

1                                   A bill to be entitled  
 2           An act relating to postsecondary distance learning;  
 3           creating s. 1004.091, F.S.; establishing the Florida  
 4           Distance Learning Consortium to facilitate collaboration  
 5           among public postsecondary educational institutions in the  
 6           use of distance learning; providing for oversight of the  
 7           consortium and administrative services; providing duties  
 8           of the consortium; amending ss. 1009.23 and 1009.24, F.S.;  
 9           defining a distance learning course for purposes of  
 10          assessing distance learning course user fees for community  
 11          college and state university students; providing  
 12          requirements for the link to the Florida Higher Education  
 13          Distance Learning Catalog on an institution's website;  
 14          providing an effective date.

15  
 16   Be It Enacted by the Legislature of the State of Florida:

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 18           Section 1.   Section 1004.091, Florida Statutes, is created  
 19   to read:

20           1004.091 Florida Distance Learning Consortium.--

21           (1) (a) The Florida Distance Learning Consortium is  
 22           established to facilitate collaboration among public  
 23           postsecondary educational institutions in their use of distance  
 24           learning to increase student access to associate and  
 25           baccalaureate courses and degree programs, to support  
 26           institutions in their use of technology, and to help build  
 27           partnerships among institutions, businesses, and communities.

28           (b) The Board of Governors and the State Board of

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29 Education shall exercise joint oversight of the consortium and  
30 shall establish, in consultation with the consortium, the  
31 administrative and operational guidelines and processes of the  
32 consortium.

33 (c) The consortium may contract for administrative  
34 services with a public postsecondary educational institution.  
35 The fee charged by the institution for administrative services  
36 may not exceed the actual cost for providing the services.

37 (2) The Florida Distance Learning Consortium shall:  
38 (a) Manage and promote the Florida Higher Education  
39 Distance Learning Catalog, established pursuant to s. 1004.09,  
40 to help increase student access to undergraduate distance  
41 learning courses and degree programs and to assist students  
42 seeking accelerated access in order to complete their degrees.

43 (b) Develop, in consultation with the Florida College  
44 System and the State University System, a plan to be submitted  
45 to the Board of Governors, the State Board of Education, the  
46 Governor, the President of the Senate, and the Speaker of the  
47 House of Representatives no later than March 1, 2010. The plan  
48 must address the implementation of a streamlined, automated,  
49 online registration process for undergraduate students who have  
50 been admitted to a public postsecondary educational institution  
51 and who wish to enroll in a course listed in the Florida Higher  
52 Education Distance Learning Catalog, including courses offered  
53 by an institution that is not the student's degree-granting or  
54 home institution. The plan must describe how such a registration  
55 process can be implemented as an alternative to the standard  
56 registration process of each institution. The plan must also

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57 address:

58 1. Fiscal and substantive policy changes needed to address  
59 administrative, academic, and programmatic policies and  
60 procedures.

61 2. A method for the expedited transfer of distance  
62 learning course credit awarded by an institution offering a  
63 distance learning course to a student's degree-granting or home  
64 institution upon the student's successful completion of the  
65 distance learning course.

66 3. Compliance with applicable technology security  
67 standards and guidelines to ensure the secure transmission of  
68 student information.

69 (c) Coordinate the negotiation of statewide licensing and  
70 preferred pricing agreements for distance learning resources and  
71 enter into agreements that result in cost savings with distance  
72 learning resource providers so that postsecondary educational  
73 institutions have the opportunity to benefit from the cost  
74 savings.

75 (d)1. Develop and operate a central instructional content  
76 repository that allows faculty to search, locate, and use  
77 instructional resources, including open access textbooks. In the  
78 development of a repository, the consortium shall identify and  
79 seek partnerships with similar national, state, and regional  
80 repositories for the purpose of sharing instructional content.  
81 The consortium shall collaborate with the public postsecondary  
82 educational institutions to ensure that the repository:

83 a. Integrates with multiple learning management systems  
84 used by the institutions.

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85 b. Allows institutions to set appropriate copyright and  
86 access restrictions and track content usage.

87 c. Allows for appropriate customization.

88 2. Develop, in consultation with the Florida College  
89 System and the State University System, a plan for promoting and  
90 increasing the use of open access textbooks as a method for  
91 reducing textbook costs. The plan shall be submitted to the  
92 Board of Governors, the State Board of Education, the Office of  
93 Policy and Budget in the Executive Office of the Governor, the  
94 chair of the Senate Policy and Steering Committee on Ways and  
95 Means, and the chair of the House Full Appropriations Council on  
96 Education & Economic Development no later than March 1, 2010,  
97 and shall include:

98 a. An inventory of existing open access textbooks.

99 b. A listing of undergraduate courses, in particular the  
100 general education courses, that would be recommended for the use  
101 of open access textbooks.

102 c. A standardized process for the review and approval of  
103 open access textbooks.

104 d. Recommendations for encouraging and promoting faculty  
105 development and use of open access textbooks.

106 e. Identification of barriers to the implementation of  
107 open access textbooks.

108 f. Strategies for the production and distribution of open  
109 access textbooks to ensure such textbooks may be easily  
110 accessed, downloaded, printed, or obtained as a bound version by  
111 students at either reduced or no cost.

112 g. Identification of the necessary technology security

113 standards and guidelines to safeguard the use of open access  
 114 textbooks.

115 (e) Identify and evaluate new technologies and  
 116 instructional methods that can be used for improving distance  
 117 learning instruction, student learning, and the overall quality  
 118 of undergraduate distance learning courses and degree programs.

119 (f) Identify methods that will improve student access to  
 120 and completion of undergraduate distance learning courses and  
 121 degree programs.

122 Section 2. Paragraphs (a) and (c) of subsection (16) of  
 123 section 1009.23, Florida Statutes, are amended to read:

124 1009.23 Community college student fees.--

125 (16) (a) Each community college may assess a student who  
 126 enrolls in a course listed in the Florida Higher Education  
 127 Distance Learning Catalog, established pursuant to s. 1004.09, a  
 128 per-credit-hour distance learning course user fee. For purposes  
 129 of assessing this fee, a distance learning course is a course in  
 130 which at least 80 percent of the direct instruction of the  
 131 course is delivered using some form of technology when the  
 132 student and instructor are separated by time or space, or both.

133 (c) The link for the catalog must be prominently displayed  
 134 within the advising and distance learning sections of ~~on~~ the  
 135 institution's website, using a graphic and description provided  
 136 by the Florida Distance Learning Consortium, to inform students  
 137 of the catalog.

138 Section 3. Paragraphs (a) and (c) of subsection (17) of  
 139 section 1009.24, Florida Statutes, are amended to read:

140 1009.24 State university student fees.--

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141 (17) (a) A state university may assess a student who  
142 enrolls in a course listed in the Florida Higher Education  
143 Distance Learning Catalog, established pursuant to s. 1004.09, a  
144 per-credit-hour distance learning course fee. For purposes of  
145 assessing this fee, a distance learning course is a course in  
146 which at least 80 percent of the direct instruction of the  
147 course is delivered using some form of technology when the  
148 student and instructor are separated by time or space, or both.

149 (c) The link for the catalog must be prominently displayed  
150 within the advising and distance learning sections of ~~en~~ the  
151 institution's website, using a graphic and description provided  
152 by the Florida Distance Learning Consortium, informing students  
153 of the catalog.

154 Section 4. This act shall take effect upon becoming a law.