

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

Barcode 811046

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

8 1007.33 Site-determined baccalaureate degree access.--

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

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

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

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

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

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

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

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

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

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

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

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

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1 1009.23 Community college student fees.--

2 (1) Unless otherwise provided, ~~the provisions of this~~
3 section applies ~~apply~~ only to fees charged for college credit
4 instruction leading to an associate in arts degree, an
5 associate in applied science degree, ~~or~~ an associate in
6 science degree, or a baccalaureate degree authorized by the
7 State Board of Education pursuant to s. 1007.33 and for
8 noncollege credit college-preparatory courses defined in s.
9 1004.02.

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

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

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

27 1011.83 Financial support of community colleges.--

28 (1) Each community college that has been approved by
29 the Department of Education and meets the requirements of law
30 and rules of the State Board of Education shall participate in
31 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

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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.

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

8 And the title is amended as follows:

9 Delete everything before the enacting clause

11 and insert:

12 A bill to be entitled

13 An act relating to the awarding of
14 baccalaureate degrees by community colleges;
15 amending s. 1001.64, F.S.; providing for
16 community colleges that grant baccalaureate
17 degrees to remain under the authority of the
18 State Board of Education with respect to
19 specified responsibilities; providing that the
20 board of trustees is the governing board for
21 purposes of granting baccalaureate degrees;
22 providing powers of the boards of trustees,
23 including the power to establish tuition and
24 out-of-state fees; providing restrictions;
25 requiring policies relating to minimum faculty
26 teaching hours per week; amending s. 1007.33,
27 F.S.; authorizing a community college to
28 develop proposals to deliver baccalaureate
29 degree programs in math and science which would
30 prepare graduates to enter certain professions;
31 removing a requirement that proposals for a

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1 baccalaureate degree program be submitted to
2 the Council for Education Policy Research and
3 Improvement for review and comment; providing
4 requirements for the delivery of specified
5 baccalaureate degree programs by a regionally
6 accredited college or university at a community
7 college site; requiring notification to
8 colleges and universities of intent to offer
9 the degree program; amending s. 1009.23, F.S.;
10 providing guidelines and restrictions for
11 setting tuition and out-of-state fees for
12 upper-division courses; amending s. 1011.83,
13 F.S.; providing a residency requirement for
14 funding baccalaureate degree programs at
15 community colleges; providing requirements for
16 funding nonrecurring and recurring costs
17 associated with such programs; limiting
18 per-student funding to a specified percentage
19 of costs associated with state university
20 baccalaureate degree programs; providing
21 certain reporting and funding requirements;
22 providing an effective date.

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