

Bill No. CS/HB 7147, 2nd Eng.

Barcode 452474

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Lynn moved the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

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

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

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

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

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

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

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

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1        (c) Each board of trustees shall establish tuition and  
 2 out-of-state fees for approved baccalaureate degree programs,  
 3 consistent with law and proviso language in the General  
 4 Appropriations Act; however, a board of trustees may not vary  
 5 tuition and out-of-state fees as provided in s. 1009.23(4).

6        ~~(d)(c)~~ Boards of trustees are authorized to establish  
 7 intrainstitutional and interinstitutional programs to maximize  
 8 articulation pursuant to s. 1007.22.

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

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

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

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

31        (i) Each board of trustees shall adopt a policy

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1 providing that faculty who teach upper-division courses that  
2 are a component part of a baccalaureate degree program must  
3 meet the requirements of s. 1012.82.

4 Section 2. Section 1007.01, Florida Statutes, is  
5 amended to read:

6 1007.01 Articulation; legislative intent; purpose;  
7 role of the State Board of Education.--

8 (1) It is the intent of the Legislature to facilitate  
9 articulation and seamless integration of the K-20 education  
10 system by building, ~~and~~ sustaining and strengthening  
11 relationships among K-20 public organizations, between public  
12 and private organizations, and between the education system as  
13 a whole and Florida's communities. The purpose of building and  
14 sustaining these relationships is to provide for the efficient  
15 and effective progression and transfer of students within the  
16 education system and to allow students to proceed toward their  
17 educational objectives as rapidly as their circumstances  
18 permit. The Legislature further intends that articulation  
19 policies and budget actions shall be implemented consistently  
20 in the practices of postsecondary institutions and the  
21 Department of Education and expressed in the collaborative  
22 policy efforts of the State Board of Education and the Board  
23 of Governors.

24 (2) To improve and facilitate articulation systemwide,  
25 the State Board of Education and the Board of Governors shall  
26 develop policies and guidelines with input from statewide K-20  
27 advisory groups established by the Commissioner of Education  
28 relating to:

29 (a) The alignment between the exit requirements of one  
30 system and the admissions requirements of another system into  
31 which students typically transfer.

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1 (b) The identification of common courses, the level of  
2 courses, institutional participation in a statewide course  
3 numbering system, and the transferability of credits among  
4 such institutions.

5 (c) Identification of courses that meet general  
6 education or common degree program prerequisite requirements  
7 at public postsecondary educational institutions.

8 (d) Dual enrollment course equivalencies.

9 (e) Articulation agreements.

10 (3) The Commissioner of Education, in consultation  
11 with the Chancellor of the State University System, shall  
12 establish an Articulation Coordinating Committee which shall  
13 report to the commissioner. The committee shall be a pre-K  
14 through 20 advisory group that consists of members  
15 representing the State University System, the Community  
16 College System, public career and technical education, public  
17 pre-K through 12 education, nonpublic education, and at least  
18 one member representing students. The commissioner will  
19 appoint a chair from the membership. The committee shall:

20 (a) Function as the statewide prekindergarten through  
21 university advisory committee and accept continuous  
22 responsibility for community college-university-school  
23 district relationships.

24 (b) Establish monitoring, compliance, and reporting  
25 systems to facilitate and ensure institutional compliance with  
26 state articulation policies, including, but not limited to,  
27 accelerated credit mechanisms, general education course  
28 requirements, common prerequisite requirements, and time  
29 required to earn a degree.

30 (c) Develop guidelines for interinstitutional  
31 agreements between and among public schools, career and

1 technical education centers, community colleges, and  
 2 universities to facilitate interaction, articulation,  
 3 acceleration, and the efficient use of faculty, equipment, and  
 4 facilities.

5 (d) Establish groups of public and nonpublic  
 6 institution representatives to facilitate articulation in  
 7 subject areas.

8 (e) Conduct a continuing review of statewide  
 9 articulation statutes, rules, regulations, and agreements and  
 10 make recommendations to the State Board of Education and the  
 11 Board of Governors for revisions.

12 (f) Review the application of transfer credit  
 13 requirements from public and nonpublic institutions  
 14 participating in the statewide course numbering system,  
 15 including, but not limited to, instances of student transfer  
 16 and admissions difficulties.

17 (g) Examine statewide data regarding articulation,  
 18 recommend resolutions of issues, and propose programmatic and  
 19 budget policies and procedures to improve articulation  
 20 systemwide.

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

25 1007.33 Site-determined baccalaureate degree access.--

26 (3) A community college may develop a proposal to  
 27 deliver specified baccalaureate degree programs in its  
 28 district to meet local workforce needs. The proposal must be  
 29 submitted to the State Board of Education for approval. A  
 30 community college may develop proposals to deliver  
 31 baccalaureate degree programs in math and science which would

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1 prepare graduates to enter a teaching position in math or  
2 science or employment in a position that requires a  
3 baccalaureate degree in math or science. The community  
4 college's proposal must include the following information:

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

9 (b) Unmet need for graduates of the proposed degree  
10 program is substantiated.

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

13

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

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

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

28 (b) A financial commitment to the development,  
29 implementation, and maintenance of the specified degree  
30 program on behalf of the college or university which includes  
31 timelines.

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1       (c) A plan for collaboration in the development and  
 2 offering of the curriculum for the specified degree by faculty  
 3 at both the community college and the college or university.  
 4 The curriculum for the specified degree must be developed and  
 5 approved within 6 months after the agreement between the  
 6 community college and the college or university is signed.

7       (5) A community college proposal to deliver a  
 8 specified baccalaureate degree program must document that the  
 9 community college has notified in writing the accredited  
 10 public and private colleges and universities in the community  
 11 college's district of its intent to seek approval for delivery  
 12 of the proposed program. The notified colleges and  
 13 universities have 90 days to submit in writing to the  
 14 community college an alternative plan for providing the  
 15 specified degree program.

16       Section 4. Subsections (1) and (2) of section 1009.23,  
 17 Florida Statutes, are amended to read:

18       1009.23 Community college student fees.--

19       (1) Unless otherwise provided, ~~the provisions of this~~  
 20 section applies ~~apply~~ only to fees charged for college credit  
 21 instruction leading to an associate in arts degree, an  
 22 associate in applied science degree, ~~or~~ an associate in  
 23 science degree, or a baccalaureate degree authorized by the  
 24 State Board of Education pursuant to s. 1007.33 and for  
 25 noncollege credit college-preparatory courses defined in s.  
 26 1004.02.

27       (2)(a) All students shall be charged fees except  
 28 students who are exempt from fees or students whose fees are  
 29 waived.

30       (b) Tuition and out-of-state fees for upper-division  
 31 courses must reflect that the community college has a less



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1 expensive cost structure than that of a state university.  
 2 Therefore, the board of trustees shall establish tuition and  
 3 out-of-state fees for upper-division courses pursuant to  
 4 approved baccalaureate programs and consistent with law and  
 5 proviso language in the General Appropriations Act; however,  
 6 the board of trustees may not vary tuition and out-of-state  
 7 fees as provided in subsection (4). ~~Identical fees shall be~~  
 8 ~~required for all community college resident students within a~~  
 9 ~~college who take a specific course, regardless of the program~~  
 10 ~~in which they are enrolled.~~

11 Section 5. Section 1011.83, Florida Statutes, is  
 12 amended to read:

13 1011.83 Financial support of community colleges.--

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

20 (2) Funding for baccalaureate degree programs approved  
 21 pursuant to s. 1007.33 shall be specified in the General  
 22 Appropriations Act. A student in a baccalaureate degree  
 23 program approved pursuant to s. 1007.33 who is not classified  
 24 as a resident for tuition purposes pursuant to s. 1009.21 may  
 25 not be included in calculations of full-time equivalent  
 26 enrollments for state funding purposes.

27 (3) Funds specifically appropriated by the Legislature  
 28 for baccalaureate degree programs approved pursuant to s.  
 29 1007.33 may be used only for such programs. A community  
 30 college shall fund the nonrecurring costs related to the  
 31 initiation of a new baccalaureate degree program under s.

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1 1007.33 without new state appropriations unless special grant  
 2 funds are appropriated in the General Appropriations Act. A  
 3 new baccalaureate degree program may not accept students  
 4 without a recurring legislative appropriation for this  
 5 purpose.

6       (4) State policy for funding baccalaureate degree  
 7 programs approved pursuant to s. 1007.33 shall be to limit  
 8 state support for recurring operating purposes to no more than  
 9 85 percent of the amount of state expenditures for direct  
 10 instruction per credit hour in upper-level state university  
 11 programs. A community college may temporarily exceed this  
 12 limit due to normal enrollment fluctuations or unforeseeable  
 13 circumstances or while phasing in new programs. This  
 14 subsection does not authorize the Department of Education to  
 15 withhold legislative appropriations to any community college.

16       (5) A community college that grants baccalaureate  
 17 degrees shall maintain reporting and funding distinctions  
 18 between any baccalaureate degree program approved under s.  
 19 1007.33 and any other baccalaureate degree programs involving  
 20 traditional concurrent-use partnerships.

21           Section 6. This act shall take effect July 1, 2007.

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24 ===== T I T L E   A M E N D M E N T =====

25 And the title is amended as follows:

26           Delete everything before the enacting clause

27  
28 and insert:

29                           A bill to be entitled

30           An act relating to the awarding of

31           baccalaureate degrees by community colleges;

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1 amending s. 1001.64, F.S.; providing for  
2 community colleges that grant baccalaureate  
3 degrees to remain under the authority of the  
4 State Board of Education with respect to  
5 specified responsibilities; providing that the  
6 board of trustees is the governing board for  
7 purposes of granting baccalaureate degrees;  
8 providing powers of the boards of trustees,  
9 including the power to establish tuition and  
10 out-of-state fees; providing restrictions;  
11 requiring policies relating to minimum faculty  
12 teaching hours per week; amending s. 1007.01,  
13 F.S.; declaring additional legislative intent  
14 with respect to postsecondary articulation;  
15 prescribing duties of the Board of Governors  
16 with respect to development of articulation  
17 policies and guidelines; providing for an  
18 Articulation Coordinating Committee to report  
19 to the Commissioner of Education; providing for  
20 the committee's selection, membership, and  
21 duties; amending s. 1007.33, F.S.; authorizing  
22 a community college to develop proposals to  
23 deliver baccalaureate degree programs in math  
24 and science which would prepare graduates to  
25 enter certain professions; removing a  
26 requirement that proposals for a baccalaureate  
27 degree program be submitted to the Council for  
28 Education Policy Research and Improvement for  
29 review and comment; providing requirements for  
30 the delivery of specified baccalaureate degree  
31 programs by a regionally accredited college or

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1 university at a community college site;  
2 requiring notification to colleges and  
3 universities of intent to offer the degree  
4 program; amending s. 1009.23, F.S.; providing  
5 guidelines and restrictions for setting tuition  
6 and out-of-state fees for upper-division  
7 courses; amending s. 1011.83, F.S.; providing a  
8 residency requirement for funding baccalaureate  
9 degree programs at community colleges;  
10 providing requirements for funding nonrecurring  
11 and recurring costs associated with such  
12 programs; limiting per-student funding to a  
13 specified percentage of costs associated with  
14 state university baccalaureate degree programs;  
15 providing certain reporting and funding  
16 requirements; providing an effective date.

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