

By Senator Sullivan

22-1424-00

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) Treasure Coast University in Indian River County.

25 (d) Ringling University in Sarasota County.

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

30 (3) Criteria for determining the location of these
31 institutions and need for and location of subsequent

1 baccalaureate and master's degree oriented universities will
2 be developed by the Postsecondary Education Planning
3 Commission and recommended to the State Board of Education for
4 adoption no later than January 1, 2001. The criteria must
5 consider a demonstrated local need for services and existing
6 local postsecondary opportunities.

7 (4) A community college may not convert to a
8 baccalaureate and master's degree oriented university.

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

1 Section 4. Operational plan.--The baccalaureate and
2 master's degree oriented universities shall begin admitting
3 students for classes beginning with the fall term of the
4 2002-2003 academic year. The Postsecondary Education Planning
5 Commission shall develop an operational plan for inaugurating
6 the universities and present its recommendations to the
7 President of the Senate and the Speaker of the House of
8 Representatives by January 1, 2001.

9 Section 5. University boards of trustees.--

10 (1) Each baccalaureate and master's degree oriented
11 university must be governed by a board of trustees comprised
12 of nine members who must be residents of the county in which
13 the university is located. The trustees are appointed by the
14 Governor and confirmed by the Senate in regular session.

15 (2) The trustees shall serve terms of 4 years;
16 however, for the initial board of trustees, three members
17 shall be appointed for 2 years, three members for 3 years, and
18 three members for 4 years. A trustee may be reappointed. Three
19 consecutive absences from board meetings are considered a
20 resignation.

21 (3) Members of the board of trustees shall receive no
22 salary but may receive reimbursement for expenses as provided
23 in section 112.061, Florida Statutes, including mileage to and
24 from official board meetings.

25 (4) At its first regular meeting after July 1 of each
26 year, each board of trustees shall:

27 (a) Elect a chair, whose duties are to preside at all
28 meetings of the board, to call special meetings thereof, and
29 to attest to actions of the board.

30 (b) Elect a vice chair, whose duty is to act as chair
31 during the absence or disability of the elected chair.

1 (5) The university president is the executive officer
2 and corporate secretary of the board of trustees as well as
3 the chief administrative officer of the university. All the
4 components of the institution and all aspects of its operation
5 are the responsibility of the board of trustees through the
6 president.

7 (6) The board of trustees has the power to take action
8 without the recommendation of the president and may require
9 the president to deliver to the board all data and information
10 required by the board in the performance of its duties.

11 Section 6. University board of trustees to constitute
12 a corporation.--Each baccalaureate and master's degree
13 oriented university board of trustees is constituted a body
14 corporate by the name of "The Board of Trustees of
15 _____ University at _____, Florida." In all
16 suits against the board, service of process shall be made on
17 the chair of the board or, in the absence of the chair, on
18 another member of the board.

19 Section 7. University boards of trustees; powers and
20 duties.--

21 (1) Each university board of trustees is vested with
22 the responsibility to operate its respective university and
23 with the necessary authority for the proper operation and
24 improvement of the university in accordance with the rules of
25 the State Board of Education.

26 (2) Each university board of trustees shall adopt
27 rules, procedures, and policies consistent with law and rules
28 of the State Board of Education relating to its mission and
29 responsibilities as set forth in law, its governance,
30 personnel, budget and finance, administration, programs,
31 curriculum and instruction, buildings and grounds, travel and

1 purchasing, technology, students, contracts and grants, or
2 university property.

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

5 (a) Each board of trustees shall appoint, suspend, or
6 remove the president of the university. The board of trustees
7 may appoint a presidential search committee.

8 (b) Each board of trustees has responsibility for the
9 establishment and discontinuance of program and course
10 offerings; the provision of instructional and noninstructional
11 community services; the location of classes and services
12 provided; and the dissemination of information concerning the
13 programs and services.

14 (c) Each board of trustees constitutes the contracting
15 agent of the university. It may, when acting as a body, make
16 contracts, sue, and be sued in the name of the board of
17 trustees.

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

28 (e) Each board of trustees may purchase, acquire,
29 receive, hold, own, manage, lease, sell, dispose of, and
30 convey title to real property in the best interests of the
31

1 university, subject to rules adopted by the State Board of
2 Education.

3 (f) Each board of trustees may adopt rules,
4 procedures, and policies related to the appointment,
5 employment, and removal of personnel. The board shall
6 determine the compensation, including salaries and fringe
7 benefits, and other conditions of employment for such
8 personnel, including the president.

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

12 (1) Minimum academic standards for undergraduate
13 admission to a university require a student to complete the
14 requirements for a standard high school diploma as prescribed
15 by section 232.246, Florida Statutes. Among courses taken to
16 fulfill the 24-academic-credit requirement, a student must
17 take high school courses that are adopted by the Board of
18 Regents and recommended by the State Board of Community
19 Colleges as college-preparatory academic courses.

20 (2) A university board of trustees may adopt rules
21 that provide for a limited number of students to be admitted
22 to the university, notwithstanding the admission requirements
23 of subsection (1), if there is evidence that the applicant is
24 expected to do successful academic work at the university. The
25 number of applicants admitted under this subsection may not
26 exceed 5 percent of the total number of freshman who entered
27 the university the prior academic year.

28 (3) Nonresident students may be admitted to the
29 university upon such terms as the university may establish.
30 The terms shall include, but not be limited to: completion of
31 a secondary school curriculum which includes 4 years of

1 English and 3 years each of mathematics, science, and social
2 sciences. The total number of nonresident applicants admitted
3 under this subsection may not exceed 5 percent of the total
4 number of freshman who entered the university the prior
5 academic year.

6 Section 9. Student fees.--

7 (1) The student per credit hour matriculation and
8 tuition fee must be the equivalent of 25 percent of the total
9 per credit hour cost of instruction as determined annually by
10 the Legislature in the General Appropriations Act.

11 (2) Each university board of trustees is authorized to
12 establish separate activity and service and health fees. When
13 duly established, the fees shall be collected as component
14 parts of the matriculation and tuition fees and shall be
15 retained by the university and paid into the separate activity
16 and service and health funds.

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

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21 SENATE SUMMARY

22 Provides for the creation of baccalaureate and master's
23 degree oriented universities in order to increase public
24 access to higher education opportunities.
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