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CS/HB 7147, Engrossed 3

2007 Legislature

1 A bill to be entitled

2 An act relating to postsecondary education; requiring the
3 Office of Economic and Demographic Research to conduct a
4 study of certain enrollment forecasting models; requiring
5 a report; requiring the Department of Education to conduct
6 a review of certain courses in the statewide course
7 numbering system and update the system as appropriate;
8 requiring a report; requiring nonpublic postsecondary
9 institutions that participate in statewide course
10 numbering to provide certain information in their
11 catalogs; requiring the department's website to include
12 certain information; providing legislative intent;
13 establishing the Florida Business and Education
14 Collaborative; providing membership and responsibilities;
15 requiring annual reports; requiring a study by the Office
16 of Program Policy Analysis and Government Accountability
17 relating to articulation policies and practices; requiring
18 a report; amending s. 267.062, F.S.; authorizing the
19 naming of certain state university facilities for a living
20 person under certain circumstances; amending s. 1001.03,
21 F.S.; providing State Board of Education responsibilities
22 with respect to community college baccalaureate degree
23 programs; amending s. 1007.33, F.S.; revising provisions
24 relating to community college submission of proposals to
25 deliver baccalaureate degree programs; requiring notice of
26 intent and opportunity for alternative proposals by
27 certain institutions; amending s. 1009.23, F.S.; providing
28 guidelines and restrictions for setting tuition and out-

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29 of-state fees for community college upper-division
30 courses; amending s. 1011.83, F.S.; providing a residency
31 requirement for funding baccalaureate degree programs at
32 community colleges; providing requirements for funding
33 nonrecurring and recurring costs associated with such
34 programs; limiting per-student funding to a specified
35 percentage of costs associated with state university
36 baccalaureate degree programs; providing certain reporting
37 and funding requirements; amending s. 1012.82, F.S.;
38 providing minimum teaching hour requirements for faculty
39 paid from funds appropriated for community college
40 baccalaureate degree programs; providing an effective
41 date.

42
43 Be It Enacted by the Legislature of the State of Florida:

44
45 Section 1. The Office of Economic and Demographic Research
46 shall conduct a study of the higher education enrollment
47 forecasting models currently used in the state. The study must
48 analyze the current models and provide options for improvements.
49 The review shall specifically examine ways to include Florida's
50 changing demographics in the forecasts. A final report with
51 recommendations shall be submitted to the President of the
52 Senate and the Speaker of the House of Representatives by
53 February 1, 2008.

54 Section 2. (1) The Department of Education shall conduct
55 a comprehensive review of the courses that are listed in the
56 statewide course numbering system to:

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57 (a) Identify courses that are listed in the system that
58 have not been taught at an institution for the preceding 5
59 years;

60 (b) Identify courses of nonpublic postsecondary
61 institutions that may be inappropriately designated as
62 equivalent for purposes of transfer of credit; and

63 (c) Update the statewide course numbering system as
64 appropriate based on these findings.

65 (2) The Department of Education shall submit a report of
66 its findings and actions to the President of the Senate and the
67 Speaker of the House of Representatives by February 1, 2008.

68 (3) Notwithstanding any other provision of law or rule to
69 the contrary, any nonpublic postsecondary institution, as a
70 condition of initial or continued participation in the statewide
71 course numbering system, shall identify in all of its catalogs,
72 printed or electronic, the specific courses offered by the
73 institution that are included in the statewide course numbering
74 system.

75 (4) No later than July 1, 2008, the Department of
76 Education shall develop and maintain on the department's website
77 a listing of all courses in the statewide course numbering
78 system and the institutions that offer each course. The listing
79 shall be available to the public. Each institution that
80 participates in the statewide course numbering system shall
81 include in all of its catalogs, printed or electronic, a
82 statement advising the reader of the website address and its use
83 as a resource for information on the transferability of credits
84 to other Florida institutions.

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85 Section 3. (1) It is the intent of the Legislature to
86 proactively shape Florida's economic future through the
87 collaboration of business, industry, and educational partners.
88 The Legislature recognizes that Florida's economic prosperity is
89 dependent on tightly aligning educational outputs and outcomes
90 with economic demands in order to shape the future economy of
91 the state. The Legislature further agrees with national and
92 state experts in their assessment that education will continue
93 to play an instrumental role in Florida's ability to compete in
94 the 21st century global economy and that inevitable demographic
95 changes necessitate a collaborative and comprehensive
96 prekindergarten-20 dialogue between educational and industry
97 experts in order to define and recommend aligned solutions.
98 Therefore, the Legislature intends to establish a formal
99 business and education collaborative to perform activities and
100 make recommendations to legislative and state policy boards
101 toward defining and attaining Florida's economic goals.

102 (2) The Florida Business and Education Collaborative is
103 established as a state-level advisory group to the Governor; the
104 Legislature; the State Board of Education; the Board of
105 Governors of the State University System; boards of independent
106 colleges, universities, and career schools; and other interested
107 parties.

108 (a) Members of the collaborative shall be appointed by the
109 Governor and shall include state business leaders; state
110 legislative members; representative leaders of state and
111 nonpublic community colleges, colleges, universities, career
112 schools, and workforce education institutions and entities; and

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113 national education and economic development policy leaders.

114 (b) The collaborative shall have as a primary objective
 115 the promotion of strategies in public and private postsecondary
 116 education that are aligned with economic development goals.

117 (c) Responsibilities of the collaborative shall include,
 118 but not be limited to:

119 1. Collaboration with appropriate state entities to assess
 120 the degree of alignment of postsecondary education programmatic
 121 offerings and graduation outcomes with Florida's current and
 122 future economic development needs and goals, particularly in
 123 targeted occupational areas.

124 2. Recommendations concerning measurable performance
 125 outcomes, trends, standards, and targets for achievement of
 126 state goals related to workforce skills, education disciplines
 127 and outcomes, and research and development capacity.

128 3. Recommendations concerning funding approaches to align
 129 educational outputs to Florida's economic priorities, including
 130 performance funding and contracting mechanisms.

131 (d) The collaborative shall annually report its findings
 132 and recommendations to the State Board of Education, the Board
 133 of Governors, the Executive Office of the Governor, the
 134 President of the Senate, and the Speaker of the House of
 135 Representatives by December 31.

136 Section 4. The Office of Program Policy Analysis and
 137 Government Accountability (OPPAGA) shall conduct a study of the
 138 implementation of existing articulation policies and identify
 139 any current practices that may serve as unnecessary barriers or
 140 impediments to the effective progression and transfer of

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141 students within the education system and to the progress of
 142 students in completing their educational objectives as rapidly
 143 as their circumstances permit. The study shall review the
 144 implementation of statewide course numbering credit transfer
 145 policies, including the extent to which institutions fail to
 146 award credit for courses designated as equivalent, and recommend
 147 remediation efforts to resolve this matter. The study shall also
 148 review implementation of policies relating to the award of
 149 credit associated with approved articulated acceleration
 150 mechanisms and the extent to which credit received through
 151 acceleration mechanisms may be used to meet general education or
 152 other graduation requirements. The study shall also examine how
 153 students are notified about whether the credit they receive will
 154 apply toward graduation requirements. The study shall identify
 155 inconsistencies in implementation of articulation policies and
 156 assess the impact of such inconsistencies on a student's ability
 157 to complete his or her program in a more timely manner, on the
 158 cost to a student of completing his or her program, and on the
 159 cost to the state. The study shall also examine the
 160 effectiveness of the articulation accountability process
 161 established pursuant to s. 1008.38, Florida Statutes. A final
 162 report with recommendations shall be submitted to the President
 163 of the Senate and the Speaker of the House of Representatives by
 164 February 1, 2008.

165 Section 5. Subsection (3) is added to section 267.062,
 166 Florida Statutes, to read:
 167 267.062 Naming of state buildings and other facilities.--
 168 (3) Notwithstanding the provisions of subsection (1) or s.

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169 1013.79(11), any state building, road, bridge, park,
 170 recreational complex, or other similar facility of a state
 171 university may be named for a living person by the university
 172 board of trustees in accordance with rules adopted by the Board
 173 of Governors of the State University System.

174 Section 6. Subsection (15) is added to section 1001.03,
 175 Florida Statutes, to read:

176 1001.03 Specific powers of State Board of Education.--

177 (15) COMMUNITY COLLEGE BACCALAUREATE DEGREE PROGRAMS.--The
 178 State Board of Education shall provide for the review and
 179 approval of proposals by community colleges to offer
 180 baccalaureate degree programs pursuant to s. 1007.33. A
 181 community college, as defined in s. 1000.21, that is approved to
 182 offer baccalaureate degrees pursuant to s. 1007.33 remains under
 183 the authority of the State Board of Education and the community
 184 college's board of trustees.

185 Section 7. Subsection (3) of section 1007.33, Florida
 186 Statutes, is amended to read:

187 1007.33 Site-determined baccalaureate degree access.--

188 (3) (a) A community college may develop a proposal to
 189 deliver specified baccalaureate degree programs in its district
 190 to meet local workforce needs. A community college may also
 191 develop proposals to deliver baccalaureate degree programs in
 192 math and science which would prepare graduates to enter a
 193 teaching position in math or science.

194 (b) The community college's proposal must be submitted to
 195 the State Board of Education for approval.

196 (c) The community college's proposal must include the

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197 following information:

198 1.~~(a)~~ Demand for the baccalaureate degree program is
 199 identified by the workforce development board, local businesses
 200 and industry, local chambers of commerce, and potential
 201 students.

202 2.~~(b)~~ Unmet need for graduates of the proposed degree
 203 program is substantiated.

204 3.~~(c)~~ The community college has the facilities and
 205 academic resources to deliver the program.

206 (d) A community college that plans to submit a proposal
 207 pursuant to this subsection shall submit notice of its intent to
 208 the State Board of Education, including a brief description of
 209 the program that will be proposed and an estimated timeframe for
 210 implementation, at least 90 days prior to submitting the
 211 proposal. The State Board of Education shall advise state
 212 universities and each regionally accredited private college and
 213 university that is chartered in and has its primary campus
 214 located in the state of the community college's notice of
 215 intent. State universities shall have 60 days to submit an
 216 alternative proposal to offer the baccalaureate degree program
 217 on the community college campus. If the state board does not
 218 receive a proposal from a state university within the 60-day
 219 time period or if the university proposal is not approved, the
 220 state board shall provide the regionally accredited private
 221 colleges and universities 30 days to submit an alternative
 222 proposal. An alternative proposal must adequately address:

223 1. The extent to which students will be able to complete
 224 the degree in the community college district.

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225 2. The level of financial commitment of the college or
 226 university to the development, implementation, and maintenance
 227 of the specified degree program, including timelines.

228 3. The extent to which faculty at both the community
 229 college and the college or university will collaborate in the
 230 development and offering of the curriculum.

231 4. The ability of the community college and the college or
 232 university to develop and approve the curriculum for the
 233 specified degree program within 6 months after an agreement
 234 between the community college and the college or university is
 235 signed.

236 5. The extent to which the student may incur additional
 237 costs above what the student would expect to incur if the
 238 program were offered by the community college.

239 (e) The State Board of Education must consider the
 240 alternative proposals in making its decision to approve or deny
 241 a community college's proposal.

242 (f) If no alternative proposal is received or approved and
 243 the State Board of Education determines that a community college
 244 proposal is deficient, the state board must notify the community
 245 college of the deficiencies in writing and provide the community
 246 college the opportunity to correct the deficiencies.

247 ~~(g) The proposal must be submitted to the Council for~~
 248 ~~Education Policy Research and Improvement for review and~~
 249 ~~comment.~~ Upon approval of the State Board of Education for the
 250 specific degree program or programs, the community college shall
 251 pursue regional accreditation by the Commission on Colleges of
 252 the Southern Association of Colleges and Schools.

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253 (h) Any additional baccalaureate degree programs the
 254 community college wishes to offer must be approved by the State
 255 Board of Education.

256 (i) Approval by the State Board of Education of a
 257 community college proposal to deliver a specified baccalaureate
 258 degree program does not alter the governance relationship of the
 259 community college with its local board of trustees or the State
 260 Board of Education.

261 Section 8. Subsections (1) and (2) of section 1009.23,
 262 Florida Statutes, are amended to read:

263 1009.23 Community college student fees.--

264 (1) Unless otherwise provided, ~~the provisions of this~~
 265 section applies apply only to fees charged for college credit
 266 instruction leading to an associate in arts degree, an associate
 267 in applied science degree, ~~or~~ an associate in science degree, or
 268 a baccalaureate degree authorized by the State Board of
 269 Education pursuant to s. 1007.33 and for noncollege credit
 270 college-preparatory courses defined in s. 1004.02.

271 (2)(a) All students shall be charged fees except students
 272 who are exempt from fees or students whose fees are waived.

273 (b) Tuition and out-of-state fees for upper-division
 274 courses must reflect the fact that the community college has a
 275 less expensive cost structure than that of a state university.
 276 Therefore, the board of trustees shall establish tuition and
 277 out-of-state fees for upper-division courses in baccalaureate
 278 degree programs approved pursuant to s. 1007.33 consistent with
 279 law and proviso language in the General Appropriations Act.
 280 However, the board of trustees may not vary tuition and out-of-

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281 state fees as provided in subsection (4). ~~Identical fees shall~~
 282 ~~be required for all community college resident students within a~~
 283 ~~college who take a specific course, regardless of the program in~~
 284 ~~which they are enrolled.~~

285 Section 9. Section 1011.83, Florida Statutes, is amended
 286 to read:

287 1011.83 Financial support of community colleges.--

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

294 (2) Funding for baccalaureate degree programs approved
 295 pursuant to s. 1007.33 shall be specified in the General
 296 Appropriations Act. A student in a baccalaureate degree program
 297 approved pursuant to s. 1007.33 who is not classified as a
 298 resident for tuition purposes pursuant to s. 1009.21 may not be
 299 included in calculations of full-time equivalent enrollments for
 300 state funding purposes.

301 (3) Funds specifically appropriated by the Legislature for
 302 baccalaureate degree programs approved pursuant to s. 1007.33
 303 may be used only for such programs. A community college shall
 304 fund the nonrecurring costs related to the initiation of a new
 305 baccalaureate degree program under s. 1007.33 without new state
 306 appropriations unless special grant funds are appropriated in
 307 the General Appropriations Act. A new baccalaureate degree
 308 program may not accept students without a recurring legislative

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309 appropriation for this purpose.

310 (4) State policy for funding baccalaureate degree programs
 311 approved pursuant to s. 1007.33 shall be to limit state support
 312 for recurring operating purposes to no more than 85 percent of
 313 the amount of state expenditures for direct instruction per
 314 credit hour in upper-level state university programs. A
 315 community college may temporarily exceed this limit due to
 316 normal enrollment fluctuations or unforeseeable circumstances or
 317 while phasing in new programs. This subsection does not
 318 authorize the Department of Education to withhold legislative
 319 appropriations to any community college.

320 (5) A community college that grants baccalaureate degrees
 321 shall maintain reporting and funding distinctions between any
 322 baccalaureate degree program approved under s. 1007.33 and any
 323 other baccalaureate degree programs involving traditional
 324 concurrent-use partnerships.

325 Section 10. Section 1012.82, Florida Statutes, is amended
 326 to read:

327 1012.82 Teaching faculty; minimum teaching hours per
 328 week.--Each full-time member of the teaching faculty at any
 329 community college who is paid wholly from funds appropriated
 330 from the community college program fund or from funds
 331 appropriated for community college baccalaureate degree programs
 332 shall teach a minimum of 15 classroom contact hours per week at
 333 such institution. However, the required classroom contact hours
 334 per week may be reduced upon approval of the president of the
 335 institution in direct proportion to specific duties and
 336 responsibilities assigned the faculty member by his or her

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337 departmental chair or other appropriate college administrator.
 338 Such specific duties may include specific research duties,
 339 specific duties associated with developing television, video
 340 tape, or other specifically assigned innovative teaching
 341 techniques or devices, or assigned responsibility for off-campus
 342 student internship or work-study programs. A "classroom contact
 343 hour" consists of a regularly scheduled classroom activity of
 344 not less than 50 minutes in a course of instruction which has
 345 been approved by the community college board of trustees. Any
 346 full-time faculty member who is paid partly from community
 347 college program funds and partly from other funds or
 348 appropriations shall teach a minimum number of classroom contact
 349 hours per week in such proportion to 15 classroom contact hours
 350 as his or her salary paid from community college program funds
 351 bears to his or her total salary. Any full-time faculty member
 352 who is paid partly from funds appropriated for community college
 353 baccalaureate degree programs and partly from other funds or
 354 appropriations shall teach a minimum number of classroom contact
 355 hours per week in such proportion to 15 classroom contact hours
 356 as his or her salary paid from funds appropriated for community
 357 college baccalaureate degree programs bears to his or her total
 358 salary.

359 Section 11. This act shall take effect upon becoming a
 360 law.