

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;
 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.

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

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

40 (1) The Florida Distance Learning Task Force is
 41 established to make recommendations to facilitate access to
 42 undergraduate distance learning resources that enable public
 43 postsecondary educational institutions to fulfill their missions
 44 while contributing to and sharing in the distance learning
 45 resources of 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
 54 member being from the Chancellor's Office of the Board of
 55 Governors and having experience in distance learning education.

56 2. Four members from the Community College System, with

57 one member being a community college president, one member
58 having experience in academic affairs or student affairs, one
59 member having experience in finance or business services, and
60 one member being from the Chancellor's Office of the Division of
61 Community Colleges and having experience in distance learning
62 education.

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

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

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

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

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

83 (d) The evaluation and promotion of new and proven
84 instructional methods, emerging technologies, and quality

85 distance learning courses and degree programs.

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

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

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

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

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

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

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

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

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

116 (n) A plan for developing and implementing an online
117 system that streamlines and automates the registration process
118 for students who have been admitted to a public postsecondary
119 educational institution and who wish to enroll in a course
120 listed in the Florida Higher Education Distance Learning
121 Catalog. The task force shall identify and address the
122 applicable administrative, programmatic, and technical issues
123 and protocols necessary to ensure the implementation of such a
124 system as an alternative to the standard registration process of
125 each institution which complies with the academic policies and
126 procedures of the institutions offering the course. At a
127 minimum, the system must:

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

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

137 3. Be accessible from the catalog.

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

141 student information.

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

143 Section 2. Section 1004.09, Florida Statutes, is created
144 to read:

145 1004.09 Florida Higher Education Distance Learning
146 Catalog.--

147 (1) The Florida Higher Education Distance Learning Catalog
148 is established as an interactive, Internet-based central point
149 of access to distance learning courses, degree programs, and
150 resources offered by public postsecondary educational
151 institutions and is intended to assist in the coordination and
152 collaboration of articulation and access pursuant to part II of
153 chapter 1007.

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

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

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

167 (c) Requiring that, at a minimum, the catalog is reviewed
168 at the start of each academic semester to ensure distance

169 learning courses and degree programs comply with the operational
170 guidelines and procedures established by the Florida Distance
171 Learning Consortium.

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

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

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

180 (c) The comparison of distance learning course and degree
181 program cost data.

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

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

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

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

193 1009.23 Community college student fees.--

194 (12) (a) In addition to tuition, out-of-state, financial
195 aid, capital improvement, student activity and service, and
196 technology fees authorized in this section, each community

197 college board of trustees is authorized to establish fee
198 schedules for the following user fees and fines: laboratory
199 fees, which do not apply to a distance learning course; parking
200 fees and fines; library fees and fines; fees and fines relating
201 to facilities and equipment use or damage; access or
202 identification card fees; duplicating, photocopying, binding, or
203 microfilming fees; standardized testing fees; diploma
204 replacement fees; transcript fees; application fees; graduation
205 fees; and late fees related to registration and payment. Such
206 user fees and fines shall not exceed the cost of the services
207 provided and shall only be charged to persons receiving the
208 service. A community college may not charge any fee except as
209 authorized by law ~~or rules of the State Board of Education~~.
210 Parking fee revenues may be pledged by a community college board
211 of trustees as a dedicated revenue source for the repayment of
212 debt, including lease-purchase agreements and revenue bonds with
213 terms not exceeding 20 years and not exceeding the useful life
214 of the asset being financed. Community colleges shall use the
215 services of the Division of Bond Finance of the State Board of
216 Administration to issue any revenue bonds authorized by the
217 provisions of this subsection. Any such bonds issued by the
218 Division of Bond Finance shall be in compliance with the
219 provisions of the State Bond Act. Bonds issued pursuant to the
220 State Bond Act shall be validated in the manner established in
221 chapter 75. The complaint for such validation shall be filed in
222 the circuit court of the county where the seat of state
223 government is situated, the notice required to be published by
224 s. 75.06 shall be published only in the county where the

225 | complaint is filed, and the complaint and order of the circuit
 226 | court shall be served only on the state attorney of the circuit
 227 | in which the action is pending.

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

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

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

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

246 | Section 4. Present subsection (17) of section 1009.24,
 247 | Florida Statutes, is redesignated as subsection (18), and a new
 248 | subsection (17) is added to that section, to read:

249 | 1009.24 State university student fees.--

250 | (17) (a) A state university may assess a student who
 251 | enrolls in a course listed in the Florida Higher Education
 252 | Distance Learning Catalog established pursuant to s. 1004.09 a

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253 per-credit-hour distance learning course fee.

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

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

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