

By Representative Sanderson

1 A bill to be entitled
2 An act relating to postsecondary education;
3 providing for the creation of baccalaureate and
4 master's degree oriented universities;
5 directing the Postsecondary Education Planning
6 Commission to develop an operational plan;
7 providing for the mission and governance of the
8 new universities; providing for admission
9 standards and student fees; providing an
10 effective date.

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12 WHEREAS, the social, economic, and technological
13 changes taking place in our environment require the state to
14 strive to eliminate any systemic, institutional, or geographic
15 barriers to providing qualified students with postsecondary
16 opportunities that will allow them timely access to degree
17 attainment, and

18 WHEREAS, Florida's production of baccalaureate degrees
19 ranks among the lowest in the nation, and

20 WHEREAS, Florida has the fewest number of 4-year public
21 postsecondary institutions of any major state and those
22 institutions, on average, are some of the largest institutions
23 in the nation, and

24 WHEREAS, Florida's higher education institutions have
25 been able to accommodate limited growth in the past, the
26 future will almost certainly require innovative ways to serve
27 increased demands for 4-year degree programs, and

28 WHEREAS, the structure of Florida's postsecondary
29 delivery system will directly determine the effectiveness of
30 the state's efforts to increase access both to educational
31 opportunities and the production of graduates, and

1 WHEREAS, the advantages of increasing degree access
2 through universities that are primarily teaching institutions
3 versus a research university model are lower operating costs,
4 a focus on undergraduate education, and a limited
5 institutional mission without doctoral programs or a heavy
6 concentration on research, NOW, THEREFORE,

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Legislative intent.--It is the intent of
11 the Legislature to create individually governed baccalaureate
12 and master's degree oriented universities as a means of
13 increasing public access to higher education opportunities,
14 thereby increasing the production of baccalaureate degrees in
15 the state. These universities will also play a vital role in
16 addressing the state's need for a larger trained workforce and
17 in alleviating the teacher shortages facing public schools.

18 Section 2. Baccalaureate and master's degree oriented
19 universities.--

20 (1) The first four baccalaureate and master's degree
21 oriented universities will be as follows:

22 (a) Suncoast University in Pinellas County.

23 (b) Los Olas University in Broward County.

24 (c) Ringling University in Sarasota County.

25 (2) The universities will be developed using a
26 combination of new and existing facilities, with initial
27 development at locations and facilities in the state's
28 existing postsecondary education systems.

29 (3) A community college may not convert to a
30 baccalaureate and master's degree oriented university.

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1 Section 3. University mission.--The mission of the
2 baccalaureate and master's degree oriented universities is to
3 provide high quality undergraduate education at an affordable
4 price and to promote regional and statewide economic
5 development. Initially, course offerings will be limited to
6 core programs in the liberal arts and sciences, technology,
7 and a limited number of professional programs, including
8 business and education. The role of these universities is to
9 complement not compete with community colleges and
10 institutions in the State University System. This role will be
11 accomplished by encouraging inter-institutional cooperation
12 and by providing upper-division undergraduate opportunities to
13 community college transfer students, particularly students
14 with Associate of Science degrees transferring into
15 baccalaureate programs. The emphasis at these new universities
16 will be on teaching, not research. Instruction will be
17 primarily at the baccalaureate-degree level with a limited
18 number of master's-degree level courses and programs. This
19 primary mission, however, does not preclude one of these
20 universities from entering into a joint-use agreement with any
21 institution in the State University System to offer master's
22 and doctoral degree programs on the baccalaureate and master's
23 degree oriented university campus.

24 Section 4. Operational plan.--The baccalaureate and
25 master's degree oriented universities shall begin admitting
26 students for classes beginning with the fall term of the
27 2002-2003 academic year. The Postsecondary Education Planning
28 Commission shall develop an operational plan for inaugurating
29 the universities and present its recommendations to the
30 President of the Senate, the Speaker of the House of
31 Representatives, and the Governor by January 1, 2001.

1 Section 5. University boards of trustees.--
2 (1) Each baccalaureate and master's degree oriented
3 university must be governed by a board of trustees comprised
4 of nine members who must be residents of the county in which
5 the university is located. The trustees are appointed by the
6 Governor and confirmed by the Senate in regular session.
7 (2) The trustees shall serve terms of 4 years;
8 however, for the initial board of trustees, three members
9 shall be appointed for 2 years, three members for 3 years, and
10 three members for 4 years. A trustee may be reappointed. Three
11 consecutive absences from board meetings are considered a
12 resignation.
13 (3) Members of the board of trustees shall receive no
14 salary but may receive reimbursement for expenses as provided
15 in section 112.061, Florida Statutes, including mileage to and
16 from official board meetings.
17 (4) At its first regular meeting after July 1 of each
18 year, each board of trustees shall:
19 (a) Elect a chair, whose duties are to preside at all
20 meetings of the board, to call special meetings thereof, and
21 to attest to actions of the board.
22 (b) Elect a vice chair, whose duty is to act as chair
23 during the absence or disability of the elected chair.
24 (5) The university president is the executive officer
25 and corporate secretary of the board of trustees as well as
26 the chief administrative officer of the university. All the
27 components of the institution and all aspects of its operation
28 are the responsibility of the board of trustees through the
29 president.
30 (6) The board of trustees has the power to take action
31 without the recommendation of the president and may require

1 the president to deliver to the board all data and information
2 required by the board in the performance of its duties.

3 Section 6. University board of trustees to constitute
4 a corporation.--Each baccalaureate and master's degree
5 oriented university board of trustees is constituted a body
6 corporate by the name of "The Board of Trustees of
7 _____ University at _____, Florida." In all
8 suits against the board, service of process shall be made on
9 the chair of the board or, in the absence of the chair, on
10 another member of the board.

11 Section 7. University boards of trustees; powers and
12 duties.--

13 (1) Each university board of trustees is vested with
14 the responsibility to operate its respective university and
15 with the necessary authority for the proper operation and
16 improvement of the university in accordance with the rules of
17 the State Board of Education.

18 (2) Each university board of trustees shall adopt
19 rules, procedures, and policies consistent with law and rules
20 of the State Board of Education relating to its mission and
21 responsibilities as set forth in law, its governance,
22 personnel, budget and finance, administration, programs,
23 curriculum and instruction, buildings and grounds, travel and
24 purchasing, technology, students, contracts and grants, or
25 university property.

26 (3) The rules, procedures, and policies for the board
27 of trustees include, but are not limited to, the following:

28 (a) Each board of trustees shall appoint, suspend, or
29 remove the president of the university. The board of trustees
30 may appoint a presidential search committee.

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1 (b) Each board of trustees has responsibility for the
2 establishment and discontinuance of program and course
3 offerings; the provision of instructional and noninstructional
4 community services; the location of classes and services
5 provided; and the dissemination of information concerning the
6 programs and services.

7 (c) Each board of trustees constitutes the contracting
8 agent of the university. It may, when acting as a body, make
9 contracts, sue, and be sued in the name of the board of
10 trustees.

11 (d) Whenever the Department of Education finds it
12 necessary for the welfare and convenience of any university to
13 acquire private property for the use of the university and the
14 property cannot be acquired by agreement satisfactory to the
15 board of trustees of the university and the parties interested
16 in or the owners of the private property, the university board
17 of trustees may exercise the right of eminent domain after
18 receiving approval from the State Board of Education and may
19 then proceed to condemn the property in the manner provided by
20 chapters 73 and 74, Florida Statutes.

21 (e) Each board of trustees may purchase, acquire,
22 receive, hold, own, manage, lease, sell, dispose of, and
23 convey title to real property in the best interests of the
24 university, subject to rules adopted by the State Board of
25 Education.

26 (f) Each board of trustees may adopt rules,
27 procedures, and policies related to the appointment,
28 employment, and removal of personnel. The board shall
29 determine the compensation, including salaries and fringe
30 benefits, and other conditions of employment for such
31 personnel, including the president.

1 Section 8. Universities; admission of students.--Each
2 university shall govern admission of students, subject to this
3 section and rules of the State Board of Education.

4 (1) Minimum academic standards for undergraduate
5 admission to a university require a student to complete the
6 requirements for a standard high school diploma as prescribed
7 by section 232.246, Florida Statutes. Among courses taken to
8 fulfill the 24-academic-credit requirement, a student must
9 take high school courses that are adopted by the Board of
10 Regents and recommended by the State Board of Community
11 Colleges as college-preparatory academic courses.

12 (2) A university board of trustees may adopt rules
13 that provide for a limited number of students to be admitted
14 to the university, notwithstanding the admission requirements
15 of subsection (1), if there is evidence that the applicant is
16 expected to do successful academic work at the university. The
17 number of applicants admitted under this subsection may not
18 exceed 5 percent of the total number of freshman who entered
19 the university the prior academic year.

20 (3) Nonresident students may be admitted to the
21 university upon such terms as the university may establish.
22 The terms shall include, but not be limited to: completion of
23 a secondary school curriculum which includes 4 years of
24 English and 3 years each of mathematics, science, and social
25 sciences. The total number of nonresident applicants admitted
26 under this subsection may not exceed 5 percent of the total
27 number of freshman who entered the university the prior
28 academic year.

29 Section 9. Student fees.--

30 (1) The student per credit hour matriculation and
31 tuition fee must be the equivalent of 25 percent of the total

1 per credit hour cost of instruction as determined annually by
2 the Legislature in the General Appropriations Act.

3 (2) Each university board of trustees is authorized to
4 establish separate activity and service and health fees. When
5 duly established, the fees shall be collected as component
6 parts of the matriculation and tuition fees and shall be
7 retained by the university and paid into the separate activity
8 and service and health funds.

9 Section 10. This act shall take effect upon becoming a
10 law.

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12 HOUSE SUMMARY

13 Provides for the creation of baccalaureate and master's
14 degree oriented universities in order to increase public
15 access to higher education opportunities.

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