



909180

LEGISLATIVE ACTION

|            |   |       |
|------------|---|-------|
| Senate     | . | House |
| Comm: RCS  | . |       |
| 04/20/2009 | . |       |
|            | . |       |
|            | . |       |
|            | . |       |

---

The Committee on Higher Education Appropriations (Lynn)  
recommended the following:

1           **Senate Substitute for Amendment (743556) (with title**  
2 **amendment)**

3  
4           Delete lines 324 - 410  
5 and insert:

6           (2) Any Florida college that offers one or more  
7 baccalaureate degree programs must:

8           (a) Maintain as its primary mission:

9           1. Responsibility for responding to community needs for  
10 postsecondary academic education and career degree education as  
11 prescribed in s. 1004.65(5).



909180

12           2. The provision of associate degrees that provide access  
13 to a university.

14           (b) Maintain an open-door admission policy for associate-  
15 level degree programs and workforce education programs.

16           (c) Continue to provide outreach to underserved  
17 populations.

18           (d) Continue to provide remedial education.

19           (e) Comply with all provisions of the statewide  
20 articulation agreement which relate to 2-year and 4-year public  
21 degree-granting institutions as adopted by the State Board of  
22 Education pursuant to s. 1007.23.

23           (f) Not award graduate credit.

24           (g) Not participate in intercollegiate athletics beyond the  
25 2-year level.

26           (3) A Florida college may not terminate its associate in  
27 arts or associate in science degree programs as a result of  
28 being authorized to offer one or more baccalaureate degree  
29 programs. The Legislature intends that the primary  
30 responsibility of a Florida college, including a Florida college  
31 that offers baccalaureate degree programs, continues to be the  
32 provision of associate degrees that provide access to a  
33 university.

34           (4) A Florida college may:

35           (a) Offer specified baccalaureate degree programs through  
36 formal agreements between the Florida college and other  
37 regionally accredited postsecondary educational institutions  
38 pursuant to s. 1007.22.

39           (b) Offer baccalaureate degree programs that were  
40 authorized by law prior to July 1, 2009.



909180

41           (c) Beginning July 1, 2009, establish a first or subsequent  
42 baccalaureate degree program for purposes of meeting district,  
43 regional, or statewide workforce needs if approved by the State  
44 Board of Education under this section.

45  
46 Beginning July 1, 2009, the Board of Trustees of the St.  
47 Petersburg College is authorized to establish one or more  
48 bachelor of applied science degree programs based on an analysis  
49 of workforce needs in Pinellas, Pasco, and Hernando Counties and  
50 other counties approved by the Department of Education. For each  
51 program selected, St. Petersburg College must offer a related  
52 associate in science or associate in applied science degree  
53 program, and the baccalaureate degree level program must be  
54 designed to articulate fully with at least one associate in  
55 science degree program. The college is encouraged to develop  
56 articulation agreements for enrollment of graduates of related  
57 associate in applied science degree programs. The Board of  
58 Trustees of the St. Petersburg College is authorized to  
59 establish additional baccalaureate degree programs if it  
60 determines a program is warranted and feasible based on each of  
61 the factors in paragraph (5)(d). Prior to developing or  
62 proposing a new baccalaureate degree program, St. Petersburg  
63 College shall engage in need, demand, and impact discussions  
64 with the state university in its service district and other  
65 local and regional, accredited postsecondary providers in its  
66 region. Documentation, data, and other information from inter-  
67 institutional discussions regarding program need, demand, and  
68 impact shall be provided to the College's Board of Trustees to  
69 inform the program approval process.



909180

70       (5) The approval process for baccalaureate degree programs  
71 shall require:

72       (a) Each Florida college to submit a notice of its intent  
73 to propose a baccalaureate degree program to the Division of  
74 Florida Colleges at least 100 days before the submission of its  
75 proposal under paragraph (d). The notice must include a brief  
76 description of the program, the workforce demand and unmet need  
77 for graduates of the program, the geographic region to be  
78 served, and an estimated timeframe for implementation. Notices  
79 of intent may be submitted by a Florida college at any time  
80 throughout the year.

81       (b) The Division of Florida Colleges to forward the notice  
82 of intent within 10 business days after receiving such notice to  
83 the Chancellor of the State University System, the President of  
84 the Independent Colleges and Universities of Florida, and the  
85 Executive Director of the Council for Independent Education.  
86 State universities shall have 60 days following receipt of the  
87 notice by the Chancellor of the State University System to  
88 submit an alternative proposal to offer the baccalaureate degree  
89 program. If a proposal from a state university is not received  
90 within the 60-day period, the State Board of Education shall  
91 provide regionally accredited private colleges and universities  
92 30 days to submit an alternative proposal. Alternative proposals  
93 shall be submitted to the Division of Florida Colleges and must  
94 be considered by the State Board of Education in making its  
95 decision to approve or deny a Florida college's proposal.

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

98       1. The extent to which the workforce demand and unmet need



909180

99 described in the notice of intent will be met.

100 2. The extent to which students will be able to complete  
101 the degree in the geographic region proposed to be served by the  
102 Florida college.

103 3. The level of financial commitment of the college or  
104 university to the development, implementation, and maintenance  
105 of the specified degree program, including timelines.

106 4. The extent to which faculty at both the Florida college  
107 and the college or university will collaborate in the  
108 development and offering of the curriculum.

109 5. The ability of the Florida college and the college or  
110 university to develop and approve the curriculum for the  
111 specified degree program within 6 months after an agreement  
112 between the Florida college and the college or university is  
113 signed.

114 6. The extent to which the student may incur additional  
115 costs above what the student would expect to incur if the  
116 program were offered by the Florida college.

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

119 1. A description of the planning process and timeline for  
120 implementation.

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

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

126 4. The program cost analysis of creating a new  
127 baccalaureate degree when compared to alternative proposals and



909180

128 other program delivery options.

129 5. The program's admission requirements, academic content,  
130 curriculum, faculty credentials, student-to-teacher ratios, and  
131 accreditation plan.

132 6. The program's enrollment projections and funding  
133 requirements.

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

135 (e) The Division of Florida Colleges to review the  
136 proposal, notify the Florida college of any deficiencies in  
137 writing within 30 days following receipt of the proposal, and  
138 provide the Florida college with an opportunity to correct the  
139 deficiencies. Within 45 days following receipt of a completed  
140 proposal by the Division of Florida Colleges, the Commissioner  
141 of Education shall recommend approval or disapproval of the  
142 proposal to the State Board of Education. The State Board of  
143 Education shall consider such recommendation, the proposal, and  
144 any alternative proposals at its next meeting. If the State  
145 Board of Education disapproves the Florida college's proposal,  
146 it shall provide the Florida college with written reasons for  
147 that determination.

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

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

153 2. Notification of degree programs that are approved and  
154 comply with the required substantive change protocols for  
155 accreditation purposes.

156 (6) (a) Beginning July 1, 2010, and each subsequent July 1,



909180

157 the Division of Florida Colleges may accept and review  
158 applications from a Florida college to obtain an exemption from  
159 the State Board of Education's approval for subsequent degrees  
160 as required in subsection (5), if the Florida college is  
161 accredited by the Commission on Colleges of the Southern  
162 Association of Colleges and Schools as a baccalaureate-degree-  
163 granting institution and has been offering baccalaureate degree  
164 programs for 3 or more years. The division shall develop  
165 criteria for determining eligibility for an exemption based upon  
166 demonstrated compliance with the requirements for baccalaureate  
167 degrees, primary mission, and fiscal, including, but not limited  
168 to:

169 1. Obtaining and maintaining appropriate SACS  
170 accreditation;

171 2. The maintenance of qualified faculty and institutional  
172 resources;

173 3. The maintenance of enrollment projections in previously  
174 approved programs;

175 4. The appropriate management of fiscal resources;

176 5. Compliance with the primary mission and responsibility  
177 requirements in subsections (2) and (3);

178 6. The timely submission of the institution's annual  
179 performance accountability report; and

180 7. Other indicators of success such as program completers,  
181 placements, and surveys of students and employers.

182 (b) If the Florida college has demonstrated satisfactory  
183 progress in fulfilling the eligibility criteria in this  
184 subsection, the Division of Florida Colleges may recommend to  
185 the State Board of Education that the institution be exempt from



909180

186 the requirement in subsection (5) for approval of future  
187 baccalaureate degree programs. The State Board of Education  
188 shall review the division's recommendation and determine if an  
189 exemption is warranted. If the State Board of Education approves  
190 the application, the Florida College is exempt from subsequent  
191 program approval under subsection (5) and such authority is  
192 delegated to the Florida college board of trustees. If the State  
193 Board of Education disapproves of the Florida College's request  
194 for an exemption, the college shall continue to be subject to  
195 State Board of Education's approval of subsequent baccalaureate  
196 degree programs.

197 (c) Prior to developing or proposing a new baccalaureate  
198 degree program, all Florida Colleges, regardless of an exemption  
199 from subsection (5), shall:

200 1. Engage in need, demand, and impact discussions with the  
201 state university in their service district and other local and  
202 regional, accredited postsecondary providers in their region.

203 2. Send documentation, data, and other information from the  
204 inter-institutional discussions regarding program need, demand,  
205 and impact required in subparagraph 1. to the College's Board of  
206 Trustees, the Division of Florida Colleges, and the Chancellor  
207 of the State University System.

208 3. Base Board of Trustees approval of the new program upon  
209 the documentation, data, and other information required in this  
210 paragraph and the factors in subsection (5) (d).

211  
212 The Division of Florida Colleges shall use the documentation,  
213 data, and other information required in this subsection,  
214 including information from the Chancellor of the State





909180

215 University System, in its compliance review.

216 (d) The Board of Trustees of a Florida College that is  
217 exempt from subsection (5) must submit newly approved programs  
218 to the Division of Florida Colleges and SACS within 30 days  
219 after approval.

220 (e) Within 30 days after receiving the approved  
221 baccalaureate degree program, the Division of Florida Colleges  
222 shall conduct a compliance review and notify the college if the  
223 proposal meets the criteria for implementation based upon the  
224 criteria in paragraphs (5)(d) and (6)(c). If the program fails  
225 to meet the criteria for implementation as determined by the  
226 Division of Florida Colleges, the college may not proceed with  
227 implementation of the program until the State Board of Education  
228 reviews the proposal and the compliance materials and gives its  
229 final approval of the program.

230  
231 ===== T I T L E A M E N D M E N T =====

232 And the title is amended as follows:

233 Delete lines 36 - 58

234 and insert:

235 amending s. 1007.33, F.S.; providing a definition for  
236 the term "district"; providing that Florida colleges  
237 may offer specified baccalaureate degree programs  
238 through agreements with regionally accredited  
239 postsecondary educational institutions; authorizing  
240 Florida colleges to offer baccalaureate degree  
241 programs authorized by law prior to the act's  
242 effective date; requiring State Board of Education  
243 approval for baccalaureate degree programs proposed by



909180

244 a Florida college after the act's effective date;  
245 specifying the purposes for which a baccalaureate  
246 degree program may be proposed; providing an exemption  
247 from the requirement for State Board of Education  
248 approval for specified baccalaureate degree programs  
249 offered by St. Petersburg College; authorizing the  
250 Division of Florida Colleges to accept and review  
251 applications from Florida colleges to obtain an  
252 exemption from the requirement for State Board of  
253 Education approval if certain conditions are met;  
254 providing eligibility criteria for such exemption;  
255 requiring that the division recommend an institution  
256 for exemption to the board; requiring that the board  
257 review such recommendation for approval or  
258 disapproval; requiring that all Florida Colleges  
259 engage in need, demand, and impact discussions;  
260 requiring that documentation, data, and other  
261 information be provided to certain educational  
262 entities; providing for a compliance review of  
263 approved baccalaureate degree programs; specifying the  
264 approval process for baccalaureate degree programs;  
265 specifying contents of a proposal for a baccalaureate  
266 degree program; specifying requirements for Florida  
267 colleges offering baccalaureate degree programs;  
268 requiring that the State Board of Education adopt  
269 specified rules; conforming provisions to changes made  
270 by the act;