

By the Committees on Higher Education Appropriations; and 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"; providing that Florida colleges
38 may offer specified baccalaureate degree programs
39 through agreements with regionally accredited
40 postsecondary educational institutions; authorizing
41 Florida colleges to offer baccalaureate degree
42 programs authorized by law prior to the act's
43 effective date; requiring State Board of Education
44 approval for baccalaureate degree programs proposed by
45 a Florida college after the act's effective date;
46 specifying the purposes for which a baccalaureate
47 degree program may be proposed; providing an exemption
48 from the requirement for State Board of Education
49 approval for specified baccalaureate degree programs
50 offered by St. Petersburg College; authorizing the
51 Division of Florida Colleges to accept and review
52 applications from Florida colleges to obtain an
53 exemption from the requirement for State Board of
54 Education approval if certain conditions are met;
55 providing eligibility criteria for such exemption;
56 requiring that the division recommend an institution
57 for exemption to the board; requiring that the board
58 review such recommendation for approval or

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59 disapproval; requiring that all Florida Colleges
60 engage in need, demand, and impact discussions;
61 requiring that documentation, data, and other
62 information be provided to certain educational
63 entities; providing for a compliance review of
64 approved baccalaureate degree programs; specifying the
65 approval process for baccalaureate degree programs;
66 specifying contents of a proposal for a baccalaureate
67 degree program; specifying requirements for Florida
68 colleges offering baccalaureate degree programs;
69 requiring that the State Board of Education adopt
70 specified rules; conforming provisions to changes made
71 by the act; amending ss. 120.65, 288.8175, 1004.70,
72 1004.87, and 1009.23, F.S.; conforming provisions to
73 changes made by the act; providing an effective date.
74

75 Be It Enacted by the Legislature of the State of Florida:
76

77 Section 1. Paragraph (a) of subsection (3) of section
78 20.15, Florida Statutes, is amended to read:

79 20.15 Department of Education.—There is created a
80 Department of Education.

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

83 (a) Division of Florida ~~Community~~ Colleges.

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

86 1000.21 Systemwide definitions.—As used in the Florida K-20
87 Education Code:

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88 (3) "Florida college" or "community college," except as
89 otherwise specifically provided, includes all of the following
90 public postsecondary educational institutions in the Florida
91 College System and any branch campuses, centers, or other
92 affiliates of the institution:

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

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

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

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

99 (e) Daytona State ~~Beach~~ College, which serves Flagler and
100 Volusia Counties.

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

103 (g) Florida Community College at Jacksonville, which serves
104 Duval and Nassau Counties.

105 (h) Florida Keys Community College, which serves Monroe
106 County.

107 (i) Gulf Coast Community College, which serves Bay,
108 Franklin, and Gulf Counties.

109 (j) Hillsborough Community College, which serves
110 Hillsborough County.

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

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

115 (m) Lake-Sumter Community College, which serves Lake and
116 Sumter Counties.

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- 117 (n) Manatee Community College, which serves Manatee and
118 Sarasota Counties.
- 119 (o) Miami Dade College, which serves Miami-Dade County.
- 120 (p) North Florida Community College, which serves Hamilton,
121 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
- 122 (q) Northwest Florida State ~~Okaloosa-Walton~~ College, which
123 serves Okaloosa and Walton Counties.
- 124 (r) Palm Beach Community College, which serves Palm Beach
125 County.
- 126 (s) Pasco-Hernando Community College, which serves Hernando
127 and Pasco Counties.
- 128 (t) Pensacola Junior College, which serves Escambia and
129 Santa Rosa Counties.
- 130 (u) Polk College, which serves Polk County.
- 131 (v) St. Johns River Community College, which serves Clay,
132 Putnam, and St. Johns Counties.
- 133 (w) St. Petersburg College, which serves Pinellas County.
- 134 (x) Santa Fe College, which serves Alachua and Bradford
135 Counties.
- 136 (y) Seminole Community College, which serves Seminole
137 County.
- 138 (z) South Florida Community College, which serves DeSoto,
139 Hardee, and Highlands Counties.
- 140 (aa) Tallahassee Community College, which serves Gadsden,
141 Leon, and Wakulla Counties.
- 142 (bb) Valencia Community College, which serves Orange and
143 Osceola Counties.
- 144 Section 3. Subsection (2) of section 1001.60, Florida
145 Statutes, is amended to read:

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146 1001.60 Florida College System.—

147 (2) FLORIDA COLLEGE SYSTEM.—There shall be a single Florida
148 College System comprised of the Florida colleges ~~public~~
149 ~~postsecondary educational institutions~~ identified in s.
150 1000.21(3) ~~that grant 2-year and 4-year academic degrees as~~
151 ~~provided by law. A~~ An institution within the Florida college
152 ~~System~~ may not offer graduate degree programs.

153 (a) The programs and services offered by ~~institutions in~~
154 ~~the Florida colleges~~ College System in providing associate and
155 baccalaureate degrees shall be delivered in a cost-effective
156 manner that demonstrates substantial savings to the student and
157 to the state over the cost of providing the degree at a state
158 university.

159 (b)1. With the approval of its district ~~the institution's~~
160 ~~local~~ board of trustees, a ~~an institution in the Florida college~~
161 ~~System~~ may change the institution's name set forth in s.
162 1000.21(3) and use the designation "college" or "state college"
163 if it has been authorized to grant baccalaureate degrees
164 pursuant to ~~s. 1004.73~~ or s. 1007.33 and has been accredited as
165 a baccalaureate-degree-granting institution by the Commission on
166 Colleges of the Southern Association of Colleges and Schools ~~or~~
167 ~~if it has received approval from the State Board of Education~~
168 ~~pursuant to this paragraph.~~

169 2. With the approval of its district ~~an institution's local~~
170 board of trustees, a ~~any institution in the Florida college~~ that
171 does not meet the criteria in subparagraph 1. ~~System~~ may request
172 approval from the State Board of Education to change the
173 institution's name set forth in s. 1000.21(3) and use the
174 designation "college." The State Board of Education may approve

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175 the request if the Florida college ~~institution~~ enters into an
176 agreement with the State Board of Education to do the following:

177 a. Maintain as its ~~the institution's~~ primary mission
178 responsibility for responding to community needs for
179 postsecondary academic education and career degree education as
180 prescribed in s. 1004.65 (5) ~~(6)~~.

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

183 c. Continue to provide outreach to underserved populations.

184 d. Continue to provide remedial education.

185 e. Comply with all provisions of the statewide articulation
186 agreement that relate to 2-year and 4-year public degree-
187 granting institutions as adopted by the State Board of Education
188 pursuant to s. 1007.23.

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

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

195 Section 4. Section 1004.65, Florida Statutes, is amended to
196 read:

197 1004.65 Florida ~~Community~~ colleges; governance ~~definition~~,
198 mission, and responsibilities.—

199 (1) Each Florida college ~~Community colleges~~ shall be
200 governed ~~consist of all public educational institutions operated~~
201 by a community college ~~district board~~ boards of trustees under
202 statutory authority and rules of the State Board of Education.

203 (2) Each Florida ~~community~~ college district shall:

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

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

209 ~~(3) A community college may provide adult education~~
210 ~~services, including adult basic education, adult general~~
211 ~~education, adult secondary education, and General Educational~~
212 ~~Development test instruction.~~

213 (3)-(4) Florida ~~The community~~ colleges are locally based and
214 governed entities with statutory and funding ties to state
215 government. As such, the ~~community colleges'~~ mission for Florida
216 colleges reflects a commitment to be responsive to local
217 educational needs and challenges. In achieving this mission,
218 Florida ~~the community~~ colleges strive to maintain sufficient
219 local authority and flexibility while preserving appropriate
220 legal accountability to the state.

221 (4)-(5) As comprehensive institutions, Florida ~~the community~~
222 colleges shall provide high-quality, affordable education and
223 training opportunities, shall foster a climate of excellence,
224 and shall provide opportunities to all while combining high
225 standards with an open-door admission policy for lower-division
226 programs. Florida ~~The community~~ colleges shall, as open-access
227 institutions, serve all who can benefit, without regard to age,
228 race, gender, creed, or ethnic or economic background, while
229 emphasizing the achievement of social and educational equity so
230 that all can be prepared for full participation in society.

231 (5)-(6) The primary mission and responsibility of Florida
232 ~~community~~ colleges is responding to community needs for

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233 postsecondary academic education and career degree education.
234 This mission and responsibility includes being responsible for:
235 (a) Providing lower level undergraduate instruction and
236 awarding associate degrees.
237 (b) Preparing students directly for careers requiring less
238 than baccalaureate degrees. This may include preparing for job
239 entry, supplementing of skills and knowledge, and responding to
240 needs in new areas of technology. Career education in a Florida
241 ~~the community~~ college shall consist of career certificates,
242 credit courses leading to associate in science degrees and
243 associate in applied science degrees, and other programs in
244 fields requiring substantial academic work, background, or
245 qualifications. A Florida ~~Community~~ college may offer career
246 education programs in fields having lesser academic or technical
247 requirements.
248 (c) Providing student development services, including
249 assessment, student tracking, support for disabled students,
250 advisement, counseling, financial aid, career development, and
251 remedial and tutorial services, to ensure student success.
252 (d) Promoting economic development for the state within
253 each Florida ~~community~~ college district through the provision of
254 special programs, including, but not limited to, the:
255 1. Enterprise Florida-related programs.
256 2. Technology transfer centers.
257 3. Economic development centers.
258 4. Workforce literacy programs.
259 (e) Providing dual enrollment instruction.
260 ~~(7) A separate and secondary role for community colleges~~
261 ~~includes:~~

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

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

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

268 (b)~~2.~~ Adult general education services, including adult
269 basic education, adult general education, adult secondary
270 education, and General Educational Development test instruction.

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

272 (7)~~(8)~~ Funding for Florida ~~community~~ colleges shall reflect
273 their mission as follows:

274 (a) Postsecondary academic and career education programs
275 and adult general education programs shall have first priority
276 in Florida ~~community~~ college funding.

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

280 (8)~~(9)~~ Florida ~~Community~~ colleges are authorized to:

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

283 (b) Grant associate in arts degrees, associate in science
284 degrees, associate in applied science degrees, certificates,
285 awards, and diplomas. ~~Each community college is also authorized~~
286 ~~to~~

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

289 (d) Provide access to and award baccalaureate degrees in
290 accordance with law.

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291
292 Authority to offer one or more baccalaureate degree programs
293 does not alter the governance relationship of the Florida
294 college with its district board of trustees or the State Board
295 of Education.

296 Section 5. Sections 1004.73 and 1004.875, Florida Statutes,
297 are repealed.

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

300 1007.23 Statewide articulation agreement.—

301 (2) (a) The articulation agreement must specifically provide
302 that every associate in arts graduate of a Florida ~~community~~
303 college shall have met all general education requirements and
304 must be granted admission to the upper division of a:

305 1. State university, except for ~~to~~ a limited access or
306 teacher certification program or a major program requiring an
307 audition.

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

311 (b) Florida ~~Community~~ college associate in arts graduates
312 shall receive priority for admission to the upper division of a
313 Florida college or to a state university over out-of-state
314 students. Orientation programs, catalogs, and student handbooks
315 provided to freshman enrollees and transfer students at Florida
316 colleges and state universities must include an explanation of
317 this provision of the articulation agreement.

318 Section 7. Section 1007.33, Florida Statutes, is amended to
319 read:

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320 (Substantial rewording of section. See
321 s. 1007.33, F.S., for present text.)
322 1007.33 Site-determined baccalaureate degree access.-
323 (1) (a) The Legislature recognizes that public and private
324 postsecondary educational institutions play an essential role in
325 improving the quality of life and economic well-being of the
326 state and its residents. The Legislature also recognizes that
327 economic development needs and the educational needs of place-
328 bound, nontraditional students have increased the demand for
329 local access to baccalaureate degree programs. It is therefore
330 the intent of the Legislature to further expand access to
331 baccalaureate degree programs through the use of Florida
332 colleges.
333 (b) For purposes of this section, the term "district"
334 refers to the county or counties served by a Florida college
335 pursuant to s. 1000.21(3).
336 (2) Any Florida college that offers one or more
337 baccalaureate degree programs must:
338 (a) Maintain as its primary mission:
339 1. Responsibility for responding to community needs for
340 postsecondary academic education and career degree education as
341 prescribed in s. 1004.65(5).
342 2. The provision of associate degrees that provide access
343 to a university.
344 (b) Maintain an open-door admission policy for associate-
345 level degree programs and workforce education programs.
346 (c) Continue to provide outreach to underserved
347 populations.
348 (d) Continue to provide remedial education.

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

353 (f) Not award graduate credit.

354 (g) Not participate in intercollegiate athletics beyond the
355 2-year level.

356 (3) A Florida college may not terminate its associate in
357 arts or associate in science degree programs as a result of
358 being authorized to offer one or more baccalaureate degree
359 programs. The Legislature intends that the primary
360 responsibility of a Florida college, including a Florida college
361 that offers baccalaureate degree programs, continues to be the
362 provision of associate degrees that provide access to a
363 university.

364 (4) A Florida college may:

365 (a) Offer specified baccalaureate degree programs through
366 formal agreements between the Florida college and other
367 regionally accredited postsecondary educational institutions
368 pursuant to s. 1007.22.

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

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

375
376 Beginning July 1, 2009, the Board of Trustees of the St.
377 Petersburg College is authorized to establish one or more

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378 bachelor of applied science degree programs based on an analysis
379 of workforce needs in Pinellas, Pasco, and Hernando Counties and
380 other counties approved by the Department of Education. For each
381 program selected, St. Petersburg College must offer a related
382 associate in science or associate in applied science degree
383 program, and the baccalaureate degree level program must be
384 designed to articulate fully with at least one associate in
385 science degree program. The college is encouraged to develop
386 articulation agreements for enrollment of graduates of related
387 associate in applied science degree programs. The Board of
388 Trustees of the St. Petersburg College is authorized to
389 establish additional baccalaureate degree programs if it
390 determines a program is warranted and feasible based on each of
391 the factors in paragraph (5)(d). Prior to developing or
392 proposing a new baccalaureate degree program, St. Petersburg
393 College shall engage in need, demand, and impact discussions
394 with the state university in its service district and other
395 local and regional, accredited postsecondary providers in its
396 region. Documentation, data, and other information from inter-
397 institutional discussions regarding program need, demand, and
398 impact shall be provided to the College's Board of Trustees to
399 inform the program approval process.

400 (5) The approval process for baccalaureate degree programs
401 shall require:

402 (a) Each Florida college to submit a notice of its intent
403 to propose a baccalaureate degree program to the Division of
404 Florida Colleges at least 100 days before the submission of its
405 proposal under paragraph (d). The notice must include a brief
406 description of the program, the workforce demand and unmet need

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407 for graduates of the program, the geographic region to be
408 served, and an estimated timeframe for implementation. Notices
409 of intent may be submitted by a Florida college at any time
410 throughout the year.

411 (b) The Division of Florida Colleges to forward the notice
412 of intent within 10 business days after receiving such notice to
413 the Chancellor of the State University System, the President of
414 the Independent Colleges and Universities of Florida, and the
415 Executive Director of the Council for Independent Education.
416 State universities shall have 60 days following receipt of the
417 notice by the Chancellor of the State University System to
418 submit an alternative proposal to offer the baccalaureate degree
419 program. If a proposal from a state university is not received
420 within the 60-day period, the State Board of Education shall
421 provide regionally accredited private colleges and universities
422 30 days to submit an alternative proposal. Alternative proposals
423 shall be submitted to the Division of Florida Colleges and must
424 be considered by the State Board of Education in making its
425 decision to approve or deny a Florida college's proposal.

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

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

430 2. The extent to which students will be able to complete
431 the degree in the geographic region proposed to be served by the
432 Florida college.

433 3. The level of financial commitment of the college or
434 university to the development, implementation, and maintenance
435 of the specified degree program, including timelines.

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436 4. The extent to which faculty at both the Florida college
437 and the college or university will collaborate in the
438 development and offering of the curriculum.

439 5. The ability of the Florida college and the college or
440 university to develop and approve the curriculum for the
441 specified degree program within 6 months after an agreement
442 between the Florida college and the college or university is
443 signed.

444 6. The extent to which the student may incur additional
445 costs above what the student would expect to incur if the
446 program were offered by the Florida college.

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

449 1. A description of the planning process and timeline for
450 implementation.

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

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

456 4. The program cost analysis of creating a new
457 baccalaureate degree when compared to alternative proposals and
458 other program delivery options.

459 5. The program's admission requirements, academic content,
460 curriculum, faculty credentials, student-to-teacher ratios, and
461 accreditation plan.

462 6. The program's enrollment projections and funding
463 requirements.

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

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465 (e) The Division of Florida Colleges to review the
466 proposal, notify the Florida college of any deficiencies in
467 writing within 30 days following receipt of the proposal, and
468 provide the Florida college with an opportunity to correct the
469 deficiencies. Within 45 days following receipt of a completed
470 proposal by the Division of Florida Colleges, the Commissioner
471 of Education shall recommend approval or disapproval of the
472 proposal to the State Board of Education. The State Board of
473 Education shall consider such recommendation, the proposal, and
474 any alternative proposals at its next meeting. If the State
475 Board of Education disapproves the Florida college's proposal,
476 it shall provide the Florida college with written reasons for
477 that determination.

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

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

483 2. Notification of degree programs that are approved and
484 comply with the required substantive change protocols for
485 accreditation purposes.

486 (6) (a) Beginning July 1, 2010, and each subsequent July 1,
487 the Division of Florida Colleges may accept and review
488 applications from a Florida college to obtain an exemption from
489 the State Board of Education's approval for subsequent degrees
490 as required in subsection (5), if the Florida college is
491 accredited by the Commission on Colleges of the Southern
492 Association of Colleges and Schools as a baccalaureate-degree-
493 granting institution and has been offering baccalaureate degree

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494 programs for 3 or more years. The division shall develop
495 criteria for determining eligibility for an exemption based upon
496 demonstrated compliance with the requirements for baccalaureate
497 degrees, primary mission, and fiscal, including, but not limited
498 to:

499 1. Obtaining and maintaining appropriate SACS
500 accreditation;

501 2. The maintenance of qualified faculty and institutional
502 resources;

503 3. The maintenance of enrollment projections in previously
504 approved programs;

505 4. The appropriate management of fiscal resources;

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

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

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

512 (b) If the Florida college has demonstrated satisfactory
513 progress in fulfilling the eligibility criteria in this
514 subsection, the Division of Florida Colleges may recommend to
515 the State Board of Education that the institution be exempt from
516 the requirement in subsection (5) for approval of future
517 baccalaureate degree programs. The State Board of Education
518 shall review the division's recommendation and determine if an
519 exemption is warranted. If the State Board of Education approves
520 the application, the Florida College is exempt from subsequent
521 program approval under subsection (5) and such authority is
522 delegated to the Florida college board of trustees. If the State

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523 Board of Education disapproves of the Florida College's request
524 for an exemption, the college shall continue to be subject to
525 State Board of Education's approval of subsequent baccalaureate
526 degree programs.

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

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

533 2. Send documentation, data, and other information from the
534 inter-institutional discussions regarding program need, demand,
535 and impact required in subparagraph 1. to the College's Board of
536 Trustees, the Division of Florida Colleges, and the Chancellor
537 of the State University System.

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

541
542 The Division of Florida Colleges shall use the documentation,
543 data, and other information required in this subsection,
544 including information from the Chancellor of the State
545 University System, in its compliance review.

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

550 (e) Within 30 days after receiving the approved
551 baccalaureate degree program, the Division of Florida Colleges

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552 shall conduct a compliance review and notify the college if the
553 proposal meets the criteria for implementation based upon the
554 criteria in paragraphs (5) (d) and (6) (c). If the program fails
555 to meet the criteria for implementation as determined by the
556 Division of Florida Colleges, the college may not proceed with
557 implementation of the program until the State Board of Education
558 reviews the proposal and the compliance materials and gives its
559 final approval of the program.

560 (7) The State Board of Education shall adopt rules to
561 prescribe format and content requirements and submission
562 procedures for notices of intent, proposals, and alternative
563 proposals under subsection (3).

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

566 120.65 Administrative law judges.—

567 (11) The division shall be reimbursed for administrative
568 law judge services and travel expenses by the following
569 entities: water management districts, regional planning
570 councils, school districts, community colleges, the Division of
571 Florida Community Colleges, state universities, the Board of
572 Governors of the State University System, the State Board of
573 Education, the Florida School for the Deaf and the Blind, and
574 the Commission for Independent Education. These entities shall
575 contract with the division to establish a contract rate for
576 services and provisions for reimbursement of administrative law
577 judge travel expenses and video teleconferencing expenses
578 attributable to hearings conducted on behalf of these entities.
579 The contract rate must be based on a total-cost-recovery
580 methodology.

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581 Section 9. Paragraph (c) of subsection (5) of section
582 288.8175, Florida Statutes, is amended to read:

583 288.8175 Linkage institutes between postsecondary
584 institutions in this state and foreign countries.—

585 (5) The institutes are:

586 (c) Florida Caribbean Institute (Florida International
587 University and Daytona State ~~Beach~~ College).

588 Section 10. Paragraph (e) of subsection (4) of section
589 1004.70, Florida Statutes, is amended to read:

590 1004.70 Community college direct-support organizations.—

591 (4) ACTIVITIES; RESTRICTIONS.—

592 (e) A community college board of trustees must authorize
593 all debt, including lease-purchase agreements, incurred by a
594 direct-support organization. Authorization for approval of
595 short-term loans and lease-purchase agreements for a term of not
596 more than 5 years, including renewals, extensions, and
597 refundings, for goods, materials, equipment, and services may be
598 delegated by the board of trustees to the board of directors of
599 the direct-support organization. Trustees shall evaluate
600 proposals for debt according to guidelines issued by the
601 Division of Florida ~~Community~~ Colleges. Revenues of the
602 community college may not be pledged to debt issued by direct-
603 support organizations.

604 Section 11. Subsections (1) and (5) of section 1004.87,
605 Florida Statutes, are amended to read:

606 1004.87 Florida College System Task Force.—

607 (1) The Florida College System Task Force is established
608 within the Division of Florida ~~Community~~ Colleges of the
609 Department of Education for the purpose of developing findings

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610 and issuing recommendations regarding the transition of
611 community colleges to baccalaureate-degree-granting colleges and
612 the criteria for establishing and funding state colleges.

613 (5) The task force shall be staffed by existing employees
614 of the Division of Florida ~~Community~~ Colleges.

615 Section 12. Subsection (1) and paragraph (b) of subsection
616 (16) of section 1009.23, Florida Statutes, are amended to read:
617 1009.23 Community college student fees.—

618 (1) Unless otherwise provided, this section applies only to
619 fees charged for college credit instruction leading to an
620 associate in arts degree, an associate in applied science
621 degree, an associate in science degree, or a baccalaureate
622 degree authorized pursuant to s. 1007.33 ~~or s. 1004.73~~, for
623 noncollege credit college-preparatory courses defined in s.
624 1004.02, and for educator preparation institute programs defined
625 in s. 1004.85.

626 (16)

627 (b) The amount of the distance learning course user fee may
628 not exceed the additional costs of the services provided which
629 are attributable to the development and delivery of the distance
630 learning course. If a community college assesses the distance
631 learning course user fee, the institution may not assess any
632 other fees to cover the additional costs. By September 1 of each
633 year, each board of trustees shall report to the Division of
634 Florida ~~Community~~ Colleges the total amount of revenue generated
635 by the distance learning course user fee for the prior academic
636 year and how the revenue was expended.

637 Section 13. This act shall take effect July 1, 2009.