

By the Committee on Higher Education; and Senator Pruitt

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1 A bill to be entitled
2 An act relating to the Florida College System;
3 amending s. 20.15, F.S.; renaming the Division of
4 Community Colleges as the Division of Florida
5 Colleges; amending s. 1000.21, F.S.; defining the
6 terms "Florida college" and "community college";
7 specifying the counties served by each Florida
8 college; renaming specified Florida colleges; amending
9 s. 1001.60, F.S.; providing that the Florida College
10 System consists of specified Florida colleges;
11 authorizing a Florida college to change the
12 institution's name to include "college" or "state
13 college" under specified circumstances; requiring the
14 district board of trustees to seek statutory
15 codification of name changes; conforming provisions to
16 changes made by the act; amending s. 1004.65, F.S.;
17 providing that each Florida college shall be governed
18 by a district board of trustees; defining a Florida
19 college district; providing that the open-door
20 admission policy of Florida colleges applies to lower-
21 division programs; providing that the primary mission
22 of Florida colleges includes the provision of upper-
23 level instruction and baccalaureate degrees as
24 authorized by law; conforming provisions to changes
25 made by the act; repealing s. 1004.73, F.S., relating
26 to St. Petersburg College; repealing s. 1004.875,
27 F.S., relating to the State College Pilot Project;
28 amending s. 1007.23, F.S.; providing that associate in
29 arts graduates of Florida colleges must be granted

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30 admission to the upper division of a Florida college
31 and shall receive priority for such admission over
32 out-of-state students; requiring specified
33 publications of Florida colleges and state
34 universities to include certain information;
35 conforming provisions to changes made by the act;
36 amending s. 1007.33, F.S.; providing a definition for
37 the term "district"; authorizing Florida colleges,
38 which were not authorized to offer baccalaureate
39 degree programs before July 1, 2009, to submit an
40 initial proposal for approval to transition to state
41 college status and offer such programs to the State
42 Board of Education; providing requirements for such
43 approval; authorizing Florida colleges, which were
44 authorized to offer baccalaureate degrees before July
45 1, 2009, to develop additional degree programs and
46 submit proposals for such programs to their local
47 Board of Trustees; providing requirements for such
48 proposals; providing for appeal to the State Board of
49 Education; requiring that a Florida college notify the
50 Chancellor of the Florida College System in advance of
51 its intent to develop or propose additional programs;
52 requiring that the college engage in need, demand, and
53 impact discussions with other local and regional
54 accredited postsecondary providers; specifying
55 requirements for Florida colleges offering
56 baccalaureate degree programs; requiring that the
57 State Board of Education adopt specified rules;
58 conforming provisions to changes made by the act;

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59 amending ss. 120.65, 288.8175, 1001.61, 1004.70,
60 1004.87, and 1009.23, F.S.; conforming provisions to
61 changes made by the act; providing an effective date.

62
63 Be It Enacted by the Legislature of the State of Florida:

64
65 Section 1. Paragraph (a) of subsection (3) of section
66 20.15, Florida Statutes, is amended to read:

67 20.15 Department of Education.—There is created a
68 Department of Education.

69 (3) DIVISIONS.—The following divisions of the Department of
70 Education are established:

71 (a) Division of Florida Community Colleges.

72 Section 2. Subsection (3) of section 1000.21, Florida
73 Statutes, is amended to read:

74 1000.21 Systemwide definitions.—As used in the Florida K-20
75 Education Code:

76 (3) "Florida college" or "community college," except as
77 otherwise specifically provided, includes all of the following
78 public postsecondary educational institutions in the Florida
79 College System and any branch campuses, centers, or other
80 affiliates of the institution:

81 (a) Brevard Community College, which serves Brevard County.

82 (b) Broward College, which serves Broward County.

83 (c) Central Florida Community College, which serves Citrus,
84 Levy, and Marion Counties.

85 (d) Chipola College, which serves Calhoun, Holmes, Jackson,
86 Liberty, and Washington Counties.

87 (e) Daytona State Beach College, which serves Flagler and

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88 Volusia Counties.

89 (f) Edison State College, which serves Charlotte, Collier,
90 Glades, Hendry, and Lee Counties.

91 (g) Florida State Community College at Jacksonville, which
92 serves Duval and Nassau Counties.

93 (h) Florida Keys Community College, which serves Monroe
94 County.

95 (i) Gulf Coast Community College, which serves Bay,
96 Franklin, and Gulf Counties.

97 (j) Hillsborough Community College, which serves
98 Hillsborough County.

99 (k) Indian River State College, which serves Indian River,
100 Martin, Okeechobee, and St. Lucie Counties.

101 (l) Lake City Community College, which serves Baker,
102 Columbia, Dixie, Gilchrist, and Union Counties.

103 (m) Lake-Sumter Community College, which serves Lake and
104 Sumter Counties.

105 (n) Manatee Community College, which serves Manatee and
106 Sarasota Counties.

107 (o) Miami Dade College, which serves Miami-Dade County.

108 (p) North Florida Community College, which serves Hamilton,
109 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.

110 (q) Northwest Florida State Okaloosa-Walton College, which
111 serves Okaloosa and Walton Counties.

112 (r) Palm Beach Community College, which serves Palm Beach
113 County.

114 (s) Pasco-Hernando Community College, which serves Hernando
115 and Pasco Counties.

116 (t) Pensacola Junior College, which serves Escambia and

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117 Santa Rosa Counties.

118 (u) Polk College, which serves Polk County.

119 (v) St. Johns River Community College, which serves Clay,
120 Putnam, and St. Johns Counties.

121 (w) St. Petersburg College, which serves Pinellas County.

122 (x) Santa Fe College, which serves Alachua and Bradford
123 Counties.

124 (y) Seminole Community College, which serves Seminole
125 County.

126 (z) South Florida Community College, which serves DeSoto,
127 Hardee, and Highlands Counties.

128 (aa) Tallahassee Community College, which serves Gadsden,
129 Leon, and Wakulla Counties.

130 (bb) Valencia Community College, which serves Orange and
131 Osceola Counties.

132 Section 3. Subsection (2) of section 1001.60, Florida
133 Statutes, is amended to read:

134 1001.60 Florida College System.—

135 (2) FLORIDA COLLEGE SYSTEM.—There shall be a single Florida
136 College System comprised of the Florida colleges ~~public~~
137 ~~postsecondary educational institutions~~ identified in s.
138 1000.21(3) ~~that grant 2-year and 4-year academic degrees as~~
139 ~~provided by law. A~~ An institution within the Florida college
140 ~~System~~ may not offer graduate degree programs.

141 (a) The programs and services offered by ~~institutions in~~
142 ~~the Florida~~ colleges ~~College System~~ in providing associate and
143 baccalaureate degrees shall be delivered in a cost-effective
144 manner that demonstrates substantial savings to the student and
145 to the state over the cost of providing the degree at a state

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146 university.

147 (b)1. With the approval of its district ~~the institution's~~
148 ~~local~~ board of trustees, a an institution in the Florida college
149 ~~System~~ may change the institution's name set forth in s.
150 1000.21(3) and use the designation "college" or "state college"
151 if it has been authorized to grant baccalaureate degrees
152 pursuant to ~~s. 1004.73~~ or s. 1007.33 and has been accredited as
153 a baccalaureate-degree-granting institution by the Commission on
154 Colleges of the Southern Association of Colleges and Schools ~~or~~
155 ~~if it has received approval from the State Board of Education~~
156 ~~pursuant to this paragraph.~~

157 2. With the approval of its district ~~an institution's local~~
158 board of trustees, a any institution in the Florida college that
159 does not meet the criteria in subparagraph 1. ~~System~~ may request
160 approval from the State Board of Education to change the
161 institution's name set forth in s. 1000.21(3) and use the
162 designation "college." The State Board of Education may approve
163 the request if the Florida college ~~institution~~ enters into an
164 agreement with the State Board of Education to do the following:

165 a. Maintain as its ~~the institution's~~ primary mission
166 responsibility for responding to community needs for
167 postsecondary academic education and career degree education as
168 prescribed in s. 1004.65 (5) ~~(6)~~.

169 b. Maintain an open-door admissions policy for associate-
170 level degree programs and workforce education programs.

171 c. Continue to provide outreach to underserved populations.

172 d. Continue to provide remedial education.

173 e. Comply with all provisions of the statewide articulation
174 agreement that relate to 2-year and 4-year public degree-

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175 granting institutions as adopted by the State Board of Education
176 pursuant to s. 1007.23.

177 (c) A district board of trustees that approves a change to
178 the name of an institution under paragraph (b) must seek
179 statutory codification of such name change in s. 1000.21(3)
180 during the next regular legislative session.

181 ~~(d) 3. A An institution in the Florida college may System~~
182 ~~shall not use the designation "university."~~

183 Section 4. Section 1004.65, Florida Statutes, is amended to
184 read:

185 1004.65 Florida Community colleges; governance definition,
186 mission, and responsibilities.—

187 (1) Each Florida college Community colleges shall be
188 governed consist of all public educational institutions operated
189 by a community college district board boards of trustees under
190 statutory authority and rules of the State Board of Education.

191 (2) Each Florida community college district shall:

192 (a) Consist of the county or counties served by the Florida
193 college pursuant to s. 1000.21(3).

194 (b) Be authorized by law and the Department of Education is
195 an independent, separate, legal entity created for the operation
196 of a Florida community college.

197 ~~(3) A community college may provide adult education~~
198 ~~services, including adult basic education, adult general~~
199 ~~education, adult secondary education, and General Educational~~
200 ~~Development test instruction.~~

201 (3) (4) Florida The community colleges are locally based and
202 governed entities with statutory and funding ties to state
203 government. As such, the community colleges' mission for Florida

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204 colleges reflects a commitment to be responsive to local
205 educational needs and challenges. In achieving this mission,
206 Florida ~~the community~~ colleges strive to maintain sufficient
207 local authority and flexibility while preserving appropriate
208 legal accountability to the state.

209 (4) ~~(5)~~ As comprehensive institutions, Florida ~~the community~~
210 colleges shall provide high-quality, affordable education and
211 training opportunities, shall foster a climate of excellence,
212 and shall provide opportunities to all while combining high
213 standards with an open-door admission policy for lower-division
214 programs. Florida ~~The community~~ colleges shall, as open-access
215 institutions, serve all who can benefit, without regard to age,
216 race, gender, creed, or ethnic or economic background, while
217 emphasizing the achievement of social and educational equity so
218 that all can be prepared for full participation in society.

219 (5) ~~(6)~~ The primary mission and responsibility of Florida
220 ~~community~~ colleges is responding to community needs for
221 postsecondary academic education and career degree education.
222 This mission and responsibility includes being responsible for:

223 (a) Providing lower level undergraduate instruction and
224 awarding associate degrees.

225 (b) Preparing students directly for careers requiring less
226 than baccalaureate degrees. This may include preparing for job
227 entry, supplementing of skills and knowledge, and responding to
228 needs in new areas of technology. Career education in a Florida
229 ~~the community~~ college shall consist of career certificates,
230 credit courses leading to associate in science degrees and
231 associate in applied science degrees, and other programs in
232 fields requiring substantial academic work, background, or

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233 qualifications. A Florida ~~Community~~ college may offer career
 234 education programs in fields having lesser academic or technical
 235 requirements.

236 (c) Providing student development services, including
 237 assessment, student tracking, support for disabled students,
 238 advisement, counseling, financial aid, career development, and
 239 remedial and tutorial services, to ensure student success.

240 (d) Promoting economic development for the state within
 241 each Florida ~~community~~ college district through the provision of
 242 special programs, including, but not limited to, the:

- 243 1. Enterprise Florida-related programs.
- 244 2. Technology transfer centers.
- 245 3. Economic development centers.
- 246 4. Workforce literacy programs.

247 (e) Providing dual enrollment instruction.

248 ~~(7) A separate and secondary role for community colleges~~
 249 ~~includes:~~

250 (f) ~~(a)~~ Providing upper level instruction and awarding
 251 baccalaureate degrees as specifically authorized by law.

252 (6) ~~(b)~~ A separate and secondary role for Florida colleges
 253 includes the offering of programs in:

254 (a) ~~1.~~ Community services that are not directly related to
 255 academic or occupational advancement.

256 (b) ~~2.~~ Adult general education services, including adult
 257 basic education, adult general education, adult secondary
 258 education, and General Educational Development test instruction.

259 (c) ~~3.~~ Recreational and leisure services.

260 (7) ~~(8)~~ Funding for Florida ~~community~~ colleges shall reflect
 261 their mission as follows:

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262 (a) Postsecondary academic and career education programs
263 and adult general education programs shall have first priority
264 in Florida ~~community~~ college funding.

265 (b) Community service programs shall be presented to the
266 Legislature with rationale for state funding. The Legislature
267 may identify priority areas for use of these funds.

268 ~~(8)(9)~~ Florida ~~Community~~ colleges are authorized to:

269 (a) Offer such programs and courses as are necessary to
270 fulfill their mission. ~~and are authorized to~~

271 (b) Grant associate in arts degrees, associate in science
272 degrees, associate in applied science degrees, certificates,
273 awards, and diplomas. ~~Each community college is also authorized~~
274 ~~to~~

275 (c) Make provisions for the General Educational Development
276 test. ~~Each community college may~~

277 (d) Provide access to and award baccalaureate degrees in
278 accordance with law.

279

280 Authority to offer one or more baccalaureate degree programs
281 does not alter the governance relationship of the Florida
282 college with its district board of trustees or the State Board
283 of Education.

284 Section 5. Sections 1004.73 and 1004.875, Florida Statutes,
285 are repealed.

286 Section 6. Subsection (2) of section 1007.23, Florida
287 Statutes, is amended to read:

288 1007.23 Statewide articulation agreement.—

289 (2) (a) The articulation agreement must specifically provide
290 that every associate in arts graduate of a Florida ~~community~~

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291 college shall have met all general education requirements and
292 must be granted admission to the upper division of a:

293 1. State university, except for ~~to~~ a limited access or
294 teacher certification program or a major program requiring an
295 audition.

296 2. Florida college if it offers baccalaureate degree
297 programs, except for a limited access or teacher certification
298 program or a major program requiring an audition.

299 (b) Florida ~~Community~~ college associate in arts graduates
300 shall receive priority for admission to the upper division of a
301 Florida college or to a state university over out-of-state
302 students. Orientation programs, catalogs, and student handbooks
303 provided to freshman enrollees and transfer students at Florida
304 colleges and state universities must include an explanation of
305 this provision of the articulation agreement.

306 Section 7. Section 1007.33, Florida Statutes, is amended to
307 read:

308 (Substantial rewording of section. See
309 s. 1007.33, F.S., for present text.)

310 1007.33 Site-determined baccalaureate degree access.-

311 (1) (a) The Legislature recognizes that public and private
312 postsecondary educational institutions play an essential role in
313 improving the quality of life and economic well-being of the
314 state and its residents. The Legislature also recognizes that
315 economic development needs and the educational needs of place-
316 bound, nontraditional students have increased the demand for
317 local access to baccalaureate degree programs. It is therefore
318 the intent of the Legislature to further expand access to
319 baccalaureate degree programs through the use of Florida

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320 colleges.

321 (b) For purposes of this section, the term "district"
322 refers to the county or counties served by a Florida college
323 pursuant to s. 1000.21(3).

324 (2) A Florida college, as provided in s. 1001.60, which is
325 not authorized to offer baccalaureate degrees by state law or
326 the State Board of Education before July 1, 2009, may submit an
327 initial proposal for approval to transfer to a state college
328 status and offer a specific baccalaureate degree program to the
329 State Board of Education. When seeking initial approval, a
330 Florida college shall:

331 (a) Ensure adherence to the historical mission of the
332 Florida College System as defined in state law, including the
333 open-door policy for lower-division admissions and outreach to
334 nontraditional, underserved populations;

335 (b) Document that the proposed program responds to local,
336 regional, or state workforce need, demand, and supply;

337 (c) Submit a budget and enrollment plan detailing financial
338 feasibility, while providing cost-savings to both students and
339 the state when compared to state university costs;

340 (d) Document sufficient institutional resources in terms of
341 classrooms, laboratories, equipment, and library holdings to
342 support the proposed transition;

343 (e) Submit a curriculum plan for the proposed degree which
344 meets all statutory requirements for baccalaureate programs in
345 Florida, including program length, learning outcomes, general
346 education core courses, and common prerequisites; and

347 (f) Provide a plan for achieving Level II accreditation
348 from the Southern Association of Colleges and Schools (SACS) and

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349 any specialized accreditations, if available.

350 (3) A Florida college that is authorized to offer
351 baccalaureate degrees by state law or the State Board of
352 Education before July 1, 2009, may develop additional
353 baccalaureate degree programs and submit the proposals for such
354 programs to its local board of trustees for approval.

355 (a) The board of trustees must evaluate proposals based
356 upon the criteria in subsection (2).

357 (b) Baccalaureate degree programs approved by a college's
358 board of trustees shall be submitted to the Division of Florida
359 Colleges and notification made to SACS within 30 days after
360 approval.

361 (c) Within 30 days after receiving the approved
362 baccalaureate degree programs and after a compliance review
363 based upon the criteria in subsection (2), the Division of
364 Florida Colleges shall notify the college if the proposal meets
365 all of the criteria for implementation.

366 (d) The college may appeal any compliance determinations by
367 the Division of Florida Colleges to the State Board of
368 Education.

369 (4) Before developing or proposing a new baccalaureate
370 degree program, a Florida college shall notify the Chancellor of
371 the Florida College System of its specific intent to offer the
372 new program.

373 (a) To avoid unnecessary duplication of effort, the college
374 shall also engage in need, demand, and impact discussions with
375 other local and regional accredited postsecondary providers in
376 its planning process.

377 (b) Documentation, data, and other information resulting

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378 from interinstitutional discussions regarding a program's need,
379 demand, and impact shall be provided to the college's board of
380 trustees and the State Board of Education for the initial
381 program approval process and to the college's board of trustees
382 for subsequent approvals.

383 (5) Any Florida college that offers one or more
384 baccalaureate degree programs must:

385 (a) Maintain as its primary mission:

386 1. Responsibility for responding to community needs for
387 postsecondary academic education and career degree education as
388 prescribed in s. 1004.65(5).

389 2. The provision of associate degrees that provide access
390 to a university.

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

393 (c) Continue to provide outreach to underserved
394 populations.

395 (d) Continue to provide remedial education.

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

400 (f) Not award graduate credit.

401 (g) Not participate in intercollegiate athletics beyond the
402 2-year level.

403 (6) A Florida college may not terminate its associate in
404 arts or associate in science degree programs as a result of
405 being authorized to offer one or more baccalaureate degree
406 programs. The Legislature intends that the primary

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407 responsibility of a Florida college, including a Florida college
408 that offers baccalaureate degree programs, continues to be the
409 provision of associate degrees that provide access to a
410 university.

411 (7) The State Board of Education shall adopt rules to
412 prescribe format and content requirements and submission
413 procedures for notices of intent, proposals, and alternative
414 proposals under subsection (3).

415 Section 8. Subsection (11) of section 120.65, Florida
416 Statutes, is amended to read:

417 120.65 Administrative law judges.—

418 (11) The division shall be reimbursed for administrative
419 law judge services and travel expenses by the following
420 entities: water management districts, regional planning
421 councils, school districts, community colleges, the Division of
422 Florida Community Colleges, state universities, the Board of
423 Governors of the State University System, the State Board of
424 Education, the Florida School for the Deaf and the Blind, and
425 the Commission for Independent Education. These entities shall
426 contract with the division to establish a contract rate for
427 services and provisions for reimbursement of administrative law
428 judge travel expenses and video teleconferencing expenses
429 attributable to hearings conducted on behalf of these entities.
430 The contract rate must be based on a total-cost-recovery
431 methodology.

432 Section 9. Paragraphs (c) and (i) of subsection (5) of
433 section 288.8175, Florida Statutes, are amended to read:

434 288.8175 Linkage institutes between postsecondary
435 institutions in this state and foreign countries.—

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436 (5) The institutes are:

437 (c) Florida Caribbean Institute (Florida International
438 University and Daytona State Beach College).

439 (i) Florida-West Africa Institute (Florida Agricultural and
440 Mechanical University, University of North Florida, and Florida
441 State Community College at Jacksonville).

442 Section 10. Subsection (1) of section 1001.61, Florida
443 Statutes, is amended to read:

444 1001.61 Community college boards of trustees; membership.—

445 (1) Community college boards of trustees shall be comprised
446 of five members when a community college district is confined to
447 one school board district; seven members when a community
448 college district is confined to one school board district and
449 the board of trustees so elects; and not more than nine members
450 when the district contains two or more school board districts,
451 as provided by rules of the State Board of Education. However,
452 Florida State Community College at Jacksonville shall have an
453 odd number of trustees.

454 Section 11. Paragraph (e) of subsection (4) of section
455 1004.70, Florida Statutes, is amended to read:

456 1004.70 Community college direct-support organizations.—

457 (4) ACTIVITIES; RESTRICTIONS.—

458 (e) A community college board of trustees must authorize
459 all debt, including lease-purchase agreements, incurred by a
460 direct-support organization. Authorization for approval of
461 short-term loans and lease-purchase agreements for a term of not
462 more than 5 years, including renewals, extensions, and
463 refundings, for goods, materials, equipment, and services may be
464 delegated by the board of trustees to the board of directors of

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465 the direct-support organization. Trustees shall evaluate
466 proposals for debt according to guidelines issued by the
467 Division of Florida Community Colleges. Revenues of the
468 community college may not be pledged to debt issued by direct-
469 support organizations.

470 Section 12. Subsections (1) and (5) of section 1004.87,
471 Florida Statutes, are amended to read:

472 1004.87 Florida College System Task Force.—

473 (1) The Florida College System Task Force is established
474 within the Division of Florida Community Colleges of the
475 Department of Education for the purpose of developing findings
476 and issuing recommendations regarding the transition of
477 community colleges to baccalaureate-degree-granting colleges and
478 the criteria for establishing and funding state colleges.

479 (5) The task force shall be staffed by existing employees
480 of the Division of Florida Community Colleges.

481 Section 13. Subsection (1) and paragraph (b) of subsection
482 (16) of section 1009.23, Florida Statutes, are amended to read:

483 1009.23 Community college student fees.—

484 (1) Unless otherwise provided, this section applies only to
485 fees charged for college credit instruction leading to an
486 associate in arts degree, an associate in applied science
487 degree, an associate in science degree, or a baccalaureate
488 degree authorized pursuant to s. 1007.33 ~~or s. 1004.73~~, for
489 noncollege credit college-preparatory courses defined in s.
490 1004.02, and for educator preparation institute programs defined
491 in s. 1004.85.

492 (16)

493 (b) The amount of the distance learning course user fee may

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494 not exceed the additional costs of the services provided which
495 are attributable to the development and delivery of the distance
496 learning course. If a community college assesses the distance
497 learning course user fee, the institution may not assess any
498 other fees to cover the additional costs. By September 1 of each
499 year, each board of trustees shall report to the Division of
500 Florida Community Colleges the total amount of revenue generated
501 by the distance learning course user fee for the prior academic
502 year and how the revenue was expended.

503 Section 14. This act shall take effect July 1, 2009.