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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 State 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), (i), and (k) of subsection (5)
590 of 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 (k) Florida-Mexico Institute (Florida International
600 University and Polk State ~~Community~~ College).

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

603 1001.61 Community college boards of trustees; membership.—

604 (1) Community college boards of trustees shall be comprised
605 of five members when a community college district is confined to
606 one school board district; seven members when a community
607 college district is confined to one school board district and
608 the board of trustees so elects; and not more than nine members
609 when the district contains two or more school board districts,

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610 as provided by rules of the State Board of Education. However,
611 Florida State ~~Community~~ College at Jacksonville shall have an
612 odd number of trustees.

613 Section 11. Paragraph (e) of subsection (4) of section
614 1004.70, Florida Statutes, is amended to read:

615 1004.70 Community college direct-support organizations.—

616 (4) ACTIVITIES; RESTRICTIONS.—

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

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

631 1004.87 Florida College System Task Force.—

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

638 (5) The task force shall be staffed by existing employees

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639 of the Division of Florida ~~Community~~ Colleges.

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

642 1009.23 Community college student fees.—

643 (1) Unless otherwise provided, this section applies only to
644 fees charged for college credit instruction leading to an
645 associate in arts degree, an associate in applied science
646 degree, an associate in science degree, or a baccalaureate
647 degree authorized pursuant to s. 1007.33 ~~or s. 1004.73~~, for
648 noncollege credit college-preparatory courses defined in s.
649 1004.02, and for educator preparation institute programs defined
650 in s. 1004.85.

651 (16)

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

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