

By the Committee on Governmental Oversight and Productivity;
and Senator Sullivan

22-2085A-00

1 A bill to be entitled
2 An act relating to postsecondary education;
3 providing for the creation of
4 baccalaureate-and-master's-degree-oriented
5 universities; directing the Postsecondary
6 Education Planning Commission to develop an
7 operational plan; providing for the mission and
8 governance of the new universities; providing
9 for admission standards and student fees;
10 providing an 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, while Florida's higher education institutions
25 have 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
12 baccalaureate-and-master's-degree-oriented universities as a
13 means of increasing the number of baccalaureate degrees in the
14 community. These universities will also play a vital role in
15 addressing the state's need for a larger trained workforce and
16 in alleviating the teacher shortages facing public schools.

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

19 (1) Baccalaureate-and-master's-degree-oriented
20 universities are as follows:

21 (a) Suncoast University in Pinellas County.

22 (b) Las Olas University in Broward County.

23 (c) Ringling University in Sarasota County.

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

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

30 Section 3. University mission.--The mission of the
31 baccalaureate-and-master's-degree-oriented universities is to

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

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

1 the House of Representatives, and the Governor by January 1,
2 2001.

3 Section 5. University boards of trustees.--

4 (1) Each baccalaureate-and-master's-degree-oriented
5 university must be governed by a board of trustees comprised
6 of nine members who must be residents of the county in which
7 the university is located. The trustees are appointed by the
8 Governor and confirmed by the Senate in regular session.

9 (2) The trustees shall serve terms of 4 years;
10 however, for the initial board of trustees, three members
11 shall be appointed for 2 years, three members for 3 years, and
12 three members for 4 years. A trustee may be reappointed. Three
13 consecutive absences from board meetings are considered a
14 resignation.

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

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

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

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

26 (5) The university president is the executive officer
27 and corporate secretary of the board of trustees as well as
28 the chief administrative officer of the university. All the
29 components of the institution and all aspects of its operation
30 are the responsibility of the board of trustees through the
31 president.

1 (6) The board of trustees has the power to take action
2 without the recommendation of the president and may require
3 the president to deliver to the board all data and information
4 required by the board in the performance of its duties.

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

13 Section 7. University boards of trustees; powers and
14 duties.--

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

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

28 (3) The rules, procedures, and policies for the board
29 of trustees include, but are not limited to, the following:
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1 (a) Each board of trustees shall appoint, suspend, or
2 remove the president of the university. The board of trustees
3 may appoint a presidential search committee.

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

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

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

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

29 (f) Each board of trustees may adopt rules,
30 procedures, and policies related to the appointment,
31 employment, and removal of personnel. The board shall

1 determine the compensation, including salaries and fringe
2 benefits, and other conditions of employment for such
3 personnel, including the president.

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

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

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

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

1 Section 9. Student fees.--

2 (1) The student per-credit-hour matriculation and
3 tuition fee must be the equivalent of 25 percent of the total
4 per-credit-hour cost of instruction as determined annually by
5 the Legislature in the General Appropriations Act.

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

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

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15 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
16 COMMITTEE SUBSTITUTE FOR
17 SB 2448

18 Provides for three baccalaureate and master's degree granting
19 universities instead of four. Deletes Treasure Coast
University in Indian River County.

20 Makes grammatical and spelling corrections.

21 Removes requirement that the Postsecondary Education Planning
22 Commission develop criteria for location of institutions and
need for subsequent institutions.

23 Requires the operational plan to be submitted to the Governor,
24 as well as the Senate President and the Speaker of the House
of Representatives.

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