

ENROLLED
HB 7121

2009 Legislature

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.

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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

ENROLLED
HB 7121

2009 Legislature

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

ENROLLED
HB 7121

2009 Legislature

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.

ENROLLED
HB 7121

2009 Legislature

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

ENROLLED
HB 7121

2009 Legislature

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.--

ENROLLED
HB 7121

2009 Legislature

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 ~~on~~ 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.