

By Senator Pruitt

28-1628-04

1 A bill to be entitled
2 An act relating to baccalaureate degree
3 programs at community colleges; amending s.
4 1000.21, F.S.; redesignating specified
5 community colleges to conform to changes made
6 by the act; amending s. 1001.64, F.S.;
7 providing requirements for the board of
8 trustees of a community college authorized to
9 grant baccalaureate degrees; authorizing the
10 establishment of tuition and out-of-state fees;
11 amending s. 1004.65, F.S.; prohibiting a
12 community college from terminating associate
13 degree programs as a result of offering
14 baccalaureate programs; amending s. 1007.33,
15 F.S.; revising requirements for a proposal by a
16 community college to deliver a baccalaureate
17 degree program; requiring the State Board of
18 Education to assess proposals; requiring a
19 joint letter of agreement to implement a
20 proposed program; requiring the State Board of
21 Education to adopt policies and requirements
22 concerning reporting and performance
23 accountability for upper-division and
24 lower-division programs; prohibiting a
25 community college from offering graduate
26 programs; amending s. 1009.23, F.S.; providing
27 requirements for upper-division tuition and
28 fees; amending s. 1011.83, F.S.; providing for
29 funding a community college authorized to grant
30 baccalaureate degrees; amending s. 1013.60,
31 F.S.; revising requirements for the legislative

1 capital outlay budget request submitted by the
2 Commissioner of Education; providing for
3 recommendations for the expenditure of funds
4 for facilities for baccalaureate degree
5 programs at community colleges; providing an
6 effective date.

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

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10 Section 1. Paragraphs (d), (o), and (q) of subsection
11 (3) of section 1000.21, Florida Statutes, are amended to read:
12 1000.21 Systemwide definitions.--As used in the
13 Florida K-20 Education Code:

14 (3) "Community college," except as otherwise
15 specifically provided, includes the following institutions and
16 any branch campuses, centers, or other affiliates of the
17 institution:

18 (d) Chipola ~~Junior~~ College.

19 (o) Miami Dade ~~Miami-Dade Community~~ College.

20 (q) Okaloosa-Walton ~~Community~~ College.

21 Section 2. Subsections (1), (2), and (8) of section
22 1001.64, Florida Statutes, are amended to read:

23 1001.64 Community college boards of trustees; powers
24 and duties.--

25 (1) The boards of trustees shall be responsible for
26 cost-effective policy decisions appropriate to the community
27 college's mission, the implementation and maintenance of
28 high-quality education programs within law and rules of the
29 State Board of Education, the measurement of performance, the
30 reporting of information, and the provision of input regarding
31 state policy, budgeting, and education standards. Community

1 colleges may grant baccalaureate degrees pursuant to s.
2 1007.33 and shall remain under the authority of the State
3 Board of Education for planning, coordination, oversight,
4 budget, and accountability responsibilities.

5 (2) Each board of trustees is vested with the
6 responsibility to govern its respective community college and
7 with such necessary authority as is needed for the proper
8 operation and improvement thereof in accordance with rules of
9 the State Board of Education. This authority includes serving
10 as the governing board for purposes of granting baccalaureate
11 degrees as authorized pursuant to s. 1007.33 and approved by
12 the State Board of Education.

13 (8) Each board of trustees has authority for policies
14 related to students, enrollment of students, student records,
15 student activities, financial assistance, and other student
16 services.

17 (a) Each board of trustees shall govern admission of
18 students pursuant to s. 1007.263 and rules of the State Board
19 of Education. A board of trustees may establish additional
20 admissions criteria, which shall be included in the district
21 interinstitutional articulation agreement developed according
22 to s. 1007.235, to ensure student readiness for postsecondary
23 instruction. Each board of trustees may consider the past
24 actions of any person applying for admission or enrollment and
25 may deny admission or enrollment to an applicant because of
26 misconduct if determined to be in the best interest of the
27 community college.

28 (b) Each board of trustees shall adopt rules
29 establishing student performance standards for the award of
30 degrees and certificates pursuant to s. 1004.68. The board of
31 trustees of a community college authorized to grant a

1 baccalaureate degree pursuant to s. 1007.33 may continue to
2 award degrees, diplomas, and certificates as authorized for
3 the college, and in the name of the college, until the college
4 receives any necessary changes to its accreditation.

5 (c) Each board of trustees shall establish tuition and
6 out-of-state fees for approved baccalaureate degree programs,
7 consistent with law and proviso in the General Appropriations
8 Act.

9 (d)~~(c)~~ Boards of trustees are authorized to establish
10 intrainstitutional and interinstitutional programs to maximize
11 articulation pursuant to s. 1007.22.

12 (e)~~(d)~~ Boards of trustees shall identify their core
13 curricula, which shall include courses required by the State
14 Board of Education, pursuant to the provisions of s.
15 1007.25(6).

16 (f)~~(e)~~ Each board of trustees must adopt a written
17 antihazing policy, provide a program for the enforcement of
18 such rules, and adopt appropriate penalties for violations of
19 such rules pursuant to the provisions of s. 1006.63(1)-(3).

20 (g)~~(f)~~ Each board of trustees may establish a uniform
21 code of conduct and appropriate penalties for violation of its
22 rules by students and student organizations, including rules
23 governing student academic honesty. Such penalties, unless
24 otherwise provided by law, may include fines, the withholding
25 of diplomas or transcripts pending compliance with rules or
26 payment of fines, and the imposition of probation, suspension,
27 or dismissal.

28 (h)~~(g)~~ Each board of trustees pursuant to s. 1006.53
29 shall adopt a policy in accordance with rules of the State
30 Board of Education that reasonably accommodates the religious
31 observance, practice, and belief of individual students in

1 regard to admissions, class attendance, and the scheduling of
2 examinations and work assignments.

3 Section 3. Subsections (7) and (9) of section 1004.65,
4 Florida Statutes, are amended to read:

5 1004.65 Community colleges; definition, mission, and
6 responsibilities.--

7 (7) A separate and secondary role for community
8 colleges includes:

9 (a) Providing upper level instruction and awarding
10 baccalaureate degrees as specifically authorized by law.
11 Community colleges that are approved to offer baccalaureate
12 degree programs shall maintain the primary mission pursuant to
13 subsection (6) and may not terminate associate in arts or
14 associate in science degree programs as a result of the
15 authorization to offer baccalaureate degree programs.

16 (b) The offering of programs in:

17 1. Community services that are not directly related to
18 academic or occupational advancement.

19 2. Adult general education.

20 3. Recreational and leisure services.

21 (9) Community colleges are authorized to offer such
22 programs and courses as are necessary to fulfill their mission
23 and are authorized to grant associate in arts degrees,
24 associate in science degrees, associate in applied science
25 degrees, certificates, awards, and diplomas. Each community
26 college is also authorized to make provisions for the General
27 Educational Development test. Each community college may
28 provide access to and award baccalaureate degrees in
29 accordance with law.

30 Section 4. Section 1007.33, Florida Statutes, is
31 amended to read:

1 1007.33 Site-determined baccalaureate degree access.--
2 (1) The Legislature recognizes that public and private
3 postsecondary educational institutions play essential roles in
4 improving the quality of life and economic well-being of the
5 state and its residents. The Legislature also recognizes that
6 economic development needs and the educational needs of
7 place-bound, nontraditional students have increased the demand
8 for local access to baccalaureate degree programs. In some,
9 but not all, geographic regions, baccalaureate degree programs
10 are being delivered successfully at the local community
11 college through agreements between the community college and
12 4-year postsecondary institutions within or outside of the
13 state. It is therefore the intent of the Legislature to
14 further expand access to baccalaureate degree programs through
15 the use of community colleges to provide programs that meet
16 critical workforce needs.

17 (2) A community college may enter into a formal
18 agreement pursuant to the provisions of s. 1007.22 for the
19 delivery of specified baccalaureate degree programs.

20 (3) A community college may develop a proposal to
21 deliver specified baccalaureate degree programs in its
22 district to meet local workforce needs; expand access to
23 postsecondary education particularly to diverse,
24 nontraditional, and geographically bound students; enhance
25 articulation particularly in program areas where articulation
26 is limited; or provide the means of obtaining a baccalaureate
27 degree in a manner that is most cost-efficient to the student
28 and the state. The proposal must be submitted to the State
29 Board of Education requesting a formal assessment by the
30 department and for approval, in accordance with timeframes and
31 guidelines adopted by the State Board of Education. The

1 community college's proposal must include a statement of
2 determination by the college that ~~the following information:~~

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

7 (b) Unmet need for graduates of the proposed degree
8 program is substantiated.

9 (c) The community college has the facilities and
10 academic resources to deliver the program.

11 (d) Innovative and alternative options have been
12 considered, such as distance learning and university
13 partnerships, and found less cost-effective for the student,
14 the community, and the state.

15
16 The State Board of Education shall conduct a formal assessment
17 and approve, deny, or require revisions to proposals, in
18 accordance with timeframes and guidelines adopted by the State
19 Board of Education. The State Board of Education may approve
20 only those proposals that fully comply with the requirements
21 of this subsection and s. 1004.03(2) and represent the most
22 efficient and cost-effective manner to provide access to the
23 degree. ~~The proposal must be submitted to the Council for~~
24 ~~Education Policy Research and Improvement for review and~~
25 ~~comment.~~

26 (4) Upon approval of the State Board of Education for
27 the specific degree program or programs, the community college
28 shall pursue regional accreditation by the Commission on
29 Colleges of the Southern Association of Colleges and Schools.
30 Any additional baccalaureate degree programs the community
31 college wishes to offer must be approved by the State Board of

1 Education pursuant to the process outlined in this section.
2 Approved programs shall be implemented in accordance with
3 joint letters of agreement between the State Board of
4 Education and colleges approved by the State Board pursuant to
5 this section.

6 (5) The State Board of Education shall adopt by rule
7 policies that address the baccalaureate degree programs at
8 community colleges approved pursuant to this section,
9 including reporting policies and performance accountability
10 requirements for both upper-division and lower-division
11 programs.

12 (6)(4) A community college may not terminate its
13 associate in arts or associate in science degree programs as a
14 result of the authorization provided in subsection (3). The
15 Legislature intends that the primary mission of a community
16 college, including a community college that offers
17 baccalaureate degree programs, continues to be the provision
18 of associate degrees that provide access to a university.

19 (7) A community college may not offer graduate
20 programs.

21 (8) The State Board of Education may adopt rules to
22 administer this section.

23 Section 5. Subsections (1), (2), and (3) of section
24 1009.23, Florida Statutes, are amended to read:

25 1009.23 Community college student fees.--

26 (1) Unless otherwise provided, the provisions of this
27 section apply only to fees charged for college credit
28 instruction leading to an associate in arts degree, an
29 associate in applied science degree, ~~or~~ an associate in
30 science degree, or a baccalaureate degree authorized by the
31 State Board of Education pursuant to s. 1007.33, and for

1 noncollege credit college-preparatory courses defined in s.
2 1004.02.

3 (2)(a) All students shall be charged fees except
4 students who are exempt from fees or students whose fees are
5 waived.

6 (b) Tuition and out-of-state fees for upper-division
7 students must reflect the fact that the college has a less
8 expensive cost structure than that of a state university.
9 Therefore, the board of trustees shall establish tuition and
10 out-of-state fees for upper-division students within a range
11 between fees for lower-division credit courses and the local
12 state university tuition and out-of-state fees.

13 (3) The State Board of Education shall adopt by
14 December 31 of each year a resident fee schedule for the
15 following fall for advanced and professional, associate in
16 science degree, baccalaureate degree programs authorized by
17 the State Board of Education pursuant to s. 1007.33,and
18 college-preparatory programs that produce revenues in the
19 amount of 25 percent of the full prior year's cost of these
20 programs. Fees for courses in college-preparatory programs and
21 associate in arts and associate in science degree programs may
22 be established at the same level. In the absence of a
23 provision to the contrary in an appropriations act, the fee
24 schedule shall take effect and the colleges shall expend the
25 funds on instruction. If the Legislature provides for an
26 alternative fee schedule in an appropriations act, the fee
27 schedule shall take effect the subsequent fall semester.

28 Section 6. Section 1011.83, Florida Statutes, is
29 amended to read:

30 1011.83 Financial support of community colleges.--
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1 (1) Each community college that has been approved by
2 the Department of Education and meets the requirements of law
3 and rules of the State Board of Education shall participate in
4 the Community College Program Fund. However, funds to support
5 workforce development programs conducted by community colleges
6 shall be provided by the Workforce Development Education Fund
7 pursuant to s. 1011.80. Community colleges shall fund the
8 nonrecurring costs related to the initiation of a new
9 baccalaureate degree program pursuant to s. 1007.33 without
10 new state appropriations, unless special grant funds are
11 designated by the State Board of Education, subject to funding
12 by the Legislature for this purpose. However, a new
13 baccalaureate program may not accept students without a
14 recurring legislative appropriation for this purpose.
15 Recurring operational funding for a community college
16 authorized to grant baccalaureate degrees pursuant to s.
17 1007.33 shall be funded as follows:

18 (a) As a community college for its workforce
19 development education programs and for its lower-division
20 level college credit courses and programs funded in the
21 community college program fund pursuant to this section.

22 (b) As a baccalaureate-degree-level institution for
23 its upper-division level courses and programs. State support
24 for these programs should not exceed 85 percent of the amount
25 of state support per full-time equivalent student in a
26 comparable state university program. Funds appropriated for
27 this purpose may be used only for the baccalaureate degree
28 programs.

29 (2) Community colleges that grant baccalaureate
30 degrees shall maintain reporting and funding distinctions
31 between any baccalaureate degree program approved pursuant to

1 s. 1007.33 and other baccalaureate degree programs involving
2 traditional concurrent-use partnerships.

3 Section 7. Paragraph (c) is added to subsection (3) of
4 section 1013.60, Florida Statutes, to read:

5 1013.60 Legislative capital outlay budget request.--

6 (3) The commissioner shall submit an integrated,
7 comprehensive budget request to the Executive Office of the
8 Governor and to the Legislature each fiscal year by the
9 submission date specified in s. 216.023(1). Notwithstanding
10 the provisions of s. 216.043, the integrated, comprehensive
11 budget request shall include:

12 (c) Recommendations for the priority expenditure of
13 funds for facilities for baccalaureate degree programs at
14 community colleges pursuant to s. 1007.33, provided the
15 projects are identified in a college's capital improvement
16 plan. Such projects shall not be considered a component of the
17 3-year priority list of the community college or state
18 university system pursuant to s. 1013.64(4)(a). Community
19 colleges approved to grant baccalaureate degrees may request
20 funding from the Public Education Capital Outlay and Debt
21 Service Trust Fund for all authorized programs, including
22 approved baccalaureate degree programs pursuant to this
23 paragraph. Enrollment in approved baccalaureate degree
24 programs shall be computed into the survey of need for
25 facilities.

26 Section 8. This act shall take effect July 1, 2004.
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SENATE SUMMARY

Redesignates Chipola Junior College as "Chipola College," Miami-Dade Community College as "Miami Dade College," and Okaloosa-Walton Community College as "Okaloosa-Walton College." Revises requirements for and conditions under which a community college may be authorized by the State Board of Education to offer baccalaureate degree programs. Requires a joint letter of agreement between the college and the board to implement a proposed program. Provides requirements for tuition and fees for a baccalaureate degree program. Requires the State Board of Education to adopt rules. (See bill for details.)