

By the Committees on Higher Education; Higher Education  
Appropriations; and Senator Lynn

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1                   A bill to be entitled  
2           An act relating to postsecondary distance learning;  
3           establishing the Florida Distance Learning Task Force;  
4           providing for membership; requiring the task force to  
5           submit a report containing certain recommendations to the  
6           Governor, the Legislature, and certain entities by a  
7           specified date; providing for future expiration; creating  
8           s. 1004.09, F.S.; establishing the Florida Higher  
9           Education Distance Learning Catalog; requiring that the  
10          Florida Distance Learning Consortium establish guidelines  
11          and procedures and provide information on certain  
12          requirements and information relating to distance learning  
13          courses and degree programs; requiring that the catalog  
14          include an Internet-based analytic tool that collects and  
15          analyzes certain data; amending s. 1009.23, F.S.;  
16          exempting a distance learning course from laboratory fees;  
17          authorizing the State Board of Education to adopt rules;  
18          authorizing a community college to assess a student  
19          enrolled in a course listed in the catalog a per-credit-  
20          hour user fee; requiring that such fee not exceed a  
21          certain amount; prohibiting the assessment of other fees  
22          if the distance learning course user fee is assessed;  
23          requiring that the board of trustees report to the  
24          Division of Community Colleges the total amount of revenue  
25          generated by such fee for the preceding year and how such  
26          fee was expended; requiring that the link for the catalog  
27          be prominently displayed on the institution's website;  
28          amending s. 1009.24, F.S.; authorizing a state university  
29          to assess a per-credit-hour distance learning course fee;

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30 requiring that such fee not exceed a certain amount;  
31 prohibiting the state university from assessing  
32 duplicative fees to cover the same additional costs;  
33 requiring that the link to the catalog be prominently  
34 displayed on the institution's website; providing an  
35 effective date.

36  
37 Be It Enacted by the Legislature of the State of Florida:

38  
39 Section 1. Florida Distance Learning Task Force.--

40 (1) The Florida Distance Learning Task Force is established  
41 to make recommendations to facilitate access to undergraduate  
42 distance learning resources that enable public postsecondary  
43 educational institutions to fulfill their missions while  
44 contributing to and sharing in the distance learning resources of  
45 the Florida Distance Learning Consortium.

46 (2) (a) Members of the task force shall be appointed by the  
47 chancellors of the Division of Community Colleges and the Board  
48 of Governors and shall be comprised of nine members.

49 (b) The membership of the task force shall consist of:

50 1. Four members from the State University System, with one  
51 member being a state university president, one member having  
52 experience in academic affairs or student affairs, one member  
53 having experience in finance or business services, and one member  
54 being from the Chancellor's Office of the Board of Governors and  
55 having experience in distance learning education.

56 2. Four members from the Community College System, with one  
57 member being a community college president, one member having  
58 experience in academic affairs or student affairs, one member

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59 having experience in finance or business services, and one member  
60 being from the Chancellor's Office of the Division of Community  
61 Colleges and having experience in distance learning education.

62 3. One member who is the executive director of the Florida  
63 Distance Learning Consortium.

64 (3) The task force shall submit to the Governor, the  
65 President of the Senate, the Speaker of the House of  
66 Representatives, the State Board of Education, the Board of  
67 Governors, and the university and community college boards of  
68 trustees, no later than March 1, 2009, a detailed report that  
69 includes, but is not limited to, recommendations regarding:

70 (a) The management and promotion of the Florida Higher  
71 Education Distance Learning Catalog pursuant to s. 1004.09,  
72 Florida Statutes, to help increase student access to  
73 undergraduate distance learning courses and degree programs and,  
74 in particular, students seeking accelerated access in order to  
75 complete their degrees.

76 (b) The creation of a central content repository for  
77 instructional resources which can be used by faculty in  
78 developing, evaluating, and enhancing distance learning courses  
79 and degree programs.

80 (c) The potential use of distance learning as a means to  
81 address critical educational needs of the state.

82 (d) The evaluation and promotion of new and proven  
83 instructional methods, emerging technologies, and quality  
84 distance learning courses and degree programs.

85 (e) The coordination and support of educational programs  
86 and other training opportunities for faculty and professional  
87 staff in developing, evaluating, and enhancing distance learning

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88 courses and degree programs.

89 (f) A process for negotiating statewide licensing and  
90 pricing agreements for distance learning resources and entering  
91 into agreements with distance learning resource providers when  
92 such negotiations and agreements result in cost savings for the  
93 participating institutions.

94 (g) Opportunities for building partnerships among  
95 educational institutions, businesses, and communities.

96 (h) Methods that will improve student access to and  
97 completion of distance learning courses and degree programs.

98 (i) Policies that address ways to increase access and cost-  
99 effectiveness in the development and delivery of undergraduate  
100 distance learning courses and degree programs. Such recommended  
101 policies must address the cost variations that exist within the  
102 delivery system and identify the best practices that minimize  
103 costs of the development and delivery of distance learning  
104 courses while enhancing the effectiveness of instruction.

105 (j) An accountability mechanism to assess the effectiveness  
106 of the services provided by the Florida Distance Learning  
107 Consortium.

108 (k) The future role of the Florida Distance Learning  
109 Consortium as a facilitator of the state's public undergraduate  
110 postsecondary distance learning.

111 (l) A process for reporting on the data collected by the  
112 Florida Higher Education Distance Learning Catalog.

113 (m) The definition of a distance learning course.

114 (n) A plan for developing and implementing an online system  
115 that streamlines and automates the registration process for  
116 students who have been admitted to a public postsecondary

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117 educational institution and who wish to enroll in a course listed  
118 in the Florida Higher Education Distance Learning Catalog. The  
119 task force shall identify and address the applicable  
120 administrative, programmatic, and technical issues and protocols  
121 necessary to ensure the implementation of such a system as an  
122 alternative to the standard registration process of each  
123 institution which complies with the academic policies and  
124 procedures of the institutions offering the course. At a minimum,  
125 the system must:

126 1. Allow a qualified student to register for any  
127 undergraduate course listed in the catalog, including courses  
128 offered by an institution that is not the student's degree-  
129 granting or home institution.

130 2. Allow for the expedited transfer of the distance  
131 learning course credit awarded by the institution offering the  
132 distance learning course to the student's degree-granting or home  
133 institution upon the student's successful completion of the  
134 distance learning course.

135 3. Be accessible from the catalog.

136 4. Comply with applicable technology security standards and  
137 guidelines established by the Agency for Enterprise Information  
138 Technology to ensure the secure transmission of student  
139 information.

140 (4) This section expires July 1, 2009.

141 Section 2. Section 1004.09, Florida Statutes, is created to  
142 read:

143 1004.09 Florida Higher Education Distance Learning  
144 Catalog.--

145 (1) The Florida Higher Education Distance Learning Catalog

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146 is established as an interactive, Internet-based central point of  
147 access to distance learning courses, degree programs, and  
148 resources offered by public postsecondary educational  
149 institutions and is intended to assist in the coordination and  
150 collaboration of articulation and access pursuant to part II of  
151 chapter 1007.

152 (2) The Florida Distance Learning Consortium must establish  
153 operational guidelines and procedures for the catalog, which must  
154 include:

155 (a) Requiring participating institutions to provide clear,  
156 complete, and timely information concerning requirements for the  
157 distance learning course and degree program, the type of required  
158 technology and technical equipment, any prerequisite courses or  
159 technology competencies and skills, the availability of academic  
160 support services, financial aid resources, and the costs, fees,  
161 and payment information and policies.

162 (b) Requiring that distance learning courses and degree  
163 programs meet applicable and appropriate accreditation standards  
164 and criteria.

165 (c) Requiring that, at a minimum, the catalog is reviewed  
166 at the start of each academic semester to ensure distance  
167 learning courses and degree programs comply with the operational  
168 guidelines and procedures established by the Florida Distance  
169 Learning Consortium.

170 (3) The catalog must include an Internet-based analytic  
171 tool that allows for the collection and analysis of data,  
172 including:

173 (a) The number and type of students who use the catalog to  
174 search for distance learning courses and degree programs.

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175       (b) The number and type of requests for information on  
176 distance learning courses and degree programs that are not listed  
177 in the catalog.

178       (c) The comparison of distance learning course and degree  
179 program cost data.

180       (d) An evaluation of course completions, graduation, and  
181 retention rates of students enrolled in distance learning  
182 courses.

183       (e) The summary of specific requests by course type or  
184 course number, delivery method, offering institution, and  
185 semester.

186       (f) Other types of data as determined by the consortium.

187       Section 3. Subsection (12) of section 1009.23, Florida  
188 Statutes, is amended, present subsection (16) of that section is  
189 redesignated as subsection (17), and a new subsection (16) is  
190 added to that section, to read:

191       1009.23 Community college student fees.--

192       (12) (a) In addition to tuition, out-of-state, financial  
193 aid, capital improvement, student activity and service, and  
194 technology fees authorized in this section, each community  
195 college board of trustees is authorized to establish fee  
196 schedules for the following user fees and fines: laboratory fees,  
197 which do not apply to a distance learning course; parking fees  
198 and fines; library fees and fines; fees and fines relating to  
199 facilities and equipment use or damage; access or identification  
200 card fees; duplicating, photocopying, binding, or microfilming  
201 fees; standardized testing fees; diploma replacement fees;  
202 transcript fees; application fees; graduation fees; and late fees  
203 related to registration and payment. Such user fees and fines

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204 shall not exceed the cost of the services provided and shall only  
205 be charged to persons receiving the service. A community college  
206 may not charge any fee except as authorized by law ~~or rules of~~  
207 ~~the State Board of Education~~. Parking fee revenues may be pledged  
208 by a community college board of trustees as a dedicated revenue  
209 source for the repayment of debt, including lease-purchase  
210 agreements and revenue bonds with terms not exceeding 20 years  
211 and not exceeding the useful life of the asset being financed.  
212 Community colleges shall use the services of the Division of Bond  
213 Finance of the State Board of Administration to issue any revenue  
214 bonds authorized by the provisions of this subsection. Any such  
215 bonds issued by the Division of Bond Finance shall be in  
216 compliance with the provisions of the State Bond Act. Bonds  
217 issued pursuant to the State Bond Act shall be validated in the  
218 manner established in chapter 75. The complaint for such  
219 validation shall be filed in the circuit court of the county  
220 where the seat of state government is situated, the notice  
221 required to be published by s. 75.06 shall be published only in  
222 the county where the complaint is filed, and the complaint and  
223 order of the circuit court shall be served only on the state  
224 attorney of the circuit in which the action is pending.

225 (b) The State Board of Education may adopt rules pursuant  
226 to ss. 120.536(1) and 120.54 to administer this subsection.

227 (16) (a) Each community college may assess a student who  
228 enrolls in a course listed in the Florida Higher Education  
229 Distance Learning Catalog established pursuant to s. 1004.09 a  
230 per-credit-hour distance learning course user fee.

231 (b) The amount of the distance learning course user fee may  
232 not exceed the additional costs of the services provided which



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233 are attributable to the development and delivery of the distance  
234 learning course. If a community college assesses the distance  
235 learning course user fee, the institution may not assess any  
236 other fees to cover the additional costs. By September 1 of each  
237 year, each board of trustees shall report to the Division of  
238 Community Colleges the total amount of revenue generated by the  
239 distance learning course user fee for the prior academic year and  
240 how the revenue was expended.

241 (c) The link for the catalog must be prominently displayed  
242 on the institution's website to inform students of the catalog.

243 Section 4. Present subsection (17) of section 1009.24,  
244 Florida Statutes, is redesignated as subsection (18), and a new  
245 subsection (17) is added to that section, to read:

246 1009.24 State university student fees.--

247 (17) (a) A state university may assess a student who enrolls  
248 in a course listed in the Florida Higher Education Distance  
249 Learning Catalog established pursuant to s. 1004.09 a per-credit-  
250 hour distance learning course fee.

251 (b) The amount of the distance learning course fee may not  
252 exceed the additional costs of the services provided which are  
253 attributable to the development and delivery of the distance  
254 learning course. If the distance learning course fee is assessed  
255 by a state university, the institution may not assess duplicative  
256 fees to cover the additional costs.

257 (c) The link for the catalog must be prominently displayed  
258 on the institution's website informing students of the catalog.

259 Section 5. This act shall take effect July 1, 2008.