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2008 Legislature

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

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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.

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  
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

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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

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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.

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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

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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

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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

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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



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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.