4984 1008.38 Articulation accountability process.—The State
4985 Board of Education, in conjunction with the Board of Governors
4986 and the State Board of Community Colleges, shall develop
4987 articulation accountability measures which assess the status of
4988 systemwide articulation processes authorized under s. 1007.23

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4989 and establish an articulation accountability process which at a
 4990 minimum shall address:

4991 (1) The impact of articulation processes on ensuring
 4992 educational continuity and the orderly and unobstructed
 4993 transition of students between public secondary and
 4994 postsecondary education systems and facilitating the transition
 4995 of students between the public and private sectors.

4996 (2) The adequacy of preparation of public secondary
 4997 students to smoothly articulate to a public postsecondary
 4998 institution.

4999 (3) The effectiveness of articulated acceleration
 5000 mechanisms available to secondary students.

5001 (4) The smooth transfer of Florida Community College System
 5002 associate degree graduates to a Florida Community College System
 5003 institution or a state university.

5004 (5) An examination of degree requirements that exceed the
 5005 parameters of 60 credit hours for an associate degree and 120
 5006 hours for a baccalaureate degree in public postsecondary
 5007 programs.

5008 (6) The relationship between student attainment of college-
 5009 level academic skills and articulation to the upper division in
 5010 public postsecondary institutions.

5011 Section 73. Section 1008.405, Florida Statutes, is amended
 5012 to read:

5013 1008.405 Adult student information.—Each school district
 5014 and Florida Community College System institution shall maintain
 5015 sufficient information for each student enrolled in workforce
 5016 education to allow local and state administrators to locate such
 5017 student upon the termination of instruction and to determine the

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5018 appropriateness of student placement in specific instructional
 5019 programs. The State Board of Education and the State Board of
 5020 Community Colleges shall adopt, by rule, specific information
 5021 that must be maintained and acceptable means of maintaining that
 5022 information.

5023 Section 74. Subsection (2) of section 1008.44, Florida
 5024 Statutes, is amended to read:

5025 1008.44 CAPE Industry Certification Funding List and CAPE
 5026 Postsecondary Industry Certification Funding List.—

5027 (2) The State Board of Education, for school districts, and
 5028 the State Board of Community Colleges, for Florida Community
 5029 College System institutions, shall collaborate to approve, at
 5030 least annually, the CAPE Postsecondary Industry Certification
 5031 Funding List pursuant to this section. The Commissioner of
 5032 Education and the Chancellor of the Florida Community College
 5033 System shall recommend, at least annually, the CAPE
 5034 Postsecondary Industry Certification Funding List to the State
 5035 Board of Education and the State Board of Community Colleges,
 5036 respectively, and may at any time recommend adding
 5037 certifications. The Chancellor of the State University System,
 5038 the Chancellor of the Florida Community College System, and the
 5039 Chancellor of Career and Adult Education shall work with local
 5040 workforce boards, other postsecondary institutions, businesses,
 5041 and industry to identify, create, and recommend to the
 5042 Commissioner of Education industry certifications to be placed
 5043 on the funding list. The list shall be used to determine annual
 5044 performance funding distributions to school districts or Florida
 5045 Community College System institutions as specified in ss.
 5046 1011.80 and 1011.81, respectively. The chancellors shall review

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5047 results of the economic security report of employment and
 5048 earning outcomes produced annually pursuant to s. 445.07 when
 5049 determining recommended certifications for the list, as well as
 5050 other reports and indicators available regarding certification
 5051 needs.

5052 Section 75. Section 1008.45, Florida Statutes, is amended
 5053 to read:

5054 1008.45 Florida Community College System institution
 5055 accountability process.—

5056 (1) It is the intent of the Legislature that a management
 5057 and accountability process be implemented which provides for the
 5058 systematic, ongoing improvement and assessment of the
 5059 improvement of the quality and efficiency of the Florida
 5060 Community College System institutions. Accordingly, the State
 5061 Board of Community Colleges Education and the Florida Community
 5062 College System institution boards of trustees shall develop and
 5063 implement an accountability plan to improve and evaluate the
 5064 instructional and administrative efficiency and effectiveness of
 5065 the Florida Community College System. This plan shall be
 5066 designed in consultation with staff of the Governor and the
 5067 Legislature and must address the following issues:

5068 (a) Graduation rates of A.A. and A.S. degree-seeking
 5069 students compared to first-time-enrolled students seeking the
 5070 associate degree.

5071 (b) Minority student enrollment and retention rates.

5072 (c) Student performance, including student performance in
 5073 college-level academic skills, mean grade point averages for
 5074 Florida Community College System institution A.A. transfer
 5075 students, and Florida Community College System institution

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5076 student performance on state licensure examinations.

5077 (d) Job placement rates of Florida Community College System
 5078 institution career students.

5079 (e) Student progression by admission status and program.

5080 (f) Career accountability standards identified in s.
 5081 1008.42.

5082 (g) Institutional assessment efforts related to the
 5083 requirements of s. III in the Criteria for Accreditation of the
 5084 Commission on Colleges of the Southern Association of Colleges
 5085 and Schools.

5086 (h) Other measures approved by the State Board of Community
 5087 Colleges Education.

5088 (2) The State Board of Community Colleges Education shall
 5089 submit an annual report, to coincide with the submission of the
 5090 state board's ~~agency~~ strategic plan required by law, providing
 5091 the results of initiatives taken during the prior year and the
 5092 initiatives and related objective performance measures proposed
 5093 for the next year.

5094 (3) The State Board of Community Colleges Education shall
 5095 address within the annual evaluation of the performance of the
 5096 chancellor ~~executive director~~, and the Florida Community College
 5097 System institution boards of trustees shall address within the
 5098 annual evaluation of the presidents, the achievement of the
 5099 performance goals established by the accountability process.

5100 Section 76. Subsection (13) of section 1009.21, Florida
 5101 Statutes, is amended to read:

5102 1009.21 Determination of resident status for tuition
 5103 purposes.—Students shall be classified as residents or
 5104 nonresidents for the purpose of assessing tuition in

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5105 postsecondary educational programs offered by charter technical
5106 career centers or career centers operated by school districts,
5107 in Florida Community College System institutions, and in state
5108 universities.

5109 (13) The State Board of Education, ~~and~~ the Board of
5110 Governors, and the State Board of Community Colleges shall adopt
5111 rules to implement this section.

5112 Section 77. Effective July 1, 2018, paragraph (e) of
5113 subsection (3) of section 1009.22, Florida Statutes, is amended
5114 to read:

5115 1009.22 Workforce education postsecondary student fees.—

5116 (3)

5117 (e) The State Board of Education and the State Board of
5118 Community Colleges may adopt, by rule, the definitions and
5119 procedures that district school boards and Florida Community
5120 College System institution boards of trustees shall use in the
5121 calculation of cost borne by students.

5122 Section 78. Subsection (7), paragraph (b) of subsection
5123 (12), subsection (13), paragraph (b) of subsection (16), and
5124 subsection (19) of section 1009.23, Florida Statutes, are
5125 amended to read:

5126 1009.23 Florida Community College System institution
5127 student fees.—

5128 (7) Each Florida Community College System institution board
5129 of trustees may establish a separate activity and service fee
5130 not to exceed 10 percent of the tuition fee, according to rules
5131 of the State Board of Community Colleges ~~Education~~. The student
5132 activity and service fee shall be collected as a component part
5133 of the tuition and fees. The student activity and service fees

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5134 shall be paid into a student activity and service fund at the
5135 Florida Community College System institution and shall be
5136 expended for lawful purposes to benefit the student body in
5137 general. These purposes include, but are not limited to, student
5138 publications and grants to duly recognized student
5139 organizations, the membership of which is open to all students
5140 at the Florida Community College System institution without
5141 regard to race, sex, or religion. No Florida Community College
5142 System institution shall be required to lower any activity and
5143 service fee approved by the board of trustees of the Florida
5144 Community College System institution and in effect prior to
5145 October 26, 2007, in order to comply with the provisions of this
5146 subsection.

5147 (12)

5148 (b) The State Board of Community Colleges ~~Education~~ may
5149 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
5150 this subsection.

5151 (13) The State Board of Community Colleges ~~Education~~ shall
5152 specify, as necessary, by rule, approved methods of student fee
5153 payment. Such methods shall include, but not be limited to,
5154 student fee payment; payment through federal, state, or
5155 institutional financial aid; and employer fee payments.

5156 (16)

5157 (b) The amount of the distance learning course user fee may
5158 not exceed the additional costs of the services provided which
5159 are attributable to the development and delivery of the distance
5160 learning course. If a Florida Community College System
5161 institution assesses the distance learning course user fee, the
5162 institution may not assess any other fees to cover the

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5163 additional costs. By September 1 of each year, each board of
 5164 trustees shall report to the State Board of Community Colleges
 5165 ~~Division of Florida Colleges~~ the total amount of revenue
 5166 generated by the distance learning course user fee for the prior
 5167 fiscal year and how the revenue was expended.

5168 (19) The State Board of Community Colleges Education shall
 5169 adopt a rule specifying the definitions and procedures to be
 5170 used in the calculation of the percentage of cost paid by
 5171 students. The rule must provide for the calculation of the full
 5172 cost of educational programs based on the allocation of all
 5173 funds provided through the general current fund to programs of
 5174 instruction, and other activities as provided in the annual
 5175 expenditure analysis. The rule shall be developed in
 5176 consultation with the Legislature.

5177 Section 79. Subsection (2) of section 1009.25, Florida
 5178 Statutes, is amended to read:

5179 1009.25 Fee exemptions.—

5180 (2) Each Florida Community College System institution is
 5181 authorized to grant student fee exemptions from all fees adopted
 5182 by the State Board of Community Colleges Education and the
 5183 Florida Community College System institution board of trustees
 5184 for up to 54 full-time equivalent students or 1 percent of the
 5185 institution's total full-time equivalent enrollment, whichever
 5186 is greater, at each institution.

5187 Section 80. Paragraph (b) of subsection (12), paragraphs
 5188 (c) and (d) of subsection (13), and paragraph (d) of subsection
 5189 (14) of section 1009.26, Florida Statutes, are amended to read:

5190 1009.26 Fee waivers.—

5191 (12)

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5192 (b) Tuition and fees charged to a student who qualifies for
 5193 the out-of-state fee waiver under this subsection may not exceed
 5194 the tuition and fees charged to a resident student. The waiver
 5195 is applicable for 110 percent of the required credit hours of
 5196 the degree or certificate program for which the student is
 5197 enrolled. Each state university, Florida Community College
 5198 System institution, career center operated by a school district
 5199 under s. 1001.44, and charter technical career center shall
 5200 report to the Board of Governors, the State Board of Community
 5201 Colleges, and the State Board of Education, respectively, the
 5202 number and value of all fee waivers granted annually under this
 5203 subsection. By October 1 of each year, the Board of Governors,
 5204 for the state universities; ~~and~~ the State Board of Community
 5205 Colleges, Education for Florida Community College System
 5206 institutions; ~~r~~ career centers operated by a school district
 5207 under s. 1001.44; ~~r~~ and charter technical career centers shall
 5208 annually report for the previous academic year the percentage of
 5209 resident and nonresident students enrolled systemwide.

5210 (13)

5211 (c) Each state university, Florida Community College System
 5212 institution, career center operated by a school district under
 5213 s. 1001.44, and charter technical career center shall report to
 5214 the Board of Governors, the State Board of Community Colleges,
 5215 and the State Board of Education, respectively, the number and
 5216 value of all fee waivers granted annually under this subsection.

5217 (d) The Board of Governors, the State Board of Community
 5218 Colleges, and the State Board of Education shall respectively
 5219 adopt regulations and rules to administer this subsection.

5220 (14)

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5221 (d) The Board of Governors, the State Board of Community
 5222 Colleges, and the State Board of Education shall respectively
 5223 adopt regulations and rules to administer this subsection.

5224 Section 81. Section 1009.28, Florida Statutes, is amended
 5225 to read:

5226 1009.28 Fees for repeated enrollment in developmental
 5227 education classes.—A student enrolled in the same developmental
 5228 education class more than twice shall pay 100 percent of the
 5229 full cost of instruction to support continuous enrollment of
 5230 that student in the same class, and the student shall not be
 5231 included in calculations of full-time equivalent enrollments for
 5232 state funding purposes; however, students who withdraw or fail a
 5233 class due to extenuating circumstances may be granted an
 5234 exception only once for each class, provided approval is granted
 5235 according to policy established by the board of trustees. Each
 5236 Florida Community College System institution may review and
 5237 reduce fees paid by students due to continued enrollment in a
 5238 developmental education class on an individual basis contingent
 5239 upon the student's financial hardship, pursuant to definitions
 5240 and fee levels established by the State Board of Community
 5241 Colleges Education.

5242 Section 82. Subsections (9) and (12) of section 1009.90,
 5243 Florida Statutes, are amended to read:

5244 1009.90 Duties of the Department of Education.—The duties
 5245 of the department shall include:

5246 (9) Development and submission of a report, annually, to
 5247 the State Board of Education, the Board of Governors, the State
 5248 Board of Community Colleges, the President of the Senate, and
 5249 the Speaker of the House of Representatives, which shall

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5250 include, but not be limited to, recommendations for the
 5251 distribution of state financial aid funds.

5252 (12) Calculation of the amount of need-based student
 5253 financial aid required to offset fee increases recommended by
 5254 the State Board of Education, ~~and~~ the Board of Governors, and
 5255 the State Board of Community Colleges, and inclusion of such
 5256 amount within the legislative budget request for student
 5257 assistance grant programs.

5258 Section 83. Subsection (4) of section 1009.91, Florida
 5259 Statutes, is amended to read:

5260 1009.91 Assistance programs and activities of the
 5261 department.—

5262 (4) The department shall maintain records on the student
 5263 loan default rate of each Florida postsecondary institution and
 5264 report that information annually to both the institution and the
 5265 State Board of Education. Information relating to state
 5266 universities shall also be reported annually to the Board of
 5267 Governors. Information relating to Florida Community College
 5268 System institutions shall be reported annually to the State
 5269 Board of Community Colleges.

5270 Section 84. Subsection (2) of section 1009.971, Florida
 5271 Statutes, is amended to read:

5272 1009.971 Florida Prepaid College Board.—

5273 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
 5274 shall consist of seven members to be composed of the Attorney
 5275 General, the Chief Financial Officer, the Chancellor of the
 5276 State University System, the Chancellor of the Florida Community
 5277 College System ~~Division of Florida Colleges~~, and three members
 5278 appointed by the Governor and subject to confirmation by the

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5279 Senate. Each member appointed by the Governor shall possess
 5280 knowledge, skill, and experience in the areas of accounting,
 5281 actuary, risk management, or investment management. Each member
 5282 of the board not appointed by the Governor may name a designee
 5283 to serve on the board on behalf of the member; however, any
 5284 designee so named shall meet the qualifications required of
 5285 gubernatorial appointees to the board. Members appointed by the
 5286 Governor shall serve terms of 3 years. Any person appointed to
 5287 fill a vacancy on the board shall be appointed in a like manner
 5288 and shall serve for only the unexpired term. Any member shall be
 5289 eligible for reappointment and shall serve until a successor
 5290 qualifies. Members of the board shall serve without compensation
 5291 but shall be reimbursed for per diem and travel in accordance
 5292 with s. 112.061. Each member of the board who is not otherwise
 5293 required to file a full and public disclosure of financial
 5294 interests pursuant to s. 8, Art. II of the State Constitution or
 5295 s. 112.3144 shall file a statement of financial interests
 5296 pursuant to s. 112.3145.

5297 Section 85. Section 1010.01, Florida Statutes, is amended
 5298 to read:

5299 1010.01 Uniform records and accounts.—

5300 (1) (a) The financial records and accounts of each school
 5301 district, ~~Florida College System institution,~~ and other
 5302 institution or agency under the supervision of the State Board
 5303 of Education shall be prepared and maintained as prescribed by
 5304 law and rules of the State Board of Education.

5305 (b) The financial records and accounts of each state
 5306 university under the supervision of the Board of Governors shall
 5307 be prepared and maintained as prescribed by law and rules of the

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5308 Board of Governors.

5309 (c) The financial records and accounts of each Florida
 5310 Community College System institution under the supervision of
 5311 the State Board of Community Colleges shall be prepared and
 5312 maintained as prescribed by law and by the rules of the State
 5313 Board of Community Colleges.

5314 (2) Rules of the State Board of Education, ~~and rules of the~~
 5315 Board of Governors, and the State Board of Community Colleges
 5316 shall incorporate the requirements of law and accounting
 5317 principles generally accepted in the United States. Such rules
 5318 shall include a uniform classification of accounts.

5319 (3) Each state university shall annually file with the
 5320 Board of Governors financial statements prepared in conformity
 5321 with accounting principles generally accepted by the United
 5322 States and the uniform classification of accounts prescribed by
 5323 the Board of Governors. The Board of Governors' rules shall
 5324 prescribe the filing deadline for the financial statements.

5325 (4) Required financial accounts and reports shall include
 5326 provisions that are unique to each of the following: K-12 school
 5327 districts, Florida Community College System institutions, and
 5328 state universities, and shall provide for the data to be
 5329 reported to the National Center of Educational Statistics and
 5330 other governmental and professional educational data information
 5331 services as appropriate.

5332 (5) Each Florida Community College System institution shall
 5333 annually file with the State Board of Community Colleges
 5334 financial statements prepared in conformity with accounting
 5335 principles generally accepted by the United States and the
 5336 uniform classification of accounts prescribed by the State Board

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5337 of Community Colleges. The State Board of Community Colleges'
 5338 rules shall prescribe the filing deadline for the financial
 5339 statements.

5340 Section 86. Subsection (1) of section 1010.02, Florida
 5341 Statutes, is amended, and subsection (3) is added to that
 5342 section, to read:

5343 1010.02 Financial accounting and expenditures.—

5344 (1) All funds accruing to a school district ~~or a Florida~~
 5345 ~~College System institution~~ must be received, accounted for, and
 5346 expended in accordance with law and rules of the State Board of
 5347 Education.

5348 (3) All funds accruing to a Florida Community College
 5349 System institution must be received, accounted for, and expended
 5350 in accordance with law and rules of the State Board of Community
 5351 Colleges.

5352 Section 87. Section 1010.04, Florida Statutes, is amended
 5353 to read:

5354 1010.04 Purchasing.—

5355 (1) (a) Purchases and leases by school districts must ~~and~~
 5356 ~~Florida College System institutions shall~~ comply with the
 5357 requirements of law and rules of the State Board of Education.

5358 (b) Before purchasing nonacademic commodities and
 5359 contractual services, each district school board and Florida
 5360 Community College System institution board of trustees shall
 5361 review the purchasing agreements and state term contracts
 5362 available under s. 287.056 to determine whether it is in the
 5363 school board's or the board of trustees' economic advantage to
 5364 use the agreements and contracts. Each bid specification for
 5365 nonacademic commodities and contractual services must include a

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5366 statement indicating that the purchasing agreements and state
 5367 term contracts available under s. 287.056 have been reviewed.
 5368 Each district school board may also use the cooperative state
 5369 purchasing programs managed through the regional consortium
 5370 service organizations pursuant to their authority under s.
 5371 1001.451(3). This paragraph does not apply to services that are
 5372 eligible for reimbursement under the federal E-rate program
 5373 administered by the Universal Service Administrative Company.

5374 (c) Purchases and leases by state universities must ~~shall~~
 5375 comply with the requirements of law and regulations of the Board
 5376 of Governors.

5377 (d) Purchases and leases by Florida Community College
 5378 System institutions must comply with the requirements of law and
 5379 rules of the State Board of Community Colleges.

5380 (2) Each district school board and Florida Community
 5381 College System institution board of trustees shall adopt rules,
 5382 and each university board of trustees shall adopt regulations,
 5383 to be followed in making purchases. Purchases may be made
 5384 through an online procurement system, an electronic auction
 5385 service, or other efficient procurement tool.

5386 (3) In districts in which the county purchasing agent is
 5387 authorized by law to make purchases for the benefit of other
 5388 governmental agencies within the county, the district school
 5389 board and Florida Community College System institution board of
 5390 trustees shall have the option to purchase from the current
 5391 county contracts at the unit price stated therein if such
 5392 purchase is to the economic advantage of the district school
 5393 board or the Florida Community College System institution board
 5394 of trustees; subject to confirmation of the items of purchase to

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5395 the standards and specifications prescribed by the school
5396 district or Florida Community College System institution.

5397 (4) (a) The State Board of Education may, by rule, provide
5398 for alternative procedures for school districts ~~and Florida~~
5399 ~~College System institutions~~ for bidding or purchasing in cases
5400 in which the character of the item requested renders competitive
5401 bidding impractical.

5402 (b) The Board of Governors may, by regulation, provide for
5403 alternative procedures for state universities for bidding or
5404 purchasing in cases in which the character of the item requested
5405 renders competitive bidding impractical.

5406 (c) The State Board of Community Colleges may provide by
5407 rule for alternative procedures for Florida Community College
5408 System institutions for bidding or purchasing in cases in which
5409 the character of the item requested renders competitive bidding
5410 impractical.

5411 Section 88. Section 1010.07, Florida Statutes, is amended
5412 to read:

5413 1010.07 Bonds or insurance required.—

5414 (1) Each district school board, Florida Community College
5415 System institution board of trustees, and university board of
5416 trustees shall ensure that each official and employee
5417 responsible for handling, expending, or authorizing the
5418 expenditure of funds shall be appropriately bonded or insured to
5419 protect the board and the funds involved.

5420 (2) (a) Contractors paid from school district ~~or Florida~~
5421 ~~College System institution~~ funds shall give bond for the
5422 faithful performance of their contracts in such amount and for
5423 such purposes as prescribed by s. 255.05 or by rules of the

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5424 State Board of Education relating to the type of contract
5425 involved. It shall be the duty of the district school board ~~or~~
5426 ~~Florida College System institution board of trustees~~ to require
5427 from construction contractors a bond adequate to protect the
5428 board and the board's funds involved.

5429 (b) Contractors paid from university funds shall give bond
5430 for the faithful performance of their contracts in such amount
5431 and for such purposes as prescribed by s. 255.05 or by
5432 regulations of the Board of Governors relating to the type of
5433 contract involved. It shall be the duty of the university board
5434 of trustees to require from construction contractors a bond
5435 adequate to protect the board and the board's funds involved.

5436 (c) Contractors paid from Florida Community College System
5437 institution funds shall give bonds for the faithful performance
5438 of their contracts in such amount and for such purposes as
5439 prescribed by s. 255.05 or by rules of the State Board of
5440 Community Colleges relating to the type of contract involved. It
5441 is the duty of the Florida Community College System institution
5442 board of trustees to require construction contractors to provide
5443 a bond adequate to protect the board and the board's funds
5444 involved.

5445 Section 89. Section 1010.08, Florida Statutes, is amended
5446 to read:

5447 1010.08 Promotion and public relations; funding.—

5448 (1) Each district school board ~~and Florida College System~~
5449 ~~institution board of trustees~~ may budget and use a portion of
5450 the funds accruing to it from auxiliary enterprises and
5451 undesignated gifts for promotion and public relations as
5452 prescribed by rules of the State Board of Education. Such funds

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5453 may be used to provide hospitality to business guests in the
5454 district or elsewhere. However, such hospitality expenses may
5455 not exceed the amount authorized for such contingency funds as
5456 prescribed by rules of the State Board of Education.

5457 (2) Each Florida Community College System institution board
5458 of trustees may budget and use a portion of the funds accruing
5459 to it from auxiliary enterprises and undesignated gifts for
5460 promotion and public relations as prescribed by rules of the
5461 State Board of Community Colleges. Such funds may be used to
5462 provide hospitality to business guests in the district or
5463 elsewhere. However, such hospitality expenses may not exceed the
5464 amount authorized for such contingency funds as prescribed by
5465 rules of the State Board of Community Colleges.

5466 Section 90. Subsection (1) of section 1010.09, Florida
5467 Statutes, is amended, and subsection (3) is added to that
5468 section, to read:

5469 1010.09 Direct-support organizations.—

5470 (1) School district ~~and Florida College System institution~~
5471 direct-support organizations shall be organized and conducted
5472 under the provisions of ss. 1001.453 and 1004.70 and rules of
5473 the State Board of Education, as applicable.

5474 (3) Florida Community College System institution direct-
5475 support organizations shall be organized and conducted under s.
5476 1004.70 and rules of the State Board of Community Colleges.

5477 Section 91. Section 1010.22, Florida Statutes, is amended
5478 to read:

5479 1010.22 Cost accounting and reporting for workforce
5480 education.—

5481 (1) (a) Each school district and each Florida College System

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5482 ~~institution~~ shall account for expenditures of all state, local,
5483 federal, and other funds in the manner prescribed by the State
5484 Board of Education.

5485 (b) Each Florida Community College System institution shall
5486 account for expenditures of all state, local, federal, and other
5487 funds in the manner prescribed by the State Board of Community
5488 Colleges.

5489 (2) (a) Each school district and each Florida College System
5490 ~~institution~~ shall report expenditures for workforce education in
5491 accordance with requirements prescribed by the State Board of
5492 Education.

5493 (b) Each Florida Community College System institution shall
5494 report expenditures for workforce education in accordance with
5495 requirements prescribed by the State Board of Community
5496 Colleges.

5497 (3) The Department of Education, in cooperation with school
5498 districts and Florida Community College System institutions,
5499 shall develop and maintain a database of valid comparable
5500 information on workforce education which will meet both state
5501 and local needs.

5502 Section 92. Subsection (1) of section 1010.30, Florida
5503 Statutes, is amended to read:

5504 1010.30 Audits required.—

5505 (1) School districts, ~~Florida College System institutions,~~
5506 and other institutions and agencies under the supervision of the
5507 State Board of Education, Florida Community College System
5508 institutions under the supervision of the State Board of
5509 Community Colleges, and state universities under the supervision
5510 of the Board of Governors are subject to the audit provisions of

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 5511 ss. 11.45 and 218.39.
 5512 Section 93. Section 1010.58, Florida Statutes, is amended
 5513 to read:
 5514 1010.58 Procedure for determining number of instruction
 5515 units for Florida Community College System institutions.—The
 5516 number of instruction units for Florida Community College System
 5517 institutions shall be determined from the full-time equivalent
 5518 students in the Florida Community College System institution,
 5519 provided that full-time equivalent students may not be counted
 5520 more than once in determining instruction units. Instruction
 5521 units for Florida Community College System institutions shall be
 5522 computed as follows:
 5523 (1) One unit for each 12 full-time equivalent students at a
 5524 Florida Community College System institution for the first 420
 5525 students and one unit for each 15 full-time equivalent students
 5526 for all over 420 students, in other than career education
 5527 programs as defined by rules of the State Board of Community
 5528 Colleges Education, and one unit for each 10 full-time
 5529 equivalent students in career education programs and
 5530 compensatory education programs as defined by rules of the State
 5531 Board of Community Colleges Education. Full-time equivalent
 5532 students enrolled in a Florida Community College System
 5533 institution shall be defined by rules of the State Board of
 5534 Community Colleges Education.
 5535 (2) For each 8 instruction units in a Florida Community
 5536 College System institution, 1 instruction unit or proportionate
 5537 fraction of a unit shall be allowed for administrative and
 5538 special instructional services, and for each 20 instruction
 5539 units, 1 instruction unit or proportionate fraction of a unit

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 5540 shall be allowed for student personnel services.
 5541 Section 94. Section 1011.01, Florida Statutes, is amended
 5542 to read:
 5543 1011.01 Budget system established.—
 5544 (1) The State Board of Education shall prepare and submit a
 5545 coordinated K-20 education annual legislative budget request to
 5546 the Governor and the Legislature on or before the date provided
 5547 by the Governor and the Legislature. The board's legislative
 5548 budget request must clearly define the needs of school
 5549 districts, Florida Community College System institutions,
 5550 universities, other institutions, organizations, programs, and
 5551 activities under the supervision of the board and that are
 5552 assigned by law or the General Appropriations Act to the
 5553 Department of Education.
 5554 (2) (a) There ~~is shall be~~ established in each school
 5555 district ~~and Florida College System institution~~ a budget system
 5556 as prescribed by law and rules of the State Board of Education.
 5557 (b) There ~~is shall be~~ established in each state university
 5558 a budget system as prescribed by law and rules of the Board of
 5559 Governors.
 5560 (c) There is established in each Florida Community College
 5561 System institution a budget system as prescribed by law and
 5562 rules of the State Board of Community Colleges.
 5563 (3) (a) Each district school board ~~and each Florida College~~
 5564 ~~System institution board of trustees~~ shall prepare, adopt, and
 5565 submit to the Commissioner of Education an annual operating
 5566 budget. Operating budgets ~~must shall~~ be prepared and submitted
 5567 in accordance with the provisions of law, rules of the State
 5568 Board of Education, the General Appropriations Act, and for

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 5569 district school boards in accordance with the provisions of ss.
 5570 200.065 and 1011.64.

5571 (b) Each state university board of trustees shall prepare,
 5572 adopt, and submit to the Chancellor of the State University
 5573 System for review an annual operating budget in accordance with
 5574 provisions of law, rules of the Board of Governors, and the
 5575 General Appropriations Act.

5576 (c) Each Florida Community College System institution board
 5577 of trustees shall prepare, adopt, and submit to the State Board
 5578 of Community Colleges an annual operating budget in accordance
 5579 with provisions of law, rules of the State Board of Community
 5580 Colleges, and the General Appropriations Act.

5581 (4) The State Board of Education shall coordinate with the
 5582 Board of Governors and the State Board of Community Colleges to
 5583 facilitate the budget system requirements of this section. The
 5584 State Board of Community Colleges exclusively retains the review
 5585 and approval powers of this section for Florida Community
 5586 College System institutions. The Board of Governors exclusively
 5587 retains the review and approval powers of this section for state
 5588 universities.

5589 Section 95. Section 1011.011, Florida Statutes, is amended
 5590 to read:

5591 1011.011 Legislative capital outlay budget request.—The
 5592 State Board of Education shall submit an integrated,
 5593 comprehensive budget request for educational facilities
 5594 construction and fixed capital outlay needs for school
 5595 districts, and, in conjunction with the State Board of Community
 5596 Colleges for Florida Community College System institutions, and
 5597 ~~in conjunction~~ with the Board of Governors for state,

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 5598 universities, pursuant to this section and s. 1013.46 and
 5599 applicable provisions of chapter 216.

5600 Section 96. Section 1011.30, Florida Statutes, is amended
 5601 to read:

5602 1011.30 Budgets for Florida Community College System
 5603 institutions.—Each Florida Community College System institution
 5604 president shall recommend to the Florida Community College
 5605 System institution board of trustees a budget of income and
 5606 expenditures at such time and in such form as the State Board of
 5607 Community Colleges ~~Education~~ may prescribe. Upon approval of a
 5608 budget by the Florida Community College System institution board
 5609 of trustees, such budget ~~must shall~~ be transmitted to the State
 5610 Board of Community Colleges ~~Department of Education~~ for review.
 5611 Rules of the State Board of Community Colleges ~~must Education~~
 5612 ~~shall~~ prescribe procedures for effecting budget amendments
 5613 subsequent to the final approval of a budget for a given year.

5614 Section 97. Section 1011.32, Florida Statutes, is amended
 5615 to read:

5616 1011.32 Florida Community College System Institution
 5617 Facility Enhancement Challenge Grant Program.—

5618 (1) The Legislature recognizes that ~~the~~ Florida Community
 5619 College System institutions do not have sufficient physical
 5620 facilities to meet the current demands of their instructional
 5621 and community programs. It further recognizes that, to
 5622 strengthen and enhance Florida Community College System
 5623 institutions, it is necessary to provide facilities in addition
 5624 to those currently available from existing revenue sources. It
 5625 further recognizes that there are sources of private support
 5626 that, if matched with state support, can assist in constructing

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5627 much needed facilities and strengthen the commitment of citizens
 5628 and organizations in promoting excellence at each Florida
 5629 Community College System institution. Therefore, it is the
 5630 intent of the Legislature to establish a program to provide the
 5631 opportunity for each Florida Community College System
 5632 institution through its direct-support organization to receive
 5633 and match challenge grants for instructional and community-
 5634 related capital facilities within the Florida Community College
 5635 System institution.

5636 (2) There is established the Florida Community College
 5637 System Institution Facility Enhancement Challenge Grant Program
 5638 for the purpose of assisting the Florida Community College
 5639 System institutions in building high priority instructional and
 5640 community-related capital facilities consistent with s. 1004.65,
 5641 including common areas connecting such facilities. The direct-
 5642 support organizations that serve the Florida Community College
 5643 System institutions shall solicit gifts from private sources to
 5644 provide matching funds for capital facilities. For the purposes
 5645 of this section, private sources of funds shall not include any
 5646 federal or state government funds that a Florida Community
 5647 College System institution may receive.

5648 (3) The Florida Community College System Institution
 5649 Capital Facilities Matching Program shall provide funds to match
 5650 private contributions for the development of high priority
 5651 instructional and community-related capital facilities,
 5652 including common areas connecting such facilities, within the
 5653 Florida Community College System institutions.

5654 (4) Within the direct-support organization of each Florida
 5655 Community College System institution there must be established a

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5656 separate capital facilities matching account for the purpose of
 5657 providing matching funds from the direct-support organization's
 5658 unrestricted donations or other private contributions for the
 5659 development of high priority instructional and community-related
 5660 capital facilities, including common areas connecting such
 5661 facilities. The Legislature shall appropriate funds for
 5662 distribution to a Florida Community College System institution
 5663 after matching funds are certified by the direct-support
 5664 organization and Florida Community College System institution.
 5665 The Public Education Capital Outlay and Debt Service Trust Fund
 5666 shall not be used as the source of the state match for private
 5667 contributions.

5668 (5) A project may not be initiated unless all private funds
 5669 for planning, construction, and equipping the facility have been
 5670 received and deposited in the direct-support organization's
 5671 matching account for this purpose. However, this requirement
 5672 does not preclude the Florida Community College System
 5673 institution or direct-support organization from expending
 5674 available funds from private sources to develop a prospectus,
 5675 including preliminary architectural schematics or models, for
 5676 use in its efforts to raise private funds for a facility and for
 5677 site preparation, planning, and construction. The Legislature
 5678 may appropriate the state's matching funds in one or more fiscal
 5679 years for the planning, construction, and equipping of an
 5680 eligible facility. Each Florida Community College System
 5681 institution shall notify all donors of private funds of a
 5682 substantial delay in the availability of state matching funds
 5683 for this program.

5684 (6) To be eligible to participate in the Florida Community

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5685 College System Institution Facility Enhancement Challenge Grant
 5686 Program, a Florida Community College System institution, through
 5687 its direct-support organization, shall raise a contribution
 5688 equal to one-half of the total cost of a facilities construction
 5689 project from private sources which shall be matched by a state
 5690 appropriation equal to the amount raised for a facilities
 5691 construction project, subject to the General Appropriations Act.

5692 (7) If the state's share of the required match is
 5693 insufficient to meet the requirements of subsection (6), the
 5694 Florida Community College System institution shall renegotiate
 5695 the terms of the contribution with the donors. If the project is
 5696 terminated, each private donation, plus accrued interest,
 5697 reverts to the direct-support organization for remittance to the
 5698 donor.

5699 (8) By October 15 of each year, the State Board of
 5700 Community Colleges Education shall transmit to the Governor and
 5701 the Legislature a list of projects that meet all eligibility
 5702 requirements to participate in the Florida Community College
 5703 System Institution Facility Enhancement Challenge Grant Program
 5704 and a budget request that includes the recommended schedule
 5705 necessary to complete each project.

5706 (9) In order for a project to be eligible under this
 5707 program, it must be survey recommended under the provisions of
 5708 s. 1013.31 and included in the Florida Community College System
 5709 institution's 5-year capital improvement plan, and it must
 5710 receive approval from the State Board of Community Colleges
 5711 ~~Education~~ or the Legislature.

5712 (10) A Florida Community College System institution project
 5713 may not be removed from the approved 3-year PECO priority list

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5714 because of its successful participation in this program until
 5715 approved by the Legislature and provided for in the General
 5716 Appropriations Act. When such a project is completed and removed
 5717 from the list, all other projects shall move up on the 3-year
 5718 PECO priority list.

5719 (11) Any private matching funds for a project which are
 5720 unexpended after the project is completed shall revert to the
 5721 Florida Community College System institution's direct-support
 5722 organization capital facilities matching account. The balance of
 5723 any unexpended state matching funds shall be returned to the
 5724 fund from which those funds were appropriated.

5725 (12) The surveys, architectural plans, facility, and
 5726 equipment shall be the property of the participating Florida
 5727 Community College System institution. A facility constructed
 5728 under this section may be named in honor of a donor at the
 5729 option of the Florida Community College System institution
 5730 district board of trustees. A facility may not be named after a
 5731 living person without prior approval by the State Board of
 5732 Community Colleges Education.

5733 (13) Effective July 1, 2011, state matching funds are
 5734 temporarily suspended for donations received for the program on
 5735 or after June 30, 2011. Existing eligible donations remain
 5736 eligible for future matching funds. The program may be restarted
 5737 after \$200 million of the backlog for programs under this
 5738 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

5739 Section 98. Subsection (2), paragraph (b) of subsection
 5740 (5), and subsections (8), (9), and (11) of section 1011.80,
 5741 Florida Statutes, are amended to read:
 5742 1011.80 Funds for operation of workforce education

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5743 programs.—

5744 (2) Any workforce education program may be conducted by a
 5745 Florida Community College System institution or a school
 5746 district, except that college credit in an associate in applied
 5747 science or an associate in science degree may be awarded only by
 5748 a Florida Community College System institution. However, if an
 5749 associate in applied science or an associate in science degree
 5750 program contains within it an occupational completion point that
 5751 confers a certificate or an applied technology diploma, that
 5752 portion of the program may be conducted by a school district
 5753 career center. Any instruction designed to articulate to a
 5754 degree program is subject to guidelines and standards adopted by
 5755 the State Board of Community Colleges Education pursuant to s.
 5756 1007.25.

5757 (5) State funding and student fees for workforce education
 5758 instruction shall be established as follows:

5759 (b) For all other workforce education programs, state
 5760 funding shall equal 75 percent of the average cost of
 5761 instruction with the remaining 25 percent made up from student
 5762 fees. Fees for courses within a program shall not vary according
 5763 to the cost of the individual program, but instead shall be
 5764 based on a uniform fee calculated and set at the state level, as
 5765 adopted by the State Board of Education, for school districts,
 5766 and the State Board of Community Colleges, for Florida Community
 5767 College System institutions, unless otherwise specified in the
 5768 General Appropriations Act.

5769 (8) The State Board of Education, the State Board of
 5770 Community Colleges, and CareerSource Florida, Inc., shall
 5771 provide the Legislature with recommended formulas, criteria,

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5772 timeframes, and mechanisms for distributing performance funds.
 5773 The commissioner shall consolidate the recommendations and
 5774 develop a consensus proposal for funding. The Legislature shall
 5775 adopt a formula and distribute the performance funds to the
 5776 State Board of Community Colleges Education for Florida
 5777 Community College System institutions and to the State Board of
 5778 Education for school districts through the General
 5779 Appropriations Act. These recommendations shall be based on
 5780 formulas that would discourage low-performing or low-demand
 5781 programs and encourage through performance-funding awards:

5782 (a) Programs that prepare people to enter high-wage
 5783 occupations identified by the Workforce Estimating Conference
 5784 created by s. 216.136 and other programs as approved by
 5785 CareerSource Florida, Inc. At a minimum, performance incentives
 5786 shall be calculated for adults who reach completion points or
 5787 complete programs that lead to specified high-wage employment
 5788 and to their placement in that employment.

5789 (b) Programs that successfully prepare adults who are
 5790 eligible for public assistance, economically disadvantaged,
 5791 disabled, not proficient in English, or dislocated workers for
 5792 high-wage occupations. At a minimum, performance incentives
 5793 shall be calculated at an enhanced value for the completion of
 5794 adults identified in this paragraph and job placement of such
 5795 adults upon completion. In addition, adjustments may be made in
 5796 payments for job placements for areas of high unemployment.

5797 (c) Programs that are specifically designed to be
 5798 consistent with the workforce needs of private enterprise and
 5799 regional economic development strategies, as defined in
 5800 guidelines set by CareerSource Florida, Inc. CareerSource

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5801 Florida, Inc., shall develop guidelines to identify such needs
5802 and strategies based on localized research of private employers
5803 and economic development practitioners.

5804 (d) Programs identified by CareerSource Florida, Inc., as
5805 increasing the effectiveness and cost efficiency of education.

5806 (9) School districts shall report full-time equivalent
5807 students by discipline category for the programs specified in
5808 subsection (1). There shall be an annual cost analysis for the
5809 school district workforce education programs that reports cost
5810 by discipline category consistent with the reporting for full-
5811 time equivalent students. The annual financial reports submitted
5812 by the school districts must accurately report on the student
5813 fee revenues by fee type according to the programs specified in
5814 subsection (1). The Department of Education and the State Board
5815 of Community Colleges shall develop a plan for comparable
5816 reporting of program, student, facility, personnel, and
5817 financial data between the Florida Community College System
5818 institutions and the school district workforce education
5819 programs.

5820 (11) The State Board of Education and the State Board of
5821 Community Colleges may adopt rules to administer this section.

5822 Section 99. Section 1011.801, Florida Statutes, is amended
5823 to read:

5824 1011.801 Workforce Development Capitalization Incentive
5825 Grant Program.—The Legislature recognizes that the need for
5826 school districts and Florida Community College System
5827 institutions to be able to respond to emerging local or
5828 statewide economic development needs is critical to the
5829 workforce development system. The Workforce Development

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5830 Capitalization Incentive Grant Program is created to provide
5831 grants to school districts and Florida Community College System
5832 institutions on a competitive basis to fund some or all of the
5833 costs associated with the creation or expansion of workforce
5834 development programs that serve specific employment workforce
5835 needs.

5836 (1) Funds awarded for a workforce development
5837 capitalization incentive grant may be used for instructional
5838 equipment, laboratory equipment, supplies, personnel, student
5839 services, or other expenses associated with the creation or
5840 expansion of a workforce development program. Expansion of a
5841 program may include either the expansion of enrollments in a
5842 program or expansion into new areas of specialization within a
5843 program. No grant funds may be used for recurring instructional
5844 costs or for institutions' indirect costs.

5845 (2) The State Board of Education shall accept applications
5846 from school districts, and the State Board of Community Colleges
5847 shall accept applications from ~~or~~ Florida Community College
5848 System institutions, for workforce development capitalization
5849 incentive grants. Applications from school districts or Florida
5850 Community College System institutions must ~~shall~~ contain
5851 projected enrollments and projected costs for the new or
5852 expanded workforce development program. The State Board of
5853 Education or the State Board of Community Colleges, as
5854 appropriate, in consultation with CareerSource Florida, Inc.,
5855 shall review and rank each application for a grant according to
5856 subsection (3) and shall submit to the Legislature a list in
5857 priority order of applications recommended for a grant award.

5858 (3) The State Board of Education or the State Board of

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 5859 Community Colleges, as appropriate, shall give highest priority
 5860 to programs that train people to enter high-skill, high-wage
 5861 occupations identified by the Workforce Estimating Conference
 5862 and other programs approved by CareerSource Florida, Inc. ;
 5863 programs that train people to enter occupations under the
 5864 welfare transition program; or programs that train for the
 5865 workforce adults who are eligible for public assistance,
 5866 economically disadvantaged, disabled, not proficient in English,
 5867 or dislocated workers. The State Board of Education or the State
 5868 Board of Community Colleges, as appropriate, shall consider the
 5869 statewide geographic dispersion of grant funds in ranking the
 5870 applications and shall give priority to applications from
 5871 education agencies that are making maximum use of their
 5872 workforce development funding by offering high-performing, high-
 5873 demand programs.

5874 Section 100. Section 1011.81, Florida Statutes, is amended
 5875 to read:

5876 1011.81 Florida Community College System Program Fund.—

5877 (1) There is established a Florida Community College System
 5878 Program Fund. This fund shall comprise all appropriations made
 5879 by the Legislature for the support of the current operating
 5880 program and shall be apportioned and distributed to the Florida
 5881 Community College System institution districts of the state on
 5882 the basis of procedures established by law and rules of the
 5883 State Board of Education. The annual apportionment for each
 5884 Florida Community College System institution district shall be
 5885 distributed monthly in payments as nearly equal as possible.

5886 (2) Performance funding for industry certifications for
 5887 Florida Community College System institutions is contingent upon

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 5888 specific appropriation in the General Appropriations Act and
 5889 shall be determined as follows:

5890 (a) Occupational areas for which industry certifications
 5891 may be earned, as established in the General Appropriations Act,
 5892 are eligible for performance funding. Priority shall be given to
 5893 the occupational areas emphasized in state, national, or
 5894 corporate grants provided to Florida educational institutions.

5895 (b) The Chancellor of the Florida Community College System,
 5896 for the Florida Community College System institutions, shall
 5897 identify the industry certifications eligible for funding on the
 5898 CAPE Postsecondary Industry Certification Funding List approved
 5899 by the State Board of Community Colleges ~~Education~~ pursuant to
 5900 s. 1008.44, based on the occupational areas specified in the
 5901 General Appropriations Act.

5902 (c) Each Florida Community College System institution shall
 5903 be provided \$1,000 for each industry certification earned by a
 5904 student. The maximum amount of funding appropriated for
 5905 performance funding pursuant to this subsection shall be limited
 5906 to \$15 million annually. If funds are insufficient to fully fund
 5907 the calculated total award, such funds shall be prorated.

5908 (3) None of the funds made available in the Florida
 5909 Community College System Program Fund, or funds made available
 5910 to Florida Community College System institutions outside the
 5911 Florida Community College System Program Fund, may be used to
 5912 implement, organize, direct, coordinate, or administer, or to
 5913 support the implementation, organization, direction,
 5914 coordination, or administration of, activities related to, or
 5915 involving, travel to a terrorist state. For purposes of this
 5916 section, "terrorist state" is defined as any state, country, or

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5917 nation designated by the United States Department of State as a
5918 state sponsor of terrorism.

5919 (4) State funds provided for the Florida Community College
5920 System Program Fund may not be expended for the education of
5921 state or federal inmates.

5922 Section 101. Section 1011.82, Florida Statutes, is amended
5923 to read:

5924 1011.82 Requirements for participation in Florida Community
5925 College System Program Fund.—Each Florida Community College
5926 System institution district which participates in the state
5927 appropriations for the Florida Community College System Program
5928 Fund shall provide evidence of its effort to maintain an
5929 adequate Florida Community College System institution program
5930 which shall:

5931 (1) Meet the minimum standards prescribed by the State
5932 Board of Community Colleges Education in accordance with s.
5933 1001.602(5) e. 1001.02(6).

5934 (2) Effectively fulfill the mission of the Florida
5935 Community College System institutions in accordance with s.
5936 1004.65.

5937 Section 102. Section 1011.83, Florida Statutes, is amended
5938 to read:

5939 1011.83 Financial support of Florida Community College
5940 System institutions.—

5941 (1) Each Florida Community College System institution that
5942 ~~has been approved by the Department of Education and~~ meets the
5943 requirements of law and rules of the State Board of Community
5944 Colleges Education shall participate in the Florida Community
5945 College System Program Fund. However, funds to support workforce

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5946 education programs conducted by Florida Community College System
5947 institutions shall be provided pursuant to s. 1011.80.

5948 (2) A student in a baccalaureate degree program approved
5949 pursuant to s. 1007.33 who is not classified as a resident for
5950 tuition purposes pursuant to s. 1009.21 may not be included in
5951 calculations of full-time equivalent enrollments for state
5952 funding purposes.

5953 Section 103. Section 1011.84, Florida Statutes, is amended
5954 to read:

5955 1011.84 Procedure for determining state financial support
5956 and annual apportionment of state funds to each Florida
5957 Community College System institution district.—The procedure for
5958 determining state financial support and the annual apportionment
5959 to each Florida Community College System institution district
5960 authorized to operate a Florida Community College System
5961 institution under the provisions of s. 1001.61 shall be as
5962 follows:

5963 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
5964 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING
5965 PROGRAM.—

5966 (a) The State Board of Community Colleges ~~Department of~~
5967 ~~Education~~ shall determine annually, from an analysis of
5968 operating costs, ~~prepared in the manner prescribed by rules of~~
5969 ~~the State Board of Education,~~ the costs per full-time equivalent
5970 student served in courses and fields of study offered in Florida
5971 Community College System institutions. This information and
5972 current college operating budgets shall be submitted to the
5973 Executive Office of the Governor with the legislative budget
5974 request prior to each regular session of the Legislature.

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5975 (b) The allocation of funds for Florida Community College
5976 System institutions ~~must shall~~ be based on advanced and
5977 professional disciplines, developmental education, and other
5978 programs for adults funded pursuant to s. 1011.80.

5979 (c) The category of lifelong learning is for students
5980 enrolled pursuant to s. 1004.93. A student shall also be
5981 reported as a lifelong learning student for his or her
5982 enrollment in any course that he or she has previously taken,
5983 unless it is a credit course in which the student earned a grade
5984 of D or F.

5985 (d) If an adult student has been determined to be a
5986 disabled student eligible for an approved educational program
5987 for disabled adults provided pursuant to s. 1004.93 and rules of
5988 the State Board of Community Colleges Education and is enrolled
5989 in a class with curriculum frameworks developed for the program,
5990 state funding for that student shall be provided at a level
5991 double that of a student enrolled in a special adult general
5992 education program provided by a Florida Community College System
5993 institution.

5994 (e) All state inmate education provided by Florida
5995 Community College System institutions shall be reported by
5996 program, FTE expenditure, and revenue source. These enrollments,
5997 expenditures, and revenues shall be reported and projected
5998 separately. Instruction of state inmates ~~may shall~~ not be
5999 included in the full-time equivalent student enrollment for
6000 funding through the Florida Community College System Program
6001 Fund.

6002 (f) When a public educational institution has been fully
6003 funded by an external agency for direct instructional costs of

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6004 any course or program, the FTE generated ~~may shall~~ not be
6005 reported for state funding.

6006 (g) The State Board of Education shall adopt rules to
6007 implement s. 9(d)(8)f., Art. XII of the State Constitution.
6008 These rules shall provide for the use of the funds available
6009 under s. 9(d)(8)f., Art. XII by an individual Florida Community
6010 College System institution for operating expense in any fiscal
6011 year during which the State Board of Education has determined
6012 that all major capital outlay needs have been met. Highest
6013 priority for the use of these funds for purposes other than
6014 financing approved capital outlay projects shall be for the
6015 proper maintenance and repair of existing facilities for
6016 projects approved by the State Board of Education. However, in
6017 any fiscal year in which funds from this source are authorized
6018 for operating expense other than approved maintenance and repair
6019 projects, the allocation of Florida Community College System
6020 institution program funds shall be reduced by an amount equal to
6021 the sum used for such operating expense for that Florida
6022 Community College System institution that year, and that amount
6023 shall not be released or allocated among the other Florida
6024 Community College System institutions that year.

6025 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
6026 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay
6027 and debt service shall be as determined and provided in s. 18,
6028 Art. XII of the State Constitution of 1885, as adopted by s.
6029 9(d), Art. XII of the 1968 revised State Constitution and State
6030 Board of Education rules.

6031 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6032 (a) By December 15 of each year, the State Board of

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6033 ~~Community Colleges Department of Education~~ shall estimate the
 6034 annual enrollment of each Florida Community College System
 6035 institution for the current fiscal year and for the 3 subsequent
 6036 fiscal years. These estimates shall be based upon prior years'
 6037 enrollments, upon the initial fall term enrollments for the
 6038 current fiscal year for each college, and upon each college's
 6039 estimated current enrollment and demographic changes in the
 6040 respective Florida Community College System institution
 6041 districts. Upper-division enrollment shall be estimated
 6042 separately from lower-division enrollment.

6043 (b) The apportionment to each Florida Community College
 6044 System institution from the Florida Community College System
 6045 Program Fund shall be determined annually in the General
 6046 Appropriations Act. In determining each college's apportionment,
 6047 the Legislature shall consider the following components:

6048 1. Base budget, which includes the state appropriation to
 6049 the Florida Community College System Program Fund in the current
 6050 year plus the related student tuition and out-of-state fees
 6051 assigned in the current General Appropriations Act.

6052 2. The cost-to-continue allocation, which consists of
 6053 incremental changes to the base budget, including salaries,
 6054 price levels, and other related costs allocated through a
 6055 funding model approved by the Legislature which may recognize
 6056 differing economic factors arising from the individual
 6057 educational approaches of the various Florida Community College
 6058 System institutions, including, but not limited to:

6059 a. Direct Instructional Funding, including class size,
 6060 faculty productivity factors, average faculty salary, ratio of
 6061 full-time to part-time faculty, costs of programs, and

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6062 enrollment factors.

6063 b. Academic Support, including small colleges factor,
 6064 multicampus factor, and enrollment factor.

6065 c. Student Services Support, including headcount of
 6066 students as well as FTE count and enrollment factors.

6067 d. Library Support, including volume and other
 6068 materials/audiovisual requirements.

6069 e. Special Projects.

6070 f. Operations and Maintenance of Plant, including square
 6071 footage and utilization factors.

6072 g. District Cost Differential.

6073 3. Students enrolled in a recreation and leisure program
 6074 and students enrolled in a lifelong learning program who may not
 6075 be counted as full-time equivalent enrollments for purposes of
 6076 enrollment workload adjustments.

6077 4. Operating costs of new facilities adjustments, which
 6078 shall be provided, from funds available, for each new facility
 6079 that is owned by the college and is recommended in accordance
 6080 with s. 1013.31.

6081 5. New and improved program enhancements, which shall be
 6082 determined by the Legislature.

6083
 6084 Student fees in the base budget plus student fee revenues
 6085 generated by increases in fee rates shall be deducted from the
 6086 sum of the components determined in subparagraphs 1.-5. The
 6087 amount remaining shall be the net annual state apportionment to
 6088 each college.

6089 (c) A ~~No~~ Florida Community College System institution may
 6090 not shall commit funds for the employment of personnel or

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6091 resources in excess of those required to continue the same level
6092 of support for either the previously approved enrollment or the
6093 revised enrollment, whichever is lower.

6094 (d) The apportionment to each Florida Community College
6095 System institution district for capital outlay and debt service
6096 shall be the amount determined in accordance with subsection
6097 (2). This amount, less any amount determined as necessary for
6098 administrative expense by the State Board of Education and any
6099 amount necessary for debt service on bonds issued by the State
6100 Board of Education, shall be transmitted to the Florida
6101 Community College System institution board of trustees to be
6102 expended in a manner prescribed by rules of the State Board of
6103 Education.

6104 (e) If at any time the unencumbered balance in the general
6105 fund of the Florida Community College System institution board
6106 of trustees approved operating budget goes below 5 percent, the
6107 president shall provide written notification to the State Board
6108 of Education.

6109 (f) Expenditures for apprenticeship programs must ~~shall~~ be
6110 reported separately.

6111 (g) Expenditures for upper-division enrollment in a Florida
6112 Community College System institution that grants baccalaureate
6113 degrees must ~~shall~~ be reported separately from expenditures for
6114 lower-division enrollment, in accordance with law and State
6115 Board of Education rule.

6116 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
6117 herein to any Florida Community College System institution must
6118 ~~shall~~ be expended only for the purpose of supporting that
6119 Florida Community College System institution.

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6120 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida
6121 Community College System institution board of trustees shall
6122 report, as a separate item in its annual cost accounting system,
6123 the volume and cost of developmental education options provided
6124 to help students attain the communication and computation skills
6125 that are essential for college-level work pursuant to s.
6126 1008.30.

6127 Section 104. Section 1011.85, Florida Statutes, is amended
6128 to read:

6129 1011.85 Dr. Philip Benjamin Matching Grant Program for
6130 Florida Community College System Institutions.—

6131 (1) There is created the Dr. Philip Benjamin Matching Grant
6132 Program for Florida Community College System Institutions as a
6133 single matching gifts program that encompasses the goals
6134 originally set out in the Academic Improvement Program, the
6135 Scholarship Matching Program, and the Health Care Education
6136 Quality Enhancement Challenge Grant. The program shall be
6137 administered according to rules of the State Board of Community
6138 Colleges Education and used to encourage private support in
6139 enhancing Florida Community College System institutions by
6140 providing the Florida Community College System with the
6141 opportunity to receive and match challenge grants. Funds
6142 received prior to the effective date of this act for each of the
6143 three programs shall be retained in the separate account for
6144 which it was designated.

6145 (2) Each Florida Community College System institution board
6146 of trustees receiving state appropriations under this program
6147 shall approve each gift to ensure alignment with the unique
6148 mission of the Florida Community College System institution. The

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6149 board of trustees must link all requests for a state match to
 6150 the goals and mission statement. The Florida Community College
 6151 System Institution Foundation Board receiving state
 6152 appropriations under this program shall approve each gift to
 6153 ensure alignment with its goals and mission statement. Funds
 6154 received from community events and festivals are not eligible
 6155 for state matching funds under this program.

6156 (3) Upon approval by the Florida Community College System
 6157 institution board of trustees and the State Board of Community
 6158 Colleges Education, the ordering of donations for priority
 6159 listing of unmatched gifts should be determined by the
 6160 submitting Florida Community College System institution.

6161 (4) Each year, eligible contributions received by a Florida
 6162 Community College System institution's foundation or the State
 6163 Board of Community Colleges Education by February 1 shall be
 6164 eligible for state matching funds.

6165 (a) Each Florida Community College System institution board
 6166 of trustees and, when applicable, the Florida Community College
 6167 System Institution Foundation Board, receiving state
 6168 appropriations under this program shall also certify in an
 6169 annual report to the State Board of Community Colleges Education
 6170 the receipt of eligible cash contributions that were previously
 6171 unmatched by the state. The State Board of Education shall adopt
 6172 rules providing all Florida Community College System
 6173 institutions with an opportunity to apply for excess funds
 6174 before the awarding of such funds.

6175 (b) Florida Community College System institutions must
 6176 submit to the State Board of Community Colleges Education an
 6177 annual expenditure report tracking the use of all matching

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6178 funds.

6179 (c) The audit of each foundation receiving state funds from
 6180 this program must include a certification of accuracy in the
 6181 amount reported for matching funds.

6182 (5) The matching ratio for donations that are specifically
 6183 designated to support scholarships, including scholarships for
 6184 first-generation-in-college students, student loans, or need-
 6185 based grants shall be \$1 of state funds to \$1 of local private
 6186 funds.

6187 (6) Otherwise, funds must ~~shall~~ be proportionately
 6188 allocated to the Florida Community College System institutions
 6189 on the basis of matching each \$6 of local or private funds with
 6190 \$4 of state funds. To be eligible, a minimum of \$4,500 must be
 6191 raised from private sources.

6192 (7) The Florida Community College System institution board
 6193 of trustees, in conjunction with the donor, shall determine ~~make~~
 6194 ~~the determination of~~ whether scholarships established pursuant
 6195 to this program are endowed.

6196 (8) (a) Funds sufficient to provide the match shall be
 6197 transferred from the state appropriations to the local Florida
 6198 Community College System institution foundation or the statewide
 6199 Florida Community College System institution foundation upon
 6200 notification that a proportionate amount has been received and
 6201 deposited by a Florida Community College System institution in
 6202 its own trust fund.

6203 (b) If state funds appropriated for the program are
 6204 insufficient to match contributions, the amount allocated must
 6205 ~~shall~~ be reduced in proportion to its share of the total
 6206 eligible contributions. However, in making proportional

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6207 reductions, every Florida Community College System institution
 6208 shall receive a minimum of \$75,000 in state matching funds if
 6209 its eligible contributions would have generated an amount at
 6210 least equal to \$75,000. All unmet contributions ~~must shall~~ be
 6211 eligible for state matching funds in subsequent fiscal years.

6212 (9) Each Florida Community College System institution
 6213 entity shall establish its own matching grant program fund as a
 6214 depository for the private contributions and matching state
 6215 funds provided under this section. Florida Community College
 6216 System institution foundations are responsible for the
 6217 maintenance, investment, and administration of their matching
 6218 grant program funds.

6219 (10) The State Board of Community Colleges ~~Education~~ may
 6220 receive submissions of requests for matching funds and
 6221 documentation relating to those requests, may approve requests
 6222 for matching funds, and may allocate such funds to the Florida
 6223 Community College System institutions.

6224 (11) The board of trustees of the Florida Community College
 6225 System institution and the State Board of Community Colleges
 6226 ~~Education~~ are responsible for determining the uses for the
 6227 proceeds of their respective trust funds. Such use of the
 6228 proceeds shall include, but not be limited to, expenditure of
 6229 the funds for:

6230 (a) Scientific and technical equipment.
 6231 (b) Scholarships, loans, or need-based grants.
 6232 (c) Other activities that will benefit future students as
 6233 well as students currently enrolled at the Florida Community
 6234 College System institution, will improve the quality of
 6235 education at the Florida Community College System institution,

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6236 or will enhance economic development in the community.

6237 (12) Each Florida Community College System institution
 6238 shall notify all donors of private funds of a substantial delay
 6239 in the availability of state matching funds for this program.

6240 (13) Effective July 1, 2011, state matching funds are
 6241 temporarily suspended for donations received for this program on
 6242 or after June 30, 2011. Existing eligible donations remain
 6243 eligible for future matching funds. The program may be restarted
 6244 after \$200 million of the backlog for programs under this
 6245 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6246 Section 105. Subsection (1) of section 1012.01, Florida
 6247 Statutes, is amended to read:

6248 1012.01 Definitions.—As used in this chapter, the following
 6249 terms have the following meanings:

6250 (1) SCHOOL OFFICERS.—The officers of the state system of
 6251 public K-12 ~~and Florida College System institution~~ education
 6252 shall be the Commissioner of Education and the members of the
 6253 State Board of Education; for the Florida Community College
 6254 System, the officers shall be the Chancellor of the Florida
 6255 Community College System and the members of the State Board of
 6256 Community Colleges; for each district school system, the
 6257 officers shall be the district school superintendent and members
 6258 of the district school board; and for each Florida Community
 6259 College System institution, the officers shall be the Florida
 6260 Community College System institution president and members of
 6261 the Florida Community College System institution board of
 6262 trustees.

6263 Section 106. Paragraph (a) of subsection (1) of section
 6264 1012.80, Florida Statutes, is amended to read:

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6265 1012.80 Participation by employees in disruptive activities
6266 at public postsecondary educational institutions; penalties.—

6267 (1) (a) Any person who accepts the privilege extended by the
6268 laws of this state of employment at any Florida Community
6269 College System institution shall, by working at such
6270 institution, be deemed to have given his or her consent to the
6271 policies of that institution, the policies of the State Board of
6272 Community Colleges Education, and the laws of this state. Such
6273 policies shall include prohibition against disruptive activities
6274 at Florida Community College System institutions.

6275 Section 107. Subsection (1) of section 1012.81, Florida
6276 Statutes, is amended to read:

6277 1012.81 Personnel records.—

6278 (1) The State Board of Community Colleges Education shall
6279 adopt rules prescribing the content and custody of limited-
6280 access records that a Florida Community College System
6281 institution may maintain on its employees. Limited-access
6282 employee records are confidential and exempt from ~~the provisions~~
6283 ~~of~~ s. 119.07(1). Limited-access records include only the
6284 following:

6285 (a) Records containing information reflecting academic
6286 evaluations of employee performance; however, the employee and
6287 officials of the institution responsible for supervision of the
6288 employee shall have access to such records.

6289 (b) Records maintained for the purposes of any
6290 investigation of employee misconduct, including, but not limited
6291 to, a complaint against an employee and all information obtained
6292 pursuant to the investigation of such complaint; however, these
6293 records become public after the investigation ceases to be

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6294 active or when the institution provides written notice to the
6295 employee who is the subject of the complaint that the
6296 institution has either:

- 6297 1. Concluded the investigation with a finding not to
- 6298 proceed with disciplinary action;
- 6299 2. Concluded the investigation with a finding to proceed
- 6300 with disciplinary action; or
- 6301 3. Issued a letter of discipline.

6302
6303 For the purpose of this paragraph, an investigation shall be
6304 considered active as long as it is continuing with a reasonable,
6305 good faith anticipation that a finding will be made in the
6306 foreseeable future. An investigation shall be presumed to be
6307 inactive if no finding is made within 90 days after the
6308 complaint is filed.

6309 (c) Records maintained for the purposes of any disciplinary
6310 proceeding brought against an employee; however, these records
6311 shall be open to inspection by the employee and shall become
6312 public after a final decision is made in the proceeding.

6313 (d) Records maintained for the purposes of any grievance
6314 proceeding brought by an employee for enforcement of a
6315 collective bargaining agreement or contract; however, these
6316 records shall be open to inspection by the employee and by
6317 officials of the institution conducting the grievance proceeding
6318 and shall become public after a final decision is made in the
6319 proceeding.

6320 Section 108. Subsection (1) of section 1012.83, Florida
6321 Statutes, is amended to read:

6322 1012.83 Contracts with administrative and instructional

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6323 staff.-

6324 (1) Each person employed in an administrative or
6325 instructional capacity in a Florida Community College System
6326 institution shall be entitled to a contract as provided by rules
6327 of the State Board of Community Colleges Education.

6328 Section 109. Section 1012.855, Florida Statutes, is amended
6329 to read:

6330 1012.855 Employment of Florida Community College System
6331 institution personnel; discrimination in granting salary
6332 prohibited.-

6333 (1) (a) Employment of all personnel in each Florida
6334 Community College System institution shall be upon
6335 recommendation of the president, subject to rejection for cause
6336 by the Florida Community College System institution board of
6337 trustees; to the rules of the State Board of Community Colleges
6338 ~~Education~~ relative to certification, tenure, leaves of absence
6339 of all types, including sabbaticals, remuneration, and such
6340 other conditions of employment as the State Board of Community
6341 Colleges Education deems necessary and proper; and to policies
6342 of the Florida Community College System institution board of
6343 trustees not inconsistent with law.

6344 (b) Any internal auditor employed by a Florida Community
6345 College System institution shall be hired by the Florida
6346 Community College System institution board of trustees and shall
6347 report directly to the board.

6348 (2) Each Florida Community College System institution board
6349 of trustees shall undertake a program to eradicate any
6350 discrimination on the basis of gender, race, or physical
6351 handicap in the granting of salaries to employees.

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6352 Section 110. Section 1012.86, Florida Statutes, is amended
6353 to read:

6354 1012.86 Florida Community College System institution
6355 employment equity accountability program.-

6356 (1) Each Florida Community College System institution shall
6357 include in its annual equity update a plan for increasing the
6358 representation of women and minorities in senior-level
6359 administrative positions and in full-time faculty positions, and
6360 for increasing the representation of women and minorities who
6361 have attained continuing-contract status. Positions shall be
6362 defined in the personnel data element directory of the
6363 Department of Education. The plan must include specific
6364 measurable goals and objectives, specific strategies and
6365 timelines for accomplishing these goals and objectives, and
6366 comparable national standards as provided by the Department of
6367 Education. The goals and objectives shall be based on meeting or
6368 exceeding comparable national standards and shall be reviewed
6369 and recommended by the State Board of Community Colleges
6370 ~~Education~~ as appropriate. Such plans shall be maintained until
6371 appropriate representation has been achieved and maintained for
6372 at least 3 consecutive reporting years.

6373 (2) (a) On or before May 1 of each year, each Florida
6374 Community College System institution president shall submit an
6375 annual employment accountability plan to the Chancellor of the
6376 Florida Community College System and the State Board of
6377 Community Colleges ~~Commissioner of Education and the State Board~~
6378 ~~of Education~~. The accountability plan must show faculty and
6379 administrator employment data according to requirements
6380 specified on the federal Equal Employment Opportunity (EEO-6)

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6381 report.

6382 (b) The plan must show the following information for those

6383 positions including, but not limited to:

6384 1. Job classification title.

6385 2. Gender.

6386 3. Ethnicity.

6387 4. Appointment status.

6388 5. Salary information. At each Florida Community College

6389 System institution, salary information shall also include the

6390 salary ranges in which new hires were employed compared to the

6391 salary ranges for employees with comparable experience and

6392 qualifications.

6393 6. Other comparative information including, but not limited

6394 to, composite information regarding the total number of

6395 positions within the particular job title classification for the

6396 Florida Community College System institution by race, gender,

6397 and salary range compared to the number of new hires.

6398 7. A statement certifying diversity and balance in the

6399 gender and ethnic composition of the selection committee for

6400 each vacancy, including a brief description of guidelines used

6401 for ensuring balanced and diverse membership on selection and

6402 review committees.

6403 (c) The annual employment accountability plan shall also

6404 include an analysis and an assessment of the Florida Community

6405 College System institution's attainment of annual goals and of

6406 long-range goals for increasing the number of women and

6407 minorities in faculty and senior-level administrative positions,

6408 and a corrective action plan for addressing underrepresentation.

6409 (d) Each Florida Community College System institution's

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6410 employment accountability plan must also include:

6411 1. The requirements for receiving a continuing contract.

6412 2. A brief description of the process used to grant

6413 continuing-contract status.

6414 3. A brief description of the process used to annually

6415 apprise each eligible faculty member of progress toward

6416 attainment of continuing-contract status.

6417 (3) Florida Community College System institution presidents

6418 and the heads of each major administrative division shall be

6419 evaluated annually on the progress made toward meeting the goals

6420 and objectives of the Florida Community College System

6421 institution's employment accountability plan.

6422 (a) The Florida Community College System institution

6423 presidents, or the presidents' designees, shall annually

6424 evaluate each department chairperson, dean, provost, and vice

6425 president in achieving the annual and long-term goals and

6426 objectives. A summary of the results of such evaluations shall

6427 be reported annually by the Florida Community College System

6428 institution president to the Florida Community College System

6429 institution board of trustees. Annual budget allocations by the

6430 Florida Community College System institution board of trustees

6431 for positions and funding must take into consideration these

6432 evaluations.

6433 (b) Florida Community College System institution boards of

6434 trustees shall annually evaluate the performance of the Florida

6435 Community College System institution presidents in achieving the

6436 annual and long-term goals and objectives. A summary of the

6437 results of such evaluations shall be reported to the State Board

6438 of Community Colleges ~~Commissioner of Education and the State~~

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6439 ~~Board of Education~~ as part of the Florida Community College
6440 System institution's annual employment accountability plan, and
6441 to the Legislature as part of the annual equity progress report
6442 submitted by the State Board of Community Colleges Education.

6443 (4) The State Board of Community Colleges Education shall
6444 submit an annual equity progress report to the President of the
6445 Senate and the Speaker of the House of Representatives on or
6446 before January 1 of each year.

6447 (5) Each Florida Community College System institution shall
6448 develop a budgetary incentive plan to support and ensure
6449 attainment of the goals developed pursuant to this section. The
6450 plan shall specify, at a minimum, how resources shall be
6451 allocated to support the achievement of goals and the
6452 implementation of strategies in a timely manner. After prior
6453 review and approval by the Florida Community College System
6454 institution president and the Florida Community College System
6455 institution board of trustees, the plan shall be submitted as
6456 part of the annual employment accountability plan submitted by
6457 each Florida Community College System institution to the State
6458 Board of Community Colleges Education.

6459 (6) Subject to available funding, the Legislature shall
6460 provide an annual appropriation to the State Board of Community
6461 Colleges Education to be allocated to Florida Community College
6462 System institution presidents, faculty, and administrative
6463 personnel to further enhance equity initiatives and related
6464 priorities that support the mission of colleges and departments
6465 in recognition of the attainment of the equity goals and
6466 objectives.

6467 Section 111. Subsection (3) of section 1013.01, Florida

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6468 Statutes, is amended to read:

6469 1013.01 Definitions.—The following terms shall be defined
6470 as follows for the purpose of this chapter:

6471 (3) "Board," unless otherwise specified, means a district
6472 school board, a Florida Community College System institution
6473 board of trustees, a university board of trustees, and the Board
6474 of Trustees for the Florida School for the Deaf and the Blind.
6475 The term "board" does not include the State Board of Education,
6476 ~~or the Board of Governors, or the State Board of Community~~
6477 Colleges.

6478 Section 112. Subsection (2) of section 1013.02, Florida
6479 Statutes, is amended to read:

6480 1013.02 Purpose; rules and regulations.—

6481 (2) (a) The State Board of Education shall adopt rules
6482 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
6483 ~~provisions of this chapter for school districts and Florida~~
6484 ~~College System institutions~~.

6485 (b) The Board of Governors shall adopt regulations pursuant
6486 to its regulation development procedure to implement ~~the~~
6487 ~~provisions of this chapter for state universities~~.

6488 (c) The State Board of Community Colleges shall adopt rules
6489 pursuant to ss. 120.536(1) and 120.54 to implement this chapter
6490 for Florida Community College System institutions.

6491 Section 113. Section 1013.03, Florida Statutes, is amended
6492 to read:

6493 1013.03 Functions of the department, the State Board of
6494 Community Colleges, and the Board of Governors.—The functions of
6495 the Department of Education as it pertains to educational
6496 facilities of school districts, of the State Board of Community

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6497 Colleges as it pertains to educational facilities of ~~and~~ Florida
 6498 Community College System institutions, and of the Board of
 6499 Governors as it pertains to educational facilities of state
 6500 universities shall include, but not be limited to, the
 6501 following:

6502 (1) Establish recommended minimum and maximum square
 6503 footage standards for different functions and areas and
 6504 procedures for determining the gross square footage for each
 6505 educational facility to be funded in whole or in part by the
 6506 state, including public broadcasting stations but excluding
 6507 postsecondary special purpose laboratory space. The gross square
 6508 footage determination standards may be exceeded when the core
 6509 facility space of an educational facility is constructed or
 6510 renovated to accommodate the future addition of classrooms to
 6511 meet projected increases in student enrollment. The department,
 6512 the State Board of Community Colleges, and the Board of
 6513 Governors shall encourage multiple use of facilities and spaces
 6514 in educational plants.

6515 (2) Establish, for the purpose of determining need,
 6516 equitably uniform utilization standards for all types of like
 6517 space, regardless of the level of education. These standards
 6518 shall also establish, for postsecondary education classrooms, a
 6519 minimum room utilization rate of 40 hours per week and a minimum
 6520 station utilization rate of 60 percent. These rates shall be
 6521 subject to increase based on national norms for utilization of
 6522 postsecondary education classrooms.

6523 (3) Require boards to submit other educational plant
 6524 inventories data and statistical data or information relevant to
 6525 construction, capital improvements, and related costs.

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6526 (4) Require each board and other appropriate agencies to
 6527 submit complete and accurate financial data as to the amounts of
 6528 funds from all sources that are available and spent for
 6529 construction and capital improvements. The commissioner shall
 6530 prescribe the format and the date for the submission of this
 6531 data and any other educational facilities data. If any district
 6532 does not submit the required educational facilities fiscal data
 6533 by the prescribed date, the Commissioner of Education shall
 6534 notify the district school board of this fact and, if
 6535 appropriate action is not taken to immediately submit the
 6536 required report, the district school board shall be directed to
 6537 proceed pursuant to s. 1001.42(13)(b). If any Florida Community
 6538 College System institution or university does not submit the
 6539 required educational facilities fiscal data by the prescribed
 6540 date, the same policy prescribed in this subsection for school
 6541 districts shall be implemented.

6542 (5) Administer, under the supervision of the Commissioner
 6543 of Education, the Public Education Capital Outlay and Debt
 6544 Service Trust Fund and the School District and Community College
 6545 District Capital Outlay and Debt Service Trust Fund.

6546 (6) Develop, review, update, revise, and recommend a
 6547 mandatory portion of the Florida Building Code for educational
 6548 facilities construction and capital improvement by Florida
 6549 Community College System institution boards and district school
 6550 boards.

6551 (7) Provide training, technical assistance, and building
 6552 code interpretation for requirements of the mandatory Florida
 6553 Building Code for the educational facilities construction and
 6554 capital improvement programs of ~~the Florida College System~~

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6555 ~~institution boards~~ and district school boards and, upon request,
 6556 approve phase III construction documents for remodeling,
 6557 renovation, or new construction of educational plants or
 6558 ancillary facilities, except that Florida Community College
 6559 System institutions and university boards of trustees shall
 6560 approve specifications and construction documents for their
 6561 respective institutions pursuant to guidelines of the Board of
 6562 Governors or State Board of Community Colleges, as applicable.
 6563 The Department of Management Services may, upon request, provide
 6564 similar services for the Florida School for the Deaf and the
 6565 Blind and shall use the Florida Building Code and the Florida
 6566 Fire Prevention Code.

6567 (8) Provide minimum criteria, procedures, and training to
 6568 boards to conduct educational plant surveys and document the
 6569 determination of future needs.

6570 (9) Make available to boards technical assistance,
 6571 awareness training, and research and technical publications
 6572 relating to lifesafety, casualty, sanitation, environmental,
 6573 maintenance, and custodial issues; and, as needed, technical
 6574 assistance for survey, planning, design, construction,
 6575 operation, and evaluation of educational and ancillary
 6576 facilities and plants, facilities administrative procedures
 6577 review, and training for new administrators.

6578 (10) (a) Review and validate surveys proposed or amended by
 6579 the boards and recommend to the Commissioner of Education, the
 6580 Chancellor of the Florida Community College System, or the
 6581 Chancellor of the State University System, as appropriate, for
 6582 approval, surveys that meet the requirements of this chapter.

6583 1. The term "validate" as applied to surveys by school

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6584 districts means to review inventory data as submitted to the
 6585 department by district school boards; provide for review and
 6586 inspection, where required, of student stations and aggregate
 6587 square feet of inventory changed from satisfactory to
 6588 unsatisfactory or changed from unsatisfactory to satisfactory;
 6589 compare new school inventory to allocation limits provided by
 6590 this chapter; review cost projections for conformity with cost
 6591 limits set by s. 1013.64(6); compare total capital outlay full-
 6592 time equivalent enrollment projections in the survey with the
 6593 department's projections; review facilities lists to verify that
 6594 student station and auxiliary facility space allocations do not
 6595 exceed the limits provided by this chapter and related rules;
 6596 review and confirm the application of uniform facility
 6597 utilization factors, where provided by this chapter or related
 6598 rules; use ~~utilize~~ the documentation of programs offered per
 6599 site, as submitted by the board, to analyze facility needs;
 6600 confirm that need projections for career and adult educational
 6601 programs comply with needs documented by the Department of
 6602 Education; and confirm the assignment of full-time student
 6603 stations to all space except auxiliary facilities, which, for
 6604 purposes of exemption from student station assignment, include
 6605 the following:

- 6606 a. Cafeterias.
- 6607 b. Multipurpose dining areas.
- 6608 c. Media centers.
- 6609 d. Auditoriums.
- 6610 e. Administration.
- 6611 f. Elementary, middle, and high school resource rooms, up
 6612 to the number of such rooms recommended for the applicable

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6613 occupant and space design capacity of the educational plant in
 6614 the State Requirements for Educational Facilities, beyond which
 6615 student stations must be assigned.

6616 g. Elementary school skills labs, up to the number of such
 6617 rooms recommended for the applicable occupant and space design
 6618 capacity of the educational plant in the State Requirements for
 6619 Educational Facilities, beyond which student stations must be
 6620 assigned.

6621 h. Elementary school art and music rooms.

6622

6623 The Commissioner of Education may grant a waiver from the
 6624 requirements of this subparagraph if a district school board
 6625 determines that such waiver will make possible a substantial
 6626 savings of funds or will be advantageous to the welfare of the
 6627 educational system. The district school board shall present a
 6628 full statement to the commissioner which sets forth the facts
 6629 that warrant the waiver. If the commissioner denies a request
 6630 for a waiver, the district school board may appeal such decision
 6631 to the State Board of Education.

6632 2. The term "validate" as applied to surveys by Florida
 6633 Community College System institutions and universities means to
 6634 review and document the approval of each new site and official
 6635 designation, where applicable; review the inventory database as
 6636 submitted by each board to the department, including noncareer,
 6637 and total capital outlay full-time equivalent enrollment
 6638 projections per site and per college; provide for the review and
 6639 inspection, where required, of student stations and aggregate
 6640 square feet of space changed from satisfactory to
 6641 unsatisfactory; use ~~utilize~~ and review the documentation of

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6642 programs offered per site submitted by the boards as accurate
 6643 for analysis of space requirements and needs; confirm that needs
 6644 projected for career and adult educational programs comply with
 6645 needs documented by the Department of Education; compare new
 6646 facility inventory to allocations limits as provided in this
 6647 chapter; review cost projections for conformity with state
 6648 averages or limits designated by this chapter; compare student
 6649 enrollment projections in the survey to the department's
 6650 projections; review facilities lists to verify that area
 6651 allocations and space factors for generating space needs do not
 6652 exceed the limits as provided by this chapter and related rules;
 6653 confirm the application of facility utilization factors as
 6654 provided by this chapter and related rules; and review, as
 6655 submitted, documentation of how survey recommendations will
 6656 implement the detail of current campus master plans and
 6657 integrate with local comprehensive plans and development
 6658 regulations.

6659 (b) Recommend priority of projects to be funded.

6660 (11) Prepare the commissioner's comprehensive fixed capital
 6661 outlay legislative budget request and provide annually an
 6662 estimate of the funds available for developing required 3-year
 6663 priority lists. This amount shall be based upon the average
 6664 percentage for the 5 prior years of funds appropriated by the
 6665 Legislature for fixed capital outlay to each level of public
 6666 education: public schools, Florida Community College System
 6667 institutions, and universities.

6668 (12) Perform any other functions that may be involved in
 6669 educational facilities construction and capital improvement
 6670 which shall ensure that the intent of the Legislature is

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 6671 implemented.
 6672 Section 114. Section 1013.28, Florida Statutes, is amended
 6673 to read:
 6674 1013.28 Disposal of property.—
 6675 (1) REAL PROPERTY.—
 6676 (a) Subject to rules of the State Board of Education, a
 6677 district school board ~~or~~ the Board of Trustees for the Florida
 6678 School for the Deaf and the Blind, ~~or a Florida College System~~
 6679 ~~institution board of trustees~~ may dispose of any land or real
 6680 property to which the board holds title which is, by resolution
 6681 of the board, determined to be unnecessary for educational
 6682 purposes as recommended in an educational plant survey. A
 6683 district school board ~~or~~ the Board of Trustees for the Florida
 6684 School for the Deaf and the Blind, ~~or a Florida College System~~
 6685 ~~institution board of trustees~~ shall take diligent measures to
 6686 dispose of educational property only in the best interests of
 6687 the public. However, appraisals may be obtained by the district
 6688 school board ~~or~~ the Board of Trustees for the Florida School
 6689 for the Deaf and the Blind before, ~~or the Florida College System~~
 6690 ~~institution board of trustees prior to~~ or simultaneously with
 6691 the receipt of bids.
 6692 (b) Subject to regulations of the Board of Governors, a
 6693 state university board of trustees may dispose of any land or
 6694 real property to which it holds valid title which is, by
 6695 resolution of the state university board of trustees, determined
 6696 to be unnecessary for educational purposes as recommended in an
 6697 educational plant survey. A state university board of trustees
 6698 shall take diligent measures to dispose of educational property
 6699 only in the best interests of the public. However, appraisals

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 6700 may be obtained by the state university board of trustees prior
 6701 to or simultaneously with the receipt of bids.
 6702 (c) Subject to rules of the State Board of Community
 6703 Colleges, a Florida Community College System institution board
 6704 of trustees may dispose of any land or real property to which it
 6705 holds valid title which is, by resolution of the Florida
 6706 Community College System institution board of trustees,
 6707 determined to be unnecessary for educational purposes as
 6708 recommended in an educational plant survey. A Florida Community
 6709 College System institution board of trustees shall take diligent
 6710 measures to dispose of educational property only in the best
 6711 interests of the public. However, appraisals may be obtained by
 6712 the Florida Community College System institution board of
 6713 trustees prior to or simultaneously with the receipt of bids.
 6714 (2) TANGIBLE PERSONAL PROPERTY.—
 6715 (a) Tangible personal property that has been properly
 6716 classified as surplus by a district school board ~~or Florida~~
 6717 ~~College System institution board of trustees~~ shall be disposed
 6718 of in accordance with the procedure established by chapter 274.
 6719 However, the provisions of chapter 274 shall not be applicable
 6720 to a motor vehicle used in driver education to which title is
 6721 obtained for a token amount from an automobile dealer or
 6722 manufacturer. In such cases, the disposal of the vehicle shall
 6723 be as prescribed in the contractual agreement between the
 6724 automotive agency or manufacturer and the board.
 6725 (b) Tangible personal property that has been properly
 6726 classified as surplus by a state university board of trustees
 6727 shall be disposed of in accordance with the procedure
 6728 established by chapter 273.

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6729 (c) Tangible personal property that has been properly
 6730 classified as surplus by a Florida Community College System
 6731 institution board of trustees shall be disposed of in accordance
 6732 with the procedure established by chapter 274.

6733 Section 115. Subsection (1) of section 1013.31, Florida
 6734 Statutes, is amended to read:

6735 1013.31 Educational plant survey; localized need
 6736 assessment; PECO project funding.-

6737 (1) At least every 5 years, each board shall arrange for an
 6738 educational plant survey, to aid in formulating plans for
 6739 housing the educational program and student population, faculty,
 6740 administrators, staff, and auxiliary and ancillary services of
 6741 the district or campus, including consideration of the local
 6742 comprehensive plan. The Department of Education, for school
 6743 districts, and the State Board of Community Colleges, for the
 6744 Florida Community College System, shall document the need for
 6745 additional career and adult education programs and the
 6746 continuation of existing programs before facility construction
 6747 or renovation related to career or adult education may be
 6748 included in the educational plant survey of a school district or
 6749 Florida Community College System institution that delivers
 6750 career or adult education programs. Information used by the
 6751 Department of Education or State Board of Community Colleges to
 6752 establish facility needs must include, but need not be limited
 6753 to, labor market data, needs analysis, and information submitted
 6754 by the school district or Florida Community College System
 6755 institution.

6756 (a) *Survey preparation and required data.*-Each survey shall
 6757 be conducted by the board or an agency employed by the board.

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6758 Surveys shall be reviewed and approved by the board, and a file
 6759 copy shall be submitted to the Department of Education, the
 6760 Chancellor of the Florida Community College System, or the
 6761 Chancellor of the State University System, as appropriate. The
 6762 survey report shall include at least an inventory of existing
 6763 educational and ancillary plants, including safe access
 6764 facilities; recommendations for existing educational and
 6765 ancillary plants; recommendations for new educational or
 6766 ancillary plants, including the general location of each in
 6767 coordination with the land use plan and safe access facilities;
 6768 campus master plan update and detail for Florida Community
 6769 College System institutions; the use ~~utilization~~ of school
 6770 plants based on an extended school day or year-round operation;
 6771 and such other information as may be required by the Department
 6772 of Education. This report may be amended, if conditions warrant,
 6773 at the request of the department or commissioner.

6774 (b) *Required need assessment criteria for district, Florida*
 6775 *Community College System institution, state university, and*
 6776 *Florida School for the Deaf and the Blind plant surveys.*-
 6777 Educational plant surveys must use uniform data sources and
 6778 criteria specified in this paragraph. Each revised educational
 6779 plant survey and each new educational plant survey supersedes
 6780 previous surveys.

6781 1. The school district's survey must be submitted as a part
 6782 of the district educational facilities plan defined in s.
 6783 1013.35. To ensure that the data reported to the Department of
 6784 Education as required by this section is correct, the department
 6785 shall annually conduct an onsite review of 5 percent of the
 6786 facilities reported for each school district completing a new

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6787 survey that year. If the department's review finds the data
 6788 reported by a district is less than 95 percent accurate, within
 6789 1 year from the time of notification by the department the
 6790 district must submit revised reports correcting its data. If a
 6791 district fails to correct its reports, the commissioner may
 6792 direct that future fixed capital outlay funds be withheld until
 6793 such time as the district has corrected its reports so that they
 6794 are not less than 95 percent accurate.

6795 2. Each survey of a special facility, joint-use facility,
 6796 or cooperative career education facility must be based on
 6797 capital outlay full-time equivalent student enrollment data
 6798 prepared by the department for school districts and Florida
 6799 Community College System institutions and by the Chancellor of
 6800 the State University System for universities. A survey of space
 6801 needs of a joint-use facility shall be based upon the respective
 6802 space needs of the school districts, Florida Community College
 6803 System institutions, and universities, as appropriate.
 6804 Projections of a school district's facility space needs may not
 6805 exceed the norm space and occupant design criteria established
 6806 by the State Requirements for Educational Facilities.

6807 3. Each Florida Community College System institution's
 6808 survey must reflect the capacity of existing facilities as
 6809 specified in the inventory maintained and validated by the
 6810 Chancellor of the Florida Community College System ~~by the~~
 6811 ~~Department of Education~~. Projections of facility space needs
 6812 must comply with standards for determining space needs as
 6813 specified by rule of the State Board of Community Colleges
 6814 ~~Education~~. The 5-year projection of capital outlay student
 6815 enrollment must be consistent with the annual report of capital

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6816 outlay full-time student enrollment prepared by the Department
 6817 of Education.

6818 4. Each state university's survey must reflect the capacity
 6819 of existing facilities as specified in the inventory maintained
 6820 and validated by the Chancellor of the State University System.
 6821 Projections of facility space needs must be consistent with
 6822 standards for determining space needs as specified by regulation
 6823 of the Board of Governors. The projected capital outlay full-
 6824 time equivalent student enrollment must be consistent with the
 6825 5-year planned enrollment cycle for the State University System
 6826 approved by the Board of Governors.

6827 5. The district educational facilities plan of a school
 6828 district and the educational plant survey of a Florida Community
 6829 College System institution, state university, or the Florida
 6830 School for the Deaf and the Blind may include space needs that
 6831 deviate from approved standards for determining space needs if
 6832 the deviation is justified by the district or institution and
 6833 approved by the department, the State Board of Community
 6834 Colleges, or the Board of Governors, as appropriate, as
 6835 necessary for the delivery of an approved educational program.

6836 (c) *Review and validation.*—The Department of Education
 6837 shall review and validate the surveys of school districts, the
 6838 Chancellor of the Florida Community College System shall review
 6839 and validate the surveys of ~~and~~ Florida Community College System
 6840 institutions, and the Chancellor of the State University System
 6841 shall review and validate the surveys of universities, and any
 6842 amendments thereto for compliance with the requirements of this
 6843 chapter and shall recommend those in compliance for approval by
 6844 the State Board of Education, the State Board of Community

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6845 Colleges, or the Board of Governors, as appropriate. Annually,
 6846 the department shall perform an in-depth analysis of a
 6847 representative sample of each survey of recommended needs for
 6848 five districts selected by the commissioner from among districts
 6849 with the largest need-to-revenue ratio. For the purpose of this
 6850 subsection, the need-to-revenue ratio is determined by dividing
 6851 the total 5-year cost of projects listed on the district survey
 6852 by the total 5-year fixed capital outlay revenue projections
 6853 from state and local sources as determined by the department.
 6854 The commissioner may direct fixed capital outlay funds to be
 6855 withheld from districts until such time as the survey accurately
 6856 projects facilities needs.

6857 (d) *Periodic update of Florida Inventory of School Houses.*—
 6858 School districts shall periodically update their inventory of
 6859 educational facilities as new capacity becomes available and as
 6860 unsatisfactory space is eliminated. The State Board of Education
 6861 shall adopt rules to determine the timeframe in which districts
 6862 must provide a periodic update.

6863 Section 116. Subsections (1) and (3) of section 1013.36,
 6864 Florida Statutes, are amended to read:

6865 1013.36 Site planning and selection.—

6866 (1) Before acquiring property for sites, each district
 6867 school board and Florida Community College System institution
 6868 board of trustees shall determine the location of proposed
 6869 educational centers or campuses. In making this determination,
 6870 the board shall consider existing and anticipated site needs and
 6871 the most economical and practicable locations of sites. The
 6872 board shall coordinate with the long-range or comprehensive
 6873 plans of local, regional, and state governmental agencies to

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6874 assure the consistency of such plans. Boards are encouraged to
 6875 locate district educational facilities proximate to urban
 6876 residential areas to the extent possible, and shall seek to
 6877 collocate district educational facilities with other public
 6878 facilities, such as parks, libraries, and community centers, to
 6879 the extent possible and to encourage using elementary schools as
 6880 focal points for neighborhoods.

6881 (3) Sites recommended for purchase or purchased must meet
 6882 standards prescribed in law and such supplementary standards as
 6883 the State Board of Education or State Board of Community
 6884 Colleges, as appropriate, prescribes to promote the educational
 6885 interests of the students. Each site must be well drained and
 6886 suitable for outdoor educational purposes as appropriate for the
 6887 educational program or collocated with facilities to serve this
 6888 purpose. As provided in s. 333.03, the site must not be located
 6889 within any path of flight approach of any airport. Insofar as is
 6890 practicable, the site must not adjoin a right-of-way of any
 6891 railroad or through highway and must not be adjacent to any
 6892 factory or other property from which noise, odors, or other
 6893 disturbances, or at which conditions, would be likely to
 6894 interfere with the educational program. To the extent
 6895 practicable, sites must be chosen which will provide safe access
 6896 from neighborhoods to schools.

6897 Section 117. Subsections (3) and (4) of section 1013.37,
 6898 Florida Statutes, are amended to read:

6899 1013.37 State uniform building code for public educational
 6900 facilities construction.—

6901 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
 6902 Chancellor of the Florida Community College System, as

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6903 appropriate, shall cooperate with the Florida Building
 6904 Commission in addressing all questions, disputes, or
 6905 interpretations involving the provisions of the Florida Building
 6906 Code which govern the construction of public educational and
 6907 ancillary facilities, and any objections to decisions made by
 6908 the inspectors or the department must be submitted in writing.

6909 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
 6910 department, for school districts, and the State Board of
 6911 Community Colleges, for Florida Community College System
 6912 institutions, shall biennially review and recommend to the
 6913 Florida Building Commission updates and revisions to the
 6914 provisions of the Florida Building Code which govern the
 6915 construction of public educational and ancillary facilities. The
 6916 department, for school districts, and the State Board of
 6917 Community Colleges, for Florida Community College System
 6918 institutions, shall publish and make available to each board at
 6919 no cost copies of the State Requirements for Educational
 6920 Facilities and each amendment and revision thereto. The
 6921 department and state board shall make additional copies
 6922 available to all interested persons at a price sufficient to
 6923 recover costs.

6924 Section 118. Section 1013.40, Florida Statutes, is amended
 6925 to read:

6926 1013.40 Planning and construction of Florida Community
 6927 College System institution facilities; property acquisition.—

6928 (1) The need for Florida Community College System
 6929 institution facilities shall be established by a survey
 6930 conducted pursuant to this chapter. The facilities recommended
 6931 by such survey must be approved by the State Board of Community

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6932 Colleges Education, and the projects must be constructed
 6933 according to the provisions of this chapter and State Board of
 6934 Community Colleges Education rules.

6935 (2) A ~~No~~ Florida Community College System institution may
 6936 not expend public funds for the acquisition of additional
 6937 property without the specific approval of the Legislature.

6938 (3) A ~~No~~ facility may not be acquired or constructed by a
 6939 Florida Community College System institution or its direct-
 6940 support organization if such facility requires general revenue
 6941 funds for operation or maintenance upon project completion or in
 6942 subsequent years of operation, unless prior approval is received
 6943 from the Legislature.

6944 (4) The campus of a Florida Community College System
 6945 institution within a municipality designated as an area of
 6946 critical state concern, as defined in s. 380.05, and having a
 6947 comprehensive plan and land development regulations containing a
 6948 building permit allocation system that limits annual growth, may
 6949 construct dormitories for up to 300 beds for Florida Community
 6950 College System institution students. Such dormitories are exempt
 6951 from the building permit allocation system and may be
 6952 constructed up to 45 feet in height if the dormitories are
 6953 otherwise consistent with the comprehensive plan, the Florida
 6954 Community College System institution has a hurricane evacuation
 6955 plan that requires all dormitory occupants to be evacuated 48
 6956 hours in advance of tropical force winds, and transportation is
 6957 provided for dormitory occupants during an evacuation. State
 6958 funds and tuition and fee revenues may not be used for
 6959 construction, debt service payments, maintenance, or operation
 6960 of such dormitories. Additional dormitory beds constructed after

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 6961 July 1, 2016, may not be financed through the issuance of bonds.
 6962 Section 119. Section 1013.47, Florida Statutes, is amended
 6963 to read:
 6964 1013.47 Substance of contract; contractors to give bond;
 6965 penalties.—Each board shall develop contracts consistent with
 6966 this chapter and statutes governing public facilities. Such a
 6967 contract must contain the drawings and specifications of the
 6968 work to be done and the material to be furnished, the time limit
 6969 in which the construction is to be completed, the time and
 6970 method by which payments are to be made upon the contract, and
 6971 the penalty to be paid by the contractor for a failure to comply
 6972 with the terms of the contract. The board may require the
 6973 contractor to pay a penalty for any failure to comply with the
 6974 terms of the contract and may provide an incentive for early
 6975 completion. Upon accepting a satisfactory bid, the board shall
 6976 enter into a contract with the party or parties whose bid has
 6977 been accepted. The contractor shall furnish the board with a
 6978 performance and payment bond as set forth in s. 255.05. A board
 6979 or other public entity may not require a contractor to secure a
 6980 surety bond under s. 255.05 from a specific agent or bonding
 6981 company. A person, firm, or corporation that constructs any part
 6982 of any educational plant, or addition thereto, on the basis of
 6983 any unapproved plans or in violation of any plans approved in
 6984 accordance with the provisions of this chapter and rules of the
 6985 State Board of Education or State Board of Community Colleges or
 6986 regulations of the Board of Governors relating to building
 6987 standards or specifications is subject to forfeiture of the
 6988 surety bond and unpaid compensation in an amount sufficient to
 6989 reimburse the board for any costs that will need to be incurred

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 6990 in making any changes necessary to assure that all requirements
 6991 are met and is also guilty of a misdemeanor of the second
 6992 degree, punishable as provided in s. 775.082 or s. 775.083, for
 6993 each separate violation.
 6994 Section 120. Section 1013.52, Florida Statutes, is amended
 6995 to read:
 6996 1013.52 Cooperative development and joint use of facilities
 6997 by two or more boards.—
 6998 (1) Two or more boards, including district school boards,
 6999 Florida Community College System institution boards of trustees,
 7000 the Board of Trustees for the Florida School for the Deaf and
 7001 the Blind, and university boards of trustees, desiring to
 7002 cooperatively establish a common educational facility to
 7003 accommodate students shall:
 7004 (a) Jointly request a formal assessment by the Commissioner
 7005 of Education, ~~or~~ the Chancellor of the State University System,
 7006 or the Chancellor of the State Board of Community Colleges, as
 7007 appropriate, of the academic program need and the need to build
 7008 new joint-use facilities to house approved programs. Completion
 7009 of the assessment and approval of the project by the State Board
 7010 of Education, the State Board of Community Colleges, the
 7011 Chancellor of the Florida Community College System, the Board of
 7012 Governors, the Chancellor of the State University System, or the
 7013 Commissioner of Education, as appropriate, should be done prior
 7014 to conducting an educational facilities survey.
 7015 (b) Demonstrate the need for construction of new joint-use
 7016 facilities involving postsecondary institutions by those
 7017 institutions presenting evidence of the presence of sufficient
 7018 actual full-time equivalent enrollments in the locale in leased,

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7019 rented, or borrowed spaces to justify the requested facility for
 7020 the programs identified in the formal assessment rather than
 7021 using projected or anticipated future full-time equivalent
 7022 enrollments as justification. If the decision is made to
 7023 construct new facilities to meet this demonstrated need, then
 7024 building plans should consider full-time equivalent enrollment
 7025 growth facilitated by this new construction and subsequent new
 7026 program offerings made possible by the existence of the new
 7027 facilities.

7028 (c) Adopt and submit to the Commissioner of Education, the
 7029 Chancellor of the Florida Community College System, or ~~and~~ the
 7030 Chancellor of the State University System, as appropriate, if
 7031 the joint request involves a state university, a joint
 7032 resolution of the participating boards indicating their
 7033 commitment to the utilization of the requested facility and
 7034 designating the locale of the proposed facility. The joint
 7035 resolution shall contain a statement of determination by the
 7036 participating boards that alternate options, including the use
 7037 of leased, rented, or borrowed space, were considered and found
 7038 less appropriate than construction of the proposed facility. The
 7039 joint resolution shall contain assurance that the development of
 7040 the proposed facility has been examined in conjunction with the
 7041 programs offered by neighboring public educational facilities
 7042 offering instruction at the same level. The joint resolution
 7043 also shall contain assurance that each participating board shall
 7044 provide for continuity of educational progression. All joint
 7045 resolutions shall be submitted by August 1 for consideration of
 7046 funding by the subsequent Legislature.

7047 (d) Submit requests for funding of joint-use facilities

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7048 projects involving state universities and Florida Community
 7049 College System institutions for approval by the Chancellor of
 7050 the Florida Community College System ~~Commissioner of Education~~
 7051 and the Chancellor of the State University System. The
 7052 Chancellor of the Florida Community College System ~~Commissioner~~
 7053 ~~of Education~~ and the Chancellor of the State University System
 7054 shall jointly determine the priority for funding these projects
 7055 in relation to the priority of all other capital outlay projects
 7056 under their consideration. To be eligible for funding from the
 7057 Public Education Capital Outlay and Debt Service Trust Fund
 7058 under the provisions of this section, projects involving both
 7059 state universities and Florida Community College System
 7060 institutions shall appear on the 3-year capital outlay priority
 7061 lists of Florida Community College System institutions and of
 7062 universities required by s. 1013.64. Projects involving a state
 7063 university, a Florida Community College System institution, and
 7064 a public school, and in which the larger share of the proposed
 7065 facility is for the use of the state university or the Florida
 7066 Community College System institution, shall appear on the 3-year
 7067 capital outlay priority lists of the Florida Community College
 7068 System institutions or of the universities, as applicable.

7069 (e) Include in their joint resolution for the joint-use
 7070 facilities, comprehensive plans for the operation and management
 7071 of the facility upon completion. Institutional responsibilities
 7072 for specific functions shall be identified, including
 7073 designation of one participating board as sole owner of the
 7074 facility. Operational funding arrangements shall be clearly
 7075 defined.

7076 (2) An educational plant survey must be conducted within 90

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 7077 days after submission of the joint resolution and substantiating
 7078 data describing the benefits to be obtained, the programs to be
 7079 offered, and the estimated cost of the proposed project. Upon
 7080 completion of the educational plant survey, the participating
 7081 boards may include the recommended projects in their plan as
 7082 provided in s. 1013.31. Upon approval of the project by the
 7083 commissioner, the Chancellor of the Florida Community College
 7084 System, or the Chancellor of the State University System, as
 7085 appropriate, 25 percent of the total cost of the project, or the
 7086 pro rata share based on space utilization of 25 percent of the
 7087 cost, must be included in the department's legislative capital
 7088 outlay budget request as provided in s. 1013.60 for educational
 7089 plants. The participating boards must include in their joint
 7090 resolution a commitment to finance the remaining funds necessary
 7091 to complete the planning, construction, and equipping of the
 7092 facility. Funds from the Public Education Capital Outlay and
 7093 Debt Service Trust Fund may not be expended on any project
 7094 unless specifically authorized by the Legislature.

7095 (3) Included in all proposals for joint-use facilities must
 7096 be documentation that the proposed new campus or new joint-use
 7097 facility has been reviewed by the State Board of Education, the
 7098 State Board of Community Colleges, or the Board of Governors, as
 7099 appropriate, and has been formally requested for authorization
 7100 by the Legislature.

7101 (4) ~~A~~ ~~Ne~~ district school board, Florida Community College
 7102 System institution, or state university may not ~~shall~~ receive
 7103 funding for more than one approved joint-use facility per campus
 7104 in any 3-year period.

7105 Section 121. Subsection (1) of section 1013.65, Florida

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 7106 Statutes, is amended to read:
 7107 1013.65 Educational and ancillary plant construction funds;
 7108 Public Education Capital Outlay and Debt Service Trust Fund;
 7109 allocation of funds.—

7110 (1) The commissioner, through the department, shall
 7111 administer the Public Education Capital Outlay and Debt Service
 7112 Trust Fund. The commissioner shall allocate or reallocate funds
 7113 as authorized by the Legislature. Copies of each allocation or
 7114 reallocation shall be provided to members of the State Board of
 7115 Education, the State Board of Community Colleges, and the Board
 7116 of Governors and to the chairs of the House of Representatives
 7117 and Senate appropriations committees. The commissioner shall
 7118 provide for timely encumbrances of funds for duly authorized
 7119 projects. Encumbrances may include proceeds to be received under
 7120 a resolution approved by the State Board of Education
 7121 authorizing the issuance of public education capital outlay
 7122 bonds pursuant to s. 9(a)(2), Art. XII of the State
 7123 Constitution, s. 215.61, and other applicable law. The
 7124 commissioner shall provide for the timely disbursement of moneys
 7125 necessary to meet the encumbrance authorizations of the boards.
 7126 Records shall be maintained by the department to identify
 7127 legislative appropriations, allocations, encumbrance
 7128 authorizations, disbursements, transfers, investments, sinking
 7129 funds, and revenue receipts by source. The Department of
 7130 Education shall pay the administrative costs of the Public
 7131 Education Capital Outlay and Debt Service Trust Fund from the
 7132 funds which comprise the trust fund.

7133 Section 122. The Division of Law Revision and Information
 7134 is directed to prepare a reviser's bill for the 2018 Regular

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7135 Session to substitute the term "Florida Community College
7136 System" for "Florida College System" and the term "Florida
7137 Community College System institution" for "Florida College
7138 System institution" wherever those terms appear in the Florida
7139 Statutes.

7140 Section 123. Except as otherwise expressly provided in this
7141 act and except for this section, which shall take effect upon
7142 becoming a law, this act shall take effect October 1, 2018.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 540

Bill Number (if applicable)

Meeting Date

Can she go first for

Topic SB 540

Amendment Barcode (if applicable)

Name Ava Parker

Colleges Palm Beach state college

Job Title President

Address 4200 S. CONGRESS AVE.

Phone 561-868-3501

Street

LAKE WORTH

FL

33461

City

State

Zip

Email avaparker@j

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Council of Presidents for Florida College System

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.

THE FLORIDA SENATE
APPEARANCE RECORD

11/13/17
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 540
Bill Number (if applicable)

Topic 2 + 2 Articulation Agreements

Amendment Barcode (if applicable)

Name Tonjua Williams

Job Title President, St. Petersburg College

Address P.O. Box 13489 or 6021-142nd A/N

Phone 727 501-3305

St. Pete, FL 33733 Largo FL

City State Zip

Email williamstonjua@spcollege.edu

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing St. Petersburg 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

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11-13-17

Meeting Date

SB 540

Bill Number (if applicable)

Topic BACHELOR'S DEGREE CAPS

Amendment Barcode (if applicable)

Name Mr. DEVIN STEPHENSON

Job Title PRESIDENT, NORTHWEST FL STATE COLLEGE

Address 100 E. COLLEGE BLVD

Phone 850-729-5360

Street

NICEVILLE FL 32578

Email dstephenson@nwfsc.edu

City

State

Zip

Speaking: For [] Against [x] Information []

Waive Speaking: In Support [] Against [] (The Chair will read this information into the record.)

Representing NORTHWEST FLORIDA ST. COLLEGE

Appearing at request of Chair: Yes [] No [x]

Lobbyist registered with Legislature: Yes [] No [x]

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.

THE FLORIDA SENATE
APPEARANCE RECORD

Bill ✓
540

11/13/17

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Bill Number (if applicable)

Topic SB 540

Amendment Barcode (if applicable)

Name Dr. Timothy Beard ~~Dr. Timothy Beard~~

Job Title President

Address 4701 Copper Hill Drive

Phone 727-214-7706

Street

Spring Hill, FL

State

34609

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing College System

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)



Marva Johnson, *Chair*
Andy Tuck, *Vice Chair*
Members
Gary Chartrand
Ben Gibson
Tom Grady
Rebecca Fishman Lipsey
Michael Olenick

MEMORANDUM

TO: School District Superintendents

FROM: Pam Stewart

DATE: September 19, 2017

SUBJECT: Instructional Hours

It has been incredible to see communities coming together all across the state to ensure the safety of our most vulnerable citizens through shelters. Our school facilities and employees played a critical role in the state's response to Hurricane Irma.

The Florida Department of Education (FDOE) has received many questions about instructional hours in the wake of Hurricane Irma. As authorized in section 1011.60(2), Florida Statutes, schools must operate for 180 actual teaching days or the equivalent on an hourly basis to participate in the Florida Education Finance Program. Rule 6A-1.045111, Florida Administrative Code, specifies the hourly equivalent as not less than 720 net instructional hours for kindergarten through grade 3 and not less than 900 hours for grades 4 through 12. Provided that this statutory requirement is met, school boards have the authority to adopt an alternative calendar without authorization or approval by FDOE. This will not affect the district's funding through the Florida Education Finance Program, nor will it affect the survey count of full-time equivalent students.

Florida law gives the Commissioner of Education and the State Board of Education the authority to alter the instructional hours requirement when the loss of instructional hours is caused by a bona fide emergency and when it is not feasible to make up the lost days or hours. As the commissioner, I am authorizing the waiver of up to two days of instructional time as a result of required school closures due to Hurricane Irma.

In the event that a district seeks to waive any additional time, a request must be submitted to FDOE using the attached form. Please see the most relevant portion of Section 1011.60(2), F.S.:

The State Board of Education may prescribe procedures for altering, and, upon written application, may alter, this requirement during a national, state, or local emergency as it may apply to an individual school or schools in any district or districts if, in the opinion of the board, it is not feasible to make up lost days or hours, and the apportionment may, at the discretion of the Commissioner of Education and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools.

Rule 6A-1.09533, Florida Administrative Code, provides that the Commissioner will consider requests from district school boards to reduce the length of the school term only if:

no teacher planning days, excluding a maximum of three (3) planning days at the end of the school year, remain in the official school year calendar as approved by the district school board, and no school holidays, other than authorized national or state holidays, remain in the official school year calendar as approved by the district school board.

For all schools that are able to make up the lost instructional time caused by Hurricane Irma, up to and including the two days authorized by this letter, no authorization or approval from FDOE is needed.

For the communities that were hit hardest by Hurricane Irma, it may not be feasible to make up all the hours of lost instruction. Given how critical instructional hours are to the success of each student, districts must make up as many of the lost instructional hours as possible. However, if the school board concludes that it is not feasible, please complete the attached "Application for a Reduction in the Required Instructional Hours." The department will deem a completed application to be a request for the consideration of the Commissioner and the State Board of Education to reduce the required instructional hours, as well as a request for a waiver of Rule 6A-1.09533, Florida Administrative Code, under section 120.542, F.S., to the extent that such a waiver is needed. The deadline for the submission of applications is Monday, October 16, 2017.

PS/mm

Attachment

EMERGENCY ORDER RELATING TO THE IMPACT OF HURRICANE IRMA

As a result of the devastating effects of Hurricane Irma, many people have relocated within Florida including students who wish to attend a public school where they are temporarily residing in Florida. These displaced students may lack the required records to enroll in Florida public schools because such records were left behind in haste or destroyed. Further, in some instances, the administration of the ACT was postponed because of Irma, preventing some teachers from getting their results back in time to apply for an award under section 1012.731, Florida Statutes, by the November 1, 2017 deadline. Therefore, in accordance with Executive Order 17-235, Section 4B., section 252.46, Florida Statutes, and as directed by the State Coordinating Officer, I order the following statutes and rules waived to allow school districts to enroll students displaced by Hurricane Irma and authorize relief to facilitate the recovery of those students and teachers impacted by the storm:

- Section 1012.731(3)(b), Florida Statutes, is waived provided that eligible classroom teachers submit documentation of a qualifying assessment score for the Florida Best and Brightest Teacher Scholarship Program by December 1, 2017. As a result of this extension, the deadline provided in section 1012.731(4), Florida Statutes, for school district submission to the Department is extended to January 2, 2018.
- Rules 6A-1.0985 and 6A-1.09941, Florida Administrative Code, to the extent necessary to allow Florida public school districts to admit such students where such records are unavailable to the parent or guardian of the student.
- Section 1003.21, Florida Statutes, to the extent it requires proof of age for attendance eligibility where such records are unavailable to the parent or guardian of the student.
- Section 1003.22, Florida Statutes, requiring presentation of a certification of a school-entry health examination where such records are unavailable to the parent or guardian of the student. This statute shall be waived for initial enrollment of students.

ORDERED in Tallahassee, Florida, this 10 day of October, 2017.



Pam Stewart, Commissioner of Education



Marva Johnson, *Chair*
Andy Tuck, *Vice Chair*
Members
Gary Chartrand
Ben Gibson
Tom Grady
Rebecca Fishman Lipsey
Michael Olenick

Pam Stewart
Commissioner of Education

Madeline Pumariega
Chancellor

MEMORANDUM

DFC Memo: 17-04

Contact: [email to:](mailto:Christopher.Mullin@fldoe.org)

Christopher.Mullin@fldoe.org

Madeline.Pumariega@fldoe.org

TO: Florida College System Institution Presidents

FROM: Madeline Pumariega

DATE: October 6, 2017

SUBJECT: Removing Obstacles for Enrolling Students Displaced by Hurricane Maria

On October 6, 2017, Commissioner of Education Pam Stewart issued an Emergency Order related to Hurricane Maria. The purpose of this Emergency Order is to remove obstacles for Florida College System Institutions enrolling students displaced by Hurricane Maria. The Emergency Order provides authorization for Florida College System Institutions “to waive existing statutory and rule requirements relating to student enrollment and placement, including, without limitation, residency and student record requirements, to the extent necessary to allow these students displaced by Hurricane Maria to enroll expeditiously. I am also authorizing state colleges to waive the one percent cap on the ability of the state colleges to waive all fees provided in section 1009.25(2), Florida Statutes.”

It is the interpretation of the Department of Education General Counsel that, according to the Emergency Order, Florida College System Institutions are authorized to waive statutory and rule requirements related to enrollment, specifically those related to residency for tuition purposes as well as the limitation of a one percent cap on Florida College System institutions’ ability to waive fees for students displaced by Hurricane Maria. Institutions can make admission decisions on a case-by-case basis. However, all students who are admitted to a Florida College System institution under this Emergency Order should have the residency requirements waived for the 2017-18 academic year to be consistent across all institutions.

The Emergency Order is intended to provide institutional authority and discretion in using the statute and rule waivers. However, in anticipation of certain issues and questions, please see the guidance below.

What kind of documentation, if any, is required for enrollment of these students? The Emergency Order allows institutions the flexibility to waive enrollment and placement requirements outlined in statute and rule. Many of these students will not be able to provide high school and/or college transcripts in the immediate future. Students may be asked to provide minimal documentation of their enrollment in an affected postsecondary institution or residency in an affected area (e.g., student identification card, grade report, driver’s license). However, a signed honesty statement or affidavit promising to provide transcripts or other records at a later time may be used if such documentation is not immediately available.

How should these students be classified upon admission to a Florida College System institution?

These students may be admitted as degree-seeking or non-degree-seeking, resident students. However, non-degree-seeking students generally are not eligible for state or federal financial aid. Please refer to the National Association of Student Financial Aid Administrators (NASFAA) website for guidance on the federal financial aid implications of these classifications:

[https://www.nasfaa.org/news-item/13289/FSEOG and FWS Statutes Modified for Hurricane Disaster Relief](https://www.nasfaa.org/news-item/13289/FSEOG%20and%20FWS%20Statutes%20Modified%20for%20Hurricane%20Disaster%20Relief)

Are these students eligible for state financial aid? These students are not eligible for state financial aid programs by sole virtue of this Emergency Order; however, some of these students may be eligible for state financial aid if they are enrolled as degree-seeking and Florida is their home state. The Department of Education's Office of Student Financial Assistance will work to coordinate reinstatement for eligible students in order to make funding available. You may contact the office at:

Brian Underhill
Director, State Scholarship & Grant Programs
Office of Student Financial Assistance
Florida Department of Education
325 W. Gaines St., #1314
Tallahassee, FL 32399-0400
(850) 410-5185 or Brian.Underhill@fldoe.org

Who is eligible to have the residency requirements waived? The Emergency Order specifically includes individuals who were enrolled in or planning to be enrolled in a postsecondary institution in affected areas and are seeking enrollment in a Florida postsecondary institution while the Emergency Order is in effect. However, it does not discriminate against individuals from affected areas who were not enrolled in a postsecondary institution but now are seeking education or re-training opportunities. Students enrolling under this Emergency Order are considered to be in-state residents for tuition purposes for the 2017-18 academic year, in accordance with established institutional policies which may include a provision of continuous enrollment.

How long are these students considered as "resident for tuition purposes?" The Emergency Order allows for long-term evacuees to be treated as "resident for tuition purposes" if they enroll while the Emergency Order is in effect. These students would maintain their status as "resident for tuition purposes" during this 2017-18 academic year. Depending upon individual circumstances and extension of the Emergency Order, these students may or may not be classified as "resident for tuition purposes" during the following academic year.

How long will this Emergency Order be in effect? The Emergency Order is in effect until the earlier of the expiration of Executive Order 17-259 or November 1, 2017, subject to 30 day extensions. I will keep you posted on the status of this issue.

What fee exemption options are available to Florida College System institutions to provide on a case-by-case basis?

In addition to waiving residency requirements, the Emergency Order authorizes Florida College System institutions to waive the one percent cap to provide fee exemptions for certain categories of students.

For those students who are homeless, you may use the following statutes to assist them:

S. 1009.25 Fee exemptions.—

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides workforce education programs, Florida College System institution, or state university:

(f) A student who lacks a fixed, regular, and adequate nighttime residence or whose primary nighttime residence is a public or private shelter designed to provide temporary residence, a public or private transitional living program, or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This includes a student who would otherwise meet the requirements of this paragraph, as determined by a college or university, but for his or her residence in college or university dormitory housing.

What kind of tracking and reporting is required by our Florida College System institutions with regard to this Emergency Order? Colleges are asked to keep track of all displaced students enrolled under the provisions of the Emergency Order. Juan Mestre, Bureau Chief for Community College and Technical Center Management Information Systems (CCTCMIS), will be coordinating with your data staff later this month to determine tracking requirements.

Where may I find the Governor's Executive Order regarding this issue? You may find Governor Scott's Executive Orders at the following website: <http://www.flgov.com/all-executive-orders/>

Who should I contact if I have any questions? If you have any questions regarding the implementation of this Emergency Order, you may contact the following staff in my Division:

Christopher M. Mullin, Ph.D.
Executive Vice Chancellor
Division of Florida Colleges
325 W. Gaines Street, Suite 1544
Tallahassee, FL 32399
850-245-9903 or Christopher.Mullin@fldoe.org



Guidance to School Districts for Enrolling Students Displaced by Hurricane Maria

As a result of the devastating effects of Hurricane Maria, students and families from Puerto Rico, the U.S. Virgin Islands and other areas of the Caribbean have relocated to Florida. To ensure displaced students are able to continue their education, many school districts have already begun enrolling them and the Florida Virtual School has offered to accept 20,000 displaced students. Florida Commissioner of Education Pam Stewart has been in contact with Puerto Rico Secretary of Education Julia Keleher, and she expressed her great appreciation for Florida's support.

Due to the devastation left in the wake of these record-setting storms, some of these families may not have immediate access to the records that are typically required to enroll in school. Given these highly unusual circumstances, the Florida Department of Education has waived certain rules and regulatory provisions to enable districts to more seamlessly enroll displaced students. This document is a compilation of guidance; school district personnel should direct questions to the contacts for each section listed below.

I. Waivers

A [supplemental order](#) was issued by Commissioner Stewart on October 6, 2017. To the extent student records are unavailable as a result of Hurricane Maria, the following State Board of Education rules and related Florida Statutes are waived to allow school districts to enroll these displaced students in school without the necessary and customary documentation:

- Rules 6A-1.0985 and 6A-1.09941, Florida Administrative Code, to the extent necessary to allow Florida public school districts to admit such students where such records are unavailable to the parent or guardian of the student.
- Section 1003.21, Florida Statutes, to the extent it requires proof of age for attendance eligibility where such records are unavailable to the parent or guardian of the student.
- Section 1003.22, Florida Statutes, requiring presentation of a certification of a school-entry health examination where such records are unavailable to the parent or guardian of the student. Such statute shall be waived for initial enrollment of students.

The following State Board of Education rules and related Florida Statutes are waived to allow school districts to employ displaced teachers without the necessary and customary documentation for Educator Certification. The department is authorized, upon receiving a request from a school superintendent or his or her authorized designee or from a Florida nonpublic school with a state-approved professional education competence program to:

- Waive the application fee(s) for an initial educator certificate, pursuant to Section 1012.56(1), Florida Statutes, and Rule 6A-4.0012(1)(a), Florida Administrative Code, with requests not to exceed three (3) subject area coverages or endorsements, and
- Waive the requirement to provide official transcript(s) documenting receipt of a bachelor's or higher degree from an accredited or approved institution, pursuant to Section 1012.56(2)(c), Florida Statutes, and Rule 6A-4.0012(3), Florida Administrative Code, if the educator provides unofficial transcript(s) and, if applicable, copies of valid teaching certificate(s) issued by another state or U.S. territory.



For more information, refer to **Section X. Special Certification Provisions for Educators.**

II. Fall 2017 FTE Survey

Contact: Linda Champion, Deputy Commissioner
Finance and Operations
Linda.Champion@fldoe.org
850-245-0406

1. What is the process to guarantee displaced enrollees are counted and schools receive the accurate funding for the Fall 2017 FTE survey period?

[Rule 6A-1.0451](#), Florida Administrative Code, authorizes an alternate survey to be conducted within nine weeks of the regular survey. The alternate survey must be requested prior to the regular survey and may be requested on a district-wide basis, or for a specific school or schools. To be counted for funding, the alternate survey must result in an FTE student increase of 5 percent or more for the district, or 25 percent or more for a school. The regular survey must still be conducted, and the FTE amount from the alternate survey compared with the regular survey FTE to determine if the threshold was met. The approval to conduct an alternate survey does not require a district to conduct the alternate survey. In the event student enrollment does not increase as much as was anticipated at the time the request was made, the district may decide not to conduct the alternate survey.

For the current year, the regular student membership survey is scheduled for October 9-13, 2017, and the alternate survey must occur no later than December 11-15, 2017. The impact of alternate surveys will be known following incorporation of the alternate surveys in the third Florida Education Finance (FEFP) calculation in early January 2018.

Because of a hurricane, a district may not have been able to hold Individual Educational Plan (IEP) meetings as initially scheduled. The Commissioner of Education is authorized to extend the date by which an IEP meeting must be held so that the FTE reported for the student during survey week may be reported in the Exceptional Student Education Program, rather than in the basic program. This authorization is for student data reporting purposes only, and ensures that districts receive Exceptional Student Guaranteed Allocation funding for these students.

III. Class Size

Contact: Linda Champion, Deputy Commissioner
Finance and Operations
Linda.Champion@fldoe.org
850-245-0406

2. Is it possible to suspend occupancy limitations lower than the Certificate of Occupancy to accommodate increased demand for students?

The space and design criteria adopted by the State Board of Education would not preclude a district from absorbing additional students into existing buildings on a temporary basis. The occupancy requirements that would be at issue in response to a possible influx of students due to Hurricane Maria

would be found in the Florida Fire Prevention Code. The State Fire Marshal would be responsible for any requests for waiver of those requirements.

3. Will penalties for class size infractions in districts affected by the arrival of students from hurricane-affected areas be waived?

[Section 1003.03\(4\)\(c\)](#), Florida Statutes, authorizes the Commissioner of Education to recommend to the legislature an alternate reduction calculation if there is evidence that a district was unable to meet class size requirements despite appropriate efforts to do so, or because of an extreme emergency. As part of this calculation, the district's number of FTE students that exceeds the district's appropriated or projected FTE in the FEFP conference report are not included in the class size compliance penalty amount. Therefore, there is no penalty for these students.

The initial calculation for determining preliminary compliance with class size maximums will be determined from the student data residing on the data base following close of state processing on November 3, 2017. Districts may amend student data on the data base through December 15, 2017. Compliance with class size maximums will be determined from the student data residing on the data base following the close of state processing on December 15, 2017. The commissioner recommends the alternative reduction amount by February 15, 2018.

IV. Homeless Student Identification

Contact: Skip Forsyth, Director, Homeless Education Program
Bureau of Federal Educational Programs
Skip.Forsyth@fldoe.org
850-245-0089

4. How are schools to determine if a displaced student is also homeless?

For all displaced children and youth, apply federal McKinney-Vento Act (MVA) criteria as you would for any student that may be experiencing homelessness. Ask all parents/guardians who are enrolling students to complete the district's Student Housing Questionnaire (it may have another name in some districts). Consult with the district's designated Homeless Liaison for assistance. For contact information, go to <https://app1.fldoe.org/flbpos/nclbchoice/bposDirectory/directory.aspx>, scroll down to select Homeless Contacts, select a district, and click Submit.

5. How are displaced enrollees to be coded in the data system?

For MVA-eligible hurricane-displaced students, complete the following data elements:

- Data Element #129525, Homeless Student, PK-12: as indicated
- Data Element #130275, Homeless Unaccompanied Youth: as indicated
- Data Element #129150, Homeless Cause: select H – Natural Disaster-Hurricane
- Data Element #131545, Disaster Affected Student: select Y – Yes, this student moved to this district this school year due to a hurricane

For hurricane-displaced students who are NOT MVA-eligible, complete the following data element:



- Data Element #131545, Disaster Affected Student: select Y – Yes, this student moved to this district this school year due to a hurricane

V. Age Verification

Contact: Iris Williams, School Social Work Consultant
Student Support Services Project
Iris.Williams@fldoe.org
850-245-7851

6. What documentation is acceptable for verification of age?

As per the supplemental order, proof of age documentation shall be waived for initial enrollment.

VI. Immunization Verification

Contact: Robert M. Griffin, Administrator, Immunization Section
Bureau of Epidemiology
Division of Disease Control and Health Protection, Florida Department of Health
850-245-4331
Robert.Griffin@flhealth.gov

7. What immunization and school-entry health examination documentation will be required for enrollment?

As per the supplemental order, proof of age documentation shall be waived for initial enrollment. School districts are encouraged to work with their local health departments in developing procedures to expedite immunization and health examination requirements.

Florida Law, Rule & Guidelines:

- **[Section 1003.22, Florida Statutes](#), School-entry health examinations; Immunization against communicable diseases; exemptions; duties of Department of Health.** Subsections (1) and (5) provide for a temporary exemption for 30 school days for children and youth who are experiencing homelessness at http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1003/Sections/1003.22.html.
- **[Rule 64D-3.046, Florida Administrative Code](#), Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes.** Subsection (4) allows for an authorized school official to issue a temporary exemption for students who are homeless at <https://www.flrules.org/gateway/ruleNo.asp?id=64D-3.046>.
- **[Immunization Guidelines: Florida Schools, Childcare Facilities and Family Daycare Homes](#)** - Pages 10 and 11 further address temporary exemptions for students who are homeless at http://www.floridahealth.gov/programs-and-services/immunization/children-and-adolescents/_documents/school-guide.pdf.

National Guidance Documents:

- [Interim Immunization Recommendations for Individuals Displaced by a Disaster](#) - The Centers for Disease Control and Prevention (CDC) provides recommendations at <https://www.cdc.gov/disasters/disease/vaccrecdisplaced.html> when immunization records are not available.
- [Homeless Children and Youths Guidance](#) - The U.S. Department of Education revised *Education for Homeless Children and Youths Program Non-Regulatory Guidance* (2017) at <https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716updated0317.pdf> in accordance with obligations under the McKinney-Vento Act. School immunization guidance is addressed on pages 1, 21, 24 and 26.

VII. Educational Placement

Contact: Helen Lancashire, School Counselor Consultant
Student Support Services Project
Helen.Lancashire@fldoe.org
850-245-7851

8. How are schools to determine the educational placement of students when information is not available?

In the absence of educational records, the receiving district may place a student in an age-appropriate grade placement and monitor progress. Additionally, the district should provide instructional assessments to validate placement, skill development and English language proficiency. The district should provide interventions as appropriate based on assessment data.

9. What is the process to verify successful completion of middle grades courses and high school credits for secondary-level students?

If a student's records are not available, the receiving district may determine grade-level placement based upon the district's student progression plan.

[Rule 6A-1.09941](#), Florida Administrative Code, State Uniform Transfer of Students in Middle Grades and High School, establishes uniform procedures relating to the acceptance of transfer work and credit for students entering Florida's public schools.

(1) The procedures relating to the acceptance of transfer work and courses for students in middle grades 6, 7, and 8 from out of state or out of country shall be as follows:

(a) Grades earned and offered for acceptance shall be based on official transcripts and shall be accepted at face value subject to validation if required by the receiving school's accreditation. If validation of the official transcript is deemed necessary, or if the student does not possess an official transcript or is a home education student, successful completion of courses shall be validated through performance during the first grading period as outlined in paragraph (1)(b), of this rule.

(b) Validation of courses shall be based on performance in classes at the receiving school. A student transferring into a school shall be placed at the appropriate sequential course level and should be

passing each required course at the end of the first grading period. Students who do not meet this requirement shall have courses validated using the Alternative Validation Procedure, as outlined in paragraph (1)(c), of this rule.

(c) Alternative Validation Procedure. If validation based on performance as described above is not satisfactory, then any one of the following alternatives identified in the district student progression plan shall be used for validation purposes as determined by the teacher, principal and parent:

1. Portfolio evaluation by the superintendent or designee,
2. Demonstrated performance in courses taken at other public or private accredited schools,
3. Demonstrated proficiencies on nationally normed standardized subject area assessments,
4. Demonstrated proficiencies on a statewide, standardized assessment, or
5. Written review of the criteria utilized for a given subject provided by the former school.

(2) The procedures relating to the acceptance of transfer work and credits for students in high school from out of state or out of country shall be as follows:

(a) Credits and grades earned and offered for acceptance shall be based on official transcripts and shall be accepted at face value subject to validation if required by the receiving school's accreditation. If validation of the official transcript is deemed necessary, or if the student does not possess an official transcript or is a home education student, credits shall be validated through performance during the first grading period as outlined in paragraph (2)(b), of this rule. Assessment requirements for transfer students under Section 1003.4282, F.S., must be satisfied.

(b) Validation of credits shall be based on performance in classes at the receiving school. A student transferring into a school shall be placed at the appropriate sequential course level and should have a minimum grade point average of 2.0 at the end of the first grading period. Students who do not meet this requirement shall have credits validated using the Alternative Validation Procedure, as outlined in paragraph (2)(c), of this rule.

(c) Alternative Validation Procedure. If validation based on performance as described above is not satisfactory, then any one of the following alternatives shall be used for validation purposes as determined by the teacher, principal and parent:

1. Portfolio evaluation by the superintendent or designee,
2. Written recommendation by a Florida certified teacher selected by the parent and approved by the principal,
3. Satisfactory performance in courses taken through dual enrollment or at other public or private accredited schools,
4. Satisfactory performance on nationally normed standardized subject area assessments,
5. Satisfactory performance on a statewide, standardized assessment, or
6. Written review of the criteria utilized for a given subject provided by the former school.

Students must be provided at least ninety (90) days from date of transfer to prepare for assessments outlined in subparagraphs (1)(c)3., and 4. and (2)(c)4. and 5., of this rule if required.

In addition, [section 1003.433](#), Florida Statutes, Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirement, specifies the following:

(1) Students who enter a Florida public school at the 11th or 12th grade from out of state or out of country shall not be required to spend additional time in a Florida public school in order to meet the high school course requirements if the student has met all requirements of the school district, state, or country from which he or she is transferring. Such students who are not proficient in English should



receive immediate and intensive instruction in English language acquisition. However, to receive a standard high school diploma, a transfer student must earn a 2.0 grade point average and meet the requirements under s. [1008.22](#).

(2) Students who earn the required 24 credits for the standard high school diploma except for passage of any must-pass assessment under s. [1003.4282](#) or s. [1008.22](#) or an alternate assessment by the end of grade 12 must be provided the following learning opportunities:

(a) Participation in an accelerated high school equivalency diploma preparation program during the summer.

(b) Upon receipt of a certificate of completion, be allowed to take the College Placement Test and be admitted to developmental education or credit courses at a Florida College System institution, as appropriate.

(c) Participation in an adult general education program as provided in s. [1004.93](#) for such time as the student requires to master English, reading, mathematics, or any other subject required for high school graduation. A student attending an adult general education program shall have the opportunity to take any must-pass assessment under s. [1003.4282](#) or s. [1008.22](#) an unlimited number of times in order to receive a standard high school diploma.

(3) Students who have been enrolled in an ESOL program for less than 2 school years and have met all requirements for the standard high school diploma except for passage of any must-pass assessment under s. [1003.4282](#) or s. [1008.22](#) or alternate assessment may receive immersion English language instruction during the summer following their senior year. Students receiving such instruction are eligible to take the required assessment or alternate assessment and receive a standard high school diploma upon passage of the required assessment or alternate assessment. This subsection shall be implemented to the extent funding is provided in the General Appropriations Act.

VIII. Exceptional Student Education

Contact: Leanne Grillot, Senior Educational Program Director

Bureau of Exceptional Education and Student Services

Leanne.Grillot@fldoe.org

850-245-0475

10. What procedures should be followed for students who have disabilities?

To the extent possible, follow existing procedures regarding transfer students from outside Florida according to [Rule 6A-6.0334](#), Florida Administrative Code. If records are not available, accept and document the parent/guardian's statement that the student is a student with a disability. Based upon the information available, determine the most appropriate placement and program, obtain parental consent for services, develop an individual educational plan (IEP) and provide services as soon as possible. Monitor the student's progress, proceed with consent for initial evaluations and eligibility procedures, and provide the parent with procedural safeguards.

IX. English Language Learners

Contact: Chane Eplin, Bureau Chief

Student Achievement Through Language Acquisition

Chane.Eplin@fldoe.org

850-245-5074

11. What services should be provided to English Language Learners (ELLs)?

Answering yes on the Home Language Survey would require a local entry English language proficiency assessment to determine if English for Speakers of Other Languages (ESOL) services are needed. If so, the student is placed accordingly with a teacher having or working toward ESOL training/certification and using ESOL strategies in the classroom. For English language arts, an out-of-field letter must be sent to parents or guardians in a language they can understand.

All ELLs must take the ACCESS for ELLs 2.0 summative assessment, which occurs in the spring semester. The department is in communication with the WIDA assessment consortium regarding assessment protocols and flexibility for districts who may need to order additional assessment materials.

Although some students from Puerto Rico will be proficient in English, many will not. Since all students will be expected to take Florida assessments, teaching English listening, speaking, reading and writing skills is imperative. Districts can provide school and extended day opportunities for students to learn English through language acquisition software and translation websites. Ensuring ELLs learn academic content during this difficult transition period requires native language support through paraprofessionals, teachers and all bilingual staff. Instructional materials, including bilingual resources and audio books, may be provided in Spanish if available, but comprehension in English is still necessary to attain satisfactory levels on assessments. In addition to educational support, many of our Puerto Rican students will need extra time to process academic information, as well as cultural mores. School staff should also ensure that students, parents and guardians are familiar with district attendance, graduation and behavioral policies to ensure successful transition to Florida public schools.

X. Special Certification Provisions for Educators

Contact: Zaida Hernandez, Policy Specialist

Bureau of Educator Certification

Zaida.Hernandez@fldoe.org

850-245-0569

12. What materials must be provided by educators displaced from a U.S. territory applying for an Educator's Certificate to teach in a Florida school system?

To apply for a Florida Educator's Certificate, any educator displaced from a U.S. territory must provide the following through a Florida school system employer to be evaluated for certificate eligibility:

- A completed CG-10 application form;
- Official transcripts showing all degrees and credits earned, if available (see question 14); and
- Copies of valid teaching certificate(s) from other U.S. states or territories, if applicable (see question 15).

13. Will educators displaced from a U.S. territory be required to pay application processing fees to the Bureau of Educator Certification?

No. After an educator displaced from a U.S. territory attains employment in a Florida school system, the employer may submit a request for the Bureau of Educator Certification to waive the certification fee for

his/her initial application for a Florida Educator's Certificate. The Bureau of Educator Certification will provide Florida school employers the appropriate form to request this fee waiver (see question 16).

14. What if the educator does not have access to official transcripts from his college/university?

An educator displaced from a U.S. territory who attains employment in a Florida school system may submit unofficial copies of his/her transcripts with his/her completed application for evaluation by the Bureau of Educator Certification. However, prior to issuance of a Florida Professional Certificate, the educator must provide his/her official transcripts showing all degrees and credits earned to the Bureau of Educator Certification. The Bureau of Educator Certification will provide Florida school employers the appropriate form to request this waiver (see question 16).

15. May an educator displaced from a U.S. territory be evaluated based on reciprocity?

An educator may submit a copy of his/her valid teaching certificate issued by another U.S. state or territory to be evaluated based on reciprocity. The certificate shall be:

- The standard educator's certificate issued by the U.S. state or territory, comparable to a Florida Professional Certificate;
- Issued in a subject comparable to a Florida certification subject;
- The same or higher level of academic training required for certification in the comparable subject in Florida; and
- Currently valid (not expired, suspended or revoked).

16. What must a Florida school system do to verify employment of an educator displaced from a U.S. territory and request issuance of a Florida educator certificate?

To verify employment of an educator displaced from a U.S. territory, the Florida school system employer must provide the following to the Bureau of Educator Certification:

- A completed CG-10 application form;
- Official transcripts showing all degrees and credits earned, if available (see question 14);
- Copies of valid teaching certificate(s) from other U.S. states or territories, if applicable (see question 15);
- A completed Initial Certificate Fee Waiver Request Form (see attached Waiver2017 form); and
- A completed Issue Request form with fingerprint results.

XI. Student and Teacher Support

Contact: Dr. David Wheeler, School Psychology Consultant

Student Support Services Project

David.Wheeler@fldoe.org

850-245-7851

17. What type of supports need to be made available to displaced students who may be experiencing behavioral/emotional trauma resulting from their experiences?



We know that children experience the impact and aftermath of traumatic events differently than adults. Your student services staff (counselors, school psychologists, social workers, nurses) can be a valuable resource to teachers as student issues are identified. Increased awareness of presenting behaviors should be monitored and brought to your school problem-solving team. Encourage your schools to have a plan for welcoming/orienting these new students. It is important to develop a coordinated system to respond to ongoing escalating behaviors.

The Student Support Services Project website offers a collection of resources for student services staff to assist with outreach and support of families and school staff. To view these resources, please visit <http://sss.usf.edu/resources/topic/emergency/hurricane.html>.

For bilingual resources related to hurricane recover for educators and families, see: <http://www.colorincolorado.org/article/helping-children-after-natural-disaster>.

18. What type of supports should be made available to current students and staff who have been impacted by hurricanes?

We understand that many of your students and staff have family and friends who are suffering the effects of recent hurricanes. Please urge your school staff to provide supportive counseling to the impacted students and school site staff and/or families, and refer to a counseling professional as needed.

[“After the Storm: A Guide to Help Children Cope with the Psychological Effects of a Hurricane”](#) is a workbook designed by the University of Miami to assist adults and children to cope with the psychological trauma caused by a hurricane. See <http://www.hcps.org/f/aboutus/afterthestorm.pdf>.

There are two “just-in-time” resources from the National Association of School Psychologists (NASP).

- For more information on helping children adjust to new location after a natural disaster, see the NASP [Natural Disaster](#) resource page at <http://www.nasponline.org/resources-and-publications/resources/school-safety-and-crisis/natural-disaster>.
- The NASP [School Safety & Crisis](#) resource page offers many resources, including addressing grief and trauma. See <http://www.nasponline.org/resources-and-publications/resources/school-safety-and-crisis>.

As we identify resources that may be helpful, we will include them on the Student Services Project website (<http://sss.usf.edu>) under resources/crisis intervention.

XII. Statewide Assessment Schedule

Contact: Susan Lee, Bureau Chief

K-12 Student Assessment

Susan.Lee@fldoe.org

850-245-0513



19. Will the statewide assessment schedule be altered?

When we know full effect of this year's hurricane season, we will address any needed changes to the statewide assessment schedule.

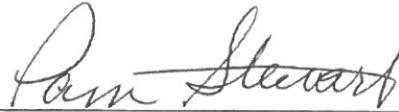
EMERGENCY ORDER RELATING TO STUDENTS AND TEACHERS
DISPLACED BY HURRICANE MARIA

As a result of the devastating effects of Hurricane Maria, many people have evacuated from Puerto Rico and elsewhere to Florida including students and teachers and wish to attend and teach at public school while they are temporarily residing in Florida. Many evacuees lack the required records to enroll or teach in Florida public schools either because such records were left behind in haste or destroyed. Therefore, in accordance Executive Order 17-259, Section 4B., section 252.46, Florida Statutes, and as directed by the State Coordinating Officer, I order the following statutes and rules waived to allow school districts to enroll students and employ teachers displaced by Hurricane Maria without the necessary and customary documentation:

- Rules 6A-1.0985 and 6A-1.09941, Florida Administrative Code, to the extent necessary to allow Florida public school districts to admit such students where such records are unavailable to the parent or guardian of the student.
- Section 1003.21, Florida Statutes, to the extent it requires proof of age for attendance eligibility where such records are unavailable to the parent or guardian of the student.
- Section 1003.22, Florida Statutes, requiring presentation of a certification of a school-entry health examination where such records are unavailable to the parent or guardian of the student. Such statute shall be waived for initial enrollment of students.
- Upon receiving a request from a school superintendent or his or her authorized designee or from a Florida nonpublic school with a state-approved professional education competence program, the Department of Education will:
 - o Waive the application fee(s) for an initial educator certificate pursuant to Section 1012.56(1), Florida Statutes, and Rule 6A-4.0012(1)(a), Florida Administrative Code (F.A.C.), with requests not to exceed three (3) subject area coverages or endorsements, and
 - o Waive the requirement to provide official transcript(s) documenting receipt of a bachelor's or higher degree from an accredited or approved institution, pursuant to Section 1012.56(2)(c), Florida Statutes and Rule 6A-4.0012(3), F.A.C., if the educator provides unofficial transcript(s) and, if applicable, copies of valid teaching certificate(s) issued by another state or U.S. territory.

This order shall expire upon the earliest of the expiration of Executive Order 17-259; November 1, 2017, subject to 30 day extensions.

ORDERED in Tallahassee, Florida, this 6 day of October, 2017.

Handwritten signature of Pam Stewart in cursive script.

Pam Stewart, Commissioner of Education

EMERGENCY ORDER EXTENDING PRIOR ORDERS
TO ACCOMMODATE VICTIMS OF HURRICANE MARIA

Puerto Rico and other areas continue to recover from the devastating effects of Hurricane Maria. Evacuees from affected areas continue to arrive in Florida and attempt to resume their normal lives. Those displaced people continue to need the accommodations afforded in the emergency orders that I entered following the hurricane. Governor Scott signed Executive Order 17-259 on October 2, 2017, and remains in force and effect. Section 4B. of that executive order specifically authorizes state agencies to extend emergency orders in thirty-day increments.

Therefore, in accordance with Executive Order 2017-259, I extend the following for thirty days:

- The emergency order related to Florida College System institutions executed on October 6, 2017.
- The emergency order related to students and teachers in public schools (K-12) executed on October 6, 2017.
- The emergency order related to Voluntary Prekindergarten Program and School Readiness Program executed on October 9, 2017.
- The emergency order related to Adult and Postsecondary Students executed on October 10, 2017.

ORDERED in Tallahassee, Florida this 31 day of October, 2017.



Pam Stewart, Commissioner of Education

EMERGENCY ORDER REMOVING OBSTACLES FOR
SCHOOL DISTRICTS ENROLLING ADULT AND POSTSECONDARY
STUDENTS DISPLACED BY HURRICANE MARIA

As a result of the devastating effects of Hurricane Maria, many long-term evacuees to Florida have lost access to higher education in Puerto Rico and elsewhere and may wish to attend adult and career programs offered by public school districts. Therefore, in accordance with Executive Order 17-259, Section 4B, Section 252.46, and as directed by the State Coordinating Officer, I am authorizing school districts offering workforce education programs under s. 1004.02, Florida Statutes to waive existing statutory and rule requirements relating to student enrollment and placement, including, without limitation, residency and student record requirements, to the extent necessary to allow these students displaced by Hurricane Maria to enroll expeditiously. I am also authorizing school districts to waive the cap on fee waivers provided in section 1009.26(1), Florida Statutes.

Admissions decisions are still to be made by each institution on a case-by-case basis. I am directing that institutions utilizing these waivers provide information to the Florida Department of Education explaining which statutes and rules are waived and the students admitted.

It should also be noted that some of these long-term evacuees may qualify for the relief provided to homeless students under section 1009.25, Florida Statutes, and institutions are encouraged to avail themselves of these provisions as applicable.

This order shall expire upon the earliest of the expiration of Executive Order 17-259; or November 1, 2017, subject to 30-day extensions.

ORDERED in Tallahassee, Florida, this 10 day of October, 2017.



Pam Stewart
Pam Stewart, Commissioner of Education

EMERGENCY ORDER REMOVING OBSTACLES
FOR FLORIDA COLLEGE SYSTEM INSTITUTIONS
ENROLLING STUDENTS DISPLACED BY HURRICANE MARIA


As a result of the devastating effects of Hurricane Maria, many long-term evacuees to Florida have lost access to higher education in Puerto Rico and elsewhere and may wish to attend Florida's state colleges. To enable these students to enroll, I am, therefore, authorizing state colleges to waive existing statutory and rule requirements relating to student enrollment and placement, including, without limitation, residency and student record requirements, to the extent necessary to allow these students displaced by Hurricane Maria to enroll expeditiously. I am also authorizing state colleges to waive the one percent cap on the ability of the state colleges to waive all fees provided in section 1009.25(2), Florida Statutes.

Admissions decisions are still to be made by each institution on a case-by-case basis. I am directing that institutions utilizing these waivers provide information to the Florida Department of Education explaining which statutes and rules are waived and the students admitted.

It should also be noted that some of these long-term evacuees may qualify for the relief provided to homeless students under section 1009.25, Florida Statutes, and institutions are encouraged to avail themselves of these provisions as applicable.

This order shall expire upon the earliest of the expiration of Executive Order 17-259; November 1, 2017, subject to 30 day extensions.

ORDERED in Tallahassee, Florida, this 10 day of October, 2017.



Pam Stewart, Commissioner of Education

TJ

THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/13/17

Meeting Date

N/A

Bill Number (if applicable)

N/A

Amendment Barcode (if applicable)

Topic K 20 Education Entities Emergency Response

Name Jacob Olivia

Job Title Vice Chancellor for K 12

Address 325 W. Gaines Street

Street

Phone 850-245-9633

Tallahassee

FL

32399

Email Jacob.Olivia@fldoe.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing DOE

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.

T2

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/13/17

Meeting Date

N/A

Bill Number (if applicable)

N/A

Amendment Barcode (if applicable)

Topic K 20 Education Entities Emergency Response

Name Madeline Pumariega

Job Title Chancellor, Florida College System

Address 325 W. Gaines Street

Street

Phone 850-245-9475

Tallahassee

FL

32399

Email Madeline.Pumariega@fldoe.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing DOE

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)

11/13/17

Meeting Date

Bill Number (if applicable)

Topic State University - Puerto Rico Update

Amendment Barcode (if applicable)

Name Kristin Whitaker

Job Title Vice Chancellor Public Policy Advocacy

Address _____

Street

Phone 850-560-5217

City

State

Zip

Email Kristin.Whitaker@flbog.edu

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing BOG

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)

T2

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/13/17

Meeting Date

N/A

Bill Number (if applicable)

N/A

Amendment Barcode (if applicable)

Topic K 20 Education Entities Emergency Response

Name Linda Champion

Job Title Deputy Commissioner, Finance & Operations

Address 325 W. Gaines Street

Street

Tallahassee

City

FL

State

32399

Zip

Phone 850-245-9633

Email Linda.Champion@fldoe.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing DOE

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

Tallahassee, Florida 32399-1100

COMMITTEES:
Community Affairs, *Chair*
Appropriations Subcommittee on Higher
Education
Appropriations Subcommittee on Pre-K - 12
Education
Education
Ethics and Elections
Rules

SENATOR TOM LEE
20th District

November 13, 2017

The Honorable Dorothy Hukill, Chair
The Florida Senate
406 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

Dear Senator Hukill:

I respectfully request to be excused from today's meeting of the Education Committee.

Sincerely,

A handwritten signature in black ink that reads "Tom Lee".

Tom Lee
Florida State Senator
20th District

REPLY TO:

- 915 Oakfield Drive, Suite D, Brandon, Florida 33511 (813) 653-7061
- 418 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5020

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore