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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, 1001.61,  
72 1004.70, 1004.87, and 1009.23, F.S.; conforming  
73 provisions to changes made by the act; providing an  
74 effective date.

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

77  
78 Section 1. Paragraph (a) of subsection (3) of section  
79 20.15, Florida Statutes, is amended to read:

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

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

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

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

87 1000.21 Systemwide definitions.—As used in the Florida K-20

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88 Education Code:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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117 Sumter Counties.

118 (n) State College of Florida, Manatee-Sarasota, which  
119 serves Manatee and Sarasota Counties ~~Manatee Community College.~~

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

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

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

125 (r) Palm Beach Community College, which serves Palm Beach  
126 County.

127 (s) Pasco-Hernando Community College, which serves Hernando  
128 and Pasco Counties.

129 (t) Pensacola Junior College, which serves Escambia and  
130 Santa Rosa Counties.

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

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

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

135 (x) Santa Fe College, which serves Alachua and Bradford  
136 Counties.

137 (y) Seminole Community College, which serves Seminole  
138 County.

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

141 (aa) Tallahassee Community College, which serves Gadsden,  
142 Leon, and Wakulla Counties.

143 (bb) Valencia Community College, which serves Orange and  
144 Osceola Counties.

145 Section 3. Subsection (2) of section 1001.60, Florida

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146 Statutes, is amended to read:

147 1001.60 Florida College System.—

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

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

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

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

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175 designation "college." The State Board of Education may approve  
176 the request if the Florida college ~~institution~~ enters into an  
177 agreement with the State Board of Education to do the following:

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

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

184 c. Continue to provide outreach to underserved populations.

185 d. Continue to provide remedial education.

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

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

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

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

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

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

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

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

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

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

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

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

232 ~~(5)-(6)~~ The primary mission and responsibility of Florida



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233 ~~community~~ colleges is responding to community needs for  
234 postsecondary academic education and career degree education.  
235 This mission and responsibility includes being responsible for:

236 (a) Providing lower level undergraduate instruction and  
237 awarding associate degrees.

238 (b) Preparing students directly for careers requiring less  
239 than baccalaureate degrees. This may include preparing for job  
240 entry, supplementing of skills and knowledge, and responding to  
241 needs in new areas of technology. Career education in a Florida  
242 ~~the community~~ college shall consist of career certificates,  
243 credit courses leading to associate in science degrees and  
244 associate in applied science degrees, and other programs in  
245 fields requiring substantial academic work, background, or  
246 qualifications. A Florida Community college may offer career  
247 education programs in fields having lesser academic or technical  
248 requirements.

249 (c) Providing student development services, including  
250 assessment, student tracking, support for disabled students,  
251 advisement, counseling, financial aid, career development, and  
252 remedial and tutorial services, to ensure student success.

253 (d) Promoting economic development for the state within  
254 each Florida community college district through the provision of  
255 special programs, including, but not limited to, the:

- 256 1. Enterprise Florida-related programs.
- 257 2. Technology transfer centers.
- 258 3. Economic development centers.
- 259 4. Workforce literacy programs.

260 (e) Providing dual enrollment instruction.

261 ~~(7) A separate and secondary role for community colleges~~

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262 ~~includes:~~

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

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

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

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

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

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

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

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

281 (8)~~(9)~~ Florida Community colleges are authorized to:

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

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

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

290 (d) Provide access to and award baccalaureate degrees in

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291 accordance with law.

292

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

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

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

301 1007.23 Statewide articulation agreement.—

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

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

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

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

319 Section 7. Section 1007.33, Florida Statutes, is amended to

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320 read:

321 (Substantial rewording of section. See

322 s. 1007.33, F.S., for present text.)

323 1007.33 Site-determined baccalaureate degree access.-

324 (1) (a) The Legislature recognizes that public and private  
325 postsecondary educational institutions play an essential role in  
326 improving the quality of life and economic well-being of the  
327 state and its residents. The Legislature also recognizes that  
328 economic development needs and the educational needs of place-  
329 bound, nontraditional students have increased the demand for  
330 local access to baccalaureate degree programs. It is therefore  
331 the intent of the Legislature to further expand access to  
332 baccalaureate degree programs through the use of Florida  
333 colleges.

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

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

339 (a) Maintain as its primary mission:

340 1. Responsibility for responding to community needs for  
341 postsecondary academic education and career degree education as  
342 prescribed in s. 1004.65(5).

343 2. The provision of associate degrees that provide access  
344 to a university.

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

347 (c) Continue to provide outreach to underserved  
348 populations.

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349 (d) Continue to provide remedial education.

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

354 (f) Not award graduate credit.

355 (g) Not participate in intercollegiate athletics beyond the  
356 2-year level.

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

365 (4) A Florida college may:

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

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

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

376  
377 Beginning July 1, 2009, the Board of Trustees of the St.

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378 Petersburg College is authorized to establish one or more  
379 bachelor of applied science degree programs based on an analysis  
380 of workforce needs in Pinellas, Pasco, and Hernando Counties and  
381 other counties approved by the Department of Education. For each  
382 program selected, St. Petersburg College must offer a related  
383 associate in science or associate in applied science degree  
384 program, and the baccalaureate degree level program must be  
385 designed to articulate fully with at least one associate in  
386 science degree program. The college is encouraged to develop  
387 articulation agreements for enrollment of graduates of related  
388 associate in applied science degree programs. The Board of  
389 Trustees of the St. Petersburg College is authorized to  
390 establish additional baccalaureate degree programs if it  
391 determines a program is warranted and feasible based on each of  
392 the factors in paragraph (5) (d). Prior to developing or  
393 proposing a new baccalaureate degree program, St. Petersburg  
394 College shall engage in need, demand, and impact discussions  
395 with the state university in its service district and other  
396 local and regional, accredited postsecondary providers in its  
397 region. Documentation, data, and other information from inter-  
398 institutional discussions regarding program need, demand, and  
399 impact shall be provided to the College's Board of Trustees to  
400 inform the program approval process. Employment at St.  
401 Petersburg College is governed by the same laws that govern  
402 community colleges, except that upper-division faculty are  
403 eligible for continuing contracts upon the completion of the  
404 fifth year of teaching. Employee records for all personnel shall  
405 be maintained as required by s. 1012.81.

406 (5) The approval process for baccalaureate degree programs

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407 shall require:

408 (a) Each Florida college to submit a notice of its intent  
409 to propose a baccalaureate degree program to the Division of  
410 Florida Colleges at least 100 days before the submission of its  
411 proposal under paragraph (d). The notice must include a brief  
412 description of the program, the workforce demand and unmet need  
413 for graduates of the program, the geographic region to be  
414 served, and an estimated timeframe for implementation. Notices  
415 of intent may be submitted by a Florida college at any time  
416 throughout the year.

417 (b) The Division of Florida Colleges to forward the notice  
418 of intent within 10 business days after receiving such notice to  
419 the Chancellor of the State University System, the President of  
420 the Independent Colleges and Universities of Florida, and the  
421 Executive Director of the Council for Independent Education.  
422 State universities shall have 60 days following receipt of the  
423 notice by the Chancellor of the State University System to  
424 submit an alternative proposal to offer the baccalaureate degree  
425 program. If a proposal from a state university is not received  
426 within the 60-day period, the State Board of Education shall  
427 provide regionally accredited private colleges and universities  
428 30 days to submit an alternative proposal. Alternative proposals  
429 shall be submitted to the Division of Florida Colleges and must  
430 be considered by the State Board of Education in making its  
431 decision to approve or deny a Florida college's proposal.

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

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

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436 2. The extent to which students will be able to complete  
437 the degree in the geographic region proposed to be served by the  
438 Florida college.

439 3. The level of financial commitment of the college or  
440 university to the development, implementation, and maintenance  
441 of the specified degree program, including timelines.

442 4. The extent to which faculty at both the Florida college  
443 and the college or university will collaborate in the  
444 development and offering of the curriculum.

445 5. The ability of the Florida college and the college or  
446 university to develop and approve the curriculum for the  
447 specified degree program within 6 months after an agreement  
448 between the Florida college and the college or university is  
449 signed.

450 6. The extent to which the student may incur additional  
451 costs above what the student would expect to incur if the  
452 program were offered by the Florida college.

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

455 1. A description of the planning process and timeline for  
456 implementation.

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

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

462 4. The program cost analysis of creating a new  
463 baccalaureate degree when compared to alternative proposals and  
464 other program delivery options.



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465 5. The program's admission requirements, academic content,  
466 curriculum, faculty credentials, student-to-teacher ratios, and  
467 accreditation plan.

468 6. The program's enrollment projections and funding  
469 requirements.

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

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

484 (f) The Florida college to obtain from the Commission on  
485 Colleges of the Southern Association of Colleges and Schools  
486 accreditation as a baccalaureate-degree-granting institution if  
487 approved by the State Board of Education to offer its first  
488 baccalaureate degree program.

489 (g) The Florida college to notify the Commission on  
490 Colleges of the Southern Association of Colleges and Schools of  
491 subsequent degree programs that are approved by the State Board  
492 of Education and to comply with the association's required  
493 substantive change protocols for accreditation purposes.

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494 (6) (a) Beginning July 1, 2010, and each subsequent July 1,  
495 the Division of Florida Colleges may accept and review  
496 applications from a Florida college to obtain an exemption from  
497 the State Board of Education's approval for subsequent degrees  
498 as required in subsection (5), if the Florida college is  
499 accredited by the Commission on Colleges of the Southern  
500 Association of Colleges and Schools as a baccalaureate-degree-  
501 granting institution and has been offering baccalaureate degree  
502 programs for 3 or more years. The division shall develop  
503 criteria for determining eligibility for an exemption based upon  
504 demonstrated compliance with the requirements for baccalaureate  
505 degrees, primary mission, and fiscal, including, but not limited  
506 to:

507 1. Obtaining and maintaining appropriate SACS  
508 accreditation;

509 2. The maintenance of qualified faculty and institutional  
510 resources;

511 3. The maintenance of enrollment projections in previously  
512 approved programs;

513 4. The appropriate management of fiscal resources;

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

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

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

520 (b) If the Florida college has demonstrated satisfactory  
521 progress in fulfilling the eligibility criteria in this  
522 subsection, the Division of Florida Colleges may recommend to

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523 the State Board of Education that the institution be exempt from  
524 the requirement in subsection (5) for approval of future  
525 baccalaureate degree programs. The State Board of Education  
526 shall review the division's recommendation and determine if an  
527 exemption is warranted. If the State Board of Education approves  
528 the application, the Florida College is exempt from subsequent  
529 program approval under subsection (5) and such authority is  
530 delegated to the Florida college board of trustees. If the State  
531 Board of Education disapproves of the Florida College's request  
532 for an exemption, the college shall continue to be subject to  
533 State Board of Education's approval of subsequent baccalaureate  
534 degree programs.

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

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

541 2. Send documentation, data, and other information from the  
542 inter-institutional discussions regarding program need, demand,  
543 and impact required in subparagraph 1. to the College's Board of  
544 Trustees, the Division of Florida Colleges, and the Chancellor  
545 of the State University System.

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

549  
550 The Division of Florida Colleges shall use the documentation,  
551 data, and other information required in this subsection,

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552 including information from the Chancellor of the State  
553 University System, in its compliance review.

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

558 (e) Within 30 days after receiving the approved  
559 baccalaureate degree program, the Division of Florida Colleges  
560 shall conduct a compliance review and notify the college if the  
561 proposal meets the criteria for implementation based upon the  
562 criteria in paragraphs (5)(d) and (6)(c). If the program fails  
563 to meet the criteria for implementation as determined by the  
564 Division of Florida Colleges, the college may not proceed with  
565 implementation of the program until the State Board of Education  
566 reviews the proposal and the compliance materials and gives its  
567 final approval of the program.

568 (7) The State Board of Education shall adopt rules to  
569 prescribe format and content requirements and submission  
570 procedures for notices of intent, proposals, and alternative  
571 proposals under subsection (5).

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

574 120.65 Administrative law judges.—

575 (11) The division shall be reimbursed for administrative  
576 law judge services and travel expenses by the following  
577 entities: water management districts, regional planning  
578 councils, school districts, community colleges, the Division of  
579 Florida Community Colleges, state universities, the Board of  
580 Governors of the State University System, the State Board of

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581 Education, the Florida School for the Deaf and the Blind, and  
582 the Commission for Independent Education. These entities shall  
583 contract with the division to establish a contract rate for  
584 services and provisions for reimbursement of administrative law  
585 judge travel expenses and video teleconferencing expenses  
586 attributable to hearings conducted on behalf of these entities.  
587 The contract rate must be based on a total-cost-recovery  
588 methodology.

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

591 288.8175 Linkage institutes between postsecondary  
592 institutions in this state and foreign countries.—

593 (5) The institutes are:

594 (c) Florida Caribbean Institute (Florida International  
595 University and Daytona State ~~Beach~~ College).

596 (i) Florida-West Africa Institute (Florida Agricultural and  
597 Mechanical University, University of North Florida, and Florida  
598 State ~~Community~~ College at Jacksonville).

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

601 1001.61 Community college boards of trustees; membership.—

602 (1) Community college boards of trustees shall be comprised  
603 of five members when a community college district is confined to  
604 one school board district; seven members when a community  
605 college district is confined to one school board district and  
606 the board of trustees so elects; and not more than nine members  
607 when the district contains two or more school board districts,  
608 as provided by rules of the State Board of Education. However,  
609 Florida State ~~Community~~ College at Jacksonville shall have an

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610 odd number of trustees.

611 Section 11. Paragraph (e) of subsection (4) of section  
612 1004.70, Florida Statutes, is amended to read:

613 1004.70 Community college direct-support organizations.—

614 (4) ACTIVITIES; RESTRICTIONS.—

615 (e) A community college board of trustees must authorize  
616 all debt, including lease-purchase agreements, incurred by a  
617 direct-support organization. Authorization for approval of  
618 short-term loans and lease-purchase agreements for a term of not  
619 more than 5 years, including renewals, extensions, and  
620 refundings, for goods, materials, equipment, and services may be  
621 delegated by the board of trustees to the board of directors of  
622 the direct-support organization. Trustees shall evaluate  
623 proposals for debt according to guidelines issued by the  
624 Division of Florida Community Colleges. Revenues of the  
625 community college may not be pledged to debt issued by direct-  
626 support organizations.

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

629 1004.87 Florida College System Task Force.—

630 (1) The Florida College System Task Force is established  
631 within the Division of Florida Community Colleges of the  
632 Department of Education for the purpose of developing findings  
633 and issuing recommendations regarding the transition of  
634 community colleges to baccalaureate-degree-granting colleges and  
635 the criteria for establishing and funding state colleges.

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

638 Section 13. Subsection (1) and paragraph (b) of subsection

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639 (16) of section 1009.23, Florida Statutes, are amended to read:  
640 1009.23 Community college student fees.—

641 (1) Unless otherwise provided, this section applies only to  
642 fees charged for college credit instruction leading to an  
643 associate in arts degree, an associate in applied science  
644 degree, an associate in science degree, or a baccalaureate  
645 degree authorized pursuant to s. 1007.33 ~~or s. 1004.73~~, for  
646 noncollege credit college-preparatory courses defined in s.  
647 1004.02, and for educator preparation institute programs defined  
648 in s. 1004.85.

649 (16)

650 (b) The amount of the distance learning course user fee may  
651 not exceed the additional costs of the services provided which  
652 are attributable to the development and delivery of the distance  
653 learning course. If a community college assesses the distance  
654 learning course user fee, the institution may not assess any  
655 other fees to cover the additional costs. By September 1 of each  
656 year, each board of trustees shall report to the Division of  
657 Florida Community Colleges the total amount of revenue generated  
658 by the distance learning course user fee for the prior academic  
659 year and how the revenue was expended.

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