

THE FLORIDA SENATE
2017 SUMMARY OF LEGISLATION PASSED
Committee on Education

CS/CS/HB 859 — Postsecondary Distance Education

by Higher Education Appropriations Subcommittee; Post-Secondary Education Subcommittee; and Rep. Mariano and others (CS/SB 668 by Education Committee and Senators Bean and Bradley)

The bill authorizes Florida to participate in a reciprocity agreement with other states for the delivery of postsecondary distance education. Specifically, the bill:

- Requires each member state or institution participating in the reciprocity agreement to accept each other's authorization of accredited institutions to operate in their state to offer distance educational services beyond state boundaries.
- Defines institution as a public or private postsecondary institution degree-granting college or university that is accredited by a federally recognized accrediting body and that awards, at a minimum, associate-level degrees requiring at least 2 years of full-time equivalent college work.
- Creates the Postsecondary Reciprocal Distance Education Coordinating Council (council) to serve as the single portal entity designated by the state to administer the reciprocity agreement for distance educational services (reciprocity agreement) and serve as the interstate point of contact for questions, complaints, and other matters related to the reciprocity agreement.
 - Specifies the membership of the council to include the Chancellor of the State University System, the Chancellor of the Florida College System, the Commissioner of Education, the Executive Director of the Commission for Independent Education (CIE), and the President of the Independent Colleges and Universities of Florida, or their designees.
 - Specifies the responsibilities of the council, such as to review and approve applications from institutions in Florida to participate in the reciprocity agreement and establish an appeals process for institutions that are not approved to participate in the reciprocity agreement.
 - Requires the council to collect an annual fee from each Florida institution participating in the reciprocity agreement, which must be based on the Florida institution's total full-time equivalent enrollment, specifies caps on such fees, and requires annual reporting, by February 15, to the Governor and the Legislature.
 - Authorizes the council to revoke a Florida institution's approval to participate in the reciprocity agreement if the council determines that such institution is not in compliance with the terms and provisions of the reciprocity agreement.
- Authorizes the Governor to:
 - Request the council to convene for the purpose of reconsidering Florida's participation in the reciprocity agreement and requires the council to provide a recommendation to the Governor within 14 days.
 - Withdraw Florida from participation in the reciprocity agreement and provides the terms of such withdrawal.
- Provides that a non-Florida institution participating in the reciprocity agreement that offers degree programs and conducts activities limited to distance education degree

programs and activities in accordance with the reciprocity agreement is not under the jurisdiction of the CIE.

- Adds an exception to the current prohibition on an employee of an independent postsecondary educational institution from soliciting prospective students in Florida for enrollment in such institution to specify that the employee may solicit for an institution that is approved by the council to participate in the reciprocity agreement.
- Provides for the 2017-2018 fiscal year, an appropriation in the sum of \$225,534 in recurring funds from the Institutional Assessment Trust Fund to the Department of Education and two full-time equivalent positions with associated salary rate of 110,000 for implementing the provisions related to reciprocity for distance education.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 36-0; House 118-0