



1 upper-division courses; amending s. 1011.83,  
2 F.S.; providing a residency requirement for  
3 funding baccalaureate degree programs at  
4 community colleges; providing requirements for  
5 funding nonrecurring and recurring costs  
6 associated with such programs; limiting  
7 per-student funding to a specified percentage  
8 of costs associated with state university  
9 baccalaureate degree programs; providing  
10 certain reporting and funding requirements;  
11 providing an effective date.

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

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15 Section 1. Subsections (1), (2), and (8) of section  
16 1001.64, Florida Statutes, are amended to read:

17 1001.64 Community college boards of trustees; powers  
18 and duties.--

19 (1) The boards of trustees shall be responsible for  
20 cost-effective policy decisions appropriate to the community  
21 college's mission, the implementation and maintenance of  
22 high-quality education programs within law and rules of the  
23 State Board of Education, the measurement of performance, the  
24 reporting of information, and the provision of input regarding  
25 state policy, budgeting, and education standards. Community  
26 colleges may grant baccalaureate degrees pursuant to s.  
27 1007.33 and shall remain under the authority of the State  
28 Board of Education with respect to planning, coordination,  
29 oversight, and budgetary and accountability responsibilities.

30 (2) Each board of trustees is vested with the  
31 responsibility to govern its respective community college and

1 with such necessary authority as is needed for the proper  
2 operation and improvement thereof in accordance with rules of  
3 the State Board of Education. This authority includes serving  
4 as the governing board for purposes of granting baccalaureate  
5 degrees as authorized in s. 1007.33 and approved by the State  
6 Board of Education.

7 (8) Each board of trustees has authority for policies  
8 related to students, enrollment of students, student records,  
9 student activities, financial assistance, and other student  
10 services.

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

22 (b) Each board of trustees shall adopt rules  
23 establishing student performance standards for the award of  
24 degrees and certificates pursuant to s. 1004.68. The board of  
25 trustees of a community college which is authorized to grant a  
26 baccalaureate degree under s. 1007.33 may continue to award  
27 degrees, diplomas, and certificates as authorized for the  
28 college, and in the name of the college, until the college  
29 receives any necessary changes to its accreditation.

30 (c) Each board of trustees shall establish tuition and  
31 out-of-state fees for approved baccalaureate degree programs,

1 consistent with law and proviso language in the General  
2 Appropriations Act; however, a board of trustees may not vary  
3 tuition and out-of-state fees as provided in s. 1009.23(4).

4 ~~(d)(e)~~ Boards of trustees are authorized to establish  
5 intrainstitutional and interinstitutional programs to maximize  
6 articulation pursuant to s. 1007.22.

7 ~~(e)(d)~~ Boards of trustees shall identify their core  
8 curricula, which shall include courses required by the State  
9 Board of Education, pursuant to the provisions of s.  
10 1007.25(6).

11 ~~(f)(e)~~ Each board of trustees must adopt a written  
12 antihazing policy, provide a program for the enforcement of  
13 such rules, and adopt appropriate penalties for violations of  
14 such rules pursuant to the provisions of s. 1006.63.

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

23 ~~(h)(g)~~ Each board of trustees pursuant to s. 1006.53  
24 shall adopt a policy in accordance with rules of the State  
25 Board of Education that reasonably accommodates the religious  
26 observance, practice, and belief of individual students in  
27 regard to admissions, class attendance, and the scheduling of  
28 examinations and work assignments.

29 (i) Each board of trustees shall adopt a policy  
30 providing that faculty who teach upper-division courses that  
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1 are a component part of a baccalaureate degree program must  
2 meet the requirements of s. 1012.82.

3           Section 2. Subsection (3) of section 1007.33, Florida  
4 Statutes, is amended, subsection (4) is renumbered as  
5 subsection (6), and new subsections (4) and (5) are added to  
6 that section, to read:

7           1007.33 Site-determined baccalaureate degree access.--

8           (3) A community college may develop a proposal to  
9 deliver specified baccalaureate degree programs in its  
10 district to meet local workforce needs. The proposal must be  
11 submitted to the State Board of Education for approval. A  
12 community college may develop proposals to deliver  
13 baccalaureate degree programs in math and science which would  
14 prepare graduates to enter a teaching position in math or  
15 science or employment in a position that requires a  
16 baccalaureate degree in math or science. The community  
17 college's proposal must include the following information:

18           (a) Demand for the baccalaureate degree program is  
19 identified by the workforce development board, local  
20 businesses and industry, local chambers of commerce, and  
21 potential students.

22           (b) Unmet need for graduates of the proposed degree  
23 program is substantiated.

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

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27 ~~The proposal must be submitted to the Council for Education~~  
28 ~~Policy Research and Improvement for review and comment.~~ Upon  
29 approval of the State Board of Education for the specific  
30 degree program or programs, the community college shall pursue  
31 regional accreditation by the Commission on Colleges of the

1 Southern Association of Colleges and Schools. Any additional  
2 baccalaureate degree programs the community college wishes to  
3 offer must be approved by the State Board of Education.

4 (4) A formal agreement for the delivery of specified  
5 baccalaureate degree programs by a regionally accredited  
6 public or private college or university at a community college  
7 site must include:

8 (a) A guarantee that students will be able to complete  
9 the degree in the community college district.

10 (b) A financial commitment to the development,  
11 implementation, and maintenance of the specified degree  
12 program on behalf of the college or university which includes  
13 timelines.

14 (c) A plan for collaboration in the development and  
15 offering of the curriculum for the specified degree by faculty  
16 at both the community college and the college or university.  
17 The curriculum for the specified degree must be developed and  
18 approved within 6 months after the agreement between the  
19 community college and the college or university is signed.

20 (5) A community college proposal to deliver a  
21 specified baccalaureate degree program must document that the  
22 community college has notified in writing the accredited  
23 public and private colleges and universities in the community  
24 college's district of its intent to seek approval for delivery  
25 of the proposed program. The notified colleges and  
26 universities have 90 days to submit in writing to the  
27 community college an alternative plan for providing the  
28 specified degree program.

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

31 1009.23 Community college student fees.--

1           (1) Unless otherwise provided, ~~the provisions of this~~  
2 section ~~applies apply~~ only to fees charged for college credit  
3 instruction leading to an associate in arts degree, an  
4 associate in applied science degree, ~~or~~ an associate in  
5 science degree, or a baccalaureate degree authorized by the  
6 State Board of Education pursuant to s. 1007.33 and for  
7 noncollege credit college-preparatory courses defined in s.  
8 1004.02.

9           (2)(a) All students shall be charged fees except  
10 students who are exempt from fees or students whose fees are  
11 waived.

12           (b) Tuition and out-of-state fees for upper-division  
13 courses must reflect the fact that the community college has a  
14 less expensive cost structure than that of a state university.  
15 Therefore, the board of trustees shall establish tuition and  
16 out-of-state fees for upper-division courses pursuant to  
17 approved baccalaureate programs and consistent with law and  
18 proviso language in the General Appropriations Act; however,  
19 the board of trustees may not vary tuition and out-of-state  
20 fees as provided in subsection (4). ~~Identical fees shall be~~  
21 ~~required for all community college resident students within a~~  
22 ~~college who take a specific course, regardless of the program~~  
23 ~~in which they are enrolled.~~

24           Section 4. Section 1011.83, Florida Statutes, is  
25 amended to read:

26           1011.83 Financial support of community colleges.--

27           (1) Each community college that has been approved by  
28 the Department of Education and meets the requirements of law  
29 and rules of the State Board of Education shall participate in  
30 the Community College Program Fund. However, funds to support  
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1 workforce education programs conducted by community colleges  
2 shall be provided pursuant to s. 1011.80.

3 (2) Funding for baccalaureate degree programs approved  
4 pursuant to s. 1007.33 shall be specified in the General  
5 Appropriations Act. A student in a baccalaureate degree  
6 program approved pursuant to s. 1007.33 who is not classified  
7 as a resident for tuition purposes pursuant to s. 1009.21 may  
8 not be included in calculations of full-time equivalent  
9 enrollments for state funding purposes.

10 (3) Funds specifically appropriated by the Legislature  
11 for baccalaureate degree programs approved pursuant to s.  
12 1007.33 may be used only for such programs. A community  
13 college shall fund the nonrecurring costs related to the  
14 initiation of a new baccalaureate degree program under s.  
15 1007.33 without new state appropriations unless special grant  
16 funds are appropriated in the General Appropriations Act. A  
17 new baccalaureate degree program may not accept students  
18 without a recurring legislative appropriation for this  
19 purpose.

20 (4) State policy for funding baccalaureate degree  
21 programs approved pursuant to s. 1007.33 shall be to limit  
22 state support for recurring operating purposes to no more than  
23 85 percent of the amount of state expenditures for direct  
24 instruction per credit hour in upper-level state university  
25 programs. A community college may temporarily exceed this  
26 limit due to normal enrollment fluctuations or unforeseeable  
27 circumstances or while phasing in new programs. This  
28 subsection does not authorize the Department of Education to  
29 withhold legislative appropriations to any community college.

30 (5) A community college that grants baccalaureate  
31 degrees shall maintain reporting and funding distinctions



1 between any baccalaureate degree program approved under s.  
2 1007.33 and any other baccalaureate degree programs involving  
3 traditional concurrent-use partnerships.

4 Section 5. This act shall take effect July 1, 2007.

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
7 COMMITTEE SUBSTITUTE FOR  
8 Senate Bill 1570

9 The committee substitute for SB 1570 specifies that  
10 non-recurring start-up costs for baccalaureate programs will  
11 be generally borne by the colleges and reflects the state  
12 policy that operating costs for baccalaureate programs should  
13 be at no more than 85% of university instructional costs. The  
14 CS states that funding and reporting for community college  
15 baccalaureate programs and other traditional concurrent-use  
16 baccalaureate partnerships should be separately maintained  
17 and clarifies how the reporting of nonresident FTE students  
18 are handled.  
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