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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/20/2009	.	
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The Committee on Higher Education Appropriations (Lynn)
recommended the following:

Senate Amendment (with title amendment)

Delete lines 324 - 382

and insert:

(2) (a) A Florida college may:

1. Offer specified baccalaureate degree programs through formal agreements between the Florida college and other regionally accredited postsecondary educational institutions pursuant to s. 1007.22.

2. Offer baccalaureate degree programs that were authorized by law prior to July 1, 2009.



12 3. Beginning July 1, 2009, establish a first or subsequent
13 baccalaureate degree program for purposes of meeting district,
14 regional, or statewide workforce needs when approved by the
15 State Board of Education under this section, except as provided
16 in paragraph (b).

17 (b) Beginning July 1, 2009, the Board of Trustees of the
18 St. Petersburg College is authorized to establish:

19 1. One or more bachelor of applied science degree programs
20 based on an analysis of workforce needs in Pinellas, Pasco, and
21 Hernando Counties and other counties approved by the Department
22 of Education. For each program selected, St. Petersburg College
23 must offer a related associate in science or associate in
24 applied science degree program, and the baccalaureate degree
25 level program must be designed to articulate fully with at least
26 one associate in science degree program. The college is
27 encouraged to develop articulation agreements for enrollment of
28 graduates of related associate in applied science degree
29 programs.

30 2. Additional baccalaureate degree programs if it
31 determines a program is warranted and feasible based on each of
32 the factors in paragraph (3)(d). Prior to developing or
33 proposing a new baccalaureate degree program, St. Petersburg
34 College shall engage in need, demand, and impact discussions
35 with the state university in its service district and other
36 local and regional, accredited postsecondary providers in its
37 region. Documentation, data, and other information from inter-
38 institutional discussions regarding program need, demand, and
39 impact shall be provided to the College's Board of Trustees to
40 inform the program approval process.



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41 (c) Beginning July 1, 2010, and each subsequent July 1, the
42 Division of Florida Colleges may accept and review applications
43 from a Florida college to obtain an exemption from the State
44 Board of Education's approval for subsequent degrees as required
45 in subparagraph (a)3. if the Florida college is accredited by
46 the Commission on Colleges of the Southern Association of
47 Colleges and Schools as a baccalaureate-degree-granting
48 institution and has been offering baccalaureate degree programs
49 for 3 or more years. The division shall develop criteria for
50 determining eligibility for an exemption based upon demonstrated
51 compliance with the requirements for baccalaureate degrees,
52 primary mission, and fiscal, including, but not limited to:

- 53 1. Obtaining and maintaining appropriate SACS
54 accreditation;
- 55 2. The maintenance of qualified faculty and institutional
56 resources;
- 57 3. The maintenance of enrollment projections in previously
58 approved programs;
- 59 4. The appropriate management of fiscal resources;
- 60 5. Compliance with the primary mission and responsibility
61 requirements in subsections (5) and (6);
- 62 6. The timely submission of the institution's annual
63 performance accountability report; and
- 64 7. Other indicators of success such as program completers,
65 placements, and surveys of students and employers.

66 (d) If the Florida college has demonstrated satisfactory
67 progress in fulfilling the eligibility criteria in paragraph
68 (c), the Division of Florida Colleges may recommend to the State
69 Board of Education that the institution be exempt from the



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70 requirement in subparagraph (a)3. for approval of future
71 baccalaureate degree programs. The State Board of Education
72 shall review the division's recommendation and determine if an
73 exemption is warranted. If the State Board of Education approves
74 the application, the Florida College is exempt from subsequent
75 program approval under subparagraph (a)3. and such authority is
76 delegated to the Florida college board of trustees. If the State
77 Board of Education disapproves of the Florida College's request
78 for an exemption, the college shall continue to be subject to
79 State Board of Education's approval of subsequent baccalaureate
80 degree programs.

81 (e) Prior to developing or proposing a new baccalaureate
82 degree program, all Florida Colleges, regardless of an exemption
83 from subparagraph (a)3., shall engage in need, demand, and
84 impact discussions with the state university in their service
85 district and other local and regional, accredited postsecondary
86 providers in their region. Documentation, data, and other
87 information from inter-institutional discussions regarding
88 program need, demand, and impact shall be provided to the
89 College's Board of Trustees, the Division of Florida Colleges,
90 and the Chancellor of the State University System. The College
91 Board of Trustees shall base its approval of the new program
92 upon the documentation, data, and other information provided.
93 The Division of Florida Colleges shall use the documentation,
94 data, and other information, including information from the
95 Chancellor of the State University System, in its compliance
96 review.

97 (f) Authority to offer one or more baccalaureate degree
98 programs does not alter the governance relationship of the



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99 Florida college with its district board of trustees or the State
100 Board of Education.

101 (g) The Board of Trustees of a Florida College that is
102 exempt from subparagraph (a)3. must evaluate new baccalaureate
103 degree proposals based on the same criteria in paragraph (3) (d)
104 and submit newly approved programs to the Division of Florida
105 Colleges and SACS within 30 days after approval.

106 (h) Within 30 days after receiving the approved
107 baccalaureate degree program, the Division of Florida Colleges
108 shall conduct a compliance review and notify the college if the
109 proposal meets the criteria for implementation based upon the
110 criteria in paragraph (3) (d). If the program fails to meet the
111 criteria for implementation as determined by the Division of
112 Florida Colleges, the college may not proceed with
113 implementation of the program until the State Board of Education
114 reviews the proposal and the compliance materials and gives its
115 final approval of the program.

116 (3) The approval process for baccalaureate degree programs
117 shall require:

118 (a) Each Florida college to submit a notice of its intent
119 to propose a baccalaureate degree program to the Division of
120 Florida Colleges at least 100 days prior to submission of its
121 proposal under paragraph (d). The notice must include a brief
122 description of the program, the workforce demand and unmet need
123 for graduates of the program, the geographic region to be
124 served, and an estimated timeframe for implementation. Notices
125 of intent may be submitted by a Florida college at any time
126 throughout the year.

127 (b) The Division of Florida Colleges to forward the notice



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128 of intent within 10 business days following receipt to the
129 Chancellor of the State University System, the President of the
130 Independent Colleges and Universities of Florida, and the
131 Executive Director of the Council for Independent Education.
132 State universities shall have 60 days following receipt of the
133 notice by the Chancellor of the State University System to
134 submit an alternative proposal to offer the baccalaureate degree
135 program. If a proposal from a state university is not received
136 within the 60-day period, the State Board of Education shall
137 provide regionally accredited private colleges and universities
138 30 days to submit an alternative proposal. Alternative proposals
139 shall be submitted to the Division of Florida Colleges and must
140 be considered by the State Board of Education in making its
141 decision to approve or deny a Florida college's proposal.

142 (c) An alternative proposal submitted by a state university
143 or private college or university to adequately address:

144 1. The extent to which the workforce demand and unmet need
145 described in the notice of intent will be met.

146 2. The extent to which students will be able to complete
147 the degree in the geographic region proposed to be served by the
148 Florida college.

149 3. The level of financial commitment of the college or
150 university to the development, implementation, and maintenance
151 of the specified degree program, including timelines.

152 4. The extent to which faculty at both the Florida college
153 and the college or university will collaborate in the
154 development and offering of the curriculum.

155 5. The ability of the Florida college and the college or
156 university to develop and approve the curriculum for the



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157 specified degree program within 6 months after an agreement
158 between the Florida college and the college or university is
159 signed.

160 6. The extent to which the student may incur additional
161 costs above what the student would expect to incur if the
162 program were offered by the Florida college.

163 (d) Each proposal submitted by a Florida college to, at a
164 minimum, include:

165 1. A description of the planning process and timeline for
166 implementation.

167 2. An analysis of workforce demand and unmet need for
168 graduates of the program on a district, regional, or statewide
169 basis, as appropriate.

170 3. Identification of the facilities, equipment, and library
171 and academic resources that will be used to deliver the program.

172 4. The program cost analysis of creating a new
173 baccalaureate degree when compared to alternative proposals and
174 other program delivery options.

175 5. The program's admission requirements, academic content,
176 curriculum, faculty credentials, student-to-teacher ratios, and
177 accreditation plan.

178 6. The program's enrollment projections and funding
179 requirements.

180 7. A plan of action if the program is terminated.

181 (e) The Division of Florida Colleges to review the
182 proposal, notify the Florida college of any deficiencies in
183 writing within 30 days following receipt of the proposal, and
184 provide the Florida college with an opportunity to correct the
185 deficiencies. Within 45 days following receipt of a completed



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186 proposal by the Division of Florida Colleges, the Commissioner
187 of Education shall recommend approval or disapproval of the
188 proposal to the State Board of Education. The State Board of
189 Education shall consider that recommendation, the proposal, and
190 any alternative proposals at its next meeting. If the State
191 Board of Education disapproves the Florida college's proposal,
192 it shall provide the Florida college with written reasons for
193 that determination.

194 (f) The Florida college to obtain from the Commission on
195 Colleges of the Southern Association of Colleges and Schools:

196 1. Accreditation as a baccalaureate-degree-granting
197 institution if approved by the State Board of Education to offer
198 its first baccalaureate degree program; or

199 2. Notification of degree programs that are approved and
200 comply with the required substantive change protocols for
201 accreditation purposes.

202

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

204 And the title is amended as follows:

205 Delete lines 36 - 58

206 and insert:

207 amending s. 1007.33, F.S.; providing a definition for
208 the term "district"; providing that Florida colleges
209 may offer specified baccalaureate degree programs
210 through agreements with regionally accredited
211 postsecondary educational institutions; authorizing
212 Florida colleges to offer baccalaureate degree
213 programs authorized by law prior to the act's
214 effective date; requiring State Board of Education



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215 approval for baccalaureate degree programs proposed by
216 a Florida college after the act's effective date;
217 specifying the purposes for which a baccalaureate
218 degree program may be proposed; providing an exemption
219 from the requirement for State Board of Education
220 approval for specified baccalaureate degree programs
221 offered by St. Petersburg College; authorizing the
222 Division of Florida Colleges to accept and review
223 applications from Florida colleges to obtain an
224 exemption from the requirement for State Board of
225 Education approval if certain conditions are met;
226 providing eligibility criteria for such exemption;
227 requiring that the division recommend an institution
228 for exemption to the board; requiring that the board
229 review such recommendation for approval or
230 disapproval; requiring that all Florida Colleges
231 engage in need, demand, and impact discussions;
232 requiring that documentation, data, and other
233 information be provided to certain educational
234 entities; providing for a compliance review of
235 approved baccalaureate degree programs; specifying the
236 approval process for baccalaureate degree programs;
237 specifying contents of a proposal for a baccalaureate
238 degree program; specifying requirements for Florida
239 colleges offering baccalaureate degree programs;
240 requiring that the State Board of Education adopt
241 specified rules; conforming provisions to changes made
242 by the act;