

1 A bill to be entitled
2 An act relating to postsecondary education;
3 amending s. 240.3836, F.S.; providing
4 legislative intent; providing a process for
5 authorizing community colleges to offer
6 baccalaureate degree programs; providing an
7 effective date.

8

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

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11 Section 1. Section 240.3836, Florida Statutes, is
12 amended to read:

13 240.3836 Site-determined baccalaureate degree access
14 program; funding.--

15 (1) The Legislature recognizes that public and private
16 postsecondary education institutions play essential roles in
17 improving the quality of life and economic well-being of the
18 state and its residents. The Legislature also recognizes that
19 economic development needs and the educational needs of
20 place-bound, nontraditional students have increased the demand
21 for local access to baccalaureate degree programs. In some,
22 but not all, geographic regions, baccalaureate degree programs
23 are being delivered successfully at the local community
24 college through agreements between the community college and
25 4-year postsecondary institutions within or outside of the
26 state. It is therefore the intent of the Legislature to
27 further expand access to baccalaureate degree programs through
28 the use of community colleges ~~apply this concept in the~~
29 ~~creation and funding of a program that supports local economic~~
30 ~~development and responds to public demand for increased access~~
31

1 ~~to baccalaureate degrees in areas of the state that are~~
2 ~~underserved by 4-year institutions.~~

3 (2) A community college may be authorized by the State
4 Board of Education to offer a limited number of baccalaureate
5 degrees designed to meet local workforce needs through one of
6 the following processes:

7 (a) A community college may enter into a formal
8 agreement with the state university in its service area for
9 the community college to deliver specified baccalaureate
10 degree programs. The agreement must be submitted to the State
11 Board of Education for approval. The college's proposal must
12 include the following information:

13 1. Demand for the baccalaureate degree program is
14 identified by the workforce development board, local
15 businesses and industry, local chambers of commerce, and
16 potential students.

17 2. Unmet need for graduates of the proposed degree
18 program is substantiated.

19 3. The community college has the facilities and
20 academic resources to deliver the program.

21
22 The agreement must be submitted to the Postsecondary Education
23 Planning Commission for review and comment. Upon approval of
24 the State Board of Education for the specific degree program
25 or programs, the college shall pursue regional accreditation
26 by the Commission on Colleges of the Southern Association of
27 Colleges and Schools. Any additional baccalaureate degree
28 programs the college wishes to offer must be approved by the
29 State Board of Education.

30 (b) A community college may develop a proposal to
31 deliver specified baccalaureate degree programs in its

1 district. The proposal must be submitted to the State Board of
2 Education for approval. The college's proposal must include
3 the following information:

4 1. Demand for the baccalaureate degree program is
5 identified by the workforce development board, local
6 businesses and industry, local chambers of commerce, and
7 potential students.

8 2. Unmet need for graduates of the proposed degree
9 program is substantiated.

10 3. The community college has the facilities and
11 academic resources to deliver the program.

12
13 The proposal must be submitted to the Postsecondary Education
14 Planning Commission for review and comment. Upon approval of
15 the State Board of Education for the specific degree program
16 or programs, the college shall pursue regional accreditation
17 by the Commission on Colleges of the Southern Association of
18 Colleges and Schools. Any additional baccalaureate degree
19 programs the college wishes to offer must be approved by the
20 State Board of Education.

21 (3) A community college may not terminate its
22 Associate-in-Arts or Associate-in-Science degree programs as a
23 result of the authorization provided in subsection (2). The
24 Legislature intends that the primary mission of a community
25 college, including a college that offers baccalaureate degree
26 programs, continues to be the provision of associate degrees
27 that provide access to a university.

28 ~~(2) Categorical funding is authorized for the~~
29 ~~site-determined baccalaureate degree access program created by~~
30 ~~this section. Funds may not be used to support the~~
31 ~~construction, renovation, or remodeling of facilities. This~~

1 ~~program is voluntary and does not preclude other mutually~~
2 ~~agreed upon arrangements between community colleges and 4-year~~
3 ~~institutions for the delivery of baccalaureate degrees on~~
4 ~~community college sites.~~

5 ~~(3) Each community college wishing to participate in~~
6 ~~the site-determined baccalaureate degree access program must:~~

7 ~~(a) Identify baccalaureate degree programs that are~~
8 ~~not currently offered at the community college but are~~
9 ~~proposed for delivery at the college to meet the academic and~~
10 ~~economic development needs of one or more communities within~~
11 ~~the college's service area. When assessing local needs, the~~
12 ~~college should seek input from the appropriate chamber of~~
13 ~~commerce, workforce development council, and other civic and~~
14 ~~business groups. As used in this section, the term "economic~~
15 ~~development" means entrepreneurial efforts, the attraction of~~
16 ~~new business and industry to the area, and the expansion of~~
17 ~~existing business and industry.~~

18 ~~(b) Determine the number of students interested in~~
19 ~~pursuing each proposed baccalaureate degree program and~~
20 ~~identify the enrollment patterns, any special characteristics~~
21 ~~of those students, and any unique combination or modification~~
22 ~~of course offerings that may be necessary to meet student~~
23 ~~enrollment needs.~~

24 ~~(c) Submit a proposal to the Postsecondary Education~~
25 ~~Planning Commission requesting validation of the need for the~~
26 ~~proposed baccalaureate degree program and tentative approval~~
27 ~~for program funding. The proposal must include:~~

28 ~~1. A description of each proposed baccalaureate degree~~
29 ~~program identifying the junior-level and senior-level courses~~
30 ~~to be offered and designating whether the program should be~~
31 ~~offered for a cohort group or as an ongoing degree program.~~

1 ~~2. Evidence that local occupational forecasts support~~
2 ~~the existence of jobs for graduates of the proposed~~
3 ~~baccalaureate degree programs.~~

4 ~~3. An estimated number of students to be served by~~
5 ~~each proposed degree program.~~

6 ~~4. An assurance that the community college's existing~~
7 ~~facilities are sufficient to meet the additional demands for~~
8 ~~classroom and laboratory space for the proposed degree~~
9 ~~programs.~~

10 ~~5. Evidence that the college has requested the~~
11 ~~participation of no fewer than three regionally accredited~~
12 ~~4-year postsecondary institutions, including at least one~~
13 ~~member of the State University System. Any member of the~~
14 ~~State University System and any independent, regionally~~
15 ~~accredited, 4-year institution that is chartered in, and has~~
16 ~~its primary campus located in, Florida may be a partner in a~~
17 ~~site-determined baccalaureate degree access program at any~~
18 ~~community college.~~

19 ~~6. A tentative agreement between the community college~~
20 ~~and the 4-year postsecondary institution selected to offer the~~
21 ~~upper-level courses leading to the proposed degree or degrees.~~

22 ~~7. Any additional provisions that the Postsecondary~~
23 ~~Education Planning Commission considers pertinent to the~~
24 ~~proposal.~~

25 ~~(4) The Postsecondary Education Planning Commission,~~
26 ~~after soliciting comments from the Board of Regents and the~~
27 ~~State Board of Community Colleges, shall validate the need for~~
28 ~~each baccalaureate degree program proposed for delivery~~
29 ~~according to this section and shall notify the community~~
30 ~~college that its proposal has been approved or rejected. The~~
31 ~~commission shall establish procedures for the timely~~

1 ~~submission, review, and approval of the proposals and~~
2 ~~agreements required by this section. These procedures must be~~
3 ~~designed to allow the initiation of approved baccalaureate~~
4 ~~degree programs at least 3 times each fiscal year.~~

5 ~~(5) Once the Postsecondary Education Planning~~
6 ~~Commission validates the need for the proposed baccalaureate~~
7 ~~degree program and notifies the community college that its~~
8 ~~proposal has been approved, the community college shall~~
9 ~~finalize an agreement with the regionally accredited, public~~
10 ~~or nonpublic, 4-year postsecondary institution selected to~~
11 ~~provide the upper-level instructional services in the approved~~
12 ~~baccalaureate degree program. The commission shall identify~~
13 ~~the common aspects that each agreement must address,~~
14 ~~including, but not limited to:~~

15 ~~(a) A course delivery pattern based on the student~~
16 ~~enrollment patterns and characteristics included in the~~
17 ~~approved proposal.~~

18 ~~(b) An articulation provision that guarantees~~
19 ~~acceptance of students who hold an associate in arts or~~
20 ~~associate in science degree and satisfy any other~~
21 ~~prerequisites for admission to the specific baccalaureate~~
22 ~~degree program.~~

23 ~~(c) The provision of library services and student~~
24 ~~support services.~~

25 ~~(d) An agreement that the participating 4-year~~
26 ~~postsecondary institution will continue offering instructional~~
27 ~~services at least until all qualified members of the initial~~
28 ~~group of students have had an opportunity to complete the~~
29 ~~degree program.~~

30 ~~(e) The specific and measurable performance criteria~~
31 ~~that the Postsecondary Education Planning Commission may use~~

1 ~~to evaluate the outcomes and outputs of the baccalaureate~~
2 ~~degree program within an identified timeframe.~~

3 ~~(f) An agreement that in-state student tuition for the~~
4 ~~degree program will not exceed the matriculation fee for the~~
5 ~~State University System unless the proposal approved by the~~
6 ~~Postsecondary Education Planning Commission allows the~~
7 ~~participating institutions to charge differentiated tuition~~
8 ~~and fees to encourage student attendance and participation.~~
9 ~~Out-of-state students shall pay full costs. Notwithstanding~~
10 ~~s. 240.605, students participating in a site-determined~~
11 ~~baccalaureate degree program may not receive a Florida~~
12 ~~Resident Access Grant.~~

13 ~~(6) Each participating community college must submit~~
14 ~~the agreement required by this section to the Postsecondary~~
15 ~~Education Planning Commission for review and final approval~~
16 ~~before initiating an approved site-determined baccalaureate~~
17 ~~degree access program. Subject to the availability of~~
18 ~~legislative appropriations specifically provided for this~~
19 ~~purpose, the Postsecondary Education Planning Commission must~~
20 ~~recommend to the Commissioner of Education the total funds to~~
21 ~~be released to each participating community college for the~~
22 ~~initiation of the approved site-determined baccalaureate~~
23 ~~degree access program. The community college shall distribute~~
24 ~~funds to the participating 4-year postsecondary institution at~~
25 ~~the rate specified in the approved agreement. The~~
26 ~~Postsecondary Education Planning Commission shall not~~
27 ~~recommend the release of funding for any program that is~~
28 ~~terminated before or after the evaluation required by this~~
29 ~~section. The total funds to be released for the initiation of~~
30 ~~an approved program shall be based on the number of fundable~~
31 ~~upper-level student credit hours for each term. Unless~~

1 ~~otherwise provided in an appropriations act, the funding per~~
2 ~~credit hour shall be an amount equal to the state funds,~~
3 ~~excluding student fees, appropriated to the State University~~
4 ~~System for each full-time equivalent student enrolled in~~
5 ~~upper-level course work. Student credit hours funded under~~
6 ~~this program may not be duplicated in any other calculation of~~
7 ~~state funding for the 4-year institution.~~

8 ~~(7) The Postsecondary Education Planning Commission~~
9 ~~may require the participating community colleges and 4-year~~
10 ~~postsecondary institutions to submit information necessary to~~
11 ~~monitor the annual performance of the program. Within 90 days~~
12 ~~after the 2nd and 4th year of the site-determined~~
13 ~~baccalaureate degree access program, the commission shall~~
14 ~~submit to the chairs of the education and fiscal committees of~~
15 ~~the Legislature a progress report, including an evaluation of~~
16 ~~the funding mechanism created by this section. The commission~~
17 ~~shall review each site-determined baccalaureate degree access~~
18 ~~program funded under this section to ascertain whether the~~
19 ~~performance measures specified in the agreement between the~~
20 ~~participating community college and the 4-year institution~~
21 ~~have been met. Each program must be reviewed 4 years after~~
22 ~~initiation unless a shorter timeframe is specified in the~~
23 ~~agreement. The performance measures must include the student~~
24 ~~graduation rate, the employment rate of program graduates both~~
25 ~~within and outside the community college service area, the~~
26 ~~continuing need to offer the specific baccalaureate degree~~
27 ~~program in the community college service area, and such other~~
28 ~~information as the Postsecondary Education Planning Commission~~
29 ~~may determine necessary for program and performance~~
30 ~~evaluation. Based on its evaluation, the commission shall~~
31 ~~either approve continuation of the program, require~~

1 ~~modifications prior to program approval, or recommend that the~~
2 ~~participating institutions terminate the program after all~~
3 ~~qualified members of the initial group of students have an~~
4 ~~opportunity to complete the degree program. The commission~~
5 ~~must submit to the Commissioner of Education for inclusion in~~
6 ~~the legislative budget a request for funding for approved~~
7 ~~site-determined baccalaureate degree access programs.~~

8 ~~(8) If no accredited 4-year institution is willing to~~
9 ~~provide a baccalaureate degree program approved by the~~
10 ~~Postsecondary Education Planning Commission under this~~
11 ~~section, the community college board of trustees may ask the~~
12 ~~commission to evaluate the college's request to offer the~~
13 ~~degree program. If the commission is satisfied that the~~
14 ~~community college should offer the degree program, it shall~~
15 ~~recommend to the Legislature the enactment of statutory~~
16 ~~authority for the community college to offer that specific~~
17 ~~baccalaureate degree program.~~

18 Section 2. This act shall take effect upon becoming a
19 law.