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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Higher Education)

A bill to be entitled

An act relating to postsecondary education; providing a short title; creating s. 1001.6001, F.S.; renaming the Florida College System as the Florida Community College System; creating the State Board of Community Colleges; requiring the Governor to appoint the membership of the board; providing that the appointments are subject to confirmation by the Senate; requiring the Division of Florida Colleges to provide administrative support to the board until a specified date; transferring the Florida College System and the Division of Florida Colleges to the State Board of Community Colleges by a specified date; requiring the State Board of Community Colleges to appoint a Chancellor of the Florida Community College System by a specified date; amending s. 20.15, F.S.; removing the Division of Florida Colleges from within the Department of Education; requiring the department to provide support to the State Board of Community Colleges; creating s. 20.156, F.S.; creating the State Board of Community Colleges and assigning and housing it for administrative purposes, only, within the department; providing the personnel for the state board; providing the powers and duties of the state board; requiring the state board to conduct an organizational meeting by a specified date; amending s. 112.313, F.S.; prohibiting citizen members of the



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28 State Board of Community Colleges or Florida Community
29 College System institution boards of trustees from
30 having an employment or contractual relationship as
31 specified lobbyists; amending s. 112.3145, F.S.;

32 revising the term "state officer" to include certain
33 Florida Community College System personnel; amending
34 s. 1000.03, F.S.; revising the function and mission of
35 the Florida K-20 education system; requiring the State
36 Board of Community Colleges to oversee enforcement of
37 Florida Community College System laws and rules;

38 amending s. 1000.05, F.S.; requiring the State Board
39 of Community Colleges, instead of the Commissioner of
40 Education, to make certain determinations regarding
41 equal opportunities at Florida Community College
42 System institutions; requiring the State Board of
43 Community Colleges to adopt rules; amending s.
44 1001.02, F.S.; revising the general powers of the
45 State Board of Education to exempt provisions relating
46 to the Florida Community College System; amending s.
47 1001.03, F.S.; revising certain articulation
48 accountability and enforcement measures; requiring the
49 State Board of Education to collect information in
50 conjunction with the Board of Governors and the State
51 Board of Community Colleges; deleting duties of the
52 State Board of Education regarding the Florida
53 Community College System; amending ss. 1001.10 and
54 1001.11, F.S.; revising the general powers and duties
55 of the Commissioner of Education to exempt certain
56 powers and duties related to the Florida Community



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57 College System; amending s. 1001.20, F.S.; revising
58 duties of the Office of Inspector General within the
59 department regarding the Florida Community College
60 System; amending s. 1001.28, F.S.; providing that the
61 powers and duties of the State Board of Community
62 Colleges are not abrogated, superseded, altered, or
63 amended by certain provisions relating to the
64 department's duties for distance learning; amending s.
65 1001.42, F.S.; prohibiting a technical center
66 governing board from approving certain types of
67 courses and programs; amending s. 1001.44, F.S.;
68 providing the primary mission of a career center
69 operated by a district school board; prohibiting
70 specified career centers from offering certain courses
71 and programs; amending s. 1001.60, F.S.; conforming
72 provisions to changes made by the act; creating s.
73 1001.601, F.S.; establishing the State Board of
74 Community Colleges; providing the membership of the
75 board; creating s. 1001.602, F.S.; providing the
76 responsibilities and duties of the State Board of
77 Community Colleges; requiring the board to coordinate
78 with the State Board of Education; amending ss.
79 1001.61, 1001.64, 1001.65, 1001.66, and 1001.67, F.S.;
80 conforming provisions to changes made by the act;
81 amending s. 1001.706, F.S.; revising cooperation
82 duties of the Board of Governors to include
83 requirements for working with the State Board of
84 Community Colleges; amending s. 1002.34, F.S.;
85 providing the primary mission of a charter technical



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86 career center; prohibiting specified career centers or
87 charter technical career centers from offering certain
88 courses and programs; requiring the State Board of
89 Education to adopt rules; amending s. 1003.491, F.S.;
90 revising the Florida Career and Professional Education
91 Act to require the State Board of Community Colleges
92 to recommend, jointly with the Board of Governors and
93 the Commissioner of Education, certain deadlines for
94 new core courses; amending s. 1003.493, F.S.; revising
95 department duties regarding articulation and the
96 transfer of credits to postsecondary institutions to
97 include consultation with the State Board of Community
98 Colleges; amending s. 1004.015, F.S.; providing that
99 the Higher Education Coordinating Council serves as an
100 advisory board to, in addition to other bodies, the
101 State Board of Community Colleges; revising council
102 reporting requirements to include a report to the
103 State Board of Community Colleges; requiring the State
104 Board of Community Colleges, in addition to other
105 entities, to provide administrative support for the
106 council; amending ss. 1004.02 and 1004.03, F.S.;
107 conforming provisions to changes made by the act;
108 amending s. 1004.04, F.S.; revising department
109 reporting requirements regarding teacher preparation
110 programs to require a report to the State Board of
111 Community Colleges; amending s. 1004.07, F.S.;
112 providing that the State Board of Community Colleges,
113 instead of the State Board of Education, provide
114 guidelines for Florida Community College System



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115 institution boards of trustees' policies; amending ss.
116 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, and
117 1004.6495, F.S.; conforming provisions to changes made
118 by the act; amending s. 1004.65, F.S.; revising
119 Florida Community College System institution
120 governance, mission, and responsibilities to provide
121 authority and duties to the State Board of Community
122 Colleges, instead of the State Board of Education;
123 providing that offering upper-level instruction and
124 awarding baccalaureate degrees are a secondary and not
125 a primary role of a Florida Community College System
126 institution; amending ss. 1004.67, 1004.70, and
127 1004.71, F.S.; conforming provisions to changes made
128 by the act; amending s. 1004.74, F.S.; requiring the
129 Chancellor of the Florida Community College System,
130 jointly with the Commissioner of Education, to appoint
131 members of the Council for the Florida School for the
132 Arts; amending ss. 1004.78 and 1004.80, F.S.;
133 conforming provisions to changes made by the act;
134 amending s. 1004.91, F.S.; requiring the State Board
135 of Community Colleges to collaborate with the State
136 Board of Education to provide certain rules for
137 Florida Community College System institutions
138 regarding requirements for career education program
139 basic skills; amending s. 1004.92, F.S.; providing
140 accountability for career education for the State
141 Board of Community Colleges; revising the department's
142 accountability for career education; requiring the
143 department and the State Board of Community Colleges



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144 to collaborate to develop certain standards and
145 benchmarks; requiring the State Board of Education and
146 the State Board of Community Colleges to collaborate
147 to adopt rules; amending s. 1004.925, F.S.; revising
148 industry certification requirements for automotive
149 service technology education programs to include the
150 State Board of Community Colleges; amending s.
151 1004.93, F.S.; conforming provisions to changes made
152 by the act; amending s. 1006.60, F.S.; authorizing
153 sanctions for violations of certain rules of the State
154 Board of Community Colleges, instead of the State
155 Board of Education; amending ss. 1006.61, 1006.62, and
156 1006.71, F.S.; conforming provisions to changes made
157 by the act; amending s. 1007.01, F.S.; revising the
158 role of the State Board of Education and the Board of
159 Governors in the statewide articulation system to
160 include the State Board of Community Colleges and the
161 Chancellor of the Florida Community College System;
162 amending s. 1007.23, F.S.; requiring each Florida
163 Community College System institution to execute at
164 least one "2+2" targeted pathway articulation
165 agreement by a specified time; providing requirements
166 and student eligibility for the agreements; requiring
167 the State Board of Community Colleges and the Board of
168 Governors to collaborate to eliminate barriers for the
169 agreements; amending s. 1007.24, F.S.; revising the
170 statewide course numbering system to include
171 participation by and input from the State Board of
172 Community Colleges and the Chancellor of the Florida



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173 Community College System; amending ss. 1007.25,
174 1007.262, 1007.263, 1007.264, 1007.265, and 1007.27,
175 F.S.; conforming provisions to changes made by the
176 act; amending s. 1007.271, F.S.; requiring the State
177 Board of Education to collaborate with the State Board
178 of Community Colleges regarding certain articulation
179 agreements; amending s. 1007.273, F.S.; requiring the
180 State Board of Community Colleges to enforce
181 compliance with certain provisions relating to the
182 collegiate high school program by a specified date
183 each year; amending s. 1007.33, F.S.; prohibiting
184 Florida Community College System institutions from
185 offering bachelor of arts degree programs; deleting
186 provisions relating to an authorization for the Board
187 of Trustees of St. Petersburg College to establish
188 certain baccalaureate degree programs; revising the
189 approval process for baccalaureate degree programs
190 proposed by Florida Community College System
191 institutions; requiring a Florida Community College
192 System institution to annually report certain
193 information to the State Board of Community Colleges,
194 the Chancellor of the State University System, and the
195 Legislature; revising the circumstances under which a
196 baccalaureate degree program may be required to be
197 modified or terminated; requiring the termination of a
198 baccalaureate degree program under certain
199 circumstances; restricting total upper-level,
200 undergraduate full-time equivalent enrollment at
201 Florida Community College System institutions under



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202 certain circumstances; amending s. 1008.30, F.S.;

203 requiring the State Board of Community Colleges,

204 rather than the State Board of Education, to develop

205 and implement a specified common placement test and

206 approve a specified series of meta-majors and academic

207 pathways with the Board of Governors; amending s.

208 1008.31, F.S.; revising the legislative intent of

209 Florida's K-20 education performance and

210 accountability system to include recommendations from

211 and reports to the State Board of Community Colleges;

212 amending s. 1008.32, F.S.; removing the oversight

213 enforcement authority of the State Board of Education

214 relating to the Florida Community College System;

215 amending s. 1008.345, F.S.; removing provisions

216 requiring the department to maintain a listing of

217 certain skills associated with the system of

218 educational accountability; amending s. 1008.37, F.S.;

219 revising certain student reporting requirements of the

220 Commissioner of Education to also require a report to

221 the State Board of Community Colleges; amending s.

222 1008.38, F.S.; revising the articulation

223 accountability process to include participation by the

224 State Board of Community Colleges; amending s.

225 1008.405, F.S.; requiring the State Board of Community

226 Colleges to adopt rules for the maintaining of

227 specific information by Florida Community College

228 System institutions; amending ss. 1008.44, 1008.45,

229 1009.21, 1009.22, 1009.23, and 1009.25, F.S.;

230 conforming provisions to changes made by the act;



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231 amending s. 1009.26, F.S.; requiring that certain
232 information regarding fee waivers be reported to the
233 State Board of Community Colleges; requiring the State
234 Board of Community Colleges to adopt rules; amending
235 s. 1009.28, F.S.; conforming provisions to changes
236 made by the act; amending ss. 1009.90 and 1009.91,
237 F.S.; revising the duties of the department to include
238 reports to the State Board of Community Colleges;
239 amending s. 1009.971, F.S.; conforming provisions to
240 changes made by the act; amending s. 1010.01, F.S.;
241 requiring the financial records and accounts of
242 Florida Community College System institutions to
243 follow rules of the State Board of Community Colleges,
244 instead of the State Board of Education; requiring
245 each Florida Community College System institution to
246 annually file specified financial statements with the
247 State Board of Community Colleges; amending ss.
248 1010.02 and 1010.04, F.S.; requiring the funds
249 accruing to and purchases and leases by Florida
250 Community College System institutions to follow rules
251 of the State Board of Community Colleges, instead of
252 the State Board of Education; amending s. 1010.07,
253 F.S.; requiring certain contractors to give bonds in
254 an amount set by the State Board of Community
255 Colleges; amending s. 1010.08, F.S.; authorizing
256 Florida Community College System board of trustees to
257 budget for promotion and public relations from certain
258 funds; amending ss. 1010.09, 1010.22, 1010.30, and
259 1010.58, F.S.; conforming provisions to changes made



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260 by the act; amending s. 1011.01, F.S.; requiring each
261 Florida Community College System institution board of
262 trustees to submit an annual operating budget
263 according to rules of the State Board of Community
264 Colleges; amending s. 1011.011, F.S.; requiring the
265 State Board of Education to collaborate with the State
266 Board of Community Colleges for legislative budget
267 requests relating to Florida Community College System
268 institutions; amending ss. 1011.30 and 1011.32, F.S.;
269 conforming provisions to changes made by the act;
270 amending s. 1011.80, F.S.; conforming provisions to
271 changes made by the act; authorizing the State Board
272 of Community Colleges to adopt rules; amending s.
273 1011.801, F.S.; specifying duties of the State Board
274 of Community Colleges regarding funds for the
275 operation of workforce education programs and the
276 Workforce Development Capitalization Incentive Grant
277 Program; amending ss. 1011.81, 1011.82, 1011.83,
278 1011.84, and 1011.85, F.S.; conforming provisions to
279 changes made by the act; amending s. 1012.01, F.S.;
280 redefining the term "school officers"; amending ss.
281 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,
282 F.S.; conforming provisions to changes made by the
283 act; amending s. 1013.01, F.S.; providing that the
284 term "board" does not include the State Board of
285 Community Colleges when used in the context of certain
286 educational facilities provisions; amending ss.
287 1013.02 and 1013.03, F.S.; requiring the State Board
288 of Community Colleges to adopt rules for and provide



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289 functions relating to educational facilities; amending
290 s. 1013.28, F.S.; authorizing Florida Community
291 College System institution boards of trustees to
292 dispose of land or real property subject to rules of
293 the State Board of Community Colleges; amending s.
294 1013.31, F.S.; specifying the role of the State Board
295 of Community Colleges in educational plant surveys for
296 Florida Community College System institutions;
297 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
298 conforming provisions to changes made by the act;
299 amending s. 1013.47, F.S.; providing that certain
300 contractors are subject to rules of the State Board of
301 Community Colleges; amending s. 1013.52, F.S.;
302 specifying duties of the State Board of Community
303 Colleges with regard to the cooperative development
304 and joint use of facilities; amending s. 1013.65,
305 F.S.; requiring the State Board of Community Colleges
306 to be provided with copies of authorized allocations
307 or reallocations for the Public Education Capital
308 Outlay and Debt Service Trust Fund; requiring the
309 Board of Governors and the State Board of Community
310 Colleges to submit a report to the Governor and the
311 Legislature by a specified date; providing a directive
312 to the Division of Law Revision and Information;
313 providing effective dates.

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315 Be It Enacted by the Legislature of the State of Florida:

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317 Section 1. This act may be cited as the "College



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318 Competitiveness Act of 2017.”

319 Section 2. Effective July 1, 2017, section 1001.6001,
320 Florida Statutes, is created to read:

321 1001.6001 Florida Community College System governance.—

322 (1) The Florida College System, established in s. 1001.60,
323 is renamed as the Florida Community College System.

324 (2) The State Board of Community Colleges is created
325 pursuant to s. 20.156 to oversee and coordinate the Florida
326 Community College System. The Governor shall appoint the
327 membership of the State Board of Community Colleges, subject to
328 confirmation by the Senate, in time for the members to convene
329 for the board’s organizational meeting pursuant to s. 20.156(5).

330 (3) The Division of Florida Colleges shall provide
331 administrative support to the State Board of Community Colleges
332 until September 30, 2017.

333 (4) On October 1, 2017, all powers, duties, functions,
334 records, offices, personnel, property, pending issues and
335 existing contracts, administrative authority, administrative
336 rules, and unexpended balances of appropriations, allocations,
337 and other funds related to the Florida College System and the
338 Division of Florida Colleges are transferred by a type two
339 transfer, as defined in s. 20.06(2), from the State Board of
340 Education to the State Board of Community Colleges.

341 (5) The State Board of Community Colleges shall appoint a
342 Chancellor of the Florida Community College System by November
343 1, 2017, to aid the board in the implementation of its
344 responsibilities.

345 (6) Any State Board of Education approval, policy,
346 guidance, and appointment in effect on October 1, 2017, remain



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347 effective unless acted upon by the State Board of Community
348 Colleges.

349 Section 3. Subsections (3) and (8) of section 20.15,
350 Florida Statutes, are amended to read:

351 20.15 Department of Education.—There is created a
352 Department of Education.

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

355 ~~(a) Division of Florida Colleges.~~

356 (a)~~(b)~~ Division of Public Schools.

357 (b)~~(c)~~ Division of Career and Adult Education.

358 (c)~~(d)~~ Division of Vocational Rehabilitation.

359 (d)~~(e)~~ Division of Blind Services.

360 (e)~~(f)~~ Division of Accountability, Research, and
361 Measurement.

362 (f)~~(g)~~ Division of Finance and Operations.

363 (g)~~(h)~~ Office of K-20 Articulation.

364 (h)~~(i)~~ The Office of Independent Education and Parental
365 Choice, which must include the following offices:

366 1. The Office of Early Learning, which shall be
367 administered by an executive director who is fully accountable
368 to the Commissioner of Education. The executive director shall,
369 pursuant to s. 1001.213, administer the early learning programs,
370 including the school readiness program and the Voluntary
371 Prekindergarten Education Program at the state level.

372 2. The Office of K-12 School Choice, which shall be
373 administered by an executive director who is fully accountable
374 to the Commissioner of Education.

375 (8) SUPPORT SERVICES.—The Department of Education shall



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376 continue to provide support to the Board of Governors of the
377 State University System and to the State Board of Community
378 Colleges of the Florida Community College System. At a minimum,
379 support services provided to the Board of Governors and the
380 State Board of Community Colleges shall include accounting,
381 printing, computer and Internet support, personnel and human
382 resources support, support for accountability initiatives, and
383 administrative support as needed for trust funds under the
384 jurisdiction of the Board of Governors and the State Board of
385 Community Colleges.

386 Section 4. Effective July 1, 2017, section 20.156, Florida
387 Statutes, is created to read:

388 20.156 State Board of Community Colleges.-

389 (1) GENERAL PROVISIONS.-The State Board of Community
390 Colleges is created. For the purposes of s. 6, Art. IV of the
391 State Constitution, the state board shall be assigned to and
392 administratively housed within the Department of Education.
393 However, the state board shall independently exercise the powers
394 and duties in s. 1001.602; is a separate budget program; and is
395 not subject to control, supervision, or direction by the
396 department. For purposes of this section, the State Board of
397 Community Colleges is referred to as the "state board."

398 (2) HEAD OF THE FLORIDA COMMUNITY COLLEGE SYSTEM.-The state
399 board is the head of the Florida Community College System. The
400 Governor shall appoint the board members, subject to
401 confirmation by the Senate.

402 (3) PERSONNEL.-The state board shall appoint a Chancellor
403 of the Florida Community College System by November 1, 2017, to
404 aid in carrying out the state board's duties. The chancellor is



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405 the chief executive officer and secretary to the state board and
406 directs the activities of the staff of the state board. The
407 Chancellor of the Division of Florida Colleges shall serve as
408 the Chancellor of the Florida Community College System until the
409 state board selects a chancellor.

410 (4) POWERS AND DUTIES.—Effective October 1, 2017, the state
411 board shall regulate, control, and be responsible for the
412 management of the Florida Community College System.

413 (5) ORGANIZATION.—The state board shall, by September 30,
414 2017, conduct an organizational meeting to adopt bylaws, elect a
415 chair and vice chair from the membership, and fix dates and
416 places for regular meetings.

417 Section 5. Subsection (18) is added to section 112.313,
418 Florida Statutes, to read:

419 112.313 Standards of conduct for public officers, employees
420 of agencies, and local government attorneys.—

421 (18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF
422 TRUSTEES.—A citizen member of the State Board of Community
423 Colleges or a citizen member of a Florida Community College
424 System institution board of trustees may not have or hold an
425 employment or contractual relationship as a legislative lobbyist
426 requiring annual registration and reporting pursuant to s.
427 11.045.

428 Section 6. Paragraph (c) of subsection (1) of section
429 112.3145, Florida Statutes, is amended to read:

430 112.3145 Disclosure of financial interests and clients
431 represented before agencies.—

432 (1) For purposes of this section, unless the context
433 otherwise requires, the term:



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434 (c) "State officer" means:

435 1. Any elected public officer, excluding those elected to
436 the United States Senate and House of Representatives, not
437 covered elsewhere in this part and any person who is appointed
438 to fill a vacancy for an unexpired term in such an elective
439 office.

440 2. An appointed member of each board, commission,
441 authority, or council having statewide jurisdiction, excluding a
442 member of an advisory body.

443 3. A member of the Board of Governors of the State
444 University System or a state university board of trustees, the
445 Chancellor and Vice Chancellors of the State University System,
446 and the president of a state university; or a member of the
447 State Board of Community Colleges and the Chancellor of the
448 Florida Community College System.

449 4. A member of the judicial nominating commission for any
450 district court of appeal or any judicial circuit.

451 Section 7. Subsections (2) and (4) of section 1000.03,
452 Florida Statutes, are amended to read:

453 1000.03 Function, mission, and goals of the Florida K-20
454 education system.—

455 (2) (a) The Legislature shall establish education policy,
456 enact education laws, and appropriate and allocate education
457 resources.

458 (b) With the exception of matters relating to the State
459 University System and the Florida Community College System, the
460 State Board of Education shall oversee the enforcement of all
461 laws and rules, and the timely provision of direction,
462 resources, assistance, intervention when needed, and strong



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463 incentives and disincentives to force accountability for
464 results.

465 (c) The Board of Governors shall oversee the enforcement of
466 all state university laws and rules and regulations and the
467 timely provision of direction, resources, assistance,
468 intervention when needed, and strong incentives and
469 disincentives to force accountability for results.

470 (d) The State Board of Community Colleges shall oversee the
471 enforcement of all Florida Community College System laws and
472 rules and the timely provision of direction, resources,
473 assistance, intervention when needed, and strong incentives and
474 disincentives to force accountability for results.

475 (4) The mission of Florida's K-20 education system is to
476 allow its students to increase their proficiency by allowing
477 them the opportunity to expand their knowledge and skills
478 through rigorous and relevant learning opportunities, in
479 accordance with the mission of the applicable career center or
480 system ~~statement~~ and the accountability requirements of s.
481 1008.31, and to avoid wasteful duplication of programs offered
482 by state universities, Florida Community College System
483 institutions, and career centers and charter technical career
484 centers that are operated by a district school board or a
485 Florida Community College System institution board of trustees.

486 Section 8. Paragraph (d) of subsection (3) and subsections
487 (5) and (6) of section 1000.05, Florida Statutes, are amended to
488 read:

489 1000.05 Discrimination against students and employees in
490 the Florida K-20 public education system prohibited; equality of
491 access required.-



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(d) A public K-20 educational institution which operates or sponsors interscholastic, intercollegiate, club, or intramural athletics shall provide equal athletic opportunity for members of both genders.

1. The Board of Governors shall determine whether equal opportunities are available at state universities.

2. The Commissioner of Education, for school districts, and the Chancellor of the Florida Community College System, for Florida Community College System institutions, shall determine whether equal opportunities are available in school districts and Florida Community College System institutions. In determining whether equal opportunities are available in school districts and Florida Community College System institutions, the Commissioner of Education and the Chancellor of the Florida Community College System shall consider, among other factors:

- a. Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both genders.
- b. The provision of equipment and supplies.
- c. Scheduling of games and practice times.
- d. Travel and per diem allowances.
- e. Opportunities to receive coaching and academic tutoring.
- f. Assignment and compensation of coaches and tutors.
- g. Provision of locker room, practice, and competitive facilities.
- h. Provision of medical and training facilities and services.
- i. Provision of housing and dining facilities and services.



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521 j. Publicity.

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523 Unequal aggregate expenditures for members of each gender or
524 unequal expenditures for male and female teams if a public
525 school or Florida Community College System institution operates
526 or sponsors separate teams do not constitute nonimplementation
527 of this subsection, but the Commissioner of Education shall
528 consider the failure to provide necessary funds for teams for
529 one gender in assessing equality of opportunity for members of
530 each gender.

531 (5) (a) The State Board of Education shall adopt rules to
532 implement this section as it relates to school districts ~~and~~
533 ~~Florida College System institutions.~~

534 (b) The Board of Governors shall adopt regulations to
535 implement this section as it relates to state universities.

536 (c) The State Board of Community Colleges shall adopt rules
537 to implement this section as it relates to Florida Community
538 College System institutions.

539 (6) The functions of the State Board of Community Colleges
540 for Florida Community College System institutions and the Office
541 of Equal Educational Opportunity of the Department of Education
542 shall include, but are not limited to:

543 (a) Requiring all district school boards and Florida
544 Community College System institution boards of trustees to
545 develop and submit plans for the implementation of this section
546 to the Department of Education.

547 (b) Conducting periodic reviews of school districts and
548 Florida Community College System institutions to determine
549 compliance with this section and, after a finding that a school



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550 district or a Florida Community College System institution is
551 not in compliance with this section, notifying the entity of the
552 steps that it must take to attain compliance and performing
553 followup monitoring.

554 (c) Providing technical assistance, including assisting
555 school districts or Florida Community College System
556 institutions in identifying unlawful discrimination and
557 instructing them in remedies for correction and prevention of
558 such discrimination and performing followup monitoring.

559 (d) Conducting studies of the effectiveness of methods and
560 strategies designed to increase the participation of students in
561 programs and courses in which students of a particular race,
562 ethnicity, national origin, gender, disability, or marital
563 status have been traditionally underrepresented and monitoring
564 the success of students in such programs or courses, including
565 performing followup monitoring.

566 (e) Requiring all district school boards and Florida
567 Community College System institution boards of trustees to
568 submit data and information necessary to determine compliance
569 with this section. The Commissioner of Education, for school
570 districts, and the Chancellor of the Florida Community College
571 System, for Florida Community College System institutions, shall
572 prescribe the format and the date for submission of such data
573 and any other educational equity data. If any board does not
574 submit the required compliance data or other required
575 educational equity data by the prescribed date, the commissioner
576 shall notify the board of this fact and, if the board does not
577 take appropriate action to immediately submit the required
578 report, the State Board of Education shall impose monetary



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579 sanctions.

580 (f) Based upon rules of the State Board of Education, for
581 school districts, and the State Board of Community Colleges, for
582 Florida Community College System institutions, developing and
583 implementing enforcement mechanisms with appropriate penalties
584 to ensure that public K-12 schools and Florida Community College
585 System institutions comply with Title IX of the Education
586 Amendments of 1972 and subsection (3) of this section. However,
587 the State Board of Education may not force a public school or
588 Florida Community College System institution to conduct, nor
589 penalize such entity for not conducting, a program of athletic
590 activity or athletic scholarship for female athletes unless it
591 is an athletic activity approved for women by a recognized
592 association whose purpose is to promote athletics and a
593 conference or league exists to promote interscholastic or
594 intercollegiate competition for women in that athletic activity.

595 (g) Reporting to the Commissioner of Education, for school
596 districts, or to the Chancellor of the Florida Community College
597 System, for Florida Community College System institutions, any
598 district school board or Florida Community College System
599 institution board of trustees found to be out of compliance with
600 rules of the State Board of Education or the State Board of
601 Community Colleges adopted as required by paragraph (f) or
602 paragraph (3) (d). To penalize the respective board, the State
603 Board of Education or the State Board of Community Colleges, as
604 applicable, shall:

605 1. Declare the school district or Florida Community College
606 System institution ineligible for competitive state grants.

607 2. Notwithstanding the provisions of s. 216.192, direct the



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608 Chief Financial Officer to withhold general revenue funds
609 sufficient to obtain compliance from the school district or
610 Florida Community College System institution.

611
612 The school district or Florida Community College System
613 institution shall remain ineligible and the funds may ~~shall~~ not
614 be paid until the institution comes into compliance or the State
615 Board of Education or the State Board of Community Colleges, as
616 applicable, approves a plan for compliance.

617 Section 9. Section 1001.02, Florida Statutes, is amended to
618 read:

619 1001.02 General powers of State Board of Education.—

620 (1) The State Board of Education is the chief implementing
621 and coordinating body of public education in Florida except for
622 the State University System and the Florida Community College
623 System, and it shall focus on high-level policy decisions. It
624 has authority to adopt rules pursuant to ss. 120.536(1) and
625 120.54 to implement the provisions of law conferring duties upon
626 it for the improvement of the state system of K-20 public
627 education except for the State University System and the Florida
628 Community College System. Except as otherwise provided herein,
629 it may, as it finds appropriate, delegate its general powers to
630 the Commissioner of Education or the directors of the divisions
631 of the department.

632 (2) The State Board of Education has the following duties:

633 (a) To adopt comprehensive educational objectives for
634 public education except for the State University System and the
635 Florida Community College System.

636 (b) To adopt comprehensive long-range plans and short-range



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637 programs for the development of the state system of public
638 education except for the State University System and the Florida
639 Community College System.

640 (c) To exercise general supervision over the divisions of
641 the Department of Education as necessary to ensure coordination
642 of educational plans and programs and resolve controversies and
643 to minimize problems of articulation and student transfers, to
644 ensure that students moving from one level of education to the
645 next have acquired competencies necessary for satisfactory
646 performance at that level, and to ensure maximum utilization of
647 facilities.

648 (d) To adopt, in consultation with the Board of Governors
649 and the State Board of Community Colleges, and from time to time
650 modify, minimum and uniform standards of college-level
651 communication and computation skills generally associated with
652 successful performance and progression through the baccalaureate
653 level and to identify college-preparatory high school coursework
654 and postsecondary-level coursework that prepares students with
655 the academic skills necessary to succeed in postsecondary
656 education.

657 (e) To adopt and submit to the Governor and Legislature, as
658 provided in s. 216.023, a coordinated K-20 education budget that
659 estimates the expenditure requirements for the Board of
660 Governors, as provided in s. 1001.706, the State Board of
661 Education, including the Department of Education and the
662 Commissioner of Education, and all of the boards, institutions,
663 agencies, and services under the general supervision of the
664 Board of Governors, as provided in s. 1001.706, the State Board
665 of Community Colleges, as provided in s. 1001.602, or the State



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666 Board of Education for the ensuing fiscal year. The State Board
667 of Education may not amend the budget request submitted by the
668 Board of Governors or the State Board of Community Colleges. Any
669 program recommended by the Board of Governors, the State Board
670 of Community Colleges, or the State Board of Education which
671 will require increases in state funding for more than 1 year
672 must be presented in a multiyear budget plan.

673 (f) To hold meetings, transact business, keep records,
674 adopt a seal, and, except as otherwise provided by law, perform
675 such other duties as may be necessary for the enforcement of
676 laws and rules relating to the state system of public education.

677 (g) To approve plans for cooperating with the Federal
678 Government.

679 (h) To approve plans for cooperating with other public
680 agencies in the development of rules and in the enforcement of
681 laws for which the state board and such agencies are jointly
682 responsible.

683 (i) To review plans for cooperating with appropriate
684 nonpublic agencies for the improvement of conditions relating to
685 the welfare of schools.

686 (j) To create such subordinate advisory bodies as are
687 required by law or as it finds necessary for the improvement of
688 education.

689 (k) To constitute any education bodies or other structures
690 as required by federal law.

691 (l) To assist in the economic development of the state by
692 developing a state-level planning process to identify future
693 training needs for industry, especially high-technology
694 industry.



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695 (m) To assist in the planning and economic development of
696 the state by establishing a clearinghouse for information on
697 educational programs of value to economic development.

698 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
699 120.54, within statutory authority.

700 (o) To authorize the allocation of resources in accordance
701 with law and rule.

702 (p) To contract with independent institutions accredited by
703 an agency whose standards are comparable to the minimum
704 standards required to operate a postsecondary career center
705 ~~educational institution at that level in the state~~. The purpose
706 of the contract is to provide those educational programs and
707 facilities which will meet needs unfulfilled by the state system
708 of public postsecondary education.

709 (q) To recommend that a district school board take action
710 consistent with the state board's decision relating to an appeal
711 of a charter school application.

712 (r) To enforce systemwide education goals and policies
713 except as otherwise provided by law.

714 (s) To establish a detailed procedure for the
715 implementation and operation of a systemwide K-20 technology
716 plan that is based on a common set of data definitions.

717 (t) To establish accountability standards for existing
718 legislative performance goals, standards, and measures, and
719 order the development of mechanisms to implement new legislative
720 goals, standards, and measures.

721 (u) To adopt criteria and implementation plans for future
722 growth issues, ~~such as new Florida College System institutions~~
723 ~~and Florida College System institution campus mergers,~~ and to



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724 provide for cooperative agreements between and within public and
725 private education sectors.

726 (v) To develop, in conjunction with the Board of Governors
727 and the State Board of Community Colleges, and periodically
728 review for adjustment, a coordinated 5-year plan for
729 postsecondary enrollment, identifying enrollment and graduation
730 expectations by baccalaureate degree program, and annually
731 submit the plan to the Legislature as part of its legislative
732 budget request.

733 ~~(w) Beginning in the 2014-2015 academic year and annually~~
734 ~~thereafter, to require each Florida College System institution~~
735 ~~prior to registration to provide each enrolled student~~
736 ~~electronic access to the economic security report of employment~~
737 ~~and earning outcomes prepared by the Department of Economic~~
738 ~~Opportunity pursuant to s. 445.07.~~

739 (3) (a) The State Board of Education shall adopt a strategic
740 plan that specifies goals and objectives for the state's public
741 schools ~~and Florida College System institutions~~. The plan shall
742 be formulated in conjunction with plans of the Board of
743 Governors and the State Board of Community Colleges in order to
744 provide for the roles of the universities and Florida Community
745 College System institutions to be coordinated to best meet state
746 needs and reflect cost-effective use of state resources. The
747 strategic plan must clarify the mission statements of each
748 Florida Community College System institution and the system as a
749 whole and identify degree programs, including baccalaureate
750 degree programs, to be offered at each Florida Community College
751 System institution in accordance with the objectives provided in
752 this subsection and the coordinated 5-year plan pursuant to



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753 paragraph (2) (v). The strategic plan must cover a period of 5
754 years, with modification of the program lists after 2 years.
755 Development of each 5-year plan must be coordinated with and
756 initiated after completion of the master plan. The strategic
757 plans must specifically include programs and procedures for
758 responding to the educational needs of teachers and students in
759 the public schools of this state and consider reports and
760 recommendations of the Higher Education Coordinating Council
761 pursuant to s. 1004.015 and the Articulation Coordinating
762 Committee pursuant to s. 1007.01. The state board shall submit a
763 report to the President of the Senate and the Speaker of the
764 House of Representatives upon modification of the plan and as
765 part of its legislative budget request.

766 (b) The State Board of Education, ~~and~~ the Board of
767 Governors, and the State Board of Community Colleges shall
768 jointly develop long-range plans and annual reports for
769 financial aid in this state. The long-range plans shall
770 establish goals and objectives for a comprehensive program of
771 financial aid for Florida students and shall be updated every 5
772 years. The annual report shall include programs administered by
773 the department as well as awards made from financial aid fee
774 revenues, any other funds appropriated by the Legislature for
775 financial assistance, and the value of tuition and fees waived
776 for students enrolled in a dual enrollment course at a public
777 postsecondary educational institution. The annual report shall
778 include an assessment of progress made in achieving goals and
779 objectives established in the long-range plans and
780 recommendations for repealing or modifying existing financial
781 aid programs or establishing new programs. A long-range plan



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782 shall be submitted by January 1, 2004, and every 5 years
783 thereafter. An annual report shall be submitted on January 1,
784 2004, and in each successive year that a long-range plan is not
785 submitted, to the President of the Senate and the Speaker of the
786 House of Representatives.

787 (4) The State Board of Education shall:

788 ~~(a) Provide for each Florida College System institution to~~
789 ~~offer educational training and service programs designed to meet~~
790 ~~the needs of both students and the communities served.~~

791 ~~(b) Specify, by rule, procedures to be used by the Florida~~
792 ~~College System institution boards of trustees in the annual~~
793 ~~evaluations of presidents and review the evaluations of~~
794 ~~presidents by the boards of trustees, including the extent to~~
795 ~~which presidents serve both institutional and system goals.~~

796 ~~(c) Establish, in conjunction with the Board of Governors,~~
797 ~~an effective information system that will provide composite data~~
798 ~~concerning the Florida College System institutions and state~~
799 ~~universities and ensure that special analyses and studies~~
800 ~~concerning the institutions are conducted, as necessary, for~~
801 ~~provision of accurate and cost-effective information concerning~~
802 ~~the institutions.~~

803 ~~(d) Establish criteria for making recommendations for~~
804 ~~modifying district boundary lines for Florida College System~~
805 ~~institutions, including criteria for service delivery areas of~~
806 ~~Florida College System institutions authorized to grant~~
807 ~~baccalaureate degrees.~~

808 ~~(e) Establish criteria for making recommendations~~
809 ~~concerning all proposals for the establishment of additional~~
810 ~~centers or campuses for Florida College System institutions.~~



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811 ~~(f) Examine the annual administrative review of each~~
812 ~~Florida College System institution.~~

813 ~~(g) adopt and submit to the Legislature a 3-year list of~~
814 ~~priorities for fixed-capital-outlay projects. The State Board of~~
815 ~~Education may not amend the 3-year list of priorities of the~~
816 ~~Board of Governors or the State Board of Community Colleges.~~

817 ~~(5) The State Board of Education is responsible for~~
818 ~~reviewing and administering the state program of support for the~~
819 ~~Florida College System institutions and, subject to existing~~
820 ~~law, shall establish the tuition and out-of-state fees for~~
821 ~~developmental education and for credit instruction that may be~~
822 ~~counted toward an associate in arts degree, an associate in~~
823 ~~applied science degree, or an associate in science degree.~~

824 ~~(6) The State Board of Education shall prescribe minimum~~
825 ~~standards, definitions, and guidelines for Florida College~~
826 ~~System institutions that will ensure the quality of education,~~
827 ~~coordination among the Florida College System institutions and~~
828 ~~state universities, and efficient progress toward accomplishing~~
829 ~~the Florida College System institution mission. At a minimum,~~
830 ~~these rules must address:~~

831 ~~(a) Personnel.~~

832 ~~(b) Contracting.~~

833 ~~(c) Program offerings and classification, including~~
834 ~~college-level communication and computation skills associated~~
835 ~~with successful performance in college and with tests and other~~
836 ~~assessment procedures that measure student achievement of those~~
837 ~~skills. The performance measures must provide that students~~
838 ~~moving from one level of education to the next acquire the~~
839 ~~necessary competencies for that level.~~



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840 ~~(d) Provisions for curriculum development, graduation~~
841 ~~requirements, college calendars, and program service areas.~~
842 ~~These provisions must include rules that:~~
843 ~~1. Provide for the award of an associate in arts degree to~~
844 ~~a student who successfully completes 60 semester credit hours at~~
845 ~~the Florida College System institution.~~
846 ~~2. Require all of the credits accepted for the associate in~~
847 ~~arts degree to be in the statewide course numbering system as~~
848 ~~credits toward a baccalaureate degree offered by a state~~
849 ~~university or a Florida College System institution.~~
850 ~~3. Require no more than 36 semester credit hours in general~~
851 ~~education courses in the subject areas of communication,~~
852 ~~mathematics, social sciences, humanities, and natural sciences.~~
853
854 ~~The rules should encourage Florida College System institutions~~
855 ~~to enter into agreements with state universities that allow~~
856 ~~Florida College System institution students to complete upper-~~
857 ~~division-level courses at a Florida College System institution.~~
858 ~~An agreement may provide for concurrent enrollment at the~~
859 ~~Florida College System institution and the state university and~~
860 ~~may authorize the Florida College System institution to offer an~~
861 ~~upper-division-level course or distance learning.~~
862 ~~(e) Student admissions, conduct and discipline,~~
863 ~~nonclassroom activities, and fees.~~
864 ~~(f) Budgeting.~~
865 ~~(g) Business and financial matters.~~
866 ~~(h) Student services.~~
867 ~~(i) Reports, surveys, and information systems, including~~
868 ~~forms and dates of submission.~~



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869 Section 10. Subsections (7) through (17) of section
870 1001.03, Florida Statutes, are amended to read:

871 1001.03 Specific powers of State Board of Education.—

872 (7) ARTICULATION ACCOUNTABILITY.—The State Board of
873 Education shall develop articulation accountability measures
874 that assess the status of systemwide articulation processes, in
875 conjunction with the Board of Governors regarding the State
876 University System and the State Board of Community Colleges
877 regarding the Florida Community College System, and shall
878 establish an articulation accountability process in accordance
879 with the provisions of chapter 1008, in conjunction with the
880 Board of Governors regarding the State University System and the
881 State Board of Community Colleges regarding the Florida
882 Community College System.

883 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
884 shall enforce compliance with law and state board rule by all
885 school districts and public postsecondary educational
886 institutions, except for institutions within the State
887 University System and the Florida Community College System, in
888 accordance with the provisions of s. 1008.32.

889 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
890 Education, in conjunction with the Board of Governors regarding
891 the State University System and the State Board of Community
892 Colleges regarding the Florida Community College System, shall
893 continue to collect and maintain, at a minimum, the management
894 information databases for state universities, community
895 colleges, and all other components of the public K-20 education
896 system as such databases existed on June 30, 2002.

897 ~~(10) COMMON PLACEMENT TESTING FOR PUBLIC POSTSECONDARY~~



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898 ~~EDUCATION. The State Board of Education, in conjunction with the~~
899 ~~Board of Governors, shall develop and implement a common~~
900 ~~placement test to assess the basic computation and communication~~
901 ~~skills of students who intend to enter a degree program at any~~
902 ~~Florida College System institution or state university.~~

903 ~~(10)~~ (11) MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY
904 EDUCATION.—The State Board of Education shall adopt minimum
905 standards relating to nonpublic postsecondary education and
906 institutions, in accordance with the provisions of chapter 1005.

907 ~~(12) COMMON POSTSECONDARY DEFINITIONS. The State Board of~~
908 ~~Education shall adopt, by rule, common definitions for associate~~
909 ~~in science degrees and for certificates.~~

910 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS. The~~
911 ~~State Board of Education shall provide for the cyclic review of~~
912 ~~all academic programs in Florida College System institutions at~~
913 ~~least every 7 years. Program reviews shall document how~~
914 ~~individual academic programs are achieving stated student~~
915 ~~learning and program objectives within the context of the~~
916 ~~institution's mission. The results of the program reviews shall~~
917 ~~inform strategic planning, program development, and budgeting~~
918 ~~decisions at the institutional level.~~

919 ~~(11)~~ (14) UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
920 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of
921 Education shall maintain a uniform classification system for
922 school district administrative and management personnel that
923 will facilitate the uniform coding of administrative and
924 management personnel to total district employees.

925 ~~(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE~~
926 ~~DEGREE PROGRAMS. The State Board of Education shall provide for~~



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927 ~~the review and approval of proposals by Florida College System~~
928 ~~institutions to offer baccalaureate degree programs pursuant to~~
929 ~~s. 1007.33. A Florida College System institution, as defined in~~
930 ~~s. 1000.21, that is approved to offer baccalaureate degrees~~
931 ~~pursuant to s. 1007.33 remains under the authority of the State~~
932 ~~Board of Education and the Florida College System institution's~~
933 ~~board of trustees. The State Board of Education may not approve~~
934 ~~Florida College System institution baccalaureate degree program~~
935 ~~proposals from March 31, 2014, through May 31, 2015.~~

936 ~~(16) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1, 2013,~~
937 ~~the State Board of Education shall identify performance metrics~~
938 ~~for the Florida College System and develop a plan that specifies~~
939 ~~goals and objectives for each Florida College System~~
940 ~~institution. The plan must include:~~

941 ~~(a) Performance metrics and standards common for all~~
942 ~~institutions and metrics and standards unique to institutions~~
943 ~~depending on institutional core missions, including, but not~~
944 ~~limited to, remediation success, retention, graduation,~~
945 ~~employment, transfer rates, licensure passage, excess hours,~~
946 ~~student loan burden and default rates, job placement, faculty~~
947 ~~awards, and highly respected rankings for institution and~~
948 ~~program achievements.~~

949 ~~(b) Student enrollment and performance data delineated by~~
950 ~~method of instruction, including, but not limited to,~~
951 ~~traditional, online, and distance learning instruction.~~

952 ~~(12)~~ (17) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,
953 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of
954 Education, in consultation with the Board of Governors, the
955 State Board of Community Colleges, and the Department of



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956 Economic Opportunity, shall adopt a unified state plan to
957 improve K-20 STEM education and prepare students for high-skill,
958 high-wage, and high-demand employment in STEM and STEM-related
959 fields.

960 Section 11. Subsection (1), paragraphs (g) and (j) of
961 subsection (6), and subsection (7) of section 1001.10, Florida
962 Statutes, are amended to read:

963 1001.10 Commissioner of Education; general powers and
964 duties.—

965 (1) The Commissioner of Education is the chief educational
966 officer of the state and the sole custodian of the K-20 data
967 warehouse, and is responsible for giving full assistance to the
968 State Board of Education in enforcing compliance with the
969 mission and goals of the K-20 education system except for the
970 State University System and the Florida Community College
971 System.

972 (6) Additionally, the commissioner has the following
973 general powers and duties:

974 (g) To submit to the State Board of Education, on or before
975 October 1 of each year, recommendations for a coordinated K-20
976 education budget that estimates the expenditures for the Board
977 of Governors, the State Board of Community Colleges, the State
978 Board of Education, including the Department of Education and
979 the Commissioner of Education, and all of the boards,
980 institutions, agencies, and services under the general
981 supervision of the Board of Governors, the State Board of
982 Community Colleges, or the State Board of Education for the
983 ensuing fiscal year. Any program recommended to the State Board
984 of Education that will require increases in state funding for



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985 more than 1 year must be presented in a multiyear budget plan.

986 (j) To implement a program of school improvement and
987 education accountability designed to provide all students the
988 opportunity to make adequate learning gains in each year of
989 school as provided by statute and State Board of Education rule
990 based upon the achievement of the state education goals,
991 recognizing the following:

992 1. The district school board is responsible for school and
993 student performance.

994 2. The individual school is the unit for education
995 accountability.

996 ~~3. The Florida College System institution board of trustees~~
997 ~~is responsible for Florida College System institution~~
998 ~~performance and student performance.~~

999 ~~(7) The commissioner, or the commissioner's designee, may~~
1000 ~~conduct a review or investigation of practices, procedures, or~~
1001 ~~actions at any Florida College System institution which appear~~
1002 ~~to be inconsistent with sound financial, management, or academic~~
1003 ~~practice.~~

1004 Section 12. Paragraphs (c) through (f) of subsection (1)
1005 and subsection (3) of section 1001.11, Florida Statutes, are
1006 amended to read:

1007 1001.11 Commissioner of Education; other duties.-

1008 (1) The Commissioner of Education must independently
1009 perform the following duties:

1010 (c) In cooperation with the Board of Governors and the
1011 State Board of Community Colleges, develop and implement a
1012 process for receiving and processing requests, in conjunction
1013 with the Legislature, for the allocation of PECO funds for



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1014 qualified postsecondary education projects.

1015 ~~(d) Integrally work with the boards of trustees of the~~
1016 ~~Florida College System institutions.~~

1017 (d)~~(e)~~ Monitor the activities of the State Board of
1018 Education and provide information related to current and pending
1019 policies to the members of the boards of trustees of the Florida
1020 Community College System institutions and state universities.

1021 (e)~~(f)~~ Ensure the timely provision of information requested
1022 by the Legislature from the State Board of Education, the
1023 commissioner's office, and the Department of Education.

1024 (3) Notwithstanding any other provision of law to the
1025 contrary, the Commissioner of Education, in conjunction with the
1026 Legislature, and the Board of Governors regarding the State
1027 University System, and the State Board of Community Colleges
1028 regarding the Florida Community College System, must recommend
1029 funding priorities for the distribution of capital outlay funds
1030 for public postsecondary educational institutions, based on
1031 priorities that include, but are not limited to, the following
1032 criteria:

1033 (a) Growth at the institutions.

1034 (b) Need for specific skills statewide.

1035 (c) Need for maintaining and repairing existing facilities.

1036 Section 13. Paragraph (e) of subsection (4) of section
1037 1001.20, Florida Statutes, is amended to read:

1038 1001.20 Department under direction of state board.—

1039 (4) The Department of Education shall establish the
1040 following offices within the Office of the Commissioner of
1041 Education which shall coordinate their activities with all other
1042 divisions and offices:



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1043 (e) *Office of Inspector General.*—Organized using existing
1044 resources and funds and responsible for promoting
1045 accountability, efficiency, and effectiveness and detecting
1046 fraud and abuse within school districts and, the Florida School
1047 for the Deaf and the Blind, ~~and Florida College System~~
1048 ~~institutions in Florida~~. If the Commissioner of Education
1049 determines that a district school board or, the Board of
1050 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~
1051 ~~Florida College System institution board of trustees~~ is
1052 unwilling or unable to address substantiated allegations made by
1053 any person relating to waste, fraud, or financial mismanagement
1054 within the school district or, the Florida School for the Deaf
1055 and the Blind, ~~or the Florida College System institution~~, the
1056 office shall conduct, coordinate, or request investigations into
1057 such substantiated allegations. The office shall have access to
1058 all information and personnel necessary to perform its duties
1059 and shall have all of its current powers, duties, and
1060 responsibilities authorized in s. 20.055.

1061 Section 14. Section 1001.28, Florida Statutes, is amended
1062 to read:

1063 1001.28 Distance learning duties.—The duties of the
1064 Department of Education concerning distance learning include,
1065 but are not limited to, the duty to:

1066 (1) Facilitate the implementation of a statewide
1067 coordinated system and resource system for cost-efficient
1068 advanced telecommunications services and distance education
1069 which will increase overall student access to education.

1070 (2) Coordinate the use of existing resources, including,
1071 but not limited to, the state's satellite transponders, the



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1072 Florida Information Resource Network (FIRN), and distance
1073 learning initiatives.

1074 (3) Assist in the coordination of the utilization of the
1075 production and uplink capabilities available through Florida's
1076 public television stations, eligible facilities, independent
1077 colleges and universities, private firms, and others as needed.

1078 (4) Seek the assistance and cooperation of Florida's cable
1079 television providers in the implementation of the statewide
1080 advanced telecommunications services and distance learning
1081 network.

1082 (5) Seek the assistance and cooperation of Florida's
1083 telecommunications carriers to provide affordable student access
1084 to advanced telecommunications services and to distance
1085 learning.

1086 (6) Coordinate partnerships for development, acquisition,
1087 use, and distribution of distance learning.

1088 (7) Secure and administer funding for programs and
1089 activities for distance learning from federal, state, local, and
1090 private sources and from fees derived from services and
1091 materials.

1092 (8) Hire appropriate staff which may include a position
1093 that shall be exempt from part II of chapter 110 and is included
1094 in the Senior Management Service in accordance with s. 110.205.

1095
1096 Nothing in this section shall be construed to abrogate,
1097 supersede, alter, or amend the powers and duties of any state
1098 agency, district school board, Florida Community College System
1099 institution board of trustees, university board of trustees, the
1100 Board of Governors, the State Board of Community Colleges, or



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1101 the State Board of Education.

1102 Section 15. Effective July 1, 2017, subsection (26) of
1103 section 1001.42, Florida Statutes, is amended to read:

1104 1001.42 Powers and duties of district school board.—The
1105 district school board, acting as a board, shall exercise all
1106 powers and perform all duties listed below:

1107 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a
1108 governing board for a school district technical center or a
1109 system of technical centers for the purpose of aligning the
1110 educational programs of the technical center with the needs of
1111 local businesses and responding quickly to the needs of local
1112 businesses for employees holding industry certifications. A
1113 technical center governing board shall be comprised of seven
1114 members, three of whom must be members of the district school
1115 board or their designees and four of whom must be local business
1116 leaders. The district school board shall delegate to the
1117 technical center governing board decisions regarding entrance
1118 requirements for students, curriculum, program development,
1119 budget and funding allocations, and the development with local
1120 businesses of partnership agreements and appropriate industry
1121 certifications in order to meet local and regional economic
1122 needs. A technical center governing board may approve only
1123 courses and programs that contain industry certifications. A
1124 course may be continued if at least 25 percent of the students
1125 enrolled in the course attain an industry certification. If
1126 fewer than 25 percent of the students enrolled in a course
1127 attain an industry certification, the course must be
1128 discontinued the following year. However, notwithstanding the
1129 authority to approve courses and programs under this subsection,



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1130 a technical center governing board may not approve a college
1131 credit course or a college credit certificate or an associate
1132 degree or baccalaureate degree program.

1133 Section 16. Effective July 1, 2017, section 1001.44,
1134 Florida Statutes, is amended to read:

1135 1001.44 Career centers; governance, mission, and
1136 responsibilities.-

1137 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
1138 CENTERS.-Any district school board, after first obtaining the
1139 approval of the Department of Education, may, as a part of the
1140 district school system, organize, establish and operate a career
1141 center, or acquire and operate a career center previously
1142 established.

1143 (a) The primary mission of a career center that is operated
1144 by a district school board is to promote advances and
1145 innovations in workforce preparation and economic development. A
1146 career center may provide a learning environment that serves the
1147 needs of a specific population group or group of occupations,
1148 thus promoting diversity and choices within the public technical
1149 education community in this state.

1150 (b) A career center that is operated by a district school
1151 board may not offer a college credit course or a college credit
1152 certificate or an associate degree or baccalaureate degree
1153 program.

1154 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
1155 ESTABLISH OR ACQUIRE CAREER CENTERS.-The district school boards
1156 of any two or more contiguous districts may, upon first
1157 obtaining the approval of the department, enter into an
1158 agreement to organize, establish and operate, or acquire and



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1159 operate, a career center under this section.

1160 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED
1161 BY A DIRECTOR.—

1162 (a) A career center established or acquired under
1163 provisions of law and minimum standards prescribed by the
1164 commissioner shall comprise a part of the district school system
1165 and shall mean an educational institution offering terminal
1166 courses of a technical nature which are not for college credit,
1167 and courses for out-of-school youth and adults; shall be subject
1168 to all applicable provisions of this code; shall be under the
1169 control of the district school board of the school district in
1170 which it is located; and shall be directed by a director
1171 responsible through the district school superintendent to the
1172 district school board of the school district in which the center
1173 is located.

1174 (b) Each career center shall maintain an academic
1175 transcript for each student enrolled in the center. Such
1176 transcript shall delineate each course completed by the student.
1177 Courses shall be delineated by the course prefix and title
1178 assigned pursuant to s. 1007.24. The center shall make a copy of
1179 a student's transcript available to any student who requests it.

1180 Section 17. Effective July 1, 2017, section 1001.60,
1181 Florida Statutes, is amended to read:

1182 1001.60 Florida Community College System.—

1183 (1) PURPOSES.—In order to maximize open access for
1184 students, respond to community needs for postsecondary academic
1185 education and career degree education, and provide associate and
1186 baccalaureate degrees that will best meet the state's employment
1187 needs, the Legislature establishes a system of governance for



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1188 the Florida Community College System.

1189 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a
1190 single Florida Community College System comprised of the Florida
1191 Community College System institutions identified in s.
1192 1000.21(3). A Florida Community College System institution may
1193 not offer graduate degree programs.

1194 (a) The programs and services offered by Florida Community
1195 College System institutions in providing associate and
1196 baccalaureate degrees shall be delivered in a cost-effective
1197 manner that demonstrates substantial savings to the student and
1198 to the state over the cost of providing the degree at a state
1199 university.

1200 (b)1. With the approval of its district board of trustees,
1201 a Florida Community College System institution may change the
1202 institution's name set forth in s. 1000.21(3) and use the
1203 designation "college" or "state college" if it has been
1204 authorized to grant baccalaureate degrees pursuant to s. 1007.33
1205 and has been accredited as a baccalaureate-degree-granting
1206 institution by the Commission on Colleges of the Southern
1207 Association of Colleges and Schools.

1208 2. With the approval of its district board of trustees, a
1209 Florida Community College System institution that does not meet
1210 the criteria in subparagraph 1. may request approval from the
1211 State Board of Education to change the institution's name set
1212 forth in s. 1000.21(3) and use the designation "college." The
1213 State Board of Community Colleges ~~Education~~ may approve the
1214 request if the Florida Community College System institution
1215 enters into an agreement with the State Board of Community
1216 Colleges ~~Education~~ to do the following:



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1217 a. Maintain as its primary mission responsibility for
1218 responding to community needs for postsecondary academic
1219 education and career degree education as prescribed in s.
1220 1004.65(5).

1221 b. Maintain an open-door admissions policy for associate-
1222 level degree programs and workforce education programs.

1223 c. Continue to provide outreach to underserved populations.

1224 d. Continue to provide remedial education.

1225 e. Comply with all provisions of the statewide articulation
1226 agreement that relate to 2-year and 4-year public degree-
1227 granting institutions as adopted by the State Board of Community
1228 Colleges Education pursuant to s. 1007.23.

1229 (c) A district board of trustees that approves a change to
1230 the name of an institution under paragraph (b) must seek
1231 statutory codification of such name change in s. 1000.21(3)
1232 during the next regular legislative session.

1233 (d) A Florida Community College System institution may not
1234 use the designation "university."

1235 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the
1236 Florida Community College System shall be governed by a local
1237 board of trustees as provided in s. 1001.64. The membership of
1238 each local board of trustees shall be as provided in s. 1001.61.

1239 Section 18. Effective July 1, 2017, section 1001.601,
1240 Florida Statutes, is created to read:

1241 1001.601 State Board of Community Colleges of the Florida
1242 Community College System.—

1243 (1) The State Board of Community Colleges is established as
1244 a body corporate consisting of 13 members, which shall consist
1245 of the Commissioner of Education and 12 citizen members who are



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1246 appointed by the Governor in a manner that provides equitable
1247 geographical representation.

1248 (a) The 12 appointed citizen members must include a student
1249 enrolled in a Florida Community College System institution and a
1250 faculty member employed at a Florida Community College System
1251 institution.

1252 (b) Except for the student member, each citizen member must
1253 be confirmed by the Senate and must reside and be registered to
1254 vote in this state.

1255 (c) Except for the student member, who shall serve a 1-year
1256 term, appointed citizen members shall serve staggered 4-year
1257 terms. In order to achieve staggered terms, beginning September
1258 1, 2017, of the initial appointments, 3 members shall serve 2-
1259 year terms, 4 members shall serve 3-year terms, and 4 members
1260 shall serve 4-year terms.

1261 (2) Members of the State Board of Community Colleges may
1262 not receive compensation but may be reimbursed for travel and
1263 per diem expenses as provided in s. 112.061.

1264 Section 19. Section 1001.602, Florida Statutes, is created
1265 to read:

1266 1001.602 Powers and duties of the State Board of Community
1267 Colleges.—

1268 (1) RESPONSIBILITIES.—The State Board of Community Colleges
1269 is responsible for the efficient and effective operation and
1270 maintenance of the Florida Community College System, as defined
1271 in s. 1001.60. The State Board of Community Colleges may adopt
1272 rules pursuant to ss. 120.536(1) and 120.54 to implement
1273 provisions of law for the Florida Community College System. For
1274 the purposes of this section, the State Board of Community



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1275 Colleges is referred to as the "state board."

1276 (2) DUTIES.—The state board has the following duties:

1277 (a) Ensure Florida Community College System institutions
1278 operate consistent with the mission of the system, pursuant to
1279 s. 1004.65.

1280 (b) Oversee the Florida Community College System and
1281 coordinate with the Board of Governors and the State Board of
1282 Education to avoid wasteful duplication of facilities or
1283 programs.

1284 (c) Provide for each Florida Community College System
1285 institution to offer educational training and service programs
1286 designed to meet the needs of both students and the communities
1287 served.

1288 (d) Hold meetings, transact business, keep records, and,
1289 except as otherwise provided by law, perform such other duties
1290 as may be necessary for the enforcement of laws and rules
1291 relating to the Florida Community College System.

1292 (e) Provide for the coordination of educational plans and
1293 programs to resolve controversies, minimize problems of
1294 articulation and student transfers, ensure that students moving
1295 from one level of education to the next have acquired
1296 competencies necessary for satisfactory performance at that
1297 level, and ensure maximum utilization of facilities.

1298 (f) Establish and review, in consultation with the State
1299 Board of Education and the Board of Governors, minimum and
1300 uniform standards of college-level communication and computation
1301 skills generally associated with successful performance and
1302 progression through the baccalaureate level, to identify
1303 college-preparatory high school coursework and postsecondary-



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1304 level coursework that prepares students with the academic skills
1305 necessary to succeed in postsecondary education.

1306 (g) Approve plans for cooperating with the Federal
1307 Government.

1308 (h) Approve plans for cooperating with other public
1309 agencies in the development of rules and in the enforcement of
1310 laws for which the state board and the agencies are jointly
1311 responsible.

1312 (i) Create subordinate advisory bodies if required by law
1313 or as necessary for the improvement of the Florida Community
1314 College System.

1315 (j) Coordinate with the State Board of Education to collect
1316 and maintain data for the Florida Community College System.

1317 (k) Establish, in conjunction with the State Board of
1318 Education and the Board of Governors, an effective information
1319 system that will provide composite data concerning the Florida
1320 Community College System institutions and state universities and
1321 that will ensure that special analyses and studies concerning
1322 the institutions are conducted, as necessary, for provision of
1323 accurate and cost-effective information concerning the
1324 institutions.

1325 (l) Establish accountability standards for existing
1326 legislative performance goals, standards, and measures, and
1327 order the development of mechanisms to implement new legislative
1328 goals, standards, and measures.

1329 (m) Require each Florida Community College System
1330 institution, before registration, to provide each enrolled
1331 student electronic access to the economic security report of
1332 employment and earning outcomes prepared by the Department of



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1333 Economic Opportunity pursuant to s. 445.07.

1334 (n) Specify, by rule, procedures to be used by Florida
1335 Community College System institution boards of trustees in the
1336 annual evaluation of presidents, and review the evaluations of
1337 presidents by the boards of trustees, including the extent to
1338 which presidents serve both institutional and system goals.

1339 (o) Establish, subject to existing law, the tuition and
1340 out-of-state fees for developmental education and for credit
1341 instruction that may be counted toward an associate in arts
1342 degree, an associate in applied science degree, or an associate
1343 in science degree.

1344 (p) Develop, in conjunction with the Board of Governors and
1345 the State Board of Education, and implement a common placement
1346 test to assess the basic computation and communication skills of
1347 students who intend to enter a degree program at a Florida
1348 Community College System institution or state university.

1349 (q) May direct the Chancellor of the Florida Community
1350 College System to conduct investigations of practices,
1351 procedures, or actions at a Florida Community College System
1352 institution which appear to be inconsistent with sound
1353 financial, management, or academic practice.

1354 (r) Examine the annual administrative review of each
1355 Florida Community College System institution.

1356 (s) Through the Chancellor of the Florida Community College
1357 System, integrally work with the boards of trustees of the
1358 Florida Community College System institutions.

1359 (t) Establish criteria for making recommendations
1360 concerning all proposals to establish additional centers or
1361 campuses for a Florida Community College System institution.



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1362 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
1363 the requirements under subsection (4) and the performance
1364 metrics and standards adopted under ss. 1001.66 and 1001.67, the
1365 state board shall identify performance metrics for the Florida
1366 Community College System and develop a plan that specifies goals
1367 and objectives for each Florida Community College System
1368 institution. The plan must include:

1369 (a) Performance metrics and standards common for all
1370 institutions and metrics and standards unique to institutions
1371 depending on institutional core missions, including, but not
1372 limited to, remediation success, retention, graduation,
1373 employment, transfer rates, licensure passage, excess hours,
1374 student loan burden and default rates, job placement, faculty
1375 awards, and highly respected rankings for institution and
1376 program achievements.

1377 (b) Student enrollment and performance data delineated by
1378 method of instruction, including, but not limited to,
1379 traditional, online, and distance learning instruction.

1380 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1381 (a) The state board shall adopt a strategic plan that
1382 specifies goals and objectives for the Florida Community College
1383 System. The plan must be formulated in conjunction with plans of
1384 the State Board of Education and the Board of Governors in order
1385 to coordinate the roles of the school districts and universities
1386 to best meet state needs and reflect cost-effective use of state
1387 resources. The strategic plan must clarify the mission
1388 statements of the Florida Community College System and each
1389 Florida Community College System institution and identify degree
1390 programs, including baccalaureate degree programs, to be offered



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1391 at each Florida Community College System institution in
1392 accordance with the objectives provided in this subsection and
1393 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The
1394 strategic plan must cover a period of 5 years, with modification
1395 of the program lists after 2 years. Development of each 5-year
1396 plan must be coordinated with and initiated after completion of
1397 the master plan. The strategic plan must consider reports and
1398 recommendations of the Higher Education Coordinating Council
1399 pursuant to s. 1004.015 and the Articulation Coordinating
1400 Committee pursuant to s. 1007.01. Upon modification of the plan,
1401 the state board shall submit a report to the President of the
1402 Senate and the Speaker of the House of Representatives as part
1403 of its legislative budget request.

1404 (b) The state board, the State Board of Education, and the
1405 Board of Governors shall jointly develop long-range plans and
1406 annual reports for financial aid in this state. The long-range
1407 plans must establish goals and objectives for a comprehensive
1408 program of financial aid for students and shall be updated every
1409 5 years. The annual report must include programs administered by
1410 the department as well as awards made from financial aid fee
1411 revenues, other funds appropriated by the Legislature for
1412 financial assistance, and the value of tuition and fees waived
1413 for students enrolled in a dual enrollment course at a public
1414 postsecondary educational institution. The annual report must
1415 include an assessment of the progress made in achieving goals
1416 and objectives established in the long-range plans and must
1417 include recommendations for repealing or modifying existing
1418 financial aid programs or establishing new programs. The state
1419 board, the State Board of Education, and the Board of Governors



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1420 shall submit their long-range plans by July 1, 2018, and every 5
1421 years thereafter and shall submit their annual reports on July
1422 1, 2018, and in each successive year that a long-range plan is
1423 not submitted, to the President of the Senate and the Speaker of
1424 the House of Representatives.

1425 (c) The state board shall also:

1426 1. Adopt comprehensive long-range plans and short-range
1427 programs for the development of the Florida Community College
1428 System.

1429 2. Assist in the economic development of the state by
1430 developing a state-level planning process to identify future
1431 training needs for industry, especially high-technology
1432 industry.

1433 3. Adopt criteria and implementation plans for future
1434 growth issues, such as new Florida Community College System
1435 institutions and Florida Community College System institution
1436 campus mergers, and provide for cooperative agreements between
1437 and within public and private education sectors.

1438 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
1439 prescribe minimum standards, definitions, and guidelines for
1440 Florida Community College System institutions which will ensure
1441 the quality of education, coordination among the Florida
1442 Community College System institutions and state universities,
1443 and efficient progress toward accomplishing the Florida
1444 Community College System institution's mission. At a minimum,
1445 these rules must address all of the following:

1446 (a) Personnel.

1447 (b) Contracting.

1448 (c) Program offerings and classification, including



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1449 college-level communication and computation skills associated
1450 with successful performance in college and with tests and other
1451 assessment procedures that measure student achievement of those
1452 skills. The performance measures must provide that students
1453 moving from one level of education to the next acquire the
1454 necessary competencies for that level.

1455 (d) Provisions for curriculum development, graduation
1456 requirements, college calendars, and program service areas.

1457 These provisions must include rules that:

1458 1. Provide for the award of an associate in arts degree to
1459 a student who successfully completes 60 semester credit hours at
1460 the Florida Community College System institution.

1461 2. Require all of the credits accepted for the associate in
1462 arts degree to be in the statewide course numbering system as
1463 credits toward a baccalaureate degree offered by a state
1464 university or a Florida Community College System institution.

1465 3. Require no more than 36 semester credit hours in general
1466 education courses in the subject areas of communication,
1467 mathematics, social sciences, humanities, and natural sciences.

1468
1469 The rules under this paragraph should encourage Florida
1470 Community College System institutions to enter into agreements
1471 with state universities which allow a Florida Community College
1472 System institution student to complete upper-division-level
1473 courses at a Florida Community College System institution. An
1474 agreement may provide for concurrent enrollment at the Florida
1475 Community College System institution and the state university
1476 and may authorize the Florida Community College System
1477 institution to offer an upper-division-level course or distance



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1478 learning.

1479 (e) Student admissions, conduct and discipline;
1480 nonclassroom activities; and fees.

1481 (f) Budgeting.

1482 (g) Business and financial matters.

1483 (h) Student services.

1484 (i) Reports, surveys, and information systems, including
1485 forms and dates of submission.

1486 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
1487 shall provide for the cyclic review of all academic programs in
1488 Florida Community College System institutions at least every 7
1489 years. Program reviews must document how individual academic
1490 programs are achieving stated student learning and program
1491 objectives within the context of the institution's mission. The
1492 results of the program reviews must inform strategic planning,
1493 program development, and budgeting decisions at the
1494 institutional level.

1495 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION
1496 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for
1497 the review and approval of proposals by Florida Community
1498 College System institutions to offer baccalaureate degree
1499 programs pursuant to s. 1007.33. A Florida Community College
1500 System institution, as defined in s. 1000.21, which is approved
1501 to offer baccalaureate degrees pursuant to s. 1007.33 remains
1502 under the authority of the state board and the Florida Community
1503 College System institution's board of trustees.

1504 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall
1505 establish criteria for making recommendations for modifying
1506 district boundary lines for a Florida Community College System



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1507 institution, including criteria for service delivery areas of a
1508 Florida Community College System institution authorized to grant
1509 baccalaureate degrees.

1510 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee
1511 the performance of Florida Community College System institution
1512 boards of trustees in enforcement of all laws and rules. Florida
1513 Community College System institution boards of trustees are
1514 primarily responsible for compliance with law and state board
1515 rule.

1516 (a) In order to ensure compliance with law or state board
1517 rule, the state board has the authority to request and receive
1518 information, data, and reports from Florida Community College
1519 System institutions. The Florida Community College System
1520 institution president is responsible for the accuracy of the
1521 information and data reported to the state board.

1522 (b) The Chancellor of the Florida Community College System
1523 may investigate allegations of noncompliance with law or state
1524 board rule and determine probable cause. The Chancellor shall
1525 report determinations of probable cause to the State Board of
1526 Community Colleges who shall require the Florida Community
1527 College System institution board of trustees to document
1528 compliance with law or state board rule.

1529 (c) If the Florida Community College System institution
1530 board of trustees cannot satisfactorily document compliance, the
1531 state board may order compliance within a specified timeframe.

1532 (d) If the state board determines that a Florida Community
1533 College System institution board of trustees is unwilling or
1534 unable to comply with law or state board rule within the
1535 specified time, the state board has the authority to initiate



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1536 any of the following actions:

1537 1. Report to the Legislature that the Florida Community
1538 College System institution is unwilling or unable to comply with
1539 law or state board rule and recommend that the Legislature take
1540 action against the institution;

1541 2. Withhold the transfer of state funds, discretionary
1542 grant funds, discretionary lottery funds, or any other funds
1543 specified as eligible for this purpose by the Legislature until
1544 the Florida Community College System institution complies with
1545 the law or state board rule;

1546 3. Declare the Florida Community College System institution
1547 ineligible for competitive grants; or

1548 4. Require monthly or periodic reporting on the situation
1549 related to noncompliance until it is remedied.

1550 (e) This section may not be construed to create a private
1551 cause of action or create any rights for individuals or entities
1552 in addition to those provided elsewhere in law or rule.

1553 (10) INSPECTOR GENERAL.—The inspector general is
1554 responsible for promoting accountability, efficiency, and
1555 effectiveness and detecting fraud and abuse within Florida
1556 Community College System institutions. If the Chancellor of the
1557 Florida Community College System determines that a Florida
1558 Community College System institution board of trustees is
1559 unwilling or unable to address substantiated allegations made by
1560 any person relating to waste, fraud, or financial mismanagement
1561 within the Florida Community College System institution, the
1562 inspector general shall conduct, coordinate, or request
1563 investigations into such substantiated allegations. The
1564 inspector general shall have access to all information and



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1565 personnel necessary to perform its duties and shall have all of
1566 his or her current powers, duties, and responsibilities
1567 authorized in s. 20.055.

1568 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
1569 state board shall coordinate with the State Board of Education:

1570 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
1571 education budget.

1572 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
1573 the Legislature a 3-year list of priorities for fixed-capital-
1574 outlay projects.

1575 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in
1576 collaboration with the State Board of Education, by rule,
1577 definitions for associate in science degrees and for
1578 certificates offered by Florida Community College System
1579 institutions.

1580 Section 20. Section 1001.61, Florida Statutes, is amended
1581 to read:

1582 1001.61 Florida Community College System institution boards
1583 of trustees; membership.—

1584 (1) Florida Community College System institution boards of
1585 trustees shall be comprised of five members when a Florida
1586 Community College System institution district is confined to one
1587 school board district; seven members when a Florida Community
1588 College System institution district is confined to one school
1589 board district and the board of trustees so elects; and not more
1590 than nine members when the district contains two or more school
1591 board districts, as provided by rules of the State Board of
1592 Community Colleges ~~Education~~. However, Florida State College at
1593 Jacksonville shall have an odd number of trustees, and St. Johns



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1594 River State College shall have seven trustees from the three-
1595 county area that the college serves.

1596 (2) Trustees shall be appointed by the Governor to
1597 staggered 4-year terms, subject to confirmation by the Senate in
1598 regular session.

1599 (3) Members of the board of trustees shall receive no
1600 compensation but may receive reimbursement for expenses as
1601 provided in s. 112.061.

1602 (4) At its first regular meeting after July 1 of each year,
1603 each Florida Community College System institution board of
1604 trustees shall organize by electing a chair, whose duty as such
1605 is to preside at all meetings of the board, to call special
1606 meetings thereof, and to attest to actions of the board, and a
1607 vice chair, whose duty as such is to act as chair during the
1608 absence or disability of the elected chair. It is the further
1609 duty of the chair of each board of trustees to notify the
1610 Governor, in writing, whenever a board member fails to attend
1611 three consecutive regular board meetings in any one fiscal year,
1612 which absences may be grounds for removal.

1613 (5) A Florida Community College System institution
1614 president shall serve as the executive officer and corporate
1615 secretary of the board of trustees and shall be responsible to
1616 the board of trustees for setting the agenda for meetings of the
1617 board of trustees in consultation with the chair. The president
1618 also serves as the chief administrative officer of the Florida
1619 Community College System institution, and all the components of
1620 the institution and all aspects of its operation are responsible
1621 to the board of trustees through the president.

1622 Section 21. Section 1001.64, Florida Statutes, is amended



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1623 to read:

1624 1001.64 Florida Community College System institution
1625 boards of trustees; powers and duties.—

1626 (1) The boards of trustees shall be responsible for cost-
1627 effective policy decisions appropriate to the Florida Community
1628 College System institution's mission, the implementation and
1629 maintenance of high-quality education programs within law and
1630 rules of the State Board of Community Colleges ~~Education~~, the
1631 measurement of performance, the reporting of information, and
1632 the provision of input regarding state policy, budgeting, and
1633 education standards.

1634 (2) Each board of trustees is vested with the
1635 responsibility to govern its respective Florida Community
1636 College System institution and with such necessary authority as
1637 is needed for the proper operation and improvement thereof in
1638 accordance with rules of the State Board of Community Colleges
1639 ~~Education~~.

1640 (3) A board of trustees shall have the power to take action
1641 without a recommendation from the president and shall have the
1642 power to require the president to deliver to the board of
1643 trustees all data and information required by the board of
1644 trustees in the performance of its duties. A board of trustees
1645 shall ask the Chancellor of the Florida Community College System
1646 ~~Commissioner of Education~~ to authorize an investigation of the
1647 president's actions by the State Board of Community College's
1648 ~~department's~~ inspector general if the board considers such
1649 investigation necessary. The inspector general shall provide a
1650 report detailing each issue under investigation and shall
1651 recommend corrective action. If the inspector general identifies



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1652 potential legal violations, he or she shall refer the potential
1653 legal violations to the Commission on Ethics, the Department of
1654 Law Enforcement, the Attorney General, or another appropriate
1655 authority.

1656 (4) (a) The board of trustees, after considering
1657 recommendations submitted by the Florida Community College
1658 System institution president, may adopt rules pursuant to ss.
1659 120.536(1) and 120.54 to implement the provisions of law
1660 conferring duties upon it. These rules may supplement those
1661 prescribed by the State Board of Community Colleges ~~Education~~ if
1662 they will contribute to the more orderly and efficient operation
1663 of Florida Community College System institutions.

1664 (b) Each board of trustees is specifically authorized to
1665 adopt rules, procedures, and policies, consistent with law and
1666 rules of the State Board of Community Colleges ~~Education~~,
1667 related to its mission and responsibilities as set forth in s.
1668 1004.65, its governance, personnel, budget and finance,
1669 administration, programs, curriculum and instruction, buildings
1670 and grounds, travel and purchasing, technology, students,
1671 contracts and grants, or college property.

1672 (5) Each board of trustees shall have responsibility for
1673 the use, maintenance, protection, and control of Florida
1674 Community College System institution owned or Florida Community
1675 College System institution controlled buildings and grounds,
1676 property and equipment, name, trademarks and other proprietary
1677 marks, and the financial and other resources of the Florida
1678 Community College System institution. Such authority may include
1679 placing restrictions on activities and on access to facilities,
1680 firearms, food, tobacco, alcoholic beverages, distribution of



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1681 printed materials, commercial solicitation, animals, and sound.

1682 (6) Each board of trustees has responsibility for the
1683 establishment and discontinuance of program and course offerings
1684 in accordance with law and rule; provision for instructional and
1685 noninstructional community services, location of classes, and
1686 services provided; and dissemination of information concerning
1687 such programs and services. New programs must be approved
1688 pursuant to s. 1004.03.

1689 (7) Each board of trustees has responsibility for ensuring
1690 that students have access to general education courses as
1691 identified in rule; requiring no more than 60 semester hours of
1692 degree program coursework, including 36 semester hours of
1693 general education coursework, for an associate in arts degree;
1694 notifying students that earned hours in excess of 60 semester
1695 hours may not be accepted by state universities; notifying
1696 students of unique program prerequisites; and ensuring that
1697 degree program coursework beyond general education coursework is
1698 consistent with degree program prerequisite requirements adopted
1699 pursuant to s. 1007.25(5).

1700 (8) Each board of trustees has authority for policies
1701 related to students, enrollment of students, student records,
1702 student activities, financial assistance, and other student
1703 services.

1704 (a) Each board of trustees shall govern admission of
1705 students pursuant to s. 1007.263 and rules of the State Board of
1706 Community Colleges Education. A board of trustees may establish
1707 additional admissions criteria, which shall be included in the
1708 dual enrollment articulation agreement developed according to s.
1709 1007.271(21), to ensure student readiness for postsecondary



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1710 instruction. Each board of trustees may consider the past
1711 actions of any person applying for admission or enrollment and
1712 may deny admission or enrollment to an applicant because of
1713 misconduct if determined to be in the best interest of the
1714 Florida Community College System institution.

1715 (b) Each board of trustees shall adopt rules establishing
1716 student performance standards for the award of degrees and
1717 certificates pursuant to s. 1004.68.

1718 (c) Boards of trustees are authorized to establish
1719 intrainstitutional and interinstitutional programs to maximize
1720 articulation pursuant to s. 1007.22.

1721 (d) Boards of trustees shall identify their general
1722 education curricula pursuant to s. 1007.25(6).

1723 (e) Each board of trustees must adopt a written antihazing
1724 policy, provide a program for the enforcement of such rules, and
1725 adopt appropriate penalties for violations of such rules
1726 pursuant to the provisions of s. 1006.63.

1727 (f) Each board of trustees may establish a uniform code of
1728 conduct and appropriate penalties for violation of its rules by
1729 students and student organizations, including rules governing
1730 student academic honesty. Such penalties, unless otherwise
1731 provided by law, may include fines, the withholding of diplomas
1732 or transcripts pending compliance with rules or payment of
1733 fines, and the imposition of probation, suspension, or
1734 dismissal.

1735 (g) Each board of trustees pursuant to s. 1006.53 shall
1736 adopt a policy in accordance with rules of the State Board of
1737 Community Colleges ~~Education~~ that reasonably accommodates the
1738 religious observance, practice, and belief of individual



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1739 students in regard to admissions, class attendance, and the
1740 scheduling of examinations and work assignments.

1741 (9) A board of trustees may contract with the board of
1742 trustees of a state university for the Florida Community College
1743 System institution to provide developmental education on the
1744 state university campus.

1745 (10) Each board of trustees shall establish fees pursuant
1746 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1747 (11) Each board of trustees shall submit an institutional
1748 budget request, including a request for fixed capital outlay,
1749 and an operating budget to the State Board of Community Colleges
1750 ~~Education~~ for review in accordance with guidelines established
1751 by the State Board of Community Colleges ~~Education~~.

1752 (12) Each board of trustees shall account for expenditures
1753 of all state, local, federal, and other funds in the manner
1754 described by the State Board of Community Colleges ~~Department of~~
1755 ~~Education~~.

1756 (13) Each board of trustees is responsible for the uses for
1757 the proceeds of academic improvement trust funds pursuant to s.
1758 1011.85.

1759 (14) Each board of trustees shall develop a strategic plan
1760 specifying institutional goals and objectives for the Florida
1761 Community College System institution for recommendation to the
1762 State Board of Community Colleges ~~Education~~.

1763 (15) Each board of trustees shall develop an accountability
1764 plan pursuant to s. 1008.45.

1765 (16) Each board of trustees must expend performance funds
1766 provided for workforce education pursuant to the provisions of
1767 s. 1011.80.



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1768 (17) Each board of trustees is accountable for performance
1769 in certificate career education and diploma programs pursuant to
1770 s. 1008.43.

1771 (18) Each board of trustees shall establish the personnel
1772 program for all employees of the Florida Community College
1773 System institution, including the president, pursuant to the
1774 provisions of chapter 1012 and rules and guidelines of the State
1775 Board of Community Colleges Education, including: compensation
1776 and other conditions of employment; recruitment and selection;
1777 nonreappointment; standards for performance and conduct;
1778 evaluation; benefits and hours of work; leave policies;
1779 recognition; inventions and work products; travel; learning
1780 opportunities; exchange programs; academic freedom and
1781 responsibility; promotion; assignment; demotion; transfer;
1782 ethical obligations and conflict of interest; restrictive
1783 covenants; disciplinary actions; complaints; appeals and
1784 grievance procedures; and separation and termination from
1785 employment.

1786 (19) Each board of trustees shall appoint, suspend, or
1787 remove the president of the Florida Community College System
1788 institution. The board of trustees may appoint a search
1789 committee. The board of trustees shall conduct annual
1790 evaluations of the president in accordance with rules of the
1791 State Board of Community Colleges Education and submit such
1792 evaluations to the State Board of Community Colleges Education
1793 for review. The evaluation must address the achievement of the
1794 performance goals established by the accountability process
1795 implemented pursuant to s. 1008.45 and the performance of the
1796 president in achieving the annual and long-term goals and



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1797 objectives established in the Florida Community College System
1798 institution's employment accountability program implemented
1799 pursuant to s. 1012.86.

1800 (20) Each board of trustees is authorized to enter into
1801 contracts to provide a State Community College System Optional
1802 Retirement Program pursuant to s. 1012.875 and to enter into
1803 consortia with other boards of trustees for this purpose.

1804 (21) Each board of trustees is authorized to purchase
1805 annuities for its Florida Community College System institution
1806 personnel who have 25 or more years of creditable service and
1807 who have reached age 55 and have applied for retirement under
1808 the Florida Retirement System pursuant to the provisions of s.
1809 1012.87.

1810 (22) A board of trustees may defray all costs of defending
1811 civil actions against officers, employees, or agents of the
1812 board of trustees pursuant to s. 1012.85.

1813 (23) Each board of trustees has authority for risk
1814 management, safety, security, and law enforcement operations.
1815 Each board of trustees is authorized to employ personnel,
1816 including police officers pursuant to s. 1012.88, to carry out
1817 the duties imposed by this subsection.

1818 (24) Each board of trustees shall provide rules governing
1819 parking and the direction and flow of traffic within campus
1820 boundaries. Except for sworn law enforcement personnel, persons
1821 employed to enforce campus parking rules have no authority to
1822 arrest or issue citations for moving traffic violations. The
1823 board of trustees may adopt a uniform code of appropriate
1824 penalties for violations. Such penalties, unless otherwise
1825 provided by law, may include the levying of fines, the



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1826 withholding of diplomas or transcripts pending compliance with
1827 rules or payment of fines, and the imposition of probation,
1828 suspension, or dismissal. Moneys collected from parking rule
1829 infractions shall be deposited in appropriate funds at each
1830 Florida Community College System institution for student
1831 financial aid purposes.

1832 (25) Each board of trustees constitutes the contracting
1833 agent of the Florida Community College System institution. It
1834 may when acting as a body make contracts, sue, and be sued in
1835 the name of the board of trustees. In any suit, a change in
1836 personnel of the board of trustees shall not abate the suit,
1837 which shall proceed as if such change had not taken place.

1838 (26) Each board of trustees is authorized to contract for
1839 the purchase, sale, lease, license, or acquisition in any
1840 manner, including purchase by installment or lease-purchase
1841 contract which may provide for the payment of interest on the
1842 unpaid portion of the purchase price and for the granting of a
1843 security interest in the items purchased, subject to the
1844 provisions of subsection (38) and ss. 1009.22 and 1009.23, of
1845 goods, materials, equipment, and services required by the
1846 Florida Community College System institution. The board of
1847 trustees may choose to consolidate equipment contracts under
1848 master equipment financing agreements made pursuant to s.
1849 287.064.

1850 (27) Each board of trustees shall be responsible for
1851 managing and protecting real and personal property acquired or
1852 held in trust for use by and for the benefit of such Florida
1853 Community College System institution. To that end, any board of
1854 trustees is authorized to be self-insured, to enter into risk



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1855 management programs, or to purchase insurance for whatever
1856 coverage it may choose, or to have any combination thereof, in
1857 anticipation of any loss, damage, or destruction. A board of
1858 trustees may contract for self-insurance services pursuant to s.
1859 1004.725.

1860 (28) Each board of trustees is authorized to enter into
1861 agreements for, and accept, credit card, charge card, and debit
1862 card payments as compensation for goods, services, tuition, and
1863 fees. Each Florida Community College System institution is
1864 further authorized to establish accounts in credit card, charge
1865 card, and debit card banks for the deposit of sales invoices.

1866 (29) Each board of trustees may provide incubator
1867 facilities to eligible small business concerns pursuant to s.
1868 1004.79.

1869 (30) Each board of trustees may establish a technology
1870 transfer center for the purpose of providing institutional
1871 support to local business and industry and governmental agencies
1872 in the application of new research in technology pursuant to the
1873 provisions of s. 1004.78.

1874 (31) Each board of trustees may establish economic
1875 development centers for the purpose of serving as liaisons
1876 between Florida Community College System institutions and the
1877 business sector pursuant to the provisions of s. 1004.80.

1878 (32) Each board of trustees may establish a child
1879 development training center pursuant to s. 1004.81.

1880 (33) Each board of trustees is authorized to develop and
1881 produce work products relating to educational endeavors that are
1882 subject to trademark, copyright, or patent statutes pursuant to
1883 chapter 1004.



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1884 (34) Each board of trustees shall administer the facilities
1885 program pursuant to chapter 1013, including but not limited to:
1886 the construction of public educational and ancillary plants; the
1887 acquisition and disposal of property; compliance with building
1888 and life safety codes; submission of data and information
1889 relating to facilities and construction; use of buildings and
1890 grounds; establishment of safety and sanitation programs for the
1891 protection of building occupants; and site planning and
1892 selection.

1893 (35) Each board of trustees may exercise the right of
1894 eminent domain pursuant to the provisions of chapter 1013.

1895 (36) Each board of trustees may enter into lease-purchase
1896 arrangements with private individuals or corporations for
1897 necessary grounds and buildings for Florida Community College
1898 System institution purposes, other than dormitories, or for
1899 buildings other than dormitories to be erected for Florida
1900 Community College System institution purposes. Such arrangements
1901 shall be paid from capital outlay and debt service funds as
1902 provided by s. 1011.84(2), with terms not to exceed 30 years at
1903 a stipulated rate. The provisions of such contracts, including
1904 building plans, are subject to approval by the Department of
1905 Education, and no such contract may be entered into without such
1906 approval.

1907 (37) Each board of trustees may purchase, acquire, receive,
1908 hold, own, manage, lease, sell, dispose of, and convey title to
1909 real property, in the best interests of the Florida Community
1910 College System institution.

1911 (38) Each board of trustees is authorized to enter into
1912 short-term loans and installment, lease-purchase, and other



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1913 financing contracts for a term of not more than 5 years,
1914 including renewals, extensions, and refundings. Payments on
1915 short-term loans and installment, lease-purchase, and other
1916 financing contracts pursuant to this subsection shall be subject
1917 to annual appropriation by the board of trustees. Each board of
1918 trustees is authorized to borrow funds and incur long-term debt,
1919 including promissory notes, installment sales agreements, lease-
1920 purchase agreements, certificates of participation, and other
1921 similar long-term financing arrangements, only as specifically
1922 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At
1923 the option of the board of trustees, bonds issued pursuant to
1924 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured
1925 by a combination of revenues authorized to be pledged to bonds
1926 pursuant to such subsections. Revenue bonds may not be secured
1927 by or paid from, directly or indirectly, tuition, financial aid
1928 fees, the Florida Community College System Program Fund, or any
1929 other operating revenues of a Florida Community College System
1930 institution. Lease-purchase agreements may be secured by a
1931 combination of revenues as specifically authorized pursuant to
1932 ss. 1009.22(7) and 1009.23(10).

1933 (39) Each board of trustees shall prescribe conditions for
1934 direct-support organizations to be certified and to use Florida
1935 Community College System institution property and services.
1936 Conditions relating to certification must provide for audit
1937 review and oversight by the board of trustees.

1938 (40) Each board of trustees may adopt policies pursuant to
1939 s. 1010.02 that provide procedures for transferring to the
1940 direct-support organization of that Florida Community College
1941 System institution for administration by such organization



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1942 contributions made to the Florida Community College System
1943 institution.

1944 (41) The board of trustees shall exert every effort to
1945 collect all delinquent accounts pursuant to s. 1010.03.

1946 (42) Each board of trustees shall implement a plan, in
1947 accordance with guidelines of the State Board of Community
1948 Colleges Education, for working on a regular basis with the
1949 other Florida Community College System institution boards of
1950 trustees, representatives of the university boards of trustees,
1951 and representatives of the district school boards to achieve the
1952 goals of the seamless education system.

1953 (43) Each board of trustees has responsibility for
1954 compliance with state and federal laws, rules, regulations, and
1955 requirements.

1956 (44) Each board of trustees may adopt rules, procedures,
1957 and policies related to institutional governance,
1958 administration, and management in order to promote orderly and
1959 efficient operation, including, but not limited to, financial
1960 management, budget management, physical plant management, and
1961 property management.

1962 (45) Each board of trustees may adopt rules and procedures
1963 related to data or technology, including, but not limited to,
1964 information systems, communications systems, computer hardware
1965 and software, and networks.

1966 (46) Each board of trustees may consider the past actions
1967 of any person applying for employment and may deny employment to
1968 a person because of misconduct if determined to be in the best
1969 interest of the Florida Community College System institution.

1970 (47) Each contract or employment agreement, or renewal or



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1971 renegotiation of an existing contract or employment agreement,
1972 containing a provision for severance pay with an officer, agent,
1973 employee, or contractor must include the provisions required in
1974 s. 215.425.

1975 (48) Each board of trustees shall use purchasing agreements
1976 and state term contracts pursuant to s. 287.056 or enter into
1977 consortia and cooperative agreements to maximize the purchasing
1978 power for goods and services. A consortium or cooperative
1979 agreement may be statewide, regional, or a combination of
1980 institutions, as appropriate to achieve the lowest cost, with
1981 the goal of achieving a 5-percent savings on existing contract
1982 prices through the use of new cooperative arrangements or new
1983 consortium contracts.

1984 Section 22. Section 1001.65, Florida Statutes, is amended
1985 to read:

1986 1001.65 Florida Community College System institution
1987 presidents; powers and duties.—The president is the chief
1988 executive officer of the Florida Community College System
1989 institution, shall be corporate secretary of the Florida
1990 Community College System institution board of trustees, and is
1991 responsible for the operation and administration of the Florida
1992 Community College System institution. Each Florida Community
1993 College System institution president shall:

1994 (1) Recommend the adoption of rules, as appropriate, to the
1995 Florida Community College System institution board of trustees
1996 to implement provisions of law governing the operation and
1997 administration of the Florida Community College System
1998 institution, which shall include the specific powers and duties
1999 enumerated in this section. Such rules shall be consistent with



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2000 law, the mission of the Florida Community College System
2001 institution, and the rules and policies of the State Board of
2002 Community Colleges Education.

2003 (2) Prepare a budget request and an operating budget
2004 pursuant to s. 1011.30 for approval by the Florida Community
2005 College System institution board of trustees at such time and in
2006 such format as the State Board of Community Colleges Education
2007 may prescribe.

2008 (3) Establish and implement policies and procedures to
2009 recruit, appoint, transfer, promote, compensate, evaluate,
2010 reward, demote, discipline, and remove personnel, within law and
2011 rules of the State Board of Community College Education and in
2012 accordance with rules or policies approved by the Florida
2013 Community College System institution board of trustees.

2014 (4) Govern admissions, subject to law and rules or policies
2015 of the Florida Community College System institution board of
2016 trustees and the State Board of Community Colleges Education.

2017 (5) Approve, execute, and administer contracts for and on
2018 behalf of the Florida Community College System institution board
2019 of trustees for licenses; the acquisition or provision of
2020 commodities, goods, equipment, and services; leases of real and
2021 personal property; and planning and construction to be rendered
2022 to or by the Florida Community College System institution,
2023 provided such contracts are within law and guidelines of the
2024 State Board of Community Colleges Education and in conformance
2025 with policies of the Florida Community College System
2026 institution board of trustees, and are for the implementation of
2027 approved programs of the Florida Community College System
2028 institution.



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2029 (6) Act for the Florida Community College System
2030 institution board of trustees as custodian of all Florida
2031 Community College System institution property and financial
2032 resources. The authority vested in the Florida Community College
2033 System institution president under this subsection includes the
2034 authority to prioritize the use of Florida Community College
2035 System institution space, property, equipment, and resources and
2036 the authority to impose charges for the use of those items.

2037 (7) Establish the internal academic calendar of the Florida
2038 Community College System institution within general guidelines
2039 of the State Board of Community Colleges Education.

2040 (8) Administer the Florida Community College System
2041 institution's program of intercollegiate athletics.

2042 (9) Recommend to the board of trustees the establishment
2043 and termination of programs within the approved role and scope
2044 of the Florida Community College System institution.

2045 (10) Award degrees.

2046 (11) Recommend to the board of trustees a schedule of
2047 tuition and fees to be charged by the Florida Community College
2048 System institution, within law and rules of the State Board of
2049 Community Colleges Education.

2050 (12) Organize the Florida Community College System
2051 institution to efficiently and effectively achieve the goals of
2052 the Florida Community College System institution.

2053 (13) Review periodically the operations of the Florida
2054 Community College System institution in order to determine how
2055 effectively and efficiently the Florida Community College System
2056 institution is being administered and whether it is meeting the
2057 goals of its strategic plan adopted by the State Board of



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2058 Community Colleges Education.

2059 (14) Enter into agreements for student exchange programs
2060 that involve students at the Florida Community College System
2061 institution and students in other institutions of higher
2062 learning.

2063 (15) Approve the internal procedures of student government
2064 organizations and provide purchasing, contracting, and budgetary
2065 review processes for these organizations.

2066 (16) Ensure compliance with federal and state laws, rules,
2067 regulations, and other requirements that are applicable to the
2068 Florida Community College System institution.

2069 (17) Maintain all data and information pertaining to the
2070 operation of the Florida Community College System institution,
2071 and report on the attainment by the Florida Community College
2072 System institution of institutional and statewide performance
2073 accountability goals.

2074 (18) Certify to the department a project's compliance with
2075 the requirements for expenditure of PECO funds prior to release
2076 of funds pursuant to ~~the provisions of~~ chapter 1013.

2077 (19) Provide to the law enforcement agency and fire
2078 department that has jurisdiction over the Florida Community
2079 College System institution a copy of the floor plans and other
2080 relevant documents for each educational facility as defined in
2081 s. 1013.01(6). After the initial submission of the floor plans
2082 and other relevant documents, the Florida Community College
2083 System institution president shall submit, by October 1 of each
2084 year, revised floor plans and other relevant documents for each
2085 educational facility that was modified during the preceding
2086 year.



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2087 (20) Develop and implement jointly with school
2088 superintendents a comprehensive dual enrollment articulation
2089 agreement for the students enrolled in their respective school
2090 districts and service areas pursuant to s. 1007.271(21).

2091 (21) Have authority, after notice to the student of the
2092 charges and after a hearing thereon, to expel, suspend, or
2093 otherwise discipline any student who is found to have violated
2094 any law, ordinance, or rule or regulation of the State Board of
2095 Community Colleges Education or of the board of trustees of the
2096 Florida Community College System institution pursuant to the
2097 provisions of s. 1006.62.

2098 (22) Submit an annual employment accountability plan to the
2099 State Board of Community Colleges Department of Education
2100 pursuant to the provisions of s. 1012.86.

2101 (23) Annually evaluate, or have a designee annually
2102 evaluate, each department chairperson, dean, provost, and vice
2103 president in achieving the annual and long-term goals and
2104 objectives of the Florida Community College System institution's
2105 employment accountability plan.

2106 (24) Have vested with the president or the president's
2107 designee the authority that is vested with the Florida Community
2108 College System institution.

2109 Section 23. Section 1001.66, Florida Statutes, is amended
2110 to read:

2111 1001.66 Florida Community College System Performance-Based
2112 Incentive.—

2113 (1) A Florida Community College System Performance-Based
2114 Incentive shall be awarded to Florida Community College System
2115 institutions using performance-based metrics adopted by the



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2116 State Board of Community Colleges ~~Education~~. The performance-
2117 based metrics must include retention rates; program completion
2118 and graduation rates; postgraduation employment, salaries, and
2119 continuing education for workforce education and baccalaureate
2120 programs, with wage thresholds that reflect the added value of
2121 the certificate or degree; and outcome measures appropriate for
2122 associate of arts degree recipients. The state board shall adopt
2123 benchmarks to evaluate each institution's performance on the
2124 metrics to measure the institution's achievement of
2125 institutional excellence or need for improvement and the minimum
2126 requirements for eligibility to receive performance funding.

2127 (2) Each fiscal year, the amount of funds available for
2128 allocation to the Florida Community College System institutions
2129 based on the performance-based funding model shall consist of
2130 the state's investment in performance funding plus institutional
2131 investments consisting of funds to be redistributed from the
2132 base funding of the Florida Community College System Program
2133 Fund as determined in the General Appropriations Act. The State
2134 Board of Community Colleges ~~Education~~ shall establish minimum
2135 performance funding eligibility thresholds for the state's
2136 investment and the institutional investments. An institution
2137 that meets the minimum institutional investment eligibility
2138 threshold, but fails to meet the minimum state investment
2139 eligibility threshold, shall have its institutional investment
2140 restored but is ineligible for a share of the state's investment
2141 in performance funding. The institutional investment shall be
2142 restored for all institutions eligible for the state's
2143 investment under the performance-based funding model.

2144 (3) (a) Each Florida Community College System institution's



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2145 share of the performance funding shall be calculated based on
2146 its relative performance on the established metrics in
2147 conjunction with the institutional size and scope.

2148 (b) A Florida Community College System institution that
2149 fails to meet the State Board of Community Colleges' Education's
2150 minimum institutional investment performance funding eligibility
2151 threshold shall have a portion of its institutional investment
2152 withheld by the state board and must submit an improvement plan
2153 to the state board which specifies the activities and strategies
2154 for improving the institution's performance. The state board
2155 must review and approve the improvement plan and, if the plan is
2156 approved, must monitor the institution's progress in
2157 implementing the activities and strategies specified in the
2158 improvement plan. The institution shall submit monitoring
2159 reports to the state board by December 31 and May 31 of each
2160 year in which an improvement plan is in place. Beginning in the
2161 2017-2018 fiscal year, the ability of an institution to submit
2162 an improvement plan to the state board is limited to 1 fiscal
2163 year.

2164 (c) The Chancellor of the Florida Community College System
2165 ~~Commissioner of Education~~ shall withhold disbursement of the
2166 institutional investment until the monitoring report is approved
2167 by the State Board of Community Colleges Education. A Florida
2168 Community College System institution determined by the state
2169 board to be making satisfactory progress on implementing the
2170 improvement plan shall receive no more than one-half of the
2171 withheld institutional investment in January and the balance of
2172 the withheld institutional investment in June. An institution
2173 that fails to make satisfactory progress may not have its full



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2174 institutional investment restored. Any institutional investment
2175 funds that are not restored shall be redistributed in accordance
2176 with the state board's performance-based metrics.

2177 (4) Distributions of performance funding, as provided in
2178 this section, shall be made to each of the Florida Community
2179 College System institutions listed in the Florida Community
2180 Colleges category in the General Appropriations Act.

2181 (5) By October 1 of each year, the State Board of Community
2182 Colleges Education shall submit to the Governor, the President
2183 of the Senate, and the Speaker of the House of Representatives a
2184 report on the previous fiscal year's performance funding
2185 allocation, which must reflect the rankings and award
2186 distributions.

2187 (6) The State Board of Community Colleges Education shall
2188 adopt rules to administer this section.

2189 Section 24. Section 1001.67, Florida Statutes, is amended
2190 to read:

2191 1001.67 Distinguished Florida Community College System
2192 Institution Program.—A collaborative partnership is established
2193 between the State Board of Community Colleges Education and the
2194 Legislature to recognize the excellence of Florida's highest-
2195 performing Florida Community College System institutions.

2196 (1) EXCELLENCE STANDARDS.—The following excellence
2197 standards are established for the program:

2198 (a) A 150 percent-of-normal-time completion rate of 50
2199 percent or higher, as calculated by the Division of Florida
2200 Colleges.

2201 (b) A 150 percent-of-normal-time completion rate for Pell
2202 Grant recipients of 40 percent or higher, as calculated by the



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2203 State Board of Community ~~Division of Florida~~ Colleges.

2204 (c) A retention rate of 70 percent or higher, as calculated
2205 by the State Board of Community ~~Division of Florida~~ Colleges.

2206 (d) A continuing education, or transfer, rate of 72 percent
2207 or higher for students graduating with an associate of arts
2208 degree, as reported by the Florida Education and Training
2209 Placement Information Program (FETPIP).

2210 (e) A licensure passage rate on the National Council
2211 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
2212 percent or higher for first-time exam takers, as reported by the
2213 Board of Nursing.

2214 (f) A job placement or continuing education rate of 88
2215 percent or higher for workforce programs, as reported by FETPIP.

2216 (g) A time-to-degree for students graduating with an
2217 associate of arts degree of 2.25 years or less for first-time-
2218 in-college students with accelerated college credits, as
2219 reported by the Southern Regional Education Board.

2220 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
2221 Community Colleges ~~Education~~ shall designate each Florida
2222 Community College System institution that meets five of the
2223 seven standards identified in subsection (1) as a distinguished
2224 college.

2225 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community
2226 College System institution designated as a distinguished college
2227 by the State Board of Community Colleges ~~Education~~ is eligible
2228 for funding as specified in the General Appropriations Act.

2229 Section 25. Subsection (9) of section 1001.706, Florida
2230 Statutes, is amended to read:

2231 1001.706 Powers and duties of the Board of Governors.—



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2232 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
2233 shall implement a plan for working on a regular basis with the
2234 State Board of Education, the State Board of Community Colleges,
2235 the Commission for Independent Education, the Higher Education
2236 Coordinating Council, the Articulation Coordinating Committee,
2237 the university boards of trustees, representatives of the
2238 Florida Community College System institution boards of trustees,
2239 representatives of the private colleges and universities, and
2240 representatives of the district school boards to achieve a
2241 seamless education system.

2242 Section 26. Subsections (1) and (18) of section 1002.34,
2243 Florida Statutes, are amended to read:

2244 1002.34 Charter technical career centers; governance,
2245 mission, and responsibilities.—

2246 (1) MISSION AND AUTHORIZATION.—

2247 (a) The primary mission of a charter technical career
2248 center is to promote ~~The Legislature finds that the~~
2249 ~~establishment of charter technical career centers can assist in~~
2250 ~~promoting~~ advances and innovations in workforce preparation and
2251 economic development. A charter technical career center may
2252 provide a learning environment that ~~better~~ serves the needs of a
2253 specific population group or a group of occupations, thus
2254 promoting diversity and choices within the public education and
2255 public postsecondary technical education community in this
2256 state. Therefore, the creation of such centers is authorized as
2257 part of the state's program of public education. A charter
2258 technical career center may be formed by creating a new school
2259 or converting an existing school district or Florida Community
2260 College System institution program to charter technical status.



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2261 (b) A charter technical career center that is operated by a
2262 district school board may not offer a college credit course or a
2263 college credit certificate or an associate degree or
2264 baccalaureate degree program.

2265 (18) RULES.—The State Board of Education, for technical
2266 centers operated by school districts, and the State Board of
2267 Community Colleges, for technical centers operated by Florida
2268 Community College System institutions, shall adopt rules,
2269 pursuant to ss. 120.536(1) and 120.54, relating to the
2270 implementation of charter technical career centers, including
2271 rules to implement a charter model application form and an
2272 evaluation instrument in accordance with this section.

2273 Section 27. Paragraph (b) of subsection (4) of section
2274 1003.491, Florida Statutes, is amended to read:

2275 1003.491 Florida Career and Professional Education Act.—The
2276 Florida Career and Professional Education Act is created to
2277 provide a statewide planning partnership between the business
2278 and education communities in order to attract, expand, and
2279 retain targeted, high-value industry and to sustain a strong,
2280 knowledge-based economy.

2281 (4) The State Board of Education shall establish a process
2282 for the continual and uninterrupted review of newly proposed
2283 core secondary courses and existing courses requested to be
2284 considered as core courses to ensure that sufficient rigor and
2285 relevance is provided for workforce skills and postsecondary
2286 education and aligned to state curriculum standards.

2287 (b) The curriculum review committee shall review newly
2288 proposed core courses electronically. Each proposed core course
2289 shall be approved or denied within 30 days after submission by a



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2290 district school board or local workforce development board. All
2291 courses approved as core courses for purposes of middle school
2292 promotion and high school graduation shall be immediately added
2293 to the Course Code Directory. Approved core courses shall also
2294 be reviewed and considered for approval for dual enrollment
2295 credit. The Board of Governors, the State Board of Community
2296 Colleges, and the Commissioner of Education shall jointly
2297 recommend an annual deadline for approval of new core courses to
2298 be included for purposes of postsecondary admissions and dual
2299 enrollment credit the following academic year. The State Board
2300 of Education shall establish an appeals process in the event
2301 that a proposed course is denied which shall require a consensus
2302 ruling by the Department of Economic Opportunity and the
2303 Commissioner of Education within 15 days.

2304 Section 28. Paragraph (b) of subsection (4) of section
2305 1003.493, Florida Statutes, is amended to read:

2306 1003.493 Career and professional academies and career-
2307 themed courses.—

2308 (4) Each career and professional academy and secondary
2309 school providing a career-themed course must:

2310 (b) Include one or more partnerships with postsecondary
2311 institutions, businesses, industry, employers, economic
2312 development organizations, or other appropriate partners from
2313 the local community. Such partnerships with postsecondary
2314 institutions shall be delineated in articulation agreements and
2315 include any career and professional academy courses or career-
2316 themed courses that earn postsecondary credit. Such agreements
2317 may include articulation between the secondary school and public
2318 or private 2-year and 4-year postsecondary institutions and



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2319 technical centers. The Department of Education, in consultation
2320 with the Board of Governors and the State Board of Community
2321 Colleges, shall establish a mechanism to ensure articulation and
2322 transfer of credits to postsecondary institutions in this state.
2323 Such partnerships must provide opportunities for:

2324 1. Instruction from highly skilled professionals who
2325 possess industry-certification credentials for courses they are
2326 teaching.

2327 2. Internships, externships, and on-the-job training.

2328 3. A postsecondary degree, diploma, or certificate.

2329 4. The highest available level of industry certification.

2330 5. Maximum articulation of credits pursuant to s. 1007.23
2331 upon program completion.

2332 Section 29. Subsections (4), (5), and (6) of section
2333 1004.015, Florida Statutes, are amended to read:

2334 1004.015 Higher Education Coordinating Council.—

2335 (4) The council shall serve as an advisory board to the
2336 Legislature, the State Board of Education, ~~and~~ the Board of
2337 Governors, and the State Board of Community Colleges.

2338 Recommendations of the council shall be consistent with the
2339 following guiding principles:

2340 (a) To achieve within existing resources a seamless
2341 academic educational system that fosters an integrated continuum
2342 of kindergarten through graduate school education for Florida's
2343 students.

2344 (b) To promote consistent education policy across all
2345 educational delivery systems, focusing on students.

2346 (c) To promote substantially improved articulation across
2347 all educational delivery systems.



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2348 (d) To promote a system that maximizes educational access
2349 and allows the opportunity for a high-quality education for all
2350 Floridians.

2351 (e) To promote a system of coordinated and consistent
2352 transfer of credit and data collection for improved
2353 accountability purposes between the educational delivery
2354 systems.

2355 (5) The council shall annually by December 31 submit to the
2356 Governor, the President of the Senate, the Speaker of the House
2357 of Representatives, the Board of Governors, the State Board of
2358 Community Colleges, and the State Board of Education a report
2359 outlining its recommendations relating to:

2360 (a) The primary core mission of public and nonpublic
2361 postsecondary education institutions in the context of state
2362 access demands and economic development goals.

2363 (b) Performance outputs and outcomes designed to meet
2364 annual and long-term state goals, including, but not limited to,
2365 increased student access, preparedness, retention, transfer, and
2366 completion. Performance measures must be consistent across
2367 sectors and allow for a comparison of the state's performance to
2368 that of other states.

2369 (c) The state's articulation policies and practices to
2370 ensure that cost benefits to the state are maximized without
2371 jeopardizing quality. The recommendations shall consider return
2372 on investment for both the state and students and propose
2373 systems to facilitate and ensure institutional compliance with
2374 state articulation policies.

2375 (d) Workforce development education, specifically
2376 recommending improvements to the consistency of workforce



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2377 education data collected and reported by Florida Community
2378 College System institutions and school districts, including the
2379 establishment of common elements and definitions for any data
2380 that is used for state and federal funding and program
2381 accountability.

2382 (6) The Office of K-20 Articulation, in collaboration with
2383 the Board of Governors and the State Board of Community Division
2384 ~~of Florida~~ Colleges, shall provide administrative support for
2385 the council.

2386 Section 30. Subsection (7) of section 1004.02, Florida
2387 Statutes, is amended to read:

2388 1004.02 Definitions.—As used in this chapter:

2389 (7) "Applied technology diploma program" means a course of
2390 study that is part of a technical degree program, is less than
2391 60 credit hours, and leads to employment in a specific
2392 occupation. An applied technology diploma program may consist of
2393 either technical credit or college credit. A public school
2394 district may offer an applied technology diploma program only as
2395 technical credit, with college credit awarded to a student upon
2396 articulation to a Florida Community College System institution.
2397 Statewide articulation among public schools and Florida
2398 Community College System institutions is guaranteed by s.
2399 1007.23, and is subject to guidelines and standards adopted by
2400 the State Board of Community Colleges ~~Education~~ pursuant to ss.
2401 1007.24 and 1007.25.

2402 Section 31. Subsection (2) of section 1004.03, Florida
2403 Statutes, is amended to read:

2404 1004.03 Program approval.—

2405 (2) The State Board of Community Colleges ~~Education~~ shall



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2406 establish criteria for the approval of new programs at Florida
2407 Community College System institutions, which criteria include,
2408 but are not limited to, the following:

2409 (a) New programs may not be approved unless the same
2410 objectives cannot be met through use of educational technology.

2411 (b) Unnecessary duplication of programs offered by
2412 independent institutions shall be avoided.

2413 (c) Cooperative programs, particularly within regions,
2414 should be encouraged.

2415 (d) New programs may be approved only if they are
2416 consistent with the ~~state-master~~ plan adopted by the State Board
2417 of Community Colleges ~~Education~~.

2418 Section 32. Paragraph (f) of subsection (4) of section
2419 1004.04, Florida Statutes, is amended to read:

2420 1004.04 Public accountability and state approval for
2421 teacher preparation programs.—

2422 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
2423 teacher preparation program shall be based upon evidence that
2424 the program continues to implement the requirements for initial
2425 approval and upon significant, objective, and quantifiable
2426 measures of the program and the performance of the program
2427 completers.

2428 (f) By January 1 of each year, the Department of Education
2429 shall report the results of each approved program's annual
2430 progress on the performance measures in paragraph (a) as well as
2431 the current approval status of each program to:

- 2432 1. The Governor.
- 2433 2. The President of the Senate.
- 2434 3. The Speaker of the House of Representatives.



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- 2435 4. The State Board of Education.
2436 5. The Board of Governors.
2437 6. The State Board of Community Colleges.
2438 7. The Commissioner of Education.
2439 ~~8.7.~~ Each Florida postsecondary teacher preparation
2440 program.
2441 ~~9.8.~~ Each district school superintendent.
2442 ~~10.9.~~ The public.
2443

2444 This report may include the results of other continued approval
2445 requirements provided by State Board of Education rule and
2446 recommendations for improving teacher preparation programs in
2447 the state.

2448 Section 33. Section 1004.07, Florida Statutes, is amended
2449 to read:

2450 1004.07 Student withdrawal from courses due to military
2451 service; effect.—

2452 (1) Each district school board, Florida Community College
2453 System institution board of trustees, and state university board
2454 of trustees shall establish policies regarding currently
2455 enrolled students who are called to, or enlist in, active
2456 military service.

2457 (2) Such policies must ~~shall~~ provide that any student
2458 enrolled in a postsecondary course or courses at a career
2459 center, a Florida Community College System institution, or a
2460 state university may ~~shall~~ not incur academic or financial
2461 penalties by virtue of performing military service on behalf of
2462 our country. Such student shall be permitted the option of
2463 either completing the course or courses at a later date without



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2464 penalty or withdrawing from the course or courses with a full
2465 refund of fees paid. If the student chooses to withdraw, the
2466 student's record shall reflect that the withdrawal is due to
2467 active military service.

2468 (3) Policies of district school boards must ~~and Florida~~
2469 ~~College System institution boards of trustees shall~~ be
2470 established by rule and pursuant to guidelines of the State
2471 Board of Education.

2472 (4) Policies of state university boards of trustees must
2473 ~~shall~~ be established by regulation and pursuant to guidelines of
2474 the Board of Governors.

2475 (5) Policies of Florida Community College System
2476 institution boards of trustees must be established by rule and
2477 pursuant to guidelines of the State Board of Community Colleges.

2478 Section 34. Section 1004.084, Florida Statutes, is amended
2479 to read:

2480 1004.084 College affordability.-

2481 (1) The Board of Governors and the State Board of Community
2482 Colleges Education shall annually identify strategies to promote
2483 college affordability for all Floridians by evaluating, at a
2484 minimum, the impact of:

2485 (a) Tuition and fees on undergraduate, graduate, and
2486 professional students at public colleges and universities and
2487 graduate assistants employed by public universities.

2488 (b) Federal, state, and institutional financial aid
2489 policies on the actual cost of attendance for students and their
2490 families.

2491 (c) The costs of textbooks and instructional materials.

2492 (2) By December 31 of each year, ~~beginning in 2016,~~ the



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2493 Board of Governors and the State Board of Community Colleges
2494 ~~Education~~ shall submit a report on their respective college
2495 affordability initiatives to the Governor, the President of the
2496 Senate, and the Speaker of the House of Representatives.

2497 Section 35. Paragraph (d) of subsection (3) and subsections
2498 (6), (7), and (8) of section 1004.085, Florida Statutes, are
2499 amended to read:

2500 1004.085 Textbook and instructional materials
2501 affordability.—

2502 (3) An employee may receive:

2503 (d) Fees associated with activities such as reviewing,
2504 critiquing, or preparing support materials for textbooks or
2505 instructional materials pursuant to guidelines adopted by the
2506 State Board of Community Colleges ~~Education~~ or the Board of
2507 Governors.

2508 (6) Each Florida Community College System institution and
2509 state university shall post prominently in the course
2510 registration system and on its website, as early as is feasible,
2511 but at least 45 days before the first day of class for each
2512 term, a hyperlink to lists of required and recommended textbooks
2513 and instructional materials for at least 95 percent of all
2514 courses and course sections offered at the institution during
2515 the upcoming term. The lists must include the International
2516 Standard Book Number (ISBN) for each required and recommended
2517 textbook and instructional material or other identifying
2518 information, which must include, at a minimum, all of the
2519 following: the title, all authors listed, publishers, edition
2520 number, copyright date, published date, and other relevant
2521 information necessary to identify the specific textbooks or



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2522 instructional materials required and recommended for each
2523 course. The State Board of Community Colleges Education and the
2524 Board of Governors shall include in the policies, procedures,
2525 and guidelines adopted under subsection (7) certain limited
2526 exceptions to this notification requirement for classes added
2527 after the notification deadline.

2528 (7) After receiving input from students, faculty,
2529 bookstores, and publishers, the State Board of Community
2530 Colleges Education and the Board of Governors each shall adopt
2531 textbook and instructional materials affordability policies,
2532 procedures, and guidelines for implementation by Florida
2533 Community College System institutions and state universities,
2534 respectively, that further efforts to minimize the cost of
2535 textbooks and instructional materials for students attending
2536 such institutions while maintaining the quality of education and
2537 academic freedom. The policies, procedures, and guidelines shall
2538 address:

2539 (a) The establishment of deadlines for an instructor or
2540 department to notify the bookstore of required and recommended
2541 textbooks and instructional materials so that the bookstore may
2542 verify availability, source lower cost options when practicable,
2543 explore alternatives with faculty when academically appropriate,
2544 and maximize the availability of used textbooks and
2545 instructional materials.

2546 (b) Confirmation by the course instructor or academic
2547 department offering the course, before the textbook or
2548 instructional materials adoption is finalized, of the intent to
2549 use all items ordered, particularly each individual item sold as
2550 part of a bundled package.



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2551 (c) Determination by a course instructor or the academic
2552 department offering the course, before a textbook or
2553 instructional material is adopted, of the extent to which a new
2554 edition differs significantly and substantively from earlier
2555 versions and the value to the student of changing to a new
2556 edition or the extent to which an open-access textbook or
2557 instructional material is available.

2558 (d) The availability of required and recommended textbooks
2559 and instructional materials to students otherwise unable to
2560 afford the cost, including consideration of the extent to which
2561 an open-access textbook or instructional material may be used.

2562 (e) Participation by course instructors and academic
2563 departments in the development, adaptation, and review of open-
2564 access textbooks and instructional materials and, in particular,
2565 open-access textbooks and instructional materials for high-
2566 demand general education courses.

2567 (f) Consultation with school districts to identify
2568 practices that impact the cost of dual enrollment textbooks and
2569 instructional materials to school districts, including, but not
2570 limited to, the length of time that textbooks and instructional
2571 materials remain in use.

2572 (g) Selection of textbooks and instructional materials
2573 through cost-benefit analyses that enable students to obtain the
2574 highest-quality product at the lowest available price, by
2575 considering:

- 2576 1. Purchasing digital textbooks in bulk.
- 2577 2. Expanding the use of open-access textbooks and
2578 instructional materials.
- 2579 3. Providing rental options for textbooks and instructional



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2580 materials.

2581 4. Increasing the availability and use of affordable
2582 digital textbooks and learning objects.

2583 5. Developing mechanisms to assist in buying, renting,
2584 selling, and sharing textbooks and instructional materials.

2585 6. The length of time that textbooks and instructional
2586 materials remain in use.

2587 7. An evaluation of cost savings for textbooks and
2588 instructional materials which a student may realize if
2589 individual students are able to exercise opt-in provisions for
2590 the purchase of the materials.

2591 (8) The board of trustees of each Florida Community College
2592 System institution and state university shall report, by
2593 September 30 of each year, beginning in 2016, to the Chancellor
2594 of the Florida Community College System or the Chancellor of the
2595 State University System, as applicable, the textbook and
2596 instructional materials selection process for general education
2597 courses with a wide cost variance identified pursuant to
2598 subsection (4) and high-enrollment courses; specific initiatives
2599 of the institution designed to reduce the costs of textbooks and
2600 instructional materials; policies implemented in accordance with
2601 subsection (6); the number of courses and course sections that
2602 were not able to meet the textbook and instructional materials
2603 posting deadline for the previous academic year; and any
2604 additional information determined by the chancellors. By
2605 November 1 of each year, ~~beginning in 2016~~, each chancellor
2606 shall provide a summary of the information provided by
2607 institutions to the State Board of Community Colleges ~~Education~~
2608 and the Board of Governors, as applicable.



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2609 Section 36. Section 1004.096, Florida Statutes, is amended
2610 to read:

2611 1004.096 College credit for military training and education
2612 courses.—The Board of Governors shall adopt regulations and the
2613 State Board of Community Colleges Education shall adopt rules
2614 that enable eligible servicemembers or veterans of the United
2615 States Armed Forces to earn academic college credit at public
2616 postsecondary educational institutions for college-level
2617 training and education acquired in the military. The regulations
2618 and rules shall include procedures for credential evaluation and
2619 the award of academic college credit, including, but not limited
2620 to, equivalency and alignment of military coursework with
2621 appropriate college courses, course descriptions, type and
2622 amount of college credit that may be awarded, and transfer of
2623 credit.

2624 Section 37. Section 1004.0961, Florida Statutes, is amended
2625 to read:

2626 1004.0961 Credit for online courses.—~~Beginning in the 2015-~~
2627 ~~2016 school year,~~ The State Board of Community Colleges
2628 ~~Education~~ shall adopt rules and the Board of Governors shall
2629 adopt regulations that enable students to earn academic credit
2630 for online courses, including massive open online courses,
2631 before initial enrollment at a postsecondary institution. The
2632 rules of the State Board of Community Colleges Education and
2633 regulations of the Board of Governors must include procedures
2634 for credential evaluation and the award of credit, including,
2635 but not limited to, recommendations for credit by the American
2636 Council on Education; equivalency and alignment of coursework
2637 with appropriate courses; course descriptions; type and amount



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2638 of credit that may be awarded; and transfer of credit.

2639 Section 38. Section 1004.35, Florida Statutes, is amended
2640 to read:

2641 1004.35 Broward County campuses of Florida Atlantic
2642 University; coordination with other institutions.—The State
2643 Board of Community Colleges Education, the Board of Governors,
2644 and Florida Atlantic University shall consult with Broward
2645 College and Florida International University in coordinating
2646 course offerings at the postsecondary level in Broward County.
2647 Florida Atlantic University may contract with the Board of
2648 Trustees of Broward College and with Florida International
2649 University to provide instruction in courses offered at the
2650 Southeast Campus. Florida Atlantic University shall increase
2651 course offerings at the Southeast Campus as facilities become
2652 available.

2653 Section 39. Paragraphs (c) and (d) of subsection (5) and
2654 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2655 are amended to read:

2656 1004.6495 Florida Postsecondary Comprehensive Transition
2657 Program and Florida Center for Students with Unique Abilities.—

2658 (5) CENTER RESPONSIBILITIES.—The Florida Center for
2659 Students with Unique Abilities is established within the
2660 University of Central Florida. At a minimum, the center shall:

2661 (c) Create the application for the initial approval and
2662 renewal of approval as an FPCTP for use by an eligible
2663 institution which, at a minimum, must align with the federal
2664 comprehensive transition and postsecondary program application
2665 requirements. Notwithstanding the program approval requirements
2666 of s. 1004.03, the director shall review applications for the



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2667 initial approval of an application for, or renewal of approval
2668 of, an FPCTP.

2669 1. Within 30 days after receipt of an application, the
2670 director shall issue his or her recommendation regarding
2671 approval to the Chancellor of the State University System, ~~or~~
2672 the Chancellor of the Florida Community College System, or the
2673 Commissioner of Education, as applicable, or shall give written
2674 notice to the applicant of any deficiencies in the application,
2675 which the eligible institution must be given an opportunity to
2676 correct. Within 15 days after receipt of a notice of
2677 deficiencies, an eligible institution that chooses to continue
2678 to seek program approval shall correct the application
2679 deficiencies and return the application to the center. Within 30
2680 days after receipt of a revised application, the director shall
2681 recommend approval or disapproval of the revised application to
2682 the applicable chancellor ~~or the commissioner~~, as applicable.
2683 Within 15 days after receipt of the director's recommendation,
2684 the applicable chancellor ~~or the commissioner~~ shall approve or
2685 disapprove the recommendation. If the applicable chancellor ~~or~~
2686 ~~the commissioner~~ does not act on the director's recommendation
2687 within 15 days after receipt of such recommendation, the
2688 comprehensive transition program proposed by the institution
2689 shall be considered approved.

2690 2. Initial approval of an application for an FPCTP that
2691 meets the requirements of this section is valid for the 3
2692 academic years immediately following the academic year during
2693 which the approval is granted. An eligible institution may
2694 submit an application to the center requesting that the initial
2695 approval be renewed. If the approval is granted and the FPCTP



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2696 continues to meet the requirements of this section, including,
2697 but not limited to, program and student performance outcomes,
2698 and federal requirements, a renewal is valid for the 5 academic
2699 years immediately following the academic year during which the
2700 renewal is granted.

2701 3. An application must, at a minimum:

2702 a. Identify a credential associated with the proposed
2703 program which will be awarded to eligible students upon
2704 completion of the FPCTP.

2705 b. Outline the program length and design, including, at a
2706 minimum, inclusive and successful experiential education
2707 practices relating to curricular, assessment, and advising
2708 structure and internship and employment opportunities, which
2709 must support students with intellectual disabilities who are
2710 seeking to continue academic, career and technical, and
2711 independent living instruction at an eligible institution,
2712 including, but not limited to, opportunities to earn industry
2713 certifications, to prepare students for gainful employment. If
2714 an eligible institution offers a credit-bearing degree program,
2715 the institution is responsible for maintaining the rigor and
2716 effectiveness of a comprehensive transition degree program at
2717 the same level as other comparable degree programs offered by
2718 the institution pursuant to applicable accreditation standards.

2719 c. Outline a plan for students with intellectual
2720 disabilities to be integrated socially and academically with
2721 nondisabled students, to the maximum extent possible, and to
2722 participate on not less than a half-time basis, as determined by
2723 the eligible institution, with such participation focusing on
2724 academic components and occurring through one or more of the



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- 2725 following activities with nondisabled students:
- 2726 (I) Regular enrollment in credit-bearing courses offered by
2727 the institution.
- 2728 (II) Auditing or participating in courses offered by the
2729 institution for which the student does not receive academic
2730 credit.
- 2731 (III) Enrollment in noncredit-bearing, nondegree courses.
- 2732 (IV) Participation in internships or work-based training.
- 2733 d. Outline a plan for partnerships with businesses to
2734 promote experiential training and employment opportunities for
2735 students with intellectual disabilities.
- 2736 e. Identify performance indicators pursuant to subsection
2737 (8) and other requirements identified by the center.
- 2738 f. Outline a 5-year plan incorporating enrollment and
2739 operational expectations for the program.
- 2740 (d) Provide technical assistance regarding programs and
2741 services for students with intellectual disabilities to
2742 administrators, instructors, staff, and others, as applicable,
2743 at eligible institutions by:
- 2744 1. Holding meetings and annual workshops to share
2745 successful practices and to address issues or concerns.
- 2746 2. Facilitating collaboration between eligible institutions
2747 and school districts, private schools operating pursuant to s.
2748 1002.42, and parents of students enrolled in home education
2749 programs operating pursuant to s. 1002.41 in assisting students
2750 with intellectual disabilities and their parents to plan for the
2751 transition of such students into an FPCTP or another program at
2752 an eligible institution.
- 2753 3. Assisting eligible institutions with FPCTP and federal



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2754 comprehensive transition and postsecondary program applications.

2755 4. Assisting eligible institutions with the identification
2756 of funding sources for an FPCTP and for student financial
2757 assistance for students enrolled in an FPCTP.

2758 5. Monitoring federal and state law relating to the
2759 comprehensive transition program and notifying the Legislature,
2760 the Governor, the Board of Governors, the State Board of
2761 Community Colleges, and the State Board of Education of any
2762 change in law which may impact the implementation of this
2763 section.

2764 (8) ACCOUNTABILITY.—

2765 (a) The center, in collaboration with the Board of
2766 Governors and the State Board of Community Colleges Education,
2767 shall identify indicators for the satisfactory progress of a
2768 student in an FPCTP and for the performance of such programs.
2769 Each eligible institution must address the indicators identified
2770 by the center in its application for the approval of a proposed
2771 program and for the renewal of an FPCTP and in the annual report
2772 that the institution submits to the center.

2773 (b) By October 1 of each year, the center shall provide to
2774 the Governor, the President of the Senate, the Speaker of the
2775 House of Representatives, the Chancellor of the State University
2776 System, and the Chancellor of the Florida Community College
2777 System ~~Commissioner of Education~~ a report summarizing
2778 information including, but not limited to:

2779 1. The status of the statewide coordination of FPCTPs and
2780 the implementation of FPCTPs at eligible institutions including,
2781 but not limited to:

2782 a. The number of applications approved and disapproved and



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2783 the reasons for each disapproval and no action taken by the
2784 chancellor or the commissioner.

2785 b. The number and value of all scholarships awarded to
2786 students and undisbursed advances remitted to the center
2787 pursuant to subsection (7).

2788 2. Indicators identified by the center pursuant to
2789 paragraph (a) and the performance of each eligible institution
2790 based on the indicators identified in paragraph (6)(c).

2791 3. The projected number of students with intellectual
2792 disabilities who may be eligible to enroll in the FPCTPs within
2793 the next academic year.

2794 4. Education programs and services for students with
2795 intellectual disabilities which are available at eligible
2796 institutions.

2797 (c) Beginning in the 2016-2017 fiscal year, the center, in
2798 collaboration with the Board of Governors, State Board of
2799 Community Colleges Education, Higher Education Coordinating
2800 Council, and other stakeholders, by December 1 of each year,
2801 shall submit to the Governor, the President of the Senate, and
2802 the Speaker of the House of Representatives statutory and budget
2803 recommendations for improving the implementation and delivery of
2804 FPCTPs and other education programs and services for students
2805 with disabilities.

2806 (9) RULES.—The Board of Governors and the State Board of
2807 Community Colleges Education, in consultation with the center,
2808 shall expeditiously adopt any necessary regulations and rules,
2809 as applicable, to allow the center to perform its
2810 responsibilities pursuant to this section beginning in the 2016-
2811 2017 fiscal year.



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2812 Section 40. Section 1004.65, Florida Statutes, is amended
2813 to read:

2814 1004.65 Florida Community College System institutions;
2815 governance, mission, and responsibilities.-

2816 (1) Each Florida Community College System institution shall
2817 be governed by a district board of trustees under statutory
2818 authority and rules of the State Board of Community Colleges
2819 ~~Education~~.

2820 (2) Each Florida Community College System institution
2821 district shall:

2822 (a) Consist of the county or counties served by the Florida
2823 Community College System institution pursuant to s. 1000.21(3).

2824 (b) Be an independent, separate, legal entity created for
2825 the operation of a Florida Community College System institution.

2826 (3) Florida Community College System institutions are
2827 locally based and governed entities with statutory and funding
2828 ties to state government. As such, the mission for Florida
2829 Community College System institutions reflects a commitment to
2830 be responsive to local educational needs and challenges. In
2831 achieving this mission, Florida Community College System
2832 institutions strive to maintain sufficient local authority and
2833 flexibility while preserving appropriate legal accountability to
2834 the state.

2835 (4) As comprehensive institutions, Florida Community
2836 College System institutions shall provide high-quality,
2837 affordable education and training opportunities, shall foster a
2838 climate of excellence, and shall provide opportunities to all
2839 while combining high standards with an open-door admission
2840 policy for lower-division programs. Florida Community College



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2841 System institutions shall, as open-access institutions, serve
2842 all who can benefit, without regard to age, race, gender, creed,
2843 or ethnic or economic background, while emphasizing the
2844 achievement of social and educational equity so that all can be
2845 prepared for full participation in society.

2846 (5) The primary mission and responsibility of Florida
2847 Community College System institutions is responding to community
2848 needs for postsecondary academic education and career degree
2849 education. This mission and responsibility includes being
2850 responsible for:

2851 (a) Providing lower-level ~~lower-level~~ undergraduate
2852 instruction and awarding associate degrees.

2853 (b) Preparing students directly for careers requiring less
2854 than baccalaureate degrees. This may include preparing for job
2855 entry, supplementing of skills and knowledge, and responding to
2856 needs in new areas of technology. Career education in a Florida
2857 Community College System institution consists ~~shall consist~~ of
2858 career certificates, nationally recognized industry
2859 certifications, credit courses leading to associate in science
2860 degrees and associate in applied science degrees, and other
2861 programs in fields requiring substantial academic work,
2862 background, or qualifications. A Florida Community College
2863 System institution may offer career education programs in fields
2864 having lesser academic or technical requirements.

2865 (c) Providing student development services, including
2866 assessment, student tracking, support for disabled students,
2867 advisement, counseling, financial aid, career development, and
2868 remedial and tutorial services, to ensure student success.

2869 (d) Promoting economic development for the state within



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2870 each Florida Community College System institution district
2871 through the provision of special programs, including, but not
2872 limited to, the:

- 2873 1. Enterprise Florida-related programs.
2874 2. Technology transfer centers.
2875 3. Economic development centers.
2876 4. Workforce literacy programs.

2877 (e) Providing dual enrollment instruction.

2878 ~~(f) Providing upper level instruction and awarding~~
2879 ~~baccalaureate degrees as specifically authorized by law.~~

2880 (6) A separate and secondary role for Florida Community
2881 College System institutions includes ~~the offering of programs~~
2882 ~~in~~:

2883 (a) Programs in community services that are not directly
2884 related to academic or occupational advancement.

2885 (b) Programs in adult education services, including adult
2886 basic education, adult general education, adult secondary
2887 education, and high school equivalency examination instruction.

2888 (c) Programs in recreational and leisure services.

2889 (d) Upper-level instruction and awarding baccalaureate
2890 degrees as specifically authorized by law.

2891 (7) Funding for Florida Community College System
2892 institutions must ~~shall~~ reflect their mission as follows:

2893 (a) Postsecondary academic and career education programs
2894 and adult general education programs must ~~shall~~ have first
2895 priority in Florida Community College System institution
2896 funding.

2897 (b) Community service programs shall be presented to the
2898 Legislature with rationale for state funding. The Legislature



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2899 may identify priority areas for use of these funds.

2900 (c) The resources of a Florida Community College System
2901 institution, including staff, faculty, land, and facilities, may
2902 ~~shall~~ not be used to support the establishment of a new
2903 independent nonpublic educational institution. If any
2904 institution uses resources for such purpose, the State Board of
2905 Community Division of Florida Colleges shall notify the
2906 President of the Senate and the Speaker of the House of
2907 Representatives.

2908 (8) Florida Community College System institutions are
2909 authorized to:

2910 (a) Offer such programs and courses as are necessary to
2911 fulfill their mission.

2912 (b) Grant associate in arts degrees, associate in science
2913 degrees, associate in applied science degrees, certificates,
2914 awards, and diplomas.

2915 (c) Make provisions for the high school equivalency
2916 examination.

2917 (d) Provide access to and award baccalaureate degrees in
2918 accordance with law.

2919
2920 Authority to offer one or more baccalaureate degree programs
2921 does not alter the governance relationship of the Florida
2922 Community College System institution with its district board of
2923 trustees or the State Board of Community Colleges ~~Education~~.

2924 Section 41. Section 1004.67, Florida Statutes, is amended
2925 to read:

2926 1004.67 Florida Community College System institutions;
2927 legislative intent.—It is The legislative intent that Florida



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2928 Community College System institutions, constituted as political
2929 subdivisions of the state, continue to be operated by Florida
2930 Community College System institution boards of trustees as
2931 provided in s. 1001.63 and that no department, bureau, division,
2932 agency, or subdivision of the state exercise any responsibility
2933 and authority to operate any Florida Community College System
2934 institution of the state except as specifically provided by law
2935 or rules of the State Board of Community Colleges ~~Education~~.

2936 Section 42. Section 1004.70, Florida Statutes, is amended
2937 to read:

2938 1004.70 Florida Community College System institution
2939 direct-support organizations.—

2940 (1) DEFINITIONS.—For the purposes of this section:

2941 (a) "Florida Community College System institution direct-
2942 support organization" means an organization that is:

2943 1. A Florida corporation not for profit, incorporated under
2944 the provisions of chapter 617 and approved by the Department of
2945 State.

2946 2. Organized and operated exclusively to receive, hold,
2947 invest, and administer property and to make expenditures to, or
2948 for the benefit of, a Florida Community College System
2949 institution in this state.

2950 3. An organization that the Florida Community College
2951 System institution board of trustees, after review, has
2952 certified to be operating in a manner consistent with the goals
2953 of the Florida Community College System institution and in the
2954 best interest of the state. Any organization that is denied
2955 certification by the board of trustees may not use the name of
2956 the Florida Community College System institution that it serves.



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2957 (b) "Personal services" includes full-time or part-time
2958 personnel as well as payroll processing.

2959 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
2960 shall appoint a representative to the board of directors and the
2961 executive committee of each direct-support organization
2962 established under this section, including those established
2963 before July 1, 1998. The president of the Florida Community
2964 College System institution for which the direct-support
2965 organization is established, or the president's designee, shall
2966 also serve on the board of directors and the executive committee
2967 of the direct-support organization, including any direct-support
2968 organization established before July 1, 1998.

2969 (3) USE OF PROPERTY.—

2970 (a) The board of trustees is authorized to permit the use
2971 of property, facilities, and personal services at any Florida
2972 Community College System institution by any Florida Community
2973 College System institution direct-support organization, subject
2974 to the provisions of this section.

2975 (b) The board of trustees is authorized to prescribe by
2976 rule any condition with which a Florida Community College System
2977 institution direct-support organization must comply in order to
2978 use property, facilities, or personal services at any Florida
2979 Community College System institution.

2980 (c) The board of trustees may not permit the use of
2981 property, facilities, or personal services at any Florida
2982 Community College System institution by any Florida Community
2983 College System institution direct-support organization that does
2984 not provide equal employment opportunities to all persons
2985 regardless of race, color, national origin, gender, age, or



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2986 religion.

2987 (4) ACTIVITIES; RESTRICTIONS.—

2988 (a) A direct-support organization may, at the request of
2989 the board of trustees, provide residency opportunities on or
2990 near campus for students.

2991 (b) A direct-support organization that constructs
2992 facilities for use by a Florida Community College System
2993 institution or its students must comply with all requirements of
2994 law relating to the construction of facilities by a Florida
2995 Community College System institution, including requirements for
2996 competitive bidding.

2997 (c) Any transaction or agreement between one direct-support
2998 organization and another direct-support organization must be
2999 approved by the board of trustees.

3000 (d) A Florida Community College System institution direct-
3001 support organization is prohibited from giving, either directly
3002 or indirectly, any gift to a political committee as defined in
3003 s. 106.011 for any purpose other than those certified by a
3004 majority roll call vote of the governing board of the direct-
3005 support organization at a regularly scheduled meeting as being
3006 directly related to the educational mission of the Florida
3007 Community College System institution.

3008 (e) A Florida Community College System institution board of
3009 trustees must authorize all debt, including lease-purchase
3010 agreements, incurred by a direct-support organization.
3011 Authorization for approval of short-term loans and lease-
3012 purchase agreements for a term of not more than 5 years,
3013 including renewals, extensions, and refundings, for goods,
3014 materials, equipment, and services may be delegated by the board



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3015 of trustees to the board of directors of the direct-support
3016 organization. Trustees shall evaluate proposals for debt
3017 according to guidelines issued by the State Board of Community
3018 ~~Division of Florida~~ Colleges. Revenues of the Florida Community
3019 College System institution may not be pledged to debt issued by
3020 direct-support organizations.

3021 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
3022 organization shall submit to the board of trustees its federal
3023 Internal Revenue Service Application for Recognition of
3024 Exemption form (Form 1023) and its federal Internal Revenue
3025 Service Return of Organization Exempt from Income Tax form (Form
3026 990).

3027 (6) ANNUAL AUDIT.—Each direct-support organization shall
3028 provide for an annual financial audit in accordance with rules
3029 adopted by the Auditor General pursuant to s. 11.45(8). The
3030 annual audit report must be submitted, within 9 months after the
3031 end of the fiscal year, to the Auditor General, the State Board
3032 of Community Colleges Education, and the board of trustees for
3033 review. The board of trustees, the Auditor General, and the
3034 Office of Program Policy Analysis and Government Accountability
3035 may require and receive from the organization or from its
3036 independent auditor any detail or supplemental data relative to
3037 the operation of the organization. The identity of donors who
3038 desire to remain anonymous shall be protected, and that
3039 anonymity shall be maintained in the auditor's report. All
3040 records of the organization, other than the auditor's report,
3041 any information necessary for the auditor's report, any
3042 information related to the expenditure of funds, and any
3043 supplemental data requested by the board of trustees, the



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3044 Auditor General, and the Office of Program Policy Analysis and
3045 Government Accountability, shall be confidential and exempt from
3046 the provisions of s. 119.07(1).

3047 Section 43. Section 1004.71, Florida Statutes, is amended
3048 to read:

3049 1004.71 Statewide Florida Community College System
3050 institution direct-support organizations.-

3051 (1) DEFINITIONS.-For the purposes of this section:

3052 (a) "Statewide Florida Community College System institution
3053 direct-support organization" means an organization that is:

3054 1. A Florida corporation not for profit, incorporated under
3055 the provisions of chapter 617 and approved by the Department of
3056 State.

3057 2. Organized and operated exclusively to receive, hold,
3058 invest, and administer property and to make expenditures to, or
3059 for the benefit of, the Florida Community College System
3060 institutions in this state.

3061 3. An organization that the State Board of Community
3062 Colleges Education, after review, has certified to be operating
3063 in a manner consistent with the goals of the Florida Community
3064 College System institutions and in the best interest of the
3065 state.

3066 (b) "Personal services" includes full-time or part-time
3067 personnel as well as payroll processing.

3068 (2) BOARD OF DIRECTORS.-The chair of the State Board of
3069 Community Colleges Education may appoint a representative to the
3070 board of directors and the executive committee of any statewide,
3071 direct-support organization established under this section or s.
3072 1004.70. The chair of the State Board of Community Colleges



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3073 ~~Education~~, or the chair's designee, shall also serve on the
3074 board of directors and the executive committee of any direct-
3075 support organization established to benefit Florida Community
3076 College System institutions.

3077 (3) USE OF PROPERTY.—

3078 (a) The State Board of Education may permit the use of
3079 property, facilities, and personal services of the Department of
3080 Education by any statewide Florida Community College System
3081 institution direct-support organization, subject to the
3082 provisions of this section.

3083 (b) The State Board of Education may prescribe by rule any
3084 condition with which a statewide Florida Community College
3085 System institution direct-support organization must comply in
3086 order to use property, facilities, or personal services of the
3087 Department of Education.

3088 (c) The State Board of Education may not permit the use of
3089 property, facilities, or personal services of the Department of
3090 Education by any statewide Florida Community College System
3091 institution direct-support organization that does not provide
3092 equal employment opportunities to all persons regardless of
3093 race, color, national origin, gender, age, or religion.

3094 (4) RESTRICTIONS.—

3095 (a) A statewide, direct-support organization may not use
3096 public funds to acquire, construct, maintain, or operate any
3097 facilities.

3098 (b) Any transaction or agreement between a statewide,
3099 direct-support organization and any other direct-support
3100 organization must be approved by the State Board of Community
3101 Colleges ~~Education~~.



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3102 (c) A statewide Florida Community College System
3103 institution direct-support organization is prohibited from
3104 giving, either directly or indirectly, any gift to a political
3105 committee as defined in s. 106.011 for any purpose other than
3106 those certified by a majority roll call vote of the governing
3107 board of the direct-support organization at a regularly
3108 scheduled meeting as being directly related to the educational
3109 mission of the State Board of Community Colleges ~~Education~~.

3110 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
3111 organization shall submit to the State Board of Community
3112 Colleges ~~Education~~ its federal Internal Revenue Service
3113 Application for Recognition of Exemption form (Form 1023) and
3114 its federal Internal Revenue Service Return of Organization
3115 Exempt from Income Tax form (Form 990).

3116 (6) ANNUAL AUDIT.—A statewide Florida Community College
3117 System institution direct-support organization shall provide for
3118 an annual financial audit in accordance with s. 1004.70. The
3119 identity of a donor or prospective donor who desires to remain
3120 anonymous and all information identifying such donor or
3121 prospective donor are confidential and exempt from the
3122 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
3123 Constitution. Such anonymity shall be maintained in the
3124 auditor's report.

3125 Section 44. Subsection (4) of section 1004.74, Florida
3126 Statutes, is amended to read:

3127 1004.74 Florida School of the Arts.—

3128 (4) The Council for the Florida School of the Arts shall be
3129 established to advise the Florida Community College System
3130 institution district board of trustees on matters pertaining to



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3131 the operation of the school. The council shall consist of nine
3132 members, appointed jointly by the Chancellor of the Florida
3133 Community College System and the Commissioner of Education for
3134 4-year terms. A member may serve three terms and may serve until
3135 replaced.

3136 Section 45. Section 1004.78, Florida Statutes, is amended
3137 to read:

3138 1004.78 Technology transfer centers at Florida Community
3139 College System institutions.—

3140 (1) Each Florida Community College System institution may
3141 establish a technology transfer center for the purpose of
3142 providing institutional support to local business and industry
3143 and governmental agencies in the application of new research in
3144 technology. The primary responsibilities of such centers may
3145 include: identifying technology research developed by
3146 universities, research institutions, businesses, industries, the
3147 United States Armed Forces, and other state or federal
3148 governmental agencies; determining and demonstrating the
3149 application of technologies; training workers to integrate
3150 advanced equipment and production processes; and determining for
3151 business and industry the feasibility and efficiency of
3152 accommodating advanced technologies.

3153 (2) The Florida Community College System institution board
3154 of trustees shall set such policies to regulate the activities
3155 of the technology transfer center as it may consider necessary
3156 to effectuate the purposes of this section and to administer the
3157 programs of the center in a manner which assures efficiency and
3158 effectiveness, producing the maximum benefit for the educational
3159 programs and maximum service to the state. To this end,



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3160 materials that relate to methods of manufacture or production,
3161 potential trade secrets, potentially patentable material, actual
3162 trade secrets, business transactions, or proprietary information
3163 received, generated, ascertained, or discovered during the
3164 course of activities conducted within the Florida Community
3165 College System institutions shall be confidential and exempt
3166 from the provisions of s. 119.07(1), except that a Florida
3167 Community College System institution shall make available upon
3168 request the title and description of a project, the name of the
3169 investigator, and the amount and source of funding provided for
3170 such project.

3171 (3) A technology transfer center created under the
3172 provisions of this section shall be under the supervision of the
3173 board of trustees of that Florida Community College System
3174 institution, which is authorized to appoint a director; to
3175 employ full-time and part-time staff, research personnel, and
3176 professional services; to employ on a part-time basis personnel
3177 of the Florida Community College System institution; and to
3178 employ temporary employees whose salaries are paid entirely from
3179 the permanent technology transfer fund or from that fund in
3180 combination with other nonstate sources, with such positions
3181 being exempt from the requirements of the Florida Statutes
3182 relating to salaries, except that no such appointment shall be
3183 made for a total period of longer than 1 year.

3184 (4) The board of trustees of the Florida Community College
3185 System institution in which a technology transfer center is
3186 created, or its designee, may negotiate, enter into, and execute
3187 contracts; solicit and accept grants and donations; and fix and
3188 collect fees, other payments, and donations that may accrue by



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3189 reason thereof for technology transfer activities. The board of
3190 trustees or its designee may negotiate, enter into, and execute
3191 contracts on a cost-reimbursement basis and may provide
3192 temporary financing of such costs prior to reimbursement from
3193 moneys on deposit in the technology transfer fund, except as may
3194 be prohibited elsewhere by law.

3195 (5) A technology transfer center shall be financed from the
3196 Academic Improvement Program or from moneys of a Florida
3197 Community College System institution which are on deposit or
3198 received for use in the activities conducted in the center. Such
3199 moneys shall be deposited by the Florida Community College
3200 System institution in a permanent technology transfer fund in a
3201 depository or depositories approved for the deposit of state
3202 funds and shall be accounted for and disbursed subject to audit
3203 by the Auditor General.

3204 (6) The fund balance in any existing research trust fund of
3205 a Florida Community College System institution at the time a
3206 technology transfer center is created shall be transferred to a
3207 permanent technology transfer fund established for the Florida
3208 Community College System institution, and thereafter the fund
3209 balance of the technology transfer fund at the end of any fiscal
3210 period may be used during any succeeding period pursuant to this
3211 section.

3212 (7) Moneys deposited in the permanent technology transfer
3213 fund of a Florida Community College System institution shall be
3214 disbursed in accordance with the terms of the contract, grant,
3215 or donation under which they are received. Moneys received for
3216 overhead or indirect costs and other moneys not required for the
3217 payment of direct costs shall be applied to the cost of



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3218 operating the technology transfer center.

3219 (8) All purchases of a technology transfer center shall be
3220 made in accordance with the policies and procedures of the
3221 Florida Community College System institution.

3222 (9) The Florida Community College System institution board
3223 of trustees may authorize the construction, alteration, or
3224 remodeling of buildings when the funds used are derived entirely
3225 from the technology transfer fund of a Florida Community College
3226 System institution or from that fund in combination with other
3227 nonstate sources, provided that such construction, alteration,
3228 or remodeling is for use exclusively by the center. It also may
3229 authorize the acquisition of real property when the cost is
3230 entirely from said funds. Title to all real property shall vest
3231 in the board of trustees.

3232 (10) The State Board of Community Colleges ~~Education~~ may
3233 award grants to Florida Community College System institutions,
3234 or consortia of public and private colleges and universities and
3235 other public and private entities, for the purpose of supporting
3236 the objectives of this section. Grants awarded pursuant to this
3237 subsection shall be in accordance with rules of the State Board
3238 of Community Colleges ~~Education~~. Such rules shall include the
3239 following provisions:

3240 (a) The number of centers established with state funds
3241 provided expressly for the purpose of technology transfer shall
3242 be limited, but shall be geographically located to maximize
3243 public access to center resources and services.

3244 (b) Grants to centers funded with state revenues
3245 appropriated specifically for technology transfer activities
3246 shall be reviewed and approved by the State Board of Community



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3247 Colleges Education using proposal solicitation, evaluation, and
3248 selection procedures established by the state board in
3249 consultation with Enterprise Florida, Inc. Such procedures may
3250 include designation of specific areas or applications of
3251 technology as priorities for the receipt of funding.

3252 (c) Priority for the receipt of state funds appropriated
3253 specifically for the purpose of technology transfer shall be
3254 given to grant proposals developed jointly by Florida Community
3255 College System institutions and public and private colleges and
3256 universities.

3257 (11) Each technology transfer center established under the
3258 provisions of this section shall establish a technology transfer
3259 center advisory committee. Each committee shall include
3260 representatives of a university or universities conducting
3261 research in the area of specialty of the center. Other members
3262 shall be determined by the Florida Community College System
3263 institution board of trustees.

3264 Section 46. Subsection (4) of section 1004.80, Florida
3265 Statutes, is amended to read:

3266 1004.80 Economic development centers.—

3267 (4) The State Board of Community Colleges Education may
3268 award grants to economic development centers for the purposes of
3269 this section. Grants awarded pursuant to this subsection shall
3270 be in accordance with rules established by the State Board of
3271 Community Colleges Education.

3272 Section 47. Section 1004.91, Florida Statutes, is amended
3273 to read:

3274 1004.91 Requirements for career education program basic
3275 skills.—



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3276 (1) The State Board of Education, for career centers
3277 operated by district school boards, and the State Board of
3278 Community Colleges, for charter technical career centers
3279 operated by Florida Community College System institutions, shall
3280 collaborate to adopt, by rule, standards of basic skill mastery
3281 for completion of certificate career education programs. Each
3282 school district and Florida Community College System institution
3283 that conducts programs that confer career and technical
3284 certificates shall provide applied academics instruction through
3285 which students receive the basic skills instruction required
3286 pursuant to this section.

3287 (2) Students who enroll in a program offered for career
3288 credit of 450 hours or more shall complete an entry-level
3289 examination within the first 6 weeks after admission into the
3290 program. The State Board of Education and the State Board of
3291 Community Colleges shall collaborate to designate examinations
3292 that are currently in existence, the results of which are
3293 comparable across institutions, to assess student mastery of
3294 basic skills. Any student found to lack the required level of
3295 basic skills for such program shall be referred to applied
3296 academics instruction or another adult general education program
3297 for a structured program of basic skills instruction. Such
3298 instruction may include English for speakers of other languages.
3299 A student may not receive a career or technical certificate of
3300 completion without first demonstrating the basic skills required
3301 in the state curriculum frameworks for the career education
3302 program.

3303 (3) (a) An adult student with a disability may be exempted
3304 from this section.



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3305 (b) The following students are exempt from this section:

3306 1. A student who possesses a college degree at the
3307 associate in applied science level or higher.

3308 2. A student who demonstrates readiness for public
3309 postsecondary education pursuant to s. 1008.30 and applicable
3310 rules adopted by the State Board of Education and State Board of
3311 Community Colleges.

3312 3. A student who passes a state or national industry
3313 certification or licensure examination that is identified in
3314 State Board of Education or State Board of Community Colleges
3315 rules and aligned to the career education program in which the
3316 student is enrolled.

3317 4. An adult student who is enrolled in an apprenticeship
3318 program that is registered with the Department of Education in
3319 accordance with chapter 446.

3320 Section 48. Paragraph (b) of subsection (2) of section
3321 1004.92, Florida Statutes, is amended, and subsection (4) is
3322 added to that section, to read:

3323 1004.92 Purpose and responsibilities for career education.-

3324 (2)

3325 (b) Department of Education, for school districts, and the
3326 State Board of Community Colleges, for Florida Community College
3327 System institutions, have the following responsibilities related
3328 to accountability for career education ~~includes, but is not~~
3329 limited to:

3330 1. The provision of timely, accurate technical assistance
3331 to school districts and Florida Community College System
3332 institutions.

3333 2. The provision of timely, accurate information to the



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3334 State Board of Education, the Legislature, and the public.

3335 3. The development of policies, rules, and procedures that
3336 facilitate institutional attainment of the accountability
3337 standards and coordinate the efforts of all divisions within the
3338 department.

3339 4. The development of program standards and industry-driven
3340 benchmarks for career, adult, and community education programs,
3341 which must be updated every 3 years. The standards must include
3342 career, academic, and workplace skills; viability of distance
3343 learning for instruction; ~~and~~ work/learn cycles that are
3344 responsive to business and industry; and provisions that reflect
3345 the quality components of career and technical education
3346 programs. The Department of Education and the State Board of
3347 Community Colleges shall collaborate to develop a common set of
3348 standards and benchmarks as specified under this subparagraph
3349 for the programs that are offered by both the school districts
3350 and Florida Community College System institutions.

3351 5. Overseeing school district and Florida Community College
3352 System institution compliance with ~~the provisions of~~ this
3353 chapter.

3354 6. Ensuring that the educational outcomes for the technical
3355 component of career programs are uniform and designed to provide
3356 a graduate who is capable of entering the workforce on an
3357 equally competitive basis regardless of the institution of
3358 choice.

3359 (4) The State Board of Education, for career education
3360 provided by school districts, and the State Board of Community
3361 Colleges, for career education provided by Florida Community
3362 College System institutions, shall collaborate to adopt rules to



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3363 administer this section.

3364 Section 49. Subsection (1) of section 1004.925, Florida
3365 Statutes, is amended to read:

3366 1004.925 Automotive service technology education programs;
3367 certification.-

3368 (1) All automotive service technology education programs
3369 shall be industry certified in accordance with rules adopted by
3370 the State Board of Education and the State Board of Community
3371 Colleges.

3372 Section 50. Paragraphs (c) and (d) of subsection (4) and
3373 subsections (6) and (9) of section 1004.93, Florida Statutes,
3374 are amended to read:

3375 1004.93 Adult general education.-

3376 (4)

3377 (c) The State Board of Community Colleges ~~Education~~ shall
3378 define, by rule, the levels and courses of instruction to be
3379 funded through the developmental education program. The State
3380 Board of Community Colleges shall coordinate the establishment
3381 of costs for developmental education courses, the establishment
3382 of statewide standards that define required levels of
3383 competence, acceptable rates of student progress, and the
3384 maximum amount of time to be allowed for completion of
3385 developmental education. Developmental education is part of an
3386 associate in arts degree program and may not be funded as an
3387 adult career education program.

3388 (d) Expenditures for developmental education and lifelong
3389 learning students shall be reported separately. Allocations for
3390 developmental education shall be based on proportional full-time
3391 equivalent enrollment. Program review results shall be included



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3392 in the determination of subsequent allocations. A student shall
3393 be funded to enroll in the same developmental education class
3394 within a skill area only twice, after which time the student
3395 shall pay 100 percent of the full cost of instruction to support
3396 the continuous enrollment of that student in the same class;
3397 however, students who withdraw or fail a class due to
3398 extenuating circumstances may be granted an exception only once
3399 for each class, provided approval is granted according to policy
3400 established by the board of trustees. Each Florida Community
3401 College System institution shall have the authority to review
3402 and reduce payment for increased fees due to continued
3403 enrollment in a developmental education class on an individual
3404 basis contingent upon the student's financial hardship, pursuant
3405 to definitions and fee levels established by the State Board of
3406 Community Colleges Education. Developmental education and
3407 lifelong learning courses do not generate credit toward an
3408 associate or baccalaureate degree.

3409 (6) The commissioner, for school districts, and the
3410 Chancellor of the Florida Community College System, for Florida
3411 Community College System institutions, shall recommend the level
3412 of funding for public school and Florida Community College
3413 System institution adult education within the legislative budget
3414 request and make other recommendations and reports considered
3415 necessary or required by rules of the State Board of Education.

3416 (9) The State Board of Education and the State Board of
3417 Community Colleges may adopt rules necessary for the
3418 implementation of this section.

3419 Section 51. Subsection (3) of section 1006.60, Florida
3420 Statutes, is amended to read:



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3421 1006.60 Codes of conduct; disciplinary measures; authority
3422 to adopt rules or regulations.—

3423 (3) Sanctions authorized by such codes of conduct may be
3424 imposed only for acts or omissions in violation of rules or
3425 regulations adopted by the institution, including rules or
3426 regulations adopted under this section, rules of the State Board
3427 of Community Colleges regarding the Florida Community College
3428 System Education, rules or regulations of the Board of Governors
3429 regarding the State University System, county and municipal
3430 ordinances, and the laws of this state, the United States, or
3431 any other state.

3432 Section 52. Subsection (1) of section 1006.61, Florida
3433 Statutes, is amended to read:

3434 1006.61 Participation by students in disruptive activities
3435 at public postsecondary educational institution; penalties.—

3436 (1) Any person who accepts the privilege extended by the
3437 laws of this state of attendance at any public postsecondary
3438 educational institution shall, by attending such institution, be
3439 deemed to have given his or her consent to the policies of that
3440 institution, the State Board of Community Colleges regarding the
3441 Florida Community College System Education, and the Board of
3442 Governors regarding the State University System, and the laws of
3443 this state. Such policies shall include prohibition against
3444 disruptive activities at public postsecondary educational
3445 institutions.

3446 Section 53. Section 1006.62, Florida Statutes, is amended
3447 to read:

3448 1006.62 Expulsion and discipline of students of Florida
3449 Community College System institutions and state universities.—



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3450 (1) Each student in a Florida Community College System
3451 institution or state university is subject to federal and state
3452 law, respective county and municipal ordinances, and all rules
3453 and regulations of the State Board of Community Colleges
3454 regarding the Florida Community College System ~~Education~~, the
3455 Board of Governors regarding the State University System, or the
3456 board of trustees of the institution.

3457 (2) Violation of these published laws, ordinances, or rules
3458 and regulations may subject the violator to appropriate action
3459 by the institution's authorities.

3460 (3) Each president of a Florida Community College System
3461 institution or state university may, after notice to the student
3462 of the charges and after a hearing thereon, expel, suspend, or
3463 otherwise discipline any student who is found to have violated
3464 any law, ordinance, or rule or regulation of the State Board of
3465 Community Colleges regarding the Florida Community College
3466 System ~~Education~~, the Board of Governors regarding the State
3467 University System, or the board of trustees of the institution.
3468 A student may be entitled to waiver of expulsion:

3469 (a) If the student provides substantial assistance in the
3470 identification, arrest, or conviction of any of his or her
3471 accomplices, accessories, coconspirators, or principals or of
3472 any other person engaged in violations of chapter 893 within a
3473 state university or Florida Community College System
3474 institution;

3475 (b) If the student voluntarily discloses his or her
3476 violations of chapter 893 prior to his or her arrest; or

3477 (c) If the student commits himself or herself, or is
3478 referred by the court in lieu of sentence, to a state-licensed



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3479 drug abuse program and successfully completes the program.

3480 Section 54. Paragraphs (c) and (g) of subsection (1),
3481 paragraph (b) of subsection (2), and subsection (3) of section
3482 1006.71, Florida Statutes, are amended to read:

3483 1006.71 Gender equity in intercollegiate athletics.—

3484 (1) GENDER EQUITY PLAN.—

3485 (c) The Chancellor of the Florida Community College System
3486 ~~Commissioner of Education~~ shall annually assess the progress of
3487 each Florida Community College System institution's plan and
3488 advise the State Board of Community Colleges ~~Education~~ and the
3489 Legislature regarding compliance.

3490 (g)1. If a Florida Community College System institution is
3491 not in compliance with Title IX of the Education Amendments of
3492 1972 and the Florida Educational Equity Act, the State Board of
3493 Community Colleges ~~Education~~ shall:

3494 a. Declare the Florida Community College System institution
3495 ineligible for competitive state grants.

3496 b. Withhold funds sufficient to obtain compliance.

3497
3498 The Florida Community College System institution shall remain
3499 ineligible and the funds may shall not be paid until the Florida
3500 Community College System institution comes into compliance or
3501 the Chancellor of the Florida Community College System
3502 ~~Commissioner of Education~~ approves a plan for compliance.

3503 2. If a state university is not in compliance with Title IX
3504 of the Education Amendments of 1972 and the Florida Educational
3505 Equity Act, the Board of Governors shall:

3506 a. Declare the state university ineligible for competitive
3507 state grants.



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3508 b. Withhold funds sufficient to obtain compliance.

3509
3510 The state university shall remain ineligible and the funds may
3511 ~~shall~~ not be paid until the state university comes into
3512 compliance or the Board of Governors approves a plan for
3513 compliance.

3514 (2) FUNDING.—

3515 (b) The level of funding and percentage share of support
3516 for women's intercollegiate athletics for Florida Community
3517 College System institutions shall be determined by the State
3518 Board of Community Colleges Education. The level of funding and
3519 percentage share of support for women's intercollegiate
3520 athletics for state universities shall be determined by the
3521 Board of Governors. The level of funding and percentage share
3522 attained in the 1980-1981 fiscal year shall be the minimum level
3523 and percentage maintained by each institution, except as the
3524 State Board of Community Colleges Education or the Board of
3525 Governors otherwise directs its respective institutions for the
3526 purpose of assuring equity. Consideration shall be given by the
3527 State Board of Community Colleges Education or the Board of
3528 Governors to emerging athletic programs at institutions which
3529 may not have the resources to secure external funds to provide
3530 athletic opportunities for women. It is the intent that the
3531 effect of any redistribution of funds among institutions may
3532 ~~shall~~ not negate the requirements as set forth in this section.

3533 (3) STATE BOARD OF COMMUNITY COLLEGES EDUCATION.—The State
3534 Board of Community Colleges Education shall assure equal
3535 opportunity for female athletes at Florida Community College
3536 System institutions and establish:



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3537 (a) In conjunction with the State Board of Education,
3538 guidelines for reporting of intercollegiate athletics data
3539 concerning financial, program, and facilities information for
3540 review by the State Board of Community Colleges ~~Education~~
3541 annually.

3542 (b) Systematic audits for the evaluation of such data.

3543 (c) Criteria for determining and assuring equity.

3544 Section 55. Section 1007.01, Florida Statutes, is amended
3545 to read:

3546 1007.01 Articulation; legislative intent; purpose; role of
3547 the State Board of Education, the State Board of Community
3548 Colleges, and the Board of Governors; Articulation Coordinating
3549 Committee.—

3550 (1) It is the intent of the Legislature to facilitate
3551 articulation and seamless integration of the K-20 education
3552 system by building, sustaining, and strengthening relationships
3553 among K-20 public organizations, between public and private
3554 organizations, and between the education system as a whole and
3555 Florida's communities. The purpose of building, sustaining, and
3556 strengthening these relationships is to provide for the
3557 efficient and effective progression and transfer of students
3558 within the education system and to allow students to proceed
3559 toward their educational objectives as rapidly as their
3560 circumstances permit. The Legislature further intends that
3561 articulation policies and budget actions be implemented
3562 consistently in the practices of the Department of Education and
3563 postsecondary educational institutions and expressed in the
3564 collaborative policy efforts of the State Board of Education,
3565 ~~and~~ and the Board of Governors, and the State Board of Community



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3566 Colleges.

3567 (2) To preserve Florida's "2+2" system of articulation and
3568 improve and facilitate articulation systemwide, the State Board
3569 of Education, and the Board of Governors, and the State Board of
3570 Community Colleges shall collaboratively establish and adopt
3571 policies with input from statewide K-20 advisory groups
3572 established by the Commissioner of Education, the Chancellor of
3573 the Florida Community College System, and the Chancellor of the
3574 State University System and shall recommend the policies to the
3575 Legislature. The policies shall relate to:

3576 (a) The alignment between the exit requirements of one
3577 education system and the admissions requirements of another
3578 education system into which students typically transfer.

3579 (b) The identification of common courses, the level of
3580 courses, institutional participation in a statewide course
3581 numbering system, and the transferability of credits among such
3582 institutions.

3583 (c) Identification of courses that meet general education
3584 or common degree program prerequisite requirements at public
3585 postsecondary educational institutions.

3586 (d) Dual enrollment course equivalencies.

3587 (e) Articulation agreements.

3588 (3) The Commissioner of Education, in consultation with the
3589 Chancellor of the Florida Community College System and the
3590 Chancellor of the State University System, shall establish the
3591 Articulation Coordinating Committee, which shall make
3592 recommendations related to statewide articulation policies and
3593 issues regarding access, quality, and reporting of data
3594 maintained by the K-20 data warehouse, established pursuant to



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3595 ss. 1001.10 and 1008.31, to the Higher Education Coordination
3596 Council, the State Board of Education, ~~and~~ the Board of
3597 Governors, and the State Board of Community Colleges. The
3598 committee shall consist of two members each representing the
3599 State University System, the Florida Community College System,
3600 public career and technical education, K-12 education, and
3601 nonpublic postsecondary education and one member representing
3602 students. The chair shall be elected from the membership. The
3603 Office of K-20 Articulation shall provide administrative support
3604 for the committee. The committee shall:

3605 (a) Monitor the alignment between the exit requirements of
3606 one education system and the admissions requirements of another
3607 education system into which students typically transfer and make
3608 recommendations for improvement.

3609 (b) Propose guidelines for interinstitutional agreements
3610 between and among public schools, career and technical education
3611 centers, Florida Community College System institutions, state
3612 universities, and nonpublic postsecondary institutions.

3613 (c) Annually recommend dual enrollment course and high
3614 school subject area equivalencies for approval by the State
3615 Board of Education, ~~and~~ the Board of Governors, and the State
3616 Board of Community Colleges.

3617 (d) Annually review the statewide articulation agreement
3618 pursuant to s. 1007.23 and make recommendations for revisions.

3619 (e) Annually review the statewide course numbering system,
3620 the levels of courses, and the application of transfer credit
3621 requirements among public and nonpublic institutions
3622 participating in the statewide course numbering system and
3623 identify instances of student transfer and admissions



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3624 difficulties.

3625 (f) Annually publish a list of courses that meet common
3626 general education and common degree program prerequisite
3627 requirements at public postsecondary institutions identified
3628 pursuant to s. 1007.25.

3629 (g) Foster timely collection and reporting of statewide
3630 education data to improve the K-20 education performance
3631 accountability system pursuant to ss. 1001.10 and 1008.31,
3632 including, but not limited to, data quality, accessibility, and
3633 protection of student records.

3634 (h) Recommend roles and responsibilities of public
3635 education entities in interfacing with the single, statewide
3636 computer-assisted student advising system established pursuant
3637 to s. 1006.735.

3638 (i) Make recommendations regarding the cost and
3639 requirements to develop and implement an online system for
3640 collecting and analyzing data regarding requests for transfer of
3641 credit by postsecondary education students. The online system,
3642 at a minimum, must collect information regarding the total
3643 number of credit transfer requests denied and the reason for
3644 each denial. Recommendations shall be reported to the President
3645 of the Senate and the Speaker of the House of Representatives on
3646 or before January 31, 2015.

3647 Section 56. Subsections (1) and (6) of section 1007.23,
3648 Florida Statutes, are amended, and subsection (7) is added to
3649 that section, to read:

3650 1007.23 Statewide articulation agreement.—

3651 (1) The State Board of Education, ~~and~~ the Board of
3652 Governors, and the State Board of Community Colleges shall enter



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3653 into a statewide articulation agreement which the State Board of
3654 Education and the State Board of Community Colleges shall adopt
3655 by rule. The agreement must preserve Florida's "2+2" system of
3656 articulation, facilitate the seamless articulation of student
3657 credit across and among Florida's educational entities, and
3658 reinforce the provisions of this chapter by governing:

3659 (a) Articulation between secondary and postsecondary
3660 education;

3661 (b) Admission of associate in arts degree graduates from
3662 Florida Community College System institutions and state
3663 universities;

3664 (c) Admission of applied technology diploma program
3665 graduates from Florida Community College System institutions or
3666 career centers;

3667 (d) Admission of associate in science degree and associate
3668 in applied science degree graduates from Florida Community
3669 College System institutions;

3670 (e) The use of acceleration mechanisms, including
3671 nationally standardized examinations through which students may
3672 earn credit;

3673 (f) General education requirements and statewide course
3674 numbers as provided for in ss. 1007.24 and 1007.25; and

3675 (g) Articulation among programs in nursing.

3676 (6) The articulation agreement must guarantee the
3677 articulation of 9 credit hours toward a postsecondary degree in
3678 early childhood education for programs approved by the State
3679 Board of Community Colleges ~~Education~~ and the Board of Governors
3680 which:

3681 (a) Award a child development associate credential issued



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3682 by the National Credentialing Program of the Council for
3683 Professional Recognition or award a credential approved under s.
3684 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
3685 child development associate credential; and

3686 (b) Include training in emergent literacy which meets or
3687 exceeds the minimum standards for training courses for
3688 prekindergarten instructors of the Voluntary Prekindergarten
3689 Education Program in s. 1002.59.

3690 (7) To strengthen Florida's "2+2" system of articulation
3691 and improve student retention and on-time graduation, by the
3692 2018-2019 academic year, each Florida Community College System
3693 institution shall execute at least one "2+2" targeted pathway
3694 articulation agreement with one or more state universities to
3695 establish "2+2" targeted pathway programs. The agreement must
3696 provide students who graduate with an associate in arts degree
3697 and who meet specified requirements guaranteed access to the
3698 state university and a degree program at that university, in
3699 accordance with the terms of the "2+2" targeted pathway
3700 articulation agreement.

3701 (a) To participate in a "2+2" targeted pathway program, a
3702 student must:

3703 1. Enroll in the program before completing 30 credit hours,
3704 including, but not limited to, college credits earned through
3705 articulated acceleration mechanisms pursuant to s. 1007.27;

3706 2. Complete an associate in arts degree; and

3707 3. Meet the university's transfer requirements.

3708 (b) A state university that executes a "2+2" targeted
3709 pathway articulation agreement must meet the following
3710 requirements in order to implement a "2+2" targeted pathway



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3711 program in collaboration with its partner Florida Community
3712 College System institution:

3713 1. Establish a 4-year on-time graduation plan for a
3714 baccalaureate degree program, including, but not limited to, a
3715 plan for students to complete associate in arts degree programs,
3716 general education courses, common prerequisite courses, and
3717 elective courses;

3718 2. Advise students enrolled in the program about the
3719 university's transfer and degree program requirements; and

3720 3. Provide students who meet the requirements under this
3721 paragraph with access to academic advisors and campus events and
3722 with guaranteed admittance to the state university and a degree
3723 program of the state university, in accordance with the terms of
3724 the agreement.

3725 (c) To assist the state universities and Florida Community
3726 College System institutions with implementing the "2+2" targeted
3727 pathway programs effectively, the State Board of Community
3728 Colleges and the Board of Governors shall collaborate to
3729 eliminate barriers in executing "2+2" targeted pathway
3730 articulation agreements.

3731 Section 57. Subsections (1), (2), and (3) of section
3732 1007.24, Florida Statutes, are amended to read:

3733 1007.24 Statewide course numbering system.—

3734 (1) The Department of Education, in conjunction with the
3735 Board of Governors and the State Board of Community Colleges,
3736 shall develop, coordinate, and maintain a statewide course
3737 numbering system for postsecondary and dual enrollment education
3738 in school districts, public postsecondary educational
3739 institutions, and participating nonpublic postsecondary



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3740 educational institutions that will improve program planning,
3741 increase communication among all delivery systems, and
3742 facilitate student acceleration and the transfer of students and
3743 credits between public school districts, public postsecondary
3744 educational institutions, and participating nonpublic
3745 educational institutions. The continuing maintenance of the
3746 system shall be accomplished with the assistance of appropriate
3747 faculty committees representing public and participating
3748 nonpublic educational institutions.

3749 (2) The Commissioner of Education, in conjunction with the
3750 Chancellor of the Florida Community College System and the
3751 Chancellor of the State University System, shall appoint faculty
3752 committees representing faculties of participating institutions
3753 to recommend a single level for each course, including
3754 postsecondary career education courses, included in the
3755 statewide course numbering system.

3756 (a) Any course designated as an upper-division-level course
3757 must be characterized by a need for advanced academic
3758 preparation and skills that a student would be unlikely to
3759 achieve without significant prior coursework.

3760 (b) A course that is offered as part of an associate in
3761 science degree program and as an upper-division course for a
3762 baccalaureate degree shall be designated for both the lower and
3763 upper division.

3764 (c) A course designated as lower-division may be offered by
3765 any Florida Community College System institution.

3766 (3) The Commissioner of Education shall recommend to the
3767 State Board of Education the levels for the courses. The State
3768 Board of Education, with input from the Board of Governors and



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3769 the State Board of Community Colleges, shall approve the levels
3770 for the courses.

3771 Section 58. Subsections (3), (5), and (8) through (11) of
3772 section 1007.25, Florida Statutes, are amended to read:

3773 1007.25 General education courses; common prerequisites;
3774 other degree requirements.-

3775 (3) The chair of the State Board of Community Colleges
3776 ~~Education~~ and the chair of the Board of Governors, or their
3777 designees, shall jointly appoint faculty committees to identify
3778 statewide general education core course options. General
3779 education core course options shall consist of a maximum of five
3780 courses within each of the subject areas of communication,
3781 mathematics, social sciences, humanities, and natural sciences.
3782 The core courses may be revised, or the five-course maximum
3783 within each subject area may be exceeded, if approved by the
3784 State Board of Community Colleges ~~Education~~ and the Board of
3785 Governors, as recommended by the subject area faculty committee
3786 and approved by the Articulation Coordinating Committee as
3787 necessary for a subject area. Each general education core course
3788 option must contain high-level academic and critical thinking
3789 skills and common competencies that students must demonstrate to
3790 successfully complete the course. Beginning with students
3791 initially entering a Florida Community College System
3792 institution or state university in 2015-2016 and thereafter,
3793 each student must complete at least one identified core course
3794 in each subject area as part of the general education course
3795 requirements. All public postsecondary educational institutions
3796 shall accept these courses as meeting general education core
3797 course requirements. The remaining general education course



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3798 requirements shall be identified by each institution and
3799 reported to the department by their statewide course number. The
3800 general education core course options shall be adopted in rule
3801 by the State Board of Community Colleges ~~Education~~ and in
3802 regulation by the Board of Governors.

3803 (5) The department shall identify common prerequisite
3804 courses and course substitutions for degree programs across all
3805 institutions. Common degree program prerequisites shall be
3806 offered and accepted by all state universities and Florida
3807 Community College System institutions, except in cases approved
3808 by the State Board of Community Colleges, ~~Education~~ for Florida
3809 Community College System institutions, and the Board of
3810 Governors, for state universities. The department shall develop
3811 a centralized database containing the list of courses and course
3812 substitutions that meet the prerequisite requirements for each
3813 baccalaureate degree program.

3814 (8) A baccalaureate degree program shall require no more
3815 than 120 semester hours of college credit and include 36
3816 semester hours of general education coursework, unless prior
3817 approval has been granted by the Board of Governors for
3818 baccalaureate degree programs offered by state universities and
3819 by the State Board of Community Colleges ~~Education~~ for
3820 baccalaureate degree programs offered by Florida Community
3821 College System institutions.

3822 (9) A student who received an associate in arts degree for
3823 successfully completing 60 semester credit hours may continue to
3824 earn ~~additional~~ credits at a Florida Community College System
3825 institution. The university must provide credit toward the
3826 student's baccalaureate degree for a ~~an additional~~ Florida



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3827 Community College System institution course if, according to the
3828 statewide course numbering, the Florida Community College System
3829 institution course is a course listed in the university catalog
3830 as required for the degree or as prerequisite to a course
3831 required for the degree. Of the courses required for the degree,
3832 at least half of the credit hours required for the degree shall
3833 be achievable through courses designated as lower division,
3834 except in degree programs approved by the State Board of
3835 Community Colleges Education for programs offered by Florida
3836 Community College System institutions and by the Board of
3837 Governors for programs offered by state universities.

3838 (10) Students at state universities may request associate
3839 in arts certificates if they have successfully completed the
3840 minimum requirements for the degree of associate in arts (A.A.).
3841 The university must grant the student an associate in arts
3842 degree if the student has successfully completed minimum
3843 requirements for college-level communication and computation
3844 skills adopted by the State Board of Community Colleges
3845 ~~Education~~ and 60 academic semester hours or the equivalent
3846 within a degree program area, including 36 semester hours in
3847 general education courses in the subject areas of communication,
3848 mathematics, social sciences, humanities, and natural sciences,
3849 consistent with the general education requirements specified in
3850 the articulation agreement pursuant to s. 1007.23.

3851 (11) The Commissioner of Education and the Chancellor of
3852 the Florida Community College System shall jointly appoint
3853 faculty committees representing both Florida Community College
3854 System institution and public school faculties to recommend to
3855 the commissioner, or the Chancellor of the Florida Community



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3856 College System, as applicable, for approval by the State Board
3857 of Education and the State Board of Community Colleges, as
3858 applicable, a standard program length and appropriate
3859 occupational completion points for each postsecondary career
3860 certificate program, diploma, and degree offered by a school
3861 district or a Florida Community College System institution.

3862 Section 59. Section 1007.262, Florida Statutes, is amended
3863 to read:

3864 1007.262 Foreign language competence; equivalence
3865 determinations.—The Department of Education shall identify the
3866 competencies demonstrated by students upon the successful
3867 completion of 2 credits of sequential high school foreign
3868 language instruction. For the purpose of determining
3869 postsecondary equivalence, the State Board of Community Colleges
3870 ~~department~~ shall develop rules through which Florida Community
3871 College System institutions correlate such competencies to the
3872 competencies required of students in the colleges' respective
3873 courses. Based on this correlation, each Florida Community
3874 College System institution shall identify the minimum number of
3875 postsecondary credits that students must earn in order to
3876 demonstrate a level of competence in a foreign language at least
3877 equivalent to that of students who have completed 2 credits of
3878 such instruction in high school. The department may also specify
3879 alternative means by which students can demonstrate equivalent
3880 foreign language competence, including means by which a student
3881 whose native language is not English may demonstrate proficiency
3882 in the native language. A student who demonstrates proficiency
3883 in a native language other than English is exempt from a
3884 requirement of completing foreign language courses at the



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3885 secondary or Florida Community College System level.

3886 Section 60. Section 1007.263, Florida Statutes, is amended
3887 to read:

3888 1007.263 Florida Community College System institutions;
3889 admissions of students.—Each Florida Community College System
3890 institution board of trustees is authorized to adopt rules
3891 governing admissions of students subject to this section and
3892 rules of the State Board of Community Colleges ~~Education~~. These
3893 rules shall include the following:

3894 (1) Admissions counseling shall be provided to all students
3895 entering college or career credit programs. For students who are
3896 not otherwise exempt from testing under s. 1008.30, counseling
3897 must use tests to measure achievement of college-level
3898 communication and computation competencies by students entering
3899 college credit programs or tests to measure achievement of basic
3900 skills for career education programs as prescribed in s.
3901 1004.91. Counseling includes providing developmental education
3902 options for students whose assessment results, determined under
3903 s. 1008.30, indicate that they need to improve communication or
3904 computation skills that are essential to perform college-level
3905 work.

3906 (2) Admission to associate degree programs is subject to
3907 minimum standards adopted by the State Board of Community
3908 Colleges ~~Education~~ and shall require:

3909 (a) A standard high school diploma, a high school
3910 equivalency diploma as prescribed in s. 1003.435, previously
3911 demonstrated competency in college credit postsecondary
3912 coursework, or, in the case of a student who is home educated, a
3913 signed affidavit submitted by the student's parent or legal



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3914 guardian attesting that the student has completed a home
3915 education program pursuant to the requirements of s. 1002.41.
3916 Students who are enrolled in a dual enrollment or early
3917 admission program pursuant to s. 1007.271 are exempt from this
3918 requirement.

3919 (b) A demonstrated level of achievement of college-level
3920 communication and computation skills.

3921 (c) Any other requirements established by the board of
3922 trustees.

3923 (3) Admission to other programs within the Florida
3924 Community College System institution shall include education
3925 requirements as established by the board of trustees.

3926 (4) A student who has been awarded a certificate of
3927 completion under s. 1003.4282 is eligible to enroll in
3928 certificate career education programs.

3929 (5) A student with a documented disability may be eligible
3930 for reasonable substitutions, as prescribed in ss. 1007.264 and
3931 1007.265.

3932
3933 Each board of trustees shall establish policies that notify
3934 students about developmental education options for improving
3935 their communication or computation skills that are essential to
3936 performing college-level work, including tutoring, extended time
3937 in gateway courses, free online courses, adult basic education,
3938 adult secondary education, or private provider instruction.

3939 Section 61. Subsection (2) of section 1007.264, Florida
3940 Statutes, is amended to read:

3941 1007.264 Persons with disabilities; admission to
3942 postsecondary educational institutions; substitute requirements;



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3943 rules and regulations.-

3944 (2) The State Board of Community Colleges Education, in
3945 consultation with the Board of Governors, shall adopt rules to
3946 implement this section for Florida Community College System
3947 institutions and shall develop substitute admission requirements
3948 where appropriate.

3949 Section 62. Subsections (2) and (3) of section 1007.265,
3950 Florida Statutes, are amended to read:

3951 1007.265 Persons with disabilities; graduation, study
3952 program admission, and upper-division entry; substitute
3953 requirements; rules and regulations.-

3954 (2) The State Board of Community Colleges Education, in
3955 consultation with the Board of Governors, shall adopt rules to
3956 implement this section for Florida Community College System
3957 institutions and shall develop substitute requirements where
3958 appropriate.

3959 (3) The Board of Governors, in consultation with the State
3960 Board of Community Colleges Education, shall adopt regulations
3961 to implement this section for state universities and shall
3962 develop substitute requirements where appropriate.

3963 Section 63. Subsections (6), (7), and (8) of section
3964 1007.27, Florida Statutes, are amended to read:

3965 1007.27 Articulated acceleration mechanisms.-

3966 (6) Credit by examination shall be the program through
3967 which secondary and postsecondary students generate
3968 postsecondary credit based on the receipt of a specified minimum
3969 score on nationally standardized general or subject-area
3970 examinations. For the purpose of statewide application, such
3971 examinations and the corresponding minimum scores required for



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3972 an award of credit shall be delineated by the State Board of
3973 Education, ~~and~~ the Board of Governors, and the State Board of
3974 Community Colleges in the statewide articulation agreement
3975 required by s. 1007.23(1). The maximum credit generated by a
3976 student pursuant to this subsection shall be mitigated by any
3977 related postsecondary credit earned by the student prior to the
3978 administration of the examination. This subsection shall not
3979 preclude Florida Community College System institutions and
3980 universities from awarding credit by examination based on
3981 student performance on examinations developed within and
3982 recognized by the individual postsecondary institutions.

3983 (7) The International Baccalaureate Program shall be the
3984 curriculum in which eligible secondary students are enrolled in
3985 a program of studies offered through the International
3986 Baccalaureate Program administered by the International
3987 Baccalaureate Office. The State Board of Community Colleges
3988 ~~Education~~ and the Board of Governors shall specify in the
3989 statewide articulation agreement required by s. 1007.23(1) the
3990 cutoff scores and International Baccalaureate Examinations which
3991 will be used to grant postsecondary credit at Florida Community
3992 College System institutions and universities. Any changes to the
3993 articulation agreement, ~~7~~ which have the effect of raising the
3994 required cutoff score or of changing the International
3995 Baccalaureate Examinations which will be used to grant
3996 postsecondary credit, ~~7~~ shall only apply to students taking
3997 International Baccalaureate Examinations after such changes are
3998 adopted by the State Board of Community Colleges ~~Education~~ and
3999 the Board of Governors. Students shall be awarded a maximum of
4000 30 semester credit hours pursuant to this subsection. The



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4001 specific course for which a student may receive such credit
4002 shall be specified in the statewide articulation agreement
4003 required by s. 1007.23(1). Students enrolled pursuant to this
4004 subsection shall be exempt from the payment of any fees for
4005 administration of the examinations regardless of whether or not
4006 the student achieves a passing score on the examination.

4007 (8) The Advanced International Certificate of Education
4008 Program and the International General Certificate of Secondary
4009 Education (pre-AICE) Program shall be the curricula in which
4010 eligible secondary students are enrolled in programs of study
4011 offered through the Advanced International Certificate of
4012 Education Program or the International General Certificate of
4013 Secondary Education (pre-AICE) Program administered by the
4014 University of Cambridge Local Examinations Syndicate. The State
4015 Board of Community Colleges Education and the Board of Governors
4016 shall specify in the statewide articulation agreement required
4017 by s. 1007.23(1) the cutoff scores and Advanced International
4018 Certificate of Education examinations which will be used to
4019 grant postsecondary credit at Florida Community College System
4020 institutions and universities. Any changes to the cutoff scores,
4021 which changes have the effect of raising the required cutoff
4022 score or of changing the Advanced International Certification of
4023 Education examinations which will be used to grant postsecondary
4024 credit, shall apply to students taking Advanced International
4025 Certificate of Education examinations after such changes are
4026 adopted by the State Board of Community Colleges Education and
4027 the Board of Governors. Students shall be awarded a maximum of
4028 30 semester credit hours pursuant to this subsection. The
4029 specific course for which a student may receive such credit



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4030 shall be determined by the Florida Community College System
4031 institution or university that accepts the student for
4032 admission. Students enrolled in either program of study pursuant
4033 to this subsection shall be exempt from the payment of any fees
4034 for administration of the examinations regardless of whether the
4035 student achieves a passing score on the examination.

4036 Section 64. Subsections (3) and (22) of section 1007.271,
4037 Florida Statutes, are amended to read:

4038 1007.271 Dual enrollment programs.—

4039 (3) Student eligibility requirements for initial enrollment
4040 in college credit dual enrollment courses must include a 3.0
4041 unweighted high school grade point average and the minimum score
4042 on a common placement test adopted by the State Board of
4043 Education which indicates that the student is ready for college-
4044 level coursework. Student eligibility requirements for continued
4045 enrollment in college credit dual enrollment courses must
4046 include the maintenance of a 3.0 unweighted high school grade
4047 point average and the minimum postsecondary grade point average
4048 established by the postsecondary institution. Regardless of
4049 meeting student eligibility requirements for continued
4050 enrollment, a student may lose the opportunity to participate in
4051 a dual enrollment course if the student is disruptive to the
4052 learning process such that the progress of other students or the
4053 efficient administration of the course is hindered. Student
4054 eligibility requirements for initial and continued enrollment in
4055 career certificate dual enrollment courses must include a 2.0
4056 unweighted high school grade point average. Exceptions to the
4057 required grade point averages may be granted on an individual
4058 student basis if the educational entities agree and the terms of



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4059 the agreement are contained within the dual enrollment
4060 articulation agreement established pursuant to subsection (21).
4061 Florida Community College System institution boards of trustees
4062 may establish additional initial student eligibility
4063 requirements, which shall be included in the dual enrollment
4064 articulation agreement, to ensure student readiness for
4065 postsecondary instruction. Additional requirements included in
4066 the agreement may not arbitrarily prohibit students who have
4067 demonstrated the ability to master advanced courses from
4068 participating in dual enrollment courses.

4069 (22) The Department of Education shall develop an
4070 electronic submission system for dual enrollment articulation
4071 agreements and shall review, for compliance, each dual
4072 enrollment articulation agreement submitted pursuant to
4073 subsections (13), (21), and (24). The Commissioner of Education
4074 shall notify the district school superintendent and the Florida
4075 Community College System institution president if the dual
4076 enrollment articulation agreement does not comply with statutory
4077 requirements and shall submit any dual enrollment articulation
4078 agreement with unresolved issues of noncompliance to the State
4079 Board of Education. The State Board of Education shall
4080 collaborate with the State Board of Community Colleges to
4081 resolve unresolved issues of noncompliance.

4082 Section 65. Subsection (6) of section 1007.273, Florida
4083 Statutes, is amended to read:

4084 1007.273 Collegiate high school program.—

4085 (6) The collegiate high school program shall be funded
4086 pursuant to ss. 1007.271 and 1011.62. The State Board of
4087 Education shall enforce compliance with this section by



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4088 withholding the transfer of funds for the school districts ~~and~~
4089 ~~the Florida College System institutions~~ in accordance with s.
4090 1008.32. Annually by December 31, the State Board of Community
4091 Colleges shall enforce compliance with this section by
4092 withholding the transfer of funds for the Florida Community
4093 College System institutions in accordance with s. 1001.602.

4094 Section 66. Section 1007.33, Florida Statutes, is amended
4095 to read:

4096 1007.33 Site-determined baccalaureate degree access.—

4097 (1) (a) The Legislature recognizes that public and private
4098 postsecondary educational institutions play an essential role in
4099 improving the quality of life and economic well-being of the
4100 state and its residents. The Legislature also recognizes that
4101 economic development needs and the educational needs of place-
4102 bound, nontraditional students have increased the demand for
4103 local access to baccalaureate degree programs. It is therefore
4104 the intent of the Legislature to further expand access to
4105 baccalaureate degree programs through the use of Florida
4106 Community College System institutions.

4107 (b) For purposes of this section, the term "district"
4108 refers to the county or counties served by a Florida Community
4109 College System institution pursuant to s. 1000.21(3).

4110 (2) Any Florida Community College System institution that
4111 offers one or more baccalaureate degree programs must:

4112 (a) Maintain as its primary mission:

4113 1. Responsibility for responding to community needs for
4114 postsecondary academic education and career degree education as
4115 prescribed in s. 1004.65(5).

4116 2. The provision of associate degrees that provide access



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4117 to a university.

4118 (b) Maintain an open-door admission policy for associate-
4119 level degree programs and workforce education programs.

4120 (c) Continue to provide outreach to underserved
4121 populations.

4122 (d) Continue to provide remedial education pursuant to s.
4123 1008.30.

4124 (e) Comply with all provisions of the statewide
4125 articulation agreement which relate to 2-year and 4-year public
4126 degree-granting institutions as adopted by the State Board of
4127 Education or the State Board of Community Colleges, as
4128 applicable, pursuant to s. 1007.23.

4129 (f) Not award graduate credit.

4130 (g) Not participate in intercollegiate athletics beyond the
4131 2-year level.

4132 (3) A Florida Community College System institution may not
4133 terminate its associate in arts or associate in science degree
4134 programs as a result of being authorized to offer one or more
4135 baccalaureate degree programs. The Legislature intends that the
4136 primary responsibility of a Florida Community College System
4137 institution, including a Florida Community College System
4138 institution that offers baccalaureate degree programs, continues
4139 to be the provision of associate degrees that provide access to
4140 a university.

4141 (4) A Florida Community College System institution may:

4142 (a) Offer specified baccalaureate degree programs through
4143 formal agreements between the Florida Community College System
4144 institution and other regionally accredited postsecondary
4145 educational institutions pursuant to s. 1007.22.



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4146 (b) Offer baccalaureate degree programs that are ~~were~~
4147 authorized by law ~~prior to July 1, 2009.~~

4148 (c) ~~Beginning July 1, 2009, establish a first or subsequent~~
4149 ~~baccalaureate degree program for purposes of meeting district,~~
4150 ~~regional, or statewide workforce needs if approved by the State~~
4151 ~~Board of Community Colleges Education under this section.~~
4152 ~~However, a Florida Community College System institution may not~~
4153 ~~offer a bachelor of arts degree program.~~

4154
4155 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
4156 ~~College is authorized to establish one or more bachelor of~~
4157 ~~applied science degree programs based on an analysis of~~
4158 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
4159 ~~other counties approved by the Department of Education. For each~~
4160 ~~program selected, St. Petersburg College must offer a related~~
4161 ~~associate in science or associate in applied science degree~~
4162 ~~program, and the baccalaureate degree level program must be~~
4163 ~~designed to articulate fully with at least one associate in~~
4164 ~~science degree program. The college is encouraged to develop~~
4165 ~~articulation agreements for enrollment of graduates of related~~
4166 ~~associate in applied science degree programs. The Board of~~
4167 ~~Trustees of St. Petersburg College is authorized to establish~~
4168 ~~additional baccalaureate degree programs if it determines a~~
4169 ~~program is warranted and feasible based on each of the factors~~
4170 ~~in paragraph (5)(d). However, the Board of Trustees of St.~~
4171 ~~Petersburg College may not establish any new baccalaureate~~
4172 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~
4173 ~~to developing or proposing a new baccalaureate degree program,~~
4174 ~~St. Petersburg College shall engage in need, demand, and impact~~



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4175 ~~discussions with the state university in its service district~~
4176 ~~and other local and regional, accredited postsecondary providers~~
4177 ~~in its region. Documentation, data, and other information from~~
4178 ~~inter-institutional discussions regarding program need, demand,~~
4179 ~~and impact shall be provided to the college's board of trustees~~
4180 ~~to inform the program approval process. Employment at St.~~
4181 ~~Petersburg College is governed by the same laws that govern~~
4182 ~~Florida College System institutions, except that upper-division~~
4183 ~~faculty are eligible for continuing contracts upon the~~
4184 ~~completion of the fifth year of teaching. Employee records for~~
4185 ~~all personnel shall be maintained as required by s. 1012.81.~~

4186 (5) The approval process for baccalaureate degree programs
4187 requires ~~shall require~~:

4188 (a) Each Florida Community College System institution to
4189 submit a notice of interest at least 180 days before submitting
4190 a notice of its intent to propose a baccalaureate degree program
4191 ~~to the Division of Florida Colleges at least 100 days before the~~
4192 ~~submission of its proposal under paragraph (d).~~ The notice of
4193 interest must be submitted into a shared postsecondary database
4194 that allows other postsecondary institutions to preview and
4195 provide feedback on the notice of interest. A written notice of
4196 intent must be submitted to the Chancellor of the Florida
4197 Community College System at least 100 days before the submission
4198 of a baccalaureate degree program proposal under paragraph (c).
4199 The notice of intent must include a brief description of the
4200 program, the workforce demand and unmet need for graduates of
4201 the program to include evidence from entities independent of the
4202 institution, the geographic region to be served, and an
4203 estimated timeframe for implementation. Notices of interest and



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4204 intent may be submitted by a Florida Community College System
4205 institution at any time throughout the year. The notice of
4206 intent must also include evidence that the Florida Community
4207 College System institution engaged in need, demand, and impact
4208 discussions with the state university and other regionally
4209 accredited postsecondary education providers in its service
4210 district.

4211 (b) The Chancellor of the Florida Community College System
4212 Division of Florida Colleges to forward the notice of intent
4213 submitted pursuant to paragraph (a) and the justification for
4214 the proposed baccalaureate degree program required under
4215 paragraph (c) within 10 business days after receiving such
4216 notice and justification to the Chancellor of the State
4217 University System, the president of the Independent Colleges and
4218 Universities of Florida, and the Executive Director of the
4219 Commission for Independent Education. State universities ~~shall~~
4220 have 60 days following receipt of the notice of intent and
4221 justification by the Chancellor of the State University System
4222 to submit an objection and a reason for the objection to the
4223 proposed baccalaureate degree program, which may include
4224 ~~objections to the proposed new program or submit~~ an alternative
4225 proposal to offer the baccalaureate degree program. The
4226 Chancellor of the State University System shall review the
4227 objection raised by a state university and inform the Board of
4228 Governors of the objection before a state university submits its
4229 objection to the Chancellor of the Florida Community College
4230 System. The Chancellor of the Florida Community College System
4231 must consult with the Chancellor of the State University System
4232 to consider the objection raised by the state university before



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4233 the State Board of Community Colleges approves or denies a
4234 Florida Community College System institution's proposal
4235 submitted pursuant to paragraph (c). ~~If a proposal from a state~~
4236 ~~university is not received within the 60-day period,~~ The
4237 Chancellor of the Florida Community College System State Board
4238 ~~of Education~~ shall also provide regionally accredited private
4239 colleges and universities 60 30 days to submit an objection and
4240 a reason for the objection to the proposed baccalaureate degree
4241 program, which may include an alternative proposal to offer a
4242 baccalaureate degree program ~~objections to the proposed new~~
4243 ~~program or submit an alternative proposal.~~ Objections by a
4244 regionally accredited private college or university ~~or~~
4245 ~~alternative proposals~~ shall be submitted to the Chancellor of
4246 the Florida Community College System, and the state board must
4247 consider such objections before ~~Division of Florida Colleges and~~
4248 ~~must be considered by the State Board of Education in~~ making its
4249 decision to approve or deny a Florida Community College System
4250 institution's proposal submitted pursuant to paragraph (c).

4251 ~~(c) An alternative proposal submitted by a state university~~
4252 ~~or private college or university to adequately address:~~

4253 ~~1. The extent to which the workforce demand and unmet need~~
4254 ~~described in the notice of intent will be met.~~

4255 ~~2. The extent to which students will be able to complete~~
4256 ~~the degree in the geographic region proposed to be served by the~~
4257 ~~Florida College System institution.~~

4258 ~~3. The level of financial commitment of the college or~~
4259 ~~university to the development, implementation, and maintenance~~
4260 ~~of the specified degree program, including timelines.~~

4261 ~~4. The extent to which faculty at both the Florida College~~



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4262 ~~System institution and the college or university will~~
4263 ~~collaborate in the development and offering of the curriculum.~~

4264 ~~5. The ability of the Florida College System institution~~
4265 ~~and the college or university to develop and approve the~~
4266 ~~curriculum for the specified degree program within 6 months~~
4267 ~~after an agreement between the Florida College System~~
4268 ~~institution and the college or university is signed.~~

4269 ~~6. The extent to which the student may incur additional~~
4270 ~~costs above what the student would expect to incur if the~~
4271 ~~program were offered by the Florida College System institution.~~

4272 ~~(c)(d) Each Florida Community College System institution to~~
4273 ~~submit a baccalaureate degree program proposal at least 100 days~~
4274 ~~after submitting the notice of intent. Each proposal must~~
4275 ~~submitted by a Florida College System institution to, at a~~
4276 ~~minimum, include:~~

4277 ~~1. A description of the planning process and timeline for~~
4278 ~~implementation.~~

4279 ~~2. A justification for the proposed baccalaureate degree~~
4280 ~~program, including, at a minimum, a data-driven An analysis of~~
4281 ~~workforce demand and unmet need for graduates of the program on~~
4282 ~~a district, regional, or statewide basis, as appropriate, and~~
4283 ~~the extent to which the proposed program will meet the workforce~~
4284 ~~demand and unmet need. The analysis must include workforce and~~
4285 ~~employment data for the most recent years and projections by the~~
4286 ~~Department of Economic Opportunity for future years, and a~~
4287 ~~summary of degree programs similar to the proposed degree~~
4288 ~~program which are currently offered by state universities or by~~
4289 ~~independent nonprofit colleges or universities that are eligible~~
4290 ~~to participate in a grant program pursuant to s. 1009.89 and~~



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4291 which are located in the Florida Community College System
4292 institution's regional service area. The analysis and evidence
4293 must be verified by the Chancellor of the Florida Community
4294 College System including evidence from entities independent of
4295 the institution.

4296 3. Identification of the facilities, equipment, and library
4297 and academic resources that will be used to deliver the program.

4298 4. The program cost analysis of creating a new
4299 baccalaureate degree when compared to ~~alternative proposals and~~
4300 other program delivery options.

4301 5. The program's admission requirements, academic content,
4302 curriculum, faculty credentials, student-to-teacher ratios, and
4303 accreditation plan.

4304 6. The program's student enrollment projections and funding
4305 requirements, including:

4306 a. The impact of the program's enrollment projections on
4307 compliance with the upper-level enrollment provisions under
4308 subsection (6); and

4309 b. The institution's efforts to sustain the program at the
4310 cost of tuition and fees for students who are classified as
4311 residents for tuition purposes under s. 1009.21, not to exceed
4312 \$10,000 for the entire degree program, including flexible
4313 tuition and fee rates, and the use of waivers pursuant to s.
4314 1009.26(11).

4315 7. A plan of action if the program is terminated.

4316 (d) ~~(e)~~ The State Board of Community Division of Florida
4317 Colleges to review the proposal, notify the Florida Community
4318 College System institution of any deficiencies in writing within
4319 30 days following receipt of the proposal, and provide the



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4320 Florida Community College System institution with an opportunity
4321 to correct the deficiencies. Within 45 days following receipt of
4322 a completed proposal by the State Board of Community ~~Division of~~
4323 ~~Florida~~ Colleges, the Chancellor of the Florida Community
4324 College System ~~Commissioner of Education~~ shall recommend
4325 approval or disapproval of the proposal to the State Board of
4326 Community Colleges ~~Education~~. The State Board of Community
4327 Colleges ~~Education~~ shall consider such recommendation, the
4328 proposal, input from the Chancellor of the State University
4329 System and the president of the Independent Colleges and
4330 Universities of Florida, and any objections or alternative
4331 proposals at its next meeting. If the State Board of Community
4332 Colleges ~~Education~~ disapproves the Florida Community College
4333 System institution's proposal, it shall provide the Florida
4334 Community College System institution with written reasons for
4335 that determination.

4336 (e) ~~(f)~~ The Florida Community College System institution to
4337 obtain from the Commission on Colleges of the Southern
4338 Association of Colleges and Schools accreditation as a
4339 baccalaureate-degree-granting institution if approved by the
4340 State Board of Community Colleges ~~Education~~ to offer its first
4341 baccalaureate degree program.

4342 (f) ~~(g)~~ The Florida Community College System institution to
4343 notify the Commission on Colleges of the Southern Association of
4344 Colleges and Schools of subsequent degree programs that are
4345 approved by the State Board of Community Colleges ~~Education~~ and
4346 to comply with the association's required substantive change
4347 protocols for accreditation purposes.

4348 (g) ~~(h)~~ The Florida Community College System institution to



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4349 annually report to the State Board of Community Colleges, the
4350 Chancellor of the State University System, and ~~upon request of~~
4351 ~~the State Board of Education, the Commissioner of Education, the~~
4352 ~~Chancellor of the Florida College System, or the Legislature,~~
4353 ~~report~~ its status using the following performance and compliance
4354 indicators:

- 4355 1. Obtaining and maintaining appropriate Southern
4356 Association of Colleges and Schools accreditation;
- 4357 2. Maintaining qualified faculty and institutional
4358 resources;
- 4359 3. Maintaining student enrollment in previously approved
4360 programs;
- 4361 4. Managing fiscal resources appropriately;
- 4362 5. Complying with the primary mission and responsibility
4363 requirements in subsections (2) and (3); ~~and~~
- 4364 6. Other indicators of success, including program
4365 completions, employment and earnings outcomes, student
4366 acceptance into and performance in graduate programs ~~placements,~~
4367 and surveys of graduates and employers; and-
- 4368 7. Continuing to meet workforce demand, as provided in
4369 subparagraph (c)2., as demonstrated through a data-driven needs
4370 assessment by the Florida Community College System institution
4371 which is verified by more than one third-party professional
4372 entity that is independent of the institution.
- 4373 8. Complying with the upper-level enrollment provisions
4374 under subsection (6).

4375
4376 The State Board of Community Colleges ~~Education~~, upon annual
4377 review of the baccalaureate degree program performance and



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4378 compliance indicators and needs assessment, may require a
4379 Florida Community College System institution's board of trustees
4380 to modify or terminate a baccalaureate degree program authorized
4381 under this section. If the annual review indicates negative
4382 program performance and compliance results, and if the needs
4383 assessment fails to demonstrate a need for the program, the
4384 State Board of Community Colleges must require a Florida
4385 Community College System institution's board of trustees to
4386 terminate that baccalaureate degree program.

4387 (6) (a) If the 2015-2016 total upper-level, undergraduate
4388 full-time equivalent enrollment at a Florida Community College
4389 System institution is at or above 10 percent of the 2015-2016
4390 combined total lower-level and upper-level full-time equivalent
4391 enrollment at that institution, the total upper-level
4392 enrollment, as a percentage of the combined enrollment, may not
4393 increase by more than 4 percentage points unless the institution
4394 obtains prior legislative approval.

4395 (b) If the 2015-2016 total upper-level, undergraduate full-
4396 time equivalent enrollment at a Florida Community College System
4397 institution is below 10 percent of the 2015-2016 combined total
4398 lower-level and upper-level full-time equivalent enrollment at
4399 that institution, the total upper-level enrollment, as a
4400 percentage of the combined enrollment, may not increase by more
4401 than 8 percentage points unless the institution obtains prior
4402 legislative approval.

4403 (c) Notwithstanding enrollment provisions in paragraphs (a)
4404 and (b), the upper-level, undergraduate full-time equivalent
4405 enrollment at a Florida Community College System institution may
4406 not exceed 15 percent of the combined total lower-level and



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4407 upper-level full-time equivalent enrollment at that institution.

4408 (d) Within the 4 percent or 8 percent growth authorized
4409 under paragraph (a) or paragraph (b), for any planned and
4410 purposeful expansion of existing baccalaureate degree programs
4411 or creation of a new baccalaureate program, a community college
4412 must demonstrate satisfactory performance in fulfilling its
4413 primary mission pursuant to s. 1004.65, executing at least one
4414 "2+2" targeted pathway articulation agreement pursuant to s.
4415 1007.23, and meeting or exceeding the performance standards
4416 related to on-time completion and graduation rates under s.
4417 1001.66 for students earning associate of arts or baccalaureate
4418 degrees. The State Board of Community Colleges may not approve a
4419 new baccalaureate degree program proposal for a community
4420 college that does not meet the conditions specified in this
4421 subsection in addition to the other requirements for approval
4422 under this section. Each community college that offers a
4423 baccalaureate degree must annually review each baccalaureate
4424 degree program and annually report to the State Board of
4425 Community Colleges, in a format prescribed by the state board,
4426 current and projected student enrollment for such program,
4427 justification for continuation of each baccalaureate degree
4428 program, and a plan to comply with the upper-level enrollment
4429 provisions of this subsection. A Florida Community College
4430 System institution that does not comply with the requirements of
4431 this section is subject to s. 1001.602(9) and may not report for
4432 funding, the upper-level, undergraduate full-time equivalent
4433 enrollment that exceeds the upper-level enrollment percent
4434 provision of this subsection.

4435 (7)-(6) The State Board of Community Colleges Education



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4436 shall adopt rules to prescribe format and content requirements
4437 and submission procedures for notices of interest and intent,
4438 baccalaureate degree program proposals, objections, proposals,
4439 alternative proposals, and compliance reviews under subsection
4440 (5).

4441 Section 67. Subsections (1), (3), (4), and (5) of section
4442 1008.30, Florida Statutes, are amended to read:

4443 1008.30 Common placement testing for public postsecondary
4444 education.—

4445 (1) The State Board of Community Colleges Education, in
4446 conjunction with the Board of Governors and the State Board of
4447 Education, shall develop and implement a common placement test
4448 for the purpose of assessing the basic computation and
4449 communication skills of students who intend to enter a degree
4450 program at any public postsecondary educational institution.
4451 Alternative assessments that may be accepted in lieu of the
4452 common placement test shall also be identified in rule. Public
4453 postsecondary educational institutions shall provide appropriate
4454 modifications of the test instruments or test procedures for
4455 students with disabilities.

4456 (3) ~~By October 31, 2013,~~ The State Board of Community
4457 Colleges, in conjunction with the Board of Governors and the
4458 State Board of Education, Education shall establish by rule the
4459 test scores a student must achieve to demonstrate readiness to
4460 perform college-level work, and the rules must specify the
4461 following:

4462 (a) A student who entered 9th grade in a Florida public
4463 school in the 2003-2004 school year, or any year thereafter, and
4464 earned a Florida standard high school diploma or a student who



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4465 is serving as an active duty member of any branch of the United
4466 States Armed Services shall not be required to take the common
4467 placement test and shall not be required to enroll in
4468 developmental education instruction in a Florida Community
4469 College System institution. However, a student who is not
4470 required to take the common placement test and is not required
4471 to enroll in developmental education under this paragraph may
4472 opt to be assessed and to enroll in developmental education
4473 instruction, and the college shall provide such assessment and
4474 instruction upon the student's request.

4475 (b) A student who takes the common placement test and whose
4476 score on the test indicates a need for developmental education
4477 must be advised of all the developmental education options
4478 offered at the institution and, after advisement, shall be
4479 allowed to enroll in the developmental education option of his
4480 or her choice.

4481 (c) A student who demonstrates readiness by achieving or
4482 exceeding the test scores established by the state board and
4483 enrolls in a Florida Community College System institution within
4484 2 years after achieving such scores shall not be required to
4485 retest or complete developmental education when admitted to any
4486 Florida Community College System institution.

4487 (4) ~~By December 31, 2013,~~ The State Board of Community
4488 Colleges Education, in consultation with the Board of Governors,
4489 shall approve a series of meta-majors and the academic pathways
4490 that identify the gateway courses associated with each meta-
4491 major. Florida Community College System institutions shall use
4492 placement test results to determine the extent to which each
4493 student demonstrates sufficient communication and computation



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4494 skills to indicate readiness for his or her chosen meta-major.
4495 Florida Community College System institutions shall counsel
4496 students into college credit courses as quickly as possible,
4497 with developmental education limited to that content needed for
4498 success in the meta-major.

4499 (5) (a) Each Florida Community College System institution
4500 board of trustees shall develop a plan to implement the
4501 developmental education strategies defined in s. 1008.02 and
4502 rules established by the State Board of Community Colleges
4503 ~~Education~~. The plan must be submitted to the Chancellor of the
4504 Florida Community College System for approval no later than
4505 March 1, 2014, for implementation no later than the fall
4506 semester 2014. Each plan must include, at a minimum, local
4507 policies that outline:

4508 1. Documented student achievements such as grade point
4509 averages, work history, military experience, participation in
4510 juried competitions, career interests, degree major declaration,
4511 or any combination of such achievements that the institution may
4512 consider, in addition to common placement test scores, for
4513 advising students regarding enrollment options.

4514 2. Developmental education strategies available to
4515 students.

4516 3. A description of student costs and financial aid
4517 opportunities associated with each option.

4518 4. Provisions for the collection of student success data.

4519 5. A comprehensive plan for advising students into
4520 appropriate developmental education strategies based on student
4521 success data.

4522 (b) Beginning October 31, 2015, each Florida Community



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4523 College System institution shall annually prepare an
4524 accountability report that includes student success data
4525 relating to each developmental education strategy implemented by
4526 the institution. The report shall be submitted to the State
4527 Board of Community ~~Division of Florida~~ Colleges by October 31 in
4528 a format determined by the Chancellor of the Florida Community
4529 College System. By December 31, the chancellor shall compile and
4530 submit the institutional reports to the Governor, the President
4531 of the Senate, the Speaker of the House of Representatives, and
4532 the State Board of Community Colleges ~~and the State Board of~~
4533 ~~Education~~.

4534 (c) A university board of trustees may contract with a
4535 Florida Community College System institution board of trustees
4536 for the Florida Community College System institution to provide
4537 developmental education on the state university campus. Any
4538 state university in which the percentage of incoming students
4539 requiring developmental education equals or exceeds the average
4540 percentage of such students for the Florida Community College
4541 System may offer developmental education without contracting
4542 with a Florida Community College System institution; however,
4543 any state university offering college-preparatory instruction as
4544 of January 1, 1996, may continue to provide such services.

4545 Section 68. Paragraphs (d) and (e) of subsection (1) and
4546 paragraphs (a) and (c) of subsection (3) of section 1008.31,
4547 Florida Statutes, are amended to read:

4548 1008.31 Florida's K-20 education performance accountability
4549 system; legislative intent; mission, goals, and systemwide
4550 measures; data quality improvements.—

4551 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature



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4552 that:

4553 (d) The State Board of Education, ~~and~~ the Board of
4554 Governors of the State University System, and the State Board of
4555 Community Colleges of the Florida Community College System
4556 recommend to the Legislature systemwide performance standards;
4557 the Legislature establish systemwide performance measures and
4558 standards; and the systemwide measures and standards provide
4559 Floridians with information on what the public is receiving in
4560 return for the funds it invests in education and how well the K-
4561 20 system educates its students.

4562 (e)1. The State Board of Education establish performance
4563 measures and set performance standards for individual public
4564 schools ~~and Florida College System institutions~~, with measures
4565 and standards based primarily on student achievement.

4566 2. The Board of Governors of the State University System
4567 establish performance measures and set performance standards for
4568 individual state universities, including actual completion
4569 rates.

4570 3. The State Board of Community Colleges establish
4571 performance measures and set performance standards for
4572 individual Florida Community College System institutions.

4573 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4574 data required to implement education performance accountability
4575 measures in state and federal law, the Commissioner of Education
4576 shall initiate and maintain strategies to improve data quality
4577 and timeliness. The Board of Governors shall make available to
4578 the department all data within the State University Database
4579 System to be integrated into the K-20 data warehouse. The
4580 commissioner shall have unlimited access to such data for the



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4581 purposes of conducting studies, reporting annual and
4582 longitudinal student outcomes, and improving college readiness
4583 and articulation. All public educational institutions shall
4584 annually provide data from the prior year to the K-20 data
4585 warehouse in a format based on data elements identified by the
4586 commissioner.

4587 (a) School districts and public postsecondary educational
4588 institutions shall maintain information systems that will
4589 provide the State Board of Education, the Board of Governors of
4590 the State University System, the State Board of Community
4591 Colleges of the Florida Community College System, and the
4592 Legislature with information and reports necessary to address
4593 the specifications of the accountability system. The level of
4594 comprehensiveness and quality must be no less than that which
4595 was available as of June 30, 2001.

4596 (c) The Commissioner of Education shall determine the
4597 standards for the required data, monitor data quality, and
4598 measure improvements. The commissioner shall report annually to
4599 the State Board of Education, the Board of Governors of the
4600 State University System, the State Board of Community Colleges
4601 of the Florida Community College System, the President of the
4602 Senate, and the Speaker of the House of Representatives data
4603 quality indicators and ratings for all school districts and
4604 public postsecondary educational institutions.

4605 Section 69. Section 1008.32, Florida Statutes, is amended
4606 to read:

4607 1008.32 State Board of Education oversight enforcement
4608 authority.—The State Board of Education shall oversee the
4609 performance of district school boards ~~and Florida College System~~



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4610 ~~institution boards of trustees~~ in enforcement of all laws and
4611 rules. District school boards and ~~Florida College System~~
4612 ~~institution boards of trustees~~ shall be primarily responsible
4613 for compliance with law and state board rule.

4614 (1) In order to ensure compliance with law or state board
4615 rule, the State Board of Education shall have the authority to
4616 request and receive information, data, and reports from school
4617 districts and ~~Florida College System institutions~~. District
4618 school superintendents and ~~Florida College System institution~~
4619 ~~presidents~~ are responsible for the accuracy of the information
4620 and data reported to the state board.

4621 (2) The Commissioner of Education may investigate
4622 allegations of noncompliance with law or state board rule and
4623 determine probable cause. The commissioner shall report
4624 determinations of probable cause to the State Board of Education
4625 which shall require the district school board ~~or Florida College~~
4626 ~~System institution board of trustees~~ to document compliance with
4627 law or state board rule.

4628 (3) If the district school board ~~or Florida College System~~
4629 ~~institution board of trustees~~ cannot satisfactorily document
4630 compliance, the State Board of Education may order compliance
4631 within a specified timeframe.

4632 (4) If the State Board of Education determines that a
4633 district school board ~~or Florida College System institution~~
4634 ~~board of trustees~~ is unwilling or unable to comply with law or
4635 state board rule within the specified time, the state board
4636 shall have the authority to initiate any of the following
4637 actions:

4638 (a) Report to the Legislature that the school district ~~or~~



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4639 ~~Florida College System institution~~ is unwilling or unable to
4640 comply with law or state board rule and recommend action to be
4641 taken by the Legislature.

4642 (b) Withhold the transfer of state funds, discretionary
4643 grant funds, discretionary lottery funds, or any other funds
4644 specified as eligible for this purpose by the Legislature until
4645 the school district ~~or Florida College System institution~~
4646 complies with the law or state board rule.

4647 (c) Declare the school district ~~or Florida College System~~
4648 ~~institution~~ ineligible for competitive grants.

4649 (d) Require monthly or periodic reporting on the situation
4650 related to noncompliance until it is remedied.

4651 (5) Nothing in this section shall be construed to create a
4652 private cause of action or create any rights for individuals or
4653 entities in addition to those provided elsewhere in law or rule.

4654 Section 70. Paragraphs (e) and (f) of subsection (7) of
4655 section 1008.345, Florida Statutes, are amended to read:

4656 1008.345 Implementation of state system of school
4657 improvement and education accountability.-

4658 (7) As a part of the system of educational accountability,
4659 the Department of Education shall:

4660 (e) Maintain a listing of college-level communication and
4661 mathematics skills associated with successful student
4662 performance through the baccalaureate level and submit it to the
4663 State Board of Education, ~~and~~ the Board of Governors, and the
4664 State Board of Community Colleges for approval.

4665 (f) Perform any other functions that may be involved in
4666 educational planning, research, and evaluation or that may be
4667 required by the commissioner, the State Board of Education, the



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4668 State Board of Community Colleges, the Board of Governors, or
4669 law.

4670 Section 71. Subsections (1) and (2) of section 1008.37,
4671 Florida Statutes, are amended to read:

4672 1008.37 Postsecondary feedback of information to high
4673 schools.—

4674 (1) The Commissioner of Education shall report to the State
4675 Board of Education, the Board of Governors, the State Board of
4676 Community Colleges, the Legislature, and the district school
4677 boards on the performance of each first-time-in-postsecondary
4678 education student from each public high school in this state who
4679 is enrolled in a public postsecondary institution or public
4680 career center. Such reports must be based on information
4681 databases maintained by the Department of Education. In
4682 addition, the public postsecondary educational institutions and
4683 career centers shall provide district school boards access to
4684 information on student performance in regular and preparatory
4685 courses and shall indicate students referred for remediation
4686 pursuant to s. 1004.91 or s. 1008.30.

4687 (2) The Commissioner of Education shall report, by high
4688 school, to the State Board of Education, the Board of Governors,
4689 the State Board of Community Colleges, and the Legislature, no
4690 later than November 30 of each year, on the number of prior year
4691 Florida high school graduates who enrolled for the first time in
4692 public postsecondary education in this state during the previous
4693 summer, fall, or spring term, indicating the number of students
4694 whose scores on the common placement test indicated the need for
4695 developmental education under s. 1008.30 or for applied
4696 academics for adult education under s. 1004.91.



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4697 Section 72. Section 1008.38, Florida Statutes, is amended
4698 to read:

4699 1008.38 Articulation accountability process.—The State
4700 Board of Education, in conjunction with the Board of Governors
4701 and the State Board of Community Colleges, shall develop
4702 articulation accountability measures which assess the status of
4703 systemwide articulation processes authorized under s. 1007.23
4704 and establish an articulation accountability process which at a
4705 minimum shall address:

4706 (1) The impact of articulation processes on ensuring
4707 educational continuity and the orderly and unobstructed
4708 transition of students between public secondary and
4709 postsecondary education systems and facilitating the transition
4710 of students between the public and private sectors.

4711 (2) The adequacy of preparation of public secondary
4712 students to smoothly articulate to a public postsecondary
4713 institution.

4714 (3) The effectiveness of articulated acceleration
4715 mechanisms available to secondary students.

4716 (4) The smooth transfer of Florida Community College System
4717 associate degree graduates to a Florida Community College System
4718 institution or a state university.

4719 (5) An examination of degree requirements that exceed the
4720 parameters of 60 credit hours for an associate degree and 120
4721 hours for a baccalaureate degree in public postsecondary
4722 programs.

4723 (6) The relationship between student attainment of college-
4724 level academic skills and articulation to the upper division in
4725 public postsecondary institutions.



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4726 Section 73. Section 1008.405, Florida Statutes, is amended
4727 to read:

4728 1008.405 Adult student information.—Each school district
4729 and Florida Community College System institution shall maintain
4730 sufficient information for each student enrolled in workforce
4731 education to allow local and state administrators to locate such
4732 student upon the termination of instruction and to determine the
4733 appropriateness of student placement in specific instructional
4734 programs. The State Board of Education and the State Board of
4735 Community Colleges shall adopt, by rule, specific information
4736 that must be maintained and acceptable means of maintaining that
4737 information.

4738 Section 74. Subsection (2) of section 1008.44, Florida
4739 Statutes, is amended to read:

4740 1008.44 CAPE Industry Certification Funding List and CAPE
4741 Postsecondary Industry Certification Funding List.—

4742 (2) The State Board of Education, for school districts, and
4743 the State Board of Community Colleges, for Florida Community
4744 College System institutions, shall collaborate to approve, at
4745 least annually, the CAPE Postsecondary Industry Certification
4746 Funding List pursuant to this section. The Commissioner of
4747 Education and the Chancellor of the Florida Community College
4748 System shall recommend, at least annually, the CAPE
4749 Postsecondary Industry Certification Funding List to the State
4750 Board of Education and the State Board of Community Colleges,
4751 respectively, and may at any time recommend adding
4752 certifications. The Chancellor of the State University System,
4753 the Chancellor of the Florida Community College System, and the
4754 Chancellor of Career and Adult Education shall work with local



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4755 workforce boards, other postsecondary institutions, businesses,
4756 and industry to identify, create, and recommend to the
4757 Commissioner of Education industry certifications to be placed
4758 on the funding list. The list shall be used to determine annual
4759 performance funding distributions to school districts or Florida
4760 Community College System institutions as specified in ss.
4761 1011.80 and 1011.81, respectively. The chancellors shall review
4762 results of the economic security report of employment and
4763 earning outcomes produced annually pursuant to s. 445.07 when
4764 determining recommended certifications for the list, as well as
4765 other reports and indicators available regarding certification
4766 needs.

4767 Section 75. Section 1008.45, Florida Statutes, is amended
4768 to read:

4769 1008.45 Florida Community College System institution
4770 accountability process.—

4771 (1) It is the intent of the Legislature that a management
4772 and accountability process be implemented which provides for the
4773 systematic, ongoing improvement and assessment of the
4774 improvement of the quality and efficiency of the Florida
4775 Community College System institutions. Accordingly, the State
4776 Board of Community Colleges ~~Education~~ and the Florida Community
4777 College System institution boards of trustees shall develop and
4778 implement an accountability plan to improve and evaluate the
4779 instructional and administrative efficiency and effectiveness of
4780 the Florida Community College System. This plan shall be
4781 designed in consultation with staff of the Governor and the
4782 Legislature and must address the following issues:

4783 (a) Graduation rates of A.A. and A.S. degree-seeking



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4784 students compared to first-time-enrolled students seeking the
4785 associate degree.

4786 (b) Minority student enrollment and retention rates.

4787 (c) Student performance, including student performance in
4788 college-level academic skills, mean grade point averages for
4789 Florida Community College System institution A.A. transfer
4790 students, and Florida Community College System institution
4791 student performance on state licensure examinations.

4792 (d) Job placement rates of Florida Community College System
4793 institution career students.

4794 (e) Student progression by admission status and program.

4795 (f) Career accountability standards identified in s.
4796 1008.42.

4797 (g) Institutional assessment efforts related to the
4798 requirements of s. III in the Criteria for Accreditation of the
4799 Commission on Colleges of the Southern Association of Colleges
4800 and Schools.

4801 (h) Other measures approved by the State Board of Community
4802 Colleges Education.

4803 (2) The State Board of Community Colleges Education shall
4804 submit an annual report, to coincide with the submission of the
4805 state board's agency strategic plan required by law, providing
4806 the results of initiatives taken during the prior year and the
4807 initiatives and related objective performance measures proposed
4808 for the next year.

4809 (3) The State Board of Community Colleges Education shall
4810 address within the annual evaluation of the performance of the
4811 chancellor executive director, and the Florida Community College
4812 System institution boards of trustees shall address within the



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4813 annual evaluation of the presidents, the achievement of the
4814 performance goals established by the accountability process.

4815 Section 76. Section 1009.21, Florida Statutes, is amended
4816 to read:

4817 1009.21 Determination of resident status for tuition
4818 purposes.—Students shall be classified as residents or
4819 nonresidents for the purpose of assessing tuition in
4820 postsecondary educational programs offered by charter technical
4821 career centers or career centers operated by school districts,
4822 in Florida Community College System institutions, and in state
4823 universities.

4824 (1) As used in this section, the term:

4825 (a) "Dependent child" means any person, whether or not
4826 living with his or her parent, who is eligible to be claimed by
4827 his or her parent as a dependent under the federal income tax
4828 code.

4829 (b) "Initial enrollment" means the first day of class at an
4830 institution of higher education.

4831 (c) "Institution of higher education" means any charter
4832 technical career center as defined in s. 1002.34, career center
4833 operated by a school district as defined in s. 1001.44, Florida
4834 Community College System institution as defined in s.
4835 1000.21(3), or state university as defined in s. 1000.21(6).

4836 (d) "Legal resident" or "resident" means a person who has
4837 maintained his or her residence in this state for the preceding
4838 year, has purchased a home which is occupied by him or her as
4839 his or her residence, or has established a domicile in this
4840 state pursuant to s. 222.17.

4841 (e) "Nonresident for tuition purposes" means a person who



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4842 does not qualify for the in-state tuition rate.

4843 (f) "Parent" means either or both parents of a student, any
4844 guardian of a student, or any person in a parental relationship
4845 to a student.

4846 (g) "Resident for tuition purposes" means a person who
4847 qualifies as provided in this section for the in-state tuition
4848 rate.

4849 (2) (a) To qualify as a resident for tuition purposes:

4850 1. A person or, if that person is a dependent child, his or
4851 her parent or parents must have established legal residence in
4852 this state and must have maintained legal residence in this
4853 state for at least 12 consecutive months immediately prior to
4854 his or her initial enrollment in an institution of higher
4855 education.

4856 2. Every applicant for admission to an institution of
4857 higher education shall be required to make a statement as to his
4858 or her length of residence in the state and, further, shall
4859 establish that his or her presence or, if the applicant is a
4860 dependent child, the presence of his or her parent or parents in
4861 the state currently is, and during the requisite 12-month
4862 qualifying period was, for the purpose of maintaining a bona
4863 fide domicile, rather than for the purpose of maintaining a mere
4864 temporary residence or abode incident to enrollment in an
4865 institution of higher education.

4866 (b) However, with respect to a dependent child living with
4867 an adult relative other than the child's parent, such child may
4868 qualify as a resident for tuition purposes if the adult relative
4869 is a legal resident who has maintained legal residence in this
4870 state for at least 12 consecutive months immediately before the



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4871 child's initial enrollment in an institution of higher
4872 education, provided the child has resided continuously with such
4873 relative for the 3 years immediately before the child's initial
4874 enrollment in an institution of higher education, during which
4875 time the adult relative has exercised day-to-day care,
4876 supervision, and control of the child.

4877 (c) The legal residence of a dependent child whose parents
4878 are divorced, separated, or otherwise living apart will be
4879 deemed to be this state if either parent is a legal resident of
4880 this state, regardless of which parent is entitled to claim, and
4881 does in fact claim, the minor as a dependent pursuant to federal
4882 individual income tax provisions.

4883 (d) A dependent child who is a United States citizen may
4884 not be denied classification as a resident for tuition purposes
4885 based solely upon the immigration status of his or her parent.

4886 (3) (a) An individual shall not be classified as a resident
4887 for tuition purposes and, thus, shall not be eligible to receive
4888 the in-state tuition rate until he or she has provided such
4889 evidence related to legal residence and its duration or, if that
4890 individual is a dependent child, evidence of his or her parent's
4891 legal residence and its duration, as may be required by law and
4892 by officials of the institution of higher education from which
4893 he or she seeks the in-state tuition rate.

4894 (b) Except as otherwise provided in this section, evidence
4895 of legal residence and its duration shall include clear and
4896 convincing documentation that residency in this state was for a
4897 minimum of 12 consecutive months prior to a student's initial
4898 enrollment in an institution of higher education.

4899 (c) Each institution of higher education shall



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4900 affirmatively determine that an applicant who has been granted
4901 admission to that institution as a Florida resident meets the
4902 residency requirements of this section at the time of initial
4903 enrollment. The residency determination must be documented by
4904 the submission of written or electronic verification that
4905 includes two or more of the documents identified in this
4906 paragraph. No single piece of evidence shall be conclusive.

4907 1. The documents must include at least one of the
4908 following:

- 4909 a. A Florida voter's registration card.
- 4910 b. A Florida driver license.
- 4911 c. A State of Florida identification card.
- 4912 d. A Florida vehicle registration.
- 4913 e. Proof of a permanent home in Florida which is occupied
4914 as a primary residence by the individual or by the individual's
4915 parent if the individual is a dependent child.
- 4916 f. Proof of a homestead exemption in Florida.
- 4917 g. Transcripts from a Florida high school for multiple
4918 years if the Florida high school diploma or high school
4919 equivalency diploma was earned within the last 12 months.
- 4920 h. Proof of permanent full-time employment in Florida for
4921 at least 30 hours per week for a 12-month period.

4922 2. The documents may include one or more of the following:

- 4923 a. A declaration of domicile in Florida.
- 4924 b. A Florida professional or occupational license.
- 4925 c. Florida incorporation.
- 4926 d. A document evidencing family ties in Florida.
- 4927 e. Proof of membership in a Florida-based charitable or
4928 professional organization.



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4929 f. Any other documentation that supports the student's
4930 request for resident status, including, but not limited to,
4931 utility bills and proof of 12 consecutive months of payments; a
4932 lease agreement and proof of 12 consecutive months of payments;
4933 or an official state, federal, or court document evidencing
4934 legal ties to Florida.

4935 (4) With respect to a dependent child, the legal residence
4936 of the dependent child's parent or parents is prima facie
4937 evidence of the dependent child's legal residence, which
4938 evidence may be reinforced or rebutted, relative to the age and
4939 general circumstances of the dependent child, by the other
4940 evidence of legal residence required of or presented by the
4941 dependent child. However, the legal residence of a dependent
4942 child's parent or parents who are domiciled outside this state
4943 is not prima facie evidence of the dependent child's legal
4944 residence if that dependent child has lived in this state for 5
4945 consecutive years prior to enrolling or reregistering at the
4946 institution of higher education at which resident status for
4947 tuition purposes is sought.

4948 (5) A person who physically resides in this state may be
4949 classified as a resident for tuition purposes if he or she
4950 marries a person who meets the 12-month residency requirement
4951 under subsection (2) and who is a legal resident of this state.

4952 (6) (a) Except as otherwise provided in this section, a
4953 person who is classified as a nonresident for tuition purposes
4954 may become eligible for reclassification as a resident for
4955 tuition purposes if that person or, if that person is a
4956 dependent child, his or her parent presents clear and convincing
4957 documentation that supports permanent legal residency in this



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4958 state for at least 12 consecutive months rather than temporary
4959 residency for the purpose of pursuing an education, such as
4960 documentation of full-time permanent employment for the prior 12
4961 months or the purchase of a home in this state and residence
4962 therein for the prior 12 months while not enrolled in an
4963 institution of higher education.

4964 (b) If a person who is a dependent child and his or her
4965 parent move to this state while such child is a high school
4966 student and the child graduates from a high school in this
4967 state, the child may become eligible for reclassification as a
4968 resident for tuition purposes when the parent submits evidence
4969 that the parent qualifies for permanent residency.

4970 (c) If a person who is a dependent child and his or her
4971 parent move to this state after such child graduates from high
4972 school, the child may become eligible for reclassification as a
4973 resident for tuition purposes after the parent submits evidence
4974 that he or she has established legal residence in the state and
4975 has maintained legal residence in the state for at least 12
4976 consecutive months.

4977 (d) A person who is classified as a nonresident for tuition
4978 purposes and who marries a legal resident of the state or
4979 marries a person who becomes a legal resident of the state may,
4980 upon becoming a legal resident of the state, become eligible for
4981 reclassification as a resident for tuition purposes upon
4982 submitting evidence of his or her own legal residency in the
4983 state, evidence of his or her marriage to a person who is a
4984 legal resident of the state, and evidence of the spouse's legal
4985 residence in the state for at least 12 consecutive months
4986 immediately preceding the application for reclassification.



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4987 (7) A person shall not lose his or her resident status for
4988 tuition purposes solely by reason of serving, or, if such person
4989 is a dependent child, by reason of his or her parent's or
4990 parents' serving, in the Armed Forces outside this state.

4991 (8) A person who has been properly classified as a resident
4992 for tuition purposes but who, while enrolled in an institution
4993 of higher education in this state, loses his or her resident
4994 tuition status because the person or, if he or she is a
4995 dependent child, the person's parent or parents establish
4996 domicile or legal residence elsewhere shall continue to enjoy
4997 the in-state tuition rate for a statutory grace period, which
4998 period shall be measured from the date on which the
4999 circumstances arose that culminated in the loss of resident
5000 tuition status and shall continue for 12 months. However, if the
5001 12-month grace period ends during a semester or academic term
5002 for which such former resident is enrolled, such grace period
5003 shall be extended to the end of that semester or academic term.

5004 (9) Any person who ceases to be enrolled at or who
5005 graduates from an institution of higher education while
5006 classified as a resident for tuition purposes and who
5007 subsequently abandons his or her domicile in this state shall be
5008 permitted to reenroll at an institution of higher education in
5009 this state as a resident for tuition purposes without the
5010 necessity of meeting the 12-month durational requirement of this
5011 section if that person has reestablished his or her domicile in
5012 this state within 12 months of such abandonment and continuously
5013 maintains the reestablished domicile during the period of
5014 enrollment. The benefit of this subsection shall not be accorded
5015 more than once to any one person.



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5016 (10) The following persons shall be classified as residents
5017 for tuition purposes:

5018 (a) Active duty members of the Armed Services of the United
5019 States residing or stationed in this state, their spouses, and
5020 dependent children, and active drilling members of the Florida
5021 National Guard.

5022 (b) Active duty members of the Armed Services of the United
5023 States and their spouses and dependents attending a Florida
5024 Community College System institution or state university within
5025 50 miles of the military establishment where they are stationed,
5026 if such military establishment is within a county contiguous to
5027 Florida.

5028 (c) United States citizens living on the Isthmus of Panama,
5029 who have completed 12 consecutive months of college work at the
5030 Florida State University Panama Canal Branch, and their spouses
5031 and dependent children.

5032 (d) Full-time instructional and administrative personnel
5033 employed by state public schools and institutions of higher
5034 education and their spouses and dependent children.

5035 (e) Students from Latin America and the Caribbean who
5036 receive scholarships from the federal or state government. Any
5037 student classified pursuant to this paragraph shall attend, on a
5038 full-time basis, a Florida institution of higher education.

5039 (f) Southern Regional Education Board's Academic Common
5040 Market graduate students attending Florida's state universities.

5041 (g) Full-time employees of state agencies or political
5042 subdivisions of the state when the student fees are paid by the
5043 state agency or political subdivision for the purpose of job-
5044 related law enforcement or corrections training.



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5045 (h) McKnight Doctoral Fellows and Finalists who are United
5046 States citizens.

5047 (i) United States citizens living outside the United States
5048 who are teaching at a Department of Defense Dependent School or
5049 in an American International School and who enroll in a graduate
5050 level education program which leads to a Florida teaching
5051 certificate.

5052 (j) Active duty members of the Canadian military residing
5053 or stationed in this state under the North American Air Defense
5054 (NORAD) agreement, and their spouses and dependent children,
5055 attending a Florida Community College System institution or
5056 state university within 50 miles of the military establishment
5057 where they are stationed.

5058 (k) Active duty members of a foreign nation's military who
5059 are serving as liaison officers and are residing or stationed in
5060 this state, and their spouses and dependent children, attending
5061 a Florida Community College System institution or state
5062 university within 50 miles of the military establishment where
5063 the foreign liaison officer is stationed.

5064 (11) Once a student has been classified as a resident for
5065 tuition purposes, an institution of higher education to which
5066 the student transfers is not required to reevaluate the
5067 classification unless inconsistent information suggests that an
5068 erroneous classification was made or the student's situation has
5069 changed. However, the student must have attended the institution
5070 making the initial classification within the prior 12 months,
5071 and the residency classification must be noted on the student's
5072 transcript. The Higher Education Coordinating Council shall
5073 consider issues related to residency determinations and make



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5074 recommendations relating to efficiency and effectiveness of
5075 current law.

5076 (12) Each institution of higher education shall establish a
5077 residency appeal committee comprised of at least three members
5078 to consider student appeals of residency determinations, in
5079 accordance with the institution's official appeal process. The
5080 residency appeal committee must render to the student the final
5081 residency determination in writing. The institution must advise
5082 the student of the reasons for the determination.

5083 (13) The State Board of Education, ~~and~~ the Board of
5084 Governors, and the State Board of Community Colleges shall adopt
5085 rules to implement this section.

5086 Section 77. Paragraph (e) of subsection (3) of section
5087 1009.22, Florida Statutes, is amended to read:

5088 1009.22 Workforce education postsecondary student fees.—

5089 (3)

5090 (e) The State Board of Education and the State Board of
5091 Community Colleges may adopt, by rule, the definitions and
5092 procedures that district school boards and Florida Community
5093 College System institution boards of trustees shall use in the
5094 calculation of cost borne by students.

5095 Section 78. Section 1009.23, Florida Statutes, is amended
5096 to read:

5097 1009.23 Florida Community College System institution
5098 student fees.—

5099 (1) Unless otherwise provided, this section applies only to
5100 fees charged for college credit instruction leading to an
5101 associate in arts degree, an associate in applied science
5102 degree, an associate in science degree, or a baccalaureate



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5103 degree authorized pursuant to s. 1007.33, for noncollege credit
5104 developmental education defined in s. 1004.02, and for educator
5105 preparation institute programs defined in s. 1004.85.

5106 (2)(a) All students shall be charged fees except students
5107 who are exempt from fees or students whose fees are waived.

5108 (b) Tuition and out-of-state fees for upper-division
5109 courses must reflect the fact that the Florida Community College
5110 System institution has a less expensive cost structure than that
5111 of a state university. Therefore, the board of trustees shall
5112 establish tuition and out-of-state fees for upper-division
5113 courses in baccalaureate degree programs approved pursuant to s.
5114 1007.33 consistent with law and proviso language in the General
5115 Appropriations Act. However, the board of trustees may vary
5116 tuition and out-of-state fees only as provided in subsection (6)
5117 and s. 1009.26(11).

5118 (3)(a) Effective July 1, 2014, for advanced and
5119 professional, postsecondary vocational, developmental education,
5120 and educator preparation institute programs, the standard
5121 tuition shall be \$71.98 per credit hour for residents and
5122 nonresidents, and the out-of-state fee shall be \$215.94 per
5123 credit hour.

5124 (b) Effective July 1, 2014, for baccalaureate degree
5125 programs, the following tuition and fee rates shall apply:

5126 1. The tuition shall be \$91.79 per credit hour for students
5127 who are residents for tuition purposes.

5128 2. The sum of the tuition and the out-of-state fee per
5129 credit hour for students who are nonresidents for tuition
5130 purposes shall be no more than 85 percent of the sum of the
5131 tuition and the out-of-state fee at the state university nearest



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5132 the Florida Community College System institution.

5133 (4) Each Florida Community College System institution board
5134 of trustees shall establish tuition and out-of-state fees, which
5135 may vary no more than 10 percent below and 15 percent above the
5136 combined total of the standard tuition and fees established in
5137 subsection (3).

5138 (5) Except as otherwise provided in law, the sum of
5139 nonresident student tuition and out-of-state fees must be
5140 sufficient to defray the full cost of each program.

5141 (6) (a) A Florida Community College System institution board
5142 of trustees that has a service area that borders another state
5143 may implement a plan for a differential out-of-state fee.

5144 (b) A Florida Community College System institution board of
5145 trustees may establish a differential out-of-state fee for a
5146 student who has been determined to be a nonresident for tuition
5147 purposes pursuant to s. 1009.21 and is enrolled in a distance
5148 learning course offered by the institution. A differential out-
5149 of-state fee established pursuant to this paragraph shall be
5150 applicable only to distance learning courses and must be
5151 established such that the sum of tuition and the differential
5152 out-of-state fee is sufficient to defray the full cost of
5153 instruction.

5154 (7) Each Florida Community College System institution board
5155 of trustees may establish a separate activity and service fee
5156 not to exceed 10 percent of the tuition fee, according to rules
5157 of the State Board of Community Colleges ~~Education~~. The student
5158 activity and service fee shall be collected as a component part
5159 of the tuition and fees. The student activity and service fees
5160 shall be paid into a student activity and service fund at the



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5161 Florida Community College System institution and shall be
5162 expended for lawful purposes to benefit the student body in
5163 general. These purposes include, but are not limited to, student
5164 publications and grants to duly recognized student
5165 organizations, the membership of which is open to all students
5166 at the Florida Community College System institution without
5167 regard to race, sex, or religion. No Florida Community College
5168 System institution shall be required to lower any activity and
5169 service fee approved by the board of trustees of the Florida
5170 Community College System institution and in effect prior to
5171 October 26, 2007, in order to comply with the provisions of this
5172 subsection.

5173 (8) (a) Each Florida Community College System institution
5174 board of trustees is authorized to establish a separate fee for
5175 financial aid purposes in an additional amount up to, but not to
5176 exceed, 5 percent of the total student tuition or out-of-state
5177 fees collected. Each Florida Community College System
5178 institution board of trustees may collect up to an additional 2
5179 percent if the amount generated by the total financial aid fee
5180 is less than \$500,000. If the amount generated is less than
5181 \$500,000, a Florida Community College System institution that
5182 charges tuition and out-of-state fees at least equal to the
5183 average fees established by rule may transfer from the general
5184 current fund to the scholarship fund an amount equal to the
5185 difference between \$500,000 and the amount generated by the
5186 total financial aid fee assessment. No other transfer from the
5187 general current fund to the loan, endowment, or scholarship
5188 fund, by whatever name known, is authorized.

5189 (b) All funds collected under this program shall be placed



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5190 in the loan and endowment fund or scholarship fund of the
5191 college, by whatever name known. Such funds shall be disbursed
5192 to students as quickly as possible. An amount not greater than
5193 40 percent of the fees collected in a fiscal year may be carried
5194 forward unexpended to the following fiscal year. However, funds
5195 collected prior to July 1, 1989, and placed in an endowment fund
5196 may not be considered part of the balance of funds carried
5197 forward unexpended to the following fiscal year.

5198 (c) Up to 25 percent or \$600,000, whichever is greater, of
5199 the financial aid fees collected may be used to assist students
5200 who demonstrate academic merit; who participate in athletics,
5201 public service, cultural arts, and other extracurricular
5202 programs as determined by the institution; or who are identified
5203 as members of a targeted gender or ethnic minority population.
5204 The financial aid fee revenues allocated for athletic
5205 scholarships and any fee exemptions provided to athletes
5206 pursuant to s. 1009.25(2) must be distributed equitably as
5207 required by s. 1000.05(3)(d). A minimum of 75 percent of the
5208 balance of these funds for new awards shall be used to provide
5209 financial aid based on absolute need, and the remainder of the
5210 funds shall be used for academic merit purposes and other
5211 purposes approved by the boards of trustees. Such other purposes
5212 shall include the payment of child care fees for students with
5213 financial need. The State Board of Education shall develop
5214 criteria for making financial aid awards. Each college shall
5215 report annually to the Department of Education on the revenue
5216 collected pursuant to this paragraph, the amount carried
5217 forward, the criteria used to make awards, the amount and number
5218 of awards for each criterion, and a delineation of the



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5219 distribution of such awards. The report shall include an
5220 assessment by category of the financial need of every student
5221 who receives an award, regardless of the purpose for which the
5222 award is received. Awards that are based on financial need shall
5223 be distributed in accordance with a nationally recognized system
5224 of need analysis approved by the State Board of Education. An
5225 award for academic merit requires a minimum overall grade point
5226 average of 3.0 on a 4.0 scale or the equivalent for both initial
5227 receipt of the award and renewal of the award.

5228 (d) These funds may not be used for direct or indirect
5229 administrative purposes or salaries.

5230 (9) Any Florida Community College System institution that
5231 reports students who have not paid fees in an approved manner in
5232 calculations of full-time equivalent enrollments for state
5233 funding purposes shall be penalized at a rate equal to two times
5234 the value of such enrollments. Such penalty shall be charged
5235 against the following year's allocation from the Florida
5236 Community College System Program Fund and shall revert to the
5237 General Revenue Fund.

5238 (10) Each Florida Community College System institution
5239 board of trustees is authorized to establish a separate fee for
5240 technology, which may not exceed 5 percent of tuition per credit
5241 hour or credit-hour equivalent for resident students and may not
5242 exceed 5 percent of tuition and the out-of-state fee per credit
5243 hour or credit-hour equivalent for nonresident students.
5244 Revenues generated from the technology fee shall be used to
5245 enhance instructional technology resources for students and
5246 faculty. The technology fee may apply to both college credit and
5247 developmental education and shall not be included in any award



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5248 under the Florida Bright Futures Scholarship Program. Fifty
5249 percent of technology fee revenues may be pledged by a Florida
5250 Community College System institution board of trustees as a
5251 dedicated revenue source for the repayment of debt, including
5252 lease-purchase agreements, not to exceed the useful life of the
5253 asset being financed. Revenues generated from the technology fee
5254 may not be bonded.

5255 (11) (a) Each Florida Community College System institution
5256 board of trustees may establish a separate fee for capital
5257 improvements, technology enhancements, equipping student
5258 buildings, or the acquisition of improved real property which
5259 may not exceed 20 percent of tuition for resident students or 20
5260 percent of the sum of tuition and out-of-state fees for
5261 nonresident students. The fee for resident students shall be
5262 limited to an increase of \$2 per credit hour over the prior
5263 year. Funds collected by Florida Community College System
5264 institutions through the fee may be bonded only as provided in
5265 this subsection for the purpose of financing or refinancing new
5266 construction and equipment, renovation, remodeling of
5267 educational facilities, or the acquisition and renovation or
5268 remodeling of improved real property for use as educational
5269 facilities. The fee shall be collected as a component part of
5270 the tuition and fees, paid into a separate account, and expended
5271 only to acquire improved real property or construct and equip,
5272 maintain, improve, or enhance the educational facilities of the
5273 Florida Community College System institution. Projects and
5274 acquisitions of improved real property funded through the use of
5275 the capital improvement fee shall meet the survey and
5276 construction requirements of chapter 1013. Pursuant to s.



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5277 216.0158, each Florida Community College System institution
5278 shall identify each project, including maintenance projects,
5279 proposed to be funded in whole or in part by such fee.

5280 (b) Capital improvement fee revenues may be pledged by a
5281 board of trustees as a dedicated revenue source to the repayment
5282 of debt, including lease-purchase agreements, with an overall
5283 term of not more than 7 years, including renewals, extensions,
5284 and refundings, and revenue bonds with a term not exceeding 20
5285 annual maturities and not exceeding the useful life of the asset
5286 being financed, only for financing or refinancing of the new
5287 construction and equipment, renovation, or remodeling of
5288 educational facilities. Bonds authorized pursuant to this
5289 subsection shall be requested by the Florida Community College
5290 System institution board of trustees and shall be issued by the
5291 Division of Bond Finance in compliance with s. 11(d), Art. VII
5292 of the State Constitution and the State Bond Act. The Division
5293 of Bond Finance may pledge fees collected by one or more Florida
5294 Community College System institutions to secure such bonds. Any
5295 project included in the approved educational plant survey
5296 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.
5297 VII of the State Constitution.

5298 (c) Bonds issued pursuant to this subsection may be
5299 validated in the manner provided by chapter 75. Only the initial
5300 series of bonds is required to be validated. The complaint for
5301 such validation shall be filed in the circuit court of the
5302 county where the seat of state government is situated, the
5303 notice required to be published by s. 75.06 shall be published
5304 only in the county where the complaint is filed, and the
5305 complaint and order of the circuit court shall be served only on



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5306 the state attorney of the circuit in which the action is
5307 pending.

5308 (d) A maximum of 15 percent may be allocated from the
5309 capital improvement fee for child care centers conducted by the
5310 Florida Community College System institution. The use of capital
5311 improvement fees for such purpose shall be subordinate to the
5312 payment of any bonds secured by the fees.

5313 (e) The state does hereby covenant with the holders of the
5314 bonds issued under this subsection that it will not take any
5315 action that will materially and adversely affect the rights of
5316 such holders so long as the bonds authorized by this subsection
5317 are outstanding.

5318 (12) (a) In addition to tuition, out-of-state, financial
5319 aid, capital improvement, student activity and service, and
5320 technology fees authorized in this section, each Florida
5321 Community College System institution board of trustees is
5322 authorized to establish fee schedules for the following user
5323 fees and fines: laboratory fees, which do not apply to a
5324 distance learning course; parking fees and fines; library fees
5325 and fines; fees and fines relating to facilities and equipment
5326 use or damage; access or identification card fees; duplicating,
5327 photocopying, binding, or microfilming fees; standardized
5328 testing fees; diploma replacement fees; transcript fees;
5329 application fees; graduation fees; and late fees related to
5330 registration and payment. Such user fees and fines shall not
5331 exceed the cost of the services provided and shall only be
5332 charged to persons receiving the service. A Florida Community
5333 College System institution may not charge any fee except as
5334 authorized by law. Parking fee revenues may be pledged by a



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5335 Florida Community College System institution board of trustees
5336 as a dedicated revenue source for the repayment of debt,
5337 including lease-purchase agreements, with an overall term of not
5338 more than 7 years, including renewals, extensions, and
5339 refundings, and revenue bonds with a term not exceeding 20 years
5340 and not exceeding the useful life of the asset being financed.
5341 Florida Community College System institutions shall use the
5342 services of the Division of Bond Finance of the State Board of
5343 Administration to issue any revenue bonds authorized by this
5344 subsection. Any such bonds issued by the Division of Bond
5345 Finance shall be in compliance with the provisions of the State
5346 Bond Act. Bonds issued pursuant to the State Bond Act may be
5347 validated in the manner established in chapter 75. The complaint
5348 for such validation shall be filed in the circuit court of the
5349 county where the seat of state government is situated, the
5350 notice required to be published by s. 75.06 shall be published
5351 only in the county where the complaint is filed, and the
5352 complaint and order of the circuit court shall be served only on
5353 the state attorney of the circuit in which the action is
5354 pending.

5355 (b) The State Board of Community Colleges ~~Education~~ may
5356 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
5357 this subsection.

5358 (13) The State Board of Community Colleges ~~Education~~ shall
5359 specify, as necessary, by rule, approved methods of student fee
5360 payment. Such methods shall include, but not be limited to,
5361 student fee payment; payment through federal, state, or
5362 institutional financial aid; and employer fee payments.

5363 (14) Each Florida Community College System institution



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5364 board of trustees shall report only those students who have
5365 actually enrolled in instruction provided or supervised by
5366 instructional personnel under contract with the Florida
5367 Community College System institution in calculations of actual
5368 full-time equivalent enrollments for state funding purposes. No
5369 student who has been exempted from taking a course or who has
5370 been granted academic or career credit through means other than
5371 actual coursework completed at the granting institution shall be
5372 calculated for enrollment in the course from which he or she has
5373 been exempted or granted credit. Florida Community College
5374 System institutions that report enrollments in violation of this
5375 subsection shall be penalized at a rate equal to two times the
5376 value of such enrollments. Such penalty shall be charged against
5377 the following year's allocation from the Florida Community
5378 College System Program Fund and shall revert to the General
5379 Revenue Fund.

5380 (15) Each Florida Community College System institution may
5381 assess a service charge for the payment of tuition and fees in
5382 installments and a convenience fee for the processing of
5383 automated or online credit card payments. However, the amount of
5384 the convenience fee may not exceed the total cost charged by the
5385 credit card company to the Florida Community College System
5386 institution. Such service charge or convenience fee must be
5387 approved by the Florida Community College System institution
5388 board of trustees.

5389 (16) (a) Each Florida Community College System institution
5390 may assess a student who enrolls in a course listed in the
5391 distance learning catalog, established pursuant to s. 1006.735,
5392 a per-credit-hour distance learning course user fee. For



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5393 purposes of assessing this fee, a distance learning course is a
5394 course in which at least 80 percent of the direct instruction of
5395 the course is delivered using some form of technology when the
5396 student and instructor are separated by time or space, or both.

5397 (b) The amount of the distance learning course user fee may
5398 not exceed the additional costs of the services provided which
5399 are attributable to the development and delivery of the distance
5400 learning course. If a Florida Community College System
5401 institution assesses the distance learning course user fee, the
5402 institution may not assess any other fees to cover the
5403 additional costs. By September 1 of each year, each board of
5404 trustees shall report to the State Board of Community Colleges
5405 ~~Division of Florida Colleges~~ the total amount of revenue
5406 generated by the distance learning course user fee for the prior
5407 fiscal year and how the revenue was expended.

5408 (c) If an institution assesses the distance learning fee,
5409 the institution must provide a link to the catalog within the
5410 advising and distance learning sections of the institution's
5411 website, using a graphic and description provided by the
5412 Complete Florida Plus Program, to inform students of the
5413 catalog.

5414 (17) Each Florida Community College System institution that
5415 accepts transient students, pursuant to s. 1006.735, may
5416 establish a transient student fee not to exceed \$5 per course
5417 for processing the transient student admissions application.

5418 (18) (a) The Board of Trustees of Santa Fe College may
5419 establish a transportation access fee. Revenue from the fee may
5420 be used only to provide or improve access to transportation
5421 services for students enrolled at Santa Fe College. The fee may



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5422 not exceed \$6 per credit hour. An increase in the transportation
5423 access fee may occur only once each fiscal year and must be
5424 implemented beginning with the fall term. A referendum must be
5425 held by the student government to approve the application of the
5426 fee.

5427 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
5428 the transportation access fee authorized under paragraph (a) may
5429 not be included in calculating the amount a student receives for
5430 a Florida Academic Scholars award, a Florida Medallion Scholars
5431 award, or a Florida Gold Seal Vocational Scholars award.

5432 (19) The State Board of Community Colleges ~~Education~~ shall
5433 adopt a rule specifying the definitions and procedures to be
5434 used in the calculation of the percentage of cost paid by
5435 students. The rule must provide for the calculation of the full
5436 cost of educational programs based on the allocation of all
5437 funds provided through the general current fund to programs of
5438 instruction, and other activities as provided in the annual
5439 expenditure analysis. The rule shall be developed in
5440 consultation with the Legislature.

5441 (20) Each Florida Community College System institution
5442 shall publicly notice and notify all enrolled students of any
5443 proposal to increase tuition or fees at least 28 days before its
5444 consideration at a board of trustees meeting. The notice must:

5445 (a) Include the date and time of the meeting at which the
5446 proposal will be considered.

5447 (b) Specifically outline the details of existing tuition
5448 and fees, the rationale for the proposed increase, and how the
5449 funds from the proposed increase will be used.

5450 (c) Be posted on the institution's website and issued in a



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5451 press release.

5452 Section 79. Subsection (2) of section 1009.25, Florida
5453 Statutes, is amended to read:

5454 1009.25 Fee exemptions.—

5455 (2) Each Florida Community College System institution is
5456 authorized to grant student fee exemptions from all fees adopted
5457 by the State Board of Community Colleges Education and the
5458 Florida Community College System institution board of trustees
5459 for up to 54 full-time equivalent students or 1 percent of the
5460 institution's total full-time equivalent enrollment, whichever
5461 is greater, at each institution.

5462 Section 80. Paragraph (b) of subsection (12), paragraphs
5463 (c) and (d) of subsection (13), and paragraph (d) of subsection
5464 (14) of section 1009.26, Florida Statutes, are amended, to read:

5465 1009.26 Fee waivers.—

5466 (12)

5467 (b) Tuition and fees charged to a student who qualifies for
5468 the out-of-state fee waiver under this subsection may not exceed
5469 the tuition and fees charged to a resident student. The waiver
5470 is applicable for 110 percent of the required credit hours of
5471 the degree or certificate program for which the student is
5472 enrolled. Each state university, Florida Community College
5473 System institution, career center operated by a school district
5474 under s. 1001.44, and charter technical career center shall
5475 report to the Board of Governors, the State Board of Community
5476 Colleges, and the State Board of Education, respectively, the
5477 number and value of all fee waivers granted annually under this
5478 subsection. By October 1 of each year, the Board of Governors,
5479 for the state universities; ~~and~~ the State Board of Community



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5480 Colleges, Education for Florida Community College System
5481 institutions; ~~7~~ career centers operated by a school district
5482 under s. 1001.44; ~~7~~ and charter technical career centers shall
5483 annually report for the previous academic year the percentage of
5484 resident and nonresident students enrolled systemwide.

5485 (13)

5486 (c) Each state university, Florida Community College System
5487 institution, career center operated by a school district under
5488 s. 1001.44, and charter technical career center shall report to
5489 the Board of Governors, the State Board of Community, and the
5490 State Board of Education, respectively, the number and value of
5491 all fee waivers granted annually under this subsection.

5492 (d) The Board of Governors, the State Board of Community
5493 Colleges, and the State Board of Education shall respectively
5494 adopt regulations and rules to administer this subsection.

5495 (14)

5496 (d) The Board of Governors, the State Board of Community
5497 Colleges, and the State Board of Education shall respectively
5498 adopt regulations and rules to administer this subsection.

5499 Section 81. Section 1009.28, Florida Statutes, is amended
5500 to read:

5501 1009.28 Fees for repeated enrollment in developmental
5502 education classes.—A student enrolled in the same developmental
5503 education class more than twice shall pay 100 percent of the
5504 full cost of instruction to support continuous enrollment of
5505 that student in the same class, and the student shall not be
5506 included in calculations of full-time equivalent enrollments for
5507 state funding purposes; however, students who withdraw or fail a
5508 class due to extenuating circumstances may be granted an



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5509 exception only once for each class, provided approval is granted
5510 according to policy established by the board of trustees. Each
5511 Florida Community College System institution may review and
5512 reduce fees paid by students due to continued enrollment in a
5513 developmental education class on an individual basis contingent
5514 upon the student's financial hardship, pursuant to definitions
5515 and fee levels established by the State Board of Community
5516 Colleges Education.

5517 Section 82. Subsections (9) and (12) of section 1009.90,
5518 Florida Statutes, are amended to read:

5519 1009.90 Duties of the Department of Education.—The duties
5520 of the department shall include:

5521 (9) Development and submission of a report, annually, to
5522 the State Board of Education, the Board of Governors, the State
5523 Board of Community Colleges, the President of the Senate, and
5524 the Speaker of the House of Representatives, which shall
5525 include, but not be limited to, recommendations for the
5526 distribution of state financial aid funds.

5527 (12) Calculation of the amount of need-based student
5528 financial aid required to offset fee increases recommended by
5529 the State Board of Education, and the Board of Governors, and
5530 the State Board of Community Colleges, and inclusion of such
5531 amount within the legislative budget request for student
5532 assistance grant programs.

5533 Section 83. Subsection (4) of section 1009.91, Florida
5534 Statutes, is amended to read:

5535 1009.91 Assistance programs and activities of the
5536 department.—

5537 (4) The department shall maintain records on the student



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5538 loan default rate of each Florida postsecondary institution and
5539 report that information annually to both the institution and the
5540 State Board of Education. Information relating to state
5541 universities shall also be reported annually to the Board of
5542 Governors. Information relating to Florida Community College
5543 System institutions shall be reported annually to the State
5544 Board of Community Colleges.

5545 Section 84. Subsection (2) of section 1009.971, Florida
5546 Statutes, is amended to read:

5547 1009.971 Florida Prepaid College Board.—

5548 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
5549 shall consist of seven members to be composed of the Attorney
5550 General, the Chief Financial Officer, the Chancellor of the
5551 State University System, the Chancellor of the Florida Community
5552 College System ~~Division of Florida Colleges~~, and three members
5553 appointed by the Governor and subject to confirmation by the
5554 Senate. Each member appointed by the Governor shall possess
5555 knowledge, skill, and experience in the areas of accounting,
5556 actuary, risk management, or investment management. Each member
5557 of the board not appointed by the Governor may name a designee
5558 to serve on the board on behalf of the member; however, any
5559 designee so named shall meet the qualifications required of
5560 gubernatorial appointees to the board. Members appointed by the
5561 Governor shall serve terms of 3 years. Any person appointed to
5562 fill a vacancy on the board shall be appointed in a like manner
5563 and shall serve for only the unexpired term. Any member shall be
5564 eligible for reappointment and shall serve until a successor
5565 qualifies. Members of the board shall serve without compensation
5566 but shall be reimbursed for per diem and travel in accordance



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5567 with s. 112.061. Each member of the board shall file a full and
5568 public disclosure of his or her financial interests pursuant to
5569 s. 8, Art. II of the State Constitution and corresponding
5570 statute.

5571 Section 85. Section 1010.01, Florida Statutes, is amended
5572 to read:

5573 1010.01 Uniform records and accounts.-

5574 (1) (a) The financial records and accounts of each school
5575 district, ~~Florida College System institution,~~ and other
5576 institution or agency under the supervision of the State Board
5577 of Education shall be prepared and maintained as prescribed by
5578 law and rules of the State Board of Education.

5579 (b) The financial records and accounts of each state
5580 university under the supervision of the Board of Governors shall
5581 be prepared and maintained as prescribed by law and rules of the
5582 Board of Governors.

5583 (c) The financial records and accounts of each Florida
5584 Community College System institution under the supervision of
5585 the State Board of Community Colleges shall be prepared and
5586 maintained as prescribed by law and rules of the State Board of
5587 Community Colleges.

5588 (2) Rules of the State Board of Education, ~~and rules of the~~
5589 Board of Governors, and the State Board of Community Colleges
5590 shall incorporate the requirements of law and accounting
5591 principles generally accepted in the United States. Such rules
5592 shall include a uniform classification of accounts.

5593 (3) Each state university shall annually file with the
5594 Board of Governors financial statements prepared in conformity
5595 with accounting principles generally accepted by the United



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5596 States and the uniform classification of accounts prescribed by
5597 the Board of Governors. The Board of Governors' rules shall
5598 prescribe the filing deadline for the financial statements.

5599 (4) Required financial accounts and reports shall include
5600 provisions that are unique to each of the following: K-12 school
5601 districts, Florida Community College System institutions, and
5602 state universities, and shall provide for the data to be
5603 reported to the National Center of Educational Statistics and
5604 other governmental and professional educational data information
5605 services as appropriate.

5606 (5) Each Florida Community College System institution shall
5607 annually file with the State Board of Community Colleges
5608 financial statements prepared in conformity with accounting
5609 principles generally accepted by the United States and the
5610 uniform classification of accounts prescribed by the State Board
5611 of Community Colleges. The State Board of Community Colleges'
5612 rules shall prescribe the filing deadline for the financial
5613 statements.

5614 Section 86. Subsection (1) of section 1010.02, Florida
5615 Statutes, is amended, and subsection (3) is added to that
5616 section, to read:

5617 1010.02 Financial accounting and expenditures.—

5618 (1) All funds accruing to a school district ~~or a Florida~~
5619 ~~College System institution~~ must be received, accounted for, and
5620 expended in accordance with law and rules of the State Board of
5621 Education.

5622 (3) All funds accruing to a Florida Community College
5623 System institution must be received, accounted for, and expended
5624 in accordance with law and rules of the State Board of Community



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5625 Colleges.

5626 Section 87. Section 1010.04, Florida Statutes, is amended
5627 to read:

5628 1010.04 Purchasing.—

5629 (1) (a) Purchases and leases by school districts must ~~and~~
5630 ~~Florida College System institutions shall~~ comply with the
5631 requirements of law and rules of the State Board of Education.

5632 (b) Before purchasing nonacademic commodities and
5633 contractual services, each district school board and Florida
5634 Community College System institution board of trustees shall
5635 review the purchasing agreements and state term contracts
5636 available under s. 287.056 to determine whether it is in the
5637 school board's or the board of trustees' economic advantage to
5638 use the agreements and contracts. Each bid specification for
5639 nonacademic commodities and contractual services must include a
5640 statement indicating that the purchasing agreements and state
5641 term contracts available under s. 287.056 have been reviewed.
5642 Each district school board may also use the cooperative state
5643 purchasing programs managed through the regional consortium
5644 service organizations pursuant to their authority under s.
5645 1001.451(3). This paragraph does not apply to services that are
5646 eligible for reimbursement under the federal E-rate program
5647 administered by the Universal Service Administrative Company.

5648 (c) Purchases and leases by state universities must ~~shall~~
5649 comply with the requirements of law and regulations of the Board
5650 of Governors.

5651 (d) Purchases and leases by Florida Community College
5652 System institutions must comply with the requirements of law and
5653 rules of the State Board of Community Colleges.



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5654 (2) Each district school board and Florida Community
5655 College System institution board of trustees shall adopt rules,
5656 and each university board of trustees shall adopt regulations,
5657 to be followed in making purchases. Purchases may be made
5658 through an online procurement system, an electronic auction
5659 service, or other efficient procurement tool.

5660 (3) In districts in which the county purchasing agent is
5661 authorized by law to make purchases for the benefit of other
5662 governmental agencies within the county, the district school
5663 board and Florida Community College System institution board of
5664 trustees shall have the option to purchase from the current
5665 county contracts at the unit price stated therein if such
5666 purchase is to the economic advantage of the district school
5667 board or the Florida Community College System institution board
5668 of trustees; subject to confirmation of the items of purchase to
5669 the standards and specifications prescribed by the school
5670 district or Florida Community College System institution.

5671 (4) (a) The State Board of Education may, by rule, provide
5672 for alternative procedures for school districts ~~and Florida~~
5673 ~~College System institutions~~ for bidding or purchasing in cases
5674 in which the character of the item requested renders competitive
5675 bidding impractical.

5676 (b) The Board of Governors may, by regulation, provide for
5677 alternative procedures for state universities for bidding or
5678 purchasing in cases in which the character of the item requested
5679 renders competitive bidding impractical.

5680 (c) The State Board of Community Colleges may, by rule,
5681 provide for alternative procedures for Florida Community College
5682 System institutions for bidding or purchasing in cases in which



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5683 the character of the item requested renders competitive bidding
5684 impractical.

5685 Section 88. Section 1010.07, Florida Statutes, is amended
5686 to read:

5687 1010.07 Bonds or insurance required.—

5688 (1) Each district school board, Florida Community College
5689 System institution board of trustees, and university board of
5690 trustees shall ensure that each official and employee
5691 responsible for handling, expending, or authorizing the
5692 expenditure of funds shall be appropriately bonded or insured to
5693 protect the board and the funds involved.

5694 (2) (a) Contractors paid from school district ~~or Florida~~
5695 ~~College System institution~~ funds shall give bond for the
5696 faithful performance of their contracts in such amount and for
5697 such purposes as prescribed by s. 255.05 or by rules of the
5698 State Board of Education relating to the type of contract
5699 involved. It shall be the duty of the district school board ~~or~~
5700 ~~Florida College System institution board of trustees~~ to require
5701 from construction contractors a bond adequate to protect the
5702 board and the board's funds involved.

5703 (b) Contractors paid from university funds shall give bond
5704 for the faithful performance of their contracts in such amount
5705 and for such purposes as prescribed by s. 255.05 or by
5706 regulations of the Board of Governors relating to the type of
5707 contract involved. It shall be the duty of the university board
5708 of trustees to require from construction contractors a bond
5709 adequate to protect the board and the board's funds involved.

5710 (c) Contractors paid from Florida Community College System
5711 institution funds shall give bonds for the faithful performance



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5712 of their contracts in such amount and for such purposes as
5713 prescribed by s. 255.05 or by rules of the State Board of
5714 Community Colleges relating to the type of contract involved. It
5715 is the duty of the Florida Community College System institution
5716 board of trustees to require construction contractors to provide
5717 a bond adequate to protect the board and the board's funds
5718 involved.

5719 Section 89. Section 1010.08, Florida Statutes, is amended
5720 to read:

5721 1010.08 Promotion and public relations; funding.-

5722 (1) Each district school board and Florida College System
5723 institution board of trustees may budget and use a portion of
5724 the funds accruing to it from auxiliary enterprises and
5725 undesignated gifts for promotion and public relations as
5726 prescribed by rules of the State Board of Education. Such funds
5727 may be used to provide hospitality to business guests in the
5728 district or elsewhere. However, such hospitality expenses may
5729 not exceed the amount authorized for such contingency funds as
5730 prescribed by rules of the State Board of Education.

5731 (2) Each Florida Community College System institution board
5732 of trustees may budget and use a portion of the funds accruing
5733 to it from auxiliary enterprises and undesignated gifts for
5734 promotion and public relations as prescribed by rules of the
5735 State Board of Community Colleges. Such funds may be used to
5736 provide hospitality to business guests in the district or
5737 elsewhere. However, such hospitality expenses may not exceed the
5738 amount authorized for such contingency funds as prescribed by
5739 rules of the State Board of Community Colleges.

5740 Section 90. Subsection (1) of section 1010.09, Florida



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5741 Statutes, is amended and subsection (3) is added to that
5742 section, to read:

5743 1010.09 Direct-support organizations.—

5744 (1) ~~School district and Florida College System institution~~
5745 direct-support organizations shall be organized and conducted
5746 under the provisions of ss. 1001.453 and 1004.70 and rules of
5747 the State Board of Education, as applicable.

5748 (3) Florida Community College System institution direct-
5749 support organizations shall be organized and conducted under the
5750 provisions of s. 1004.70 and rules of the State Board of
5751 Community Colleges.

5752 Section 91. Section 1010.22, Florida Statutes, is amended
5753 to read:

5754 1010.22 Cost accounting and reporting for workforce
5755 education.—

5756 (1) (a) Each school district ~~and each Florida College System~~
5757 ~~institution~~ shall account for expenditures of all state, local,
5758 federal, and other funds in the manner prescribed by the State
5759 Board of Education.

5760 (b) Each Florida Community College System institution shall
5761 account for expenditures of all state, local, federal, and other
5762 funds in the manner prescribed by the State Board of Community
5763 Colleges.

5764 (2) (a) Each school district ~~and each Florida College System~~
5765 ~~institution~~ shall report expenditures for workforce education in
5766 accordance with requirements prescribed by the State Board of
5767 Education.

5768 (b) Each Florida Community College System institution shall
5769 report expenditures for workforce education in accordance with



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5770 requirements prescribed by the State Board of Community
5771 Colleges.

5772 (3) The Department of Education, in cooperation with school
5773 districts and Florida Community College System institutions,
5774 shall develop and maintain a database of valid comparable
5775 information on workforce education which will meet both state
5776 and local needs.

5777 Section 92. Subsection (1) of section 1010.30, Florida
5778 Statutes, is amended to read:

5779 1010.30 Audits required.—

5780 (1) School districts, ~~Florida College System institutions,~~
5781 and other institutions and agencies under the supervision of the
5782 State Board of Education, Florida Community College System
5783 institutions under the supervision of the State Board of
5784 Community Colleges, and state universities under the supervision
5785 of the Board of Governors are subject to the audit provisions of
5786 ss. 11.45 and 218.39.

5787 Section 93. Section 1010.58, Florida Statutes, is amended
5788 to read:

5789 1010.58 Procedure for determining number of instruction
5790 units for Florida Community College System institutions.—The
5791 number of instruction units for Florida Community College System
5792 institutions shall be determined from the full-time equivalent
5793 students in the Florida Community College System institution,
5794 provided that full-time equivalent students may not be counted
5795 more than once in determining instruction units. Instruction
5796 units for Florida Community College System institutions shall be
5797 computed as follows:

5798 (1) One unit for each 12 full-time equivalent students at a



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5799 Florida Community College System institution for the first 420
5800 students and one unit for each 15 full-time equivalent students
5801 for all over 420 students, in other than career education
5802 programs as defined by rules of the State Board of Community
5803 Colleges Education, and one unit for each 10 full-time
5804 equivalent students in career education programs and
5805 compensatory education programs as defined by rules of the State
5806 Board of Community Colleges Education. Full-time equivalent
5807 students enrolled in a Florida Community College System
5808 institution shall be defined by rules of the State Board of
5809 Community Colleges Education.

5810 (2) For each 8 instruction units in a Florida Community
5811 College System institution, 1 instruction unit or proportionate
5812 fraction of a unit shall be allowed for administrative and
5813 special instructional services, and for each 20 instruction
5814 units, 1 instruction unit or proportionate fraction of a unit
5815 shall be allowed for student personnel services.

5816 Section 94. Section 1011.01, Florida Statutes, is amended
5817 to read:

5818 1011.01 Budget system established.—

5819 (1) The State Board of Education shall prepare and submit a
5820 coordinated K-20 education annual legislative budget request to
5821 the Governor and the Legislature on or before the date provided
5822 by the Governor and the Legislature. The board's legislative
5823 budget request must clearly define the needs of school
5824 districts, Florida Community College System institutions,
5825 universities, other institutions, organizations, programs, and
5826 activities under the supervision of the board and that are
5827 assigned by law or the General Appropriations Act to the



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5828 Department of Education.

5829 (2) (a) There is ~~shall be~~ established in each school
5830 district and ~~Florida College System institution~~ a budget system
5831 as prescribed by law and rules of the State Board of Education.

5832 (b) There is ~~shall be~~ established in each state university
5833 a budget system as prescribed by law and rules of the Board of
5834 Governors.

5835 (c) There is established in each Florida Community College
5836 System institution a budget system as prescribed by law and
5837 rules of the State Board of Community Colleges.

5838 (3) (a) Each district school board ~~and each Florida College~~
5839 ~~System institution board of trustees~~ shall prepare, adopt, and
5840 submit to the Commissioner of Education an annual operating
5841 budget. Operating budgets must ~~shall~~ be prepared and submitted
5842 in accordance with the provisions of law, rules of the State
5843 Board of Education, the General Appropriations Act, and for
5844 district school boards in accordance with the provisions of ss.
5845 200.065 and 1011.64.

5846 (b) Each state university board of trustees shall prepare,
5847 adopt, and submit to the Chancellor of the State University
5848 System for review an annual operating budget in accordance with
5849 provisions of law, rules of the Board of Governors, and the
5850 General Appropriations Act.

5851 (c) Each Florida Community College System institution board
5852 of trustees shall prepare, adopt, and submit to the State Board
5853 of Community Colleges an annual operating budget in accordance
5854 with provisions of law, rules of the State Board of Community
5855 Colleges, and the General Appropriations Act.

5856 (4) The State Board of Education shall coordinate with the



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5857 Board of Governors and the State Board of Community Colleges to
5858 facilitate the budget system requirements of this section. The
5859 State Board of Community College exclusively retains the review
5860 and approval powers of this section for Florida Community
5861 College System institutions. The Board of Governors exclusively
5862 retains the review and approval powers of this section for state
5863 universities.

5864 Section 95. Section 1011.011, Florida Statutes, is amended
5865 to read:

5866 1011.011 Legislative capital outlay budget request.—The
5867 State Board of Education shall submit an integrated,
5868 comprehensive budget request for educational facilities
5869 construction and fixed capital outlay needs for school
5870 districts, and, in conjunction with the State Board of Community
5871 Colleges for Florida Community College System institutions, ~~and,~~
5872 ~~in conjunction~~ with the Board of Governors for state,
5873 universities, pursuant to this section and s. 1013.46 and
5874 applicable provisions of chapter 216.

5875 Section 96. Section 1011.30, Florida Statutes, is amended
5876 to read:

5877 1011.30 Budgets for Florida Community College System
5878 institutions.—Each Florida Community College System institution
5879 president shall recommend to the Florida Community College
5880 System institution board of trustees a budget of income and
5881 expenditures at such time and in such form as the State Board of
5882 Community Colleges Education may prescribe. Upon approval of a
5883 budget by the Florida Community College System institution board
5884 of trustees, such budget must ~~shall~~ be transmitted to the State
5885 Board of Community Colleges Department of Education for review.



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5886 Rules of the State Board of Community Colleges must ~~Education~~
5887 ~~shall~~ prescribe procedures for effecting budget amendments
5888 subsequent to the final approval of a budget for a given year.

5889 Section 97. Section 1011.32, Florida Statutes, is amended
5890 to read:

5891 1011.32 Florida Community College System Institution
5892 Facility Enhancement Challenge Grant Program.—

5893 (1) The Legislature recognizes that ~~the~~ Florida Community
5894 College System institutions do not have sufficient physical
5895 facilities to meet the current demands of their instructional
5896 and community programs. It further recognizes that, to
5897 strengthen and enhance Florida Community College System
5898 institutions, it is necessary to provide facilities in addition
5899 to those currently available from existing revenue sources. It
5900 further recognizes that there are sources of private support
5901 that, if matched with state support, can assist in constructing
5902 much needed facilities and strengthen the commitment of citizens
5903 and organizations in promoting excellence at each Florida
5904 Community College System institution. Therefore, it is the
5905 intent of the Legislature to establish a program to provide the
5906 opportunity for each Florida Community College System
5907 institution through its direct-support organization to receive
5908 and match challenge grants for instructional and community-
5909 related capital facilities within the Florida Community College
5910 System institution.

5911 (2) There is established the Florida Community College
5912 System Institution Facility Enhancement Challenge Grant Program
5913 for the purpose of assisting the Florida Community College
5914 System institutions in building high priority instructional and



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5915 community-related capital facilities consistent with s. 1004.65,
5916 including common areas connecting such facilities. The direct-
5917 support organizations that serve the Florida Community College
5918 System institutions shall solicit gifts from private sources to
5919 provide matching funds for capital facilities. For the purposes
5920 of this section, private sources of funds shall not include any
5921 federal or state government funds that a Florida Community
5922 College System institution may receive.

5923 (3) The Florida Community College System Institution
5924 Capital Facilities Matching Program shall provide funds to match
5925 private contributions for the development of high priority
5926 instructional and community-related capital facilities,
5927 including common areas connecting such facilities, within the
5928 Florida Community College System institutions.

5929 (4) Within the direct-support organization of each Florida
5930 Community College System institution there must be established a
5931 separate capital facilities matching account for the purpose of
5932 providing matching funds from the direct-support organization's
5933 unrestricted donations or other private contributions for the
5934 development of high priority instructional and community-related
5935 capital facilities, including common areas connecting such
5936 facilities. The Legislature shall appropriate funds for
5937 distribution to a Florida Community College System institution
5938 after matching funds are certified by the direct-support
5939 organization and Florida Community College System institution.
5940 The Public Education Capital Outlay and Debt Service Trust Fund
5941 shall not be used as the source of the state match for private
5942 contributions.

5943 (5) A project may not be initiated unless all private funds



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5944 for planning, construction, and equipping the facility have been
5945 received and deposited in the direct-support organization's
5946 matching account for this purpose. However, this requirement
5947 does not preclude the Florida Community College System
5948 institution or direct-support organization from expending
5949 available funds from private sources to develop a prospectus,
5950 including preliminary architectural schematics or models, for
5951 use in its efforts to raise private funds for a facility and for
5952 site preparation, planning, and construction. The Legislature
5953 may appropriate the state's matching funds in one or more fiscal
5954 years for the planning, construction, and equipping of an
5955 eligible facility. Each Florida Community College System
5956 institution shall notify all donors of private funds of a
5957 substantial delay in the availability of state matching funds
5958 for this program.

5959 (6) To be eligible to participate in the Florida Community
5960 College System Institution Facility Enhancement Challenge Grant
5961 Program, a Florida Community College System institution, through
5962 its direct-support organization, shall raise a contribution
5963 equal to one-half of the total cost of a facilities construction
5964 project from private sources which shall be matched by a state
5965 appropriation equal to the amount raised for a facilities
5966 construction project, subject to the General Appropriations Act.

5967 (7) If the state's share of the required match is
5968 insufficient to meet the requirements of subsection (6), the
5969 Florida Community College System institution shall renegotiate
5970 the terms of the contribution with the donors. If the project is
5971 terminated, each private donation, plus accrued interest,
5972 reverts to the direct-support organization for remittance to the



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5973 donor.

5974 (8) By October 15 of each year, the State Board of
5975 Community Colleges Education shall transmit to the Governor and
5976 the Legislature a list of projects that meet all eligibility
5977 requirements to participate in the Florida Community College
5978 System Institution Facility Enhancement Challenge Grant Program
5979 and a budget request that includes the recommended schedule
5980 necessary to complete each project.

5981 (9) In order for a project to be eligible under this
5982 program, it must be survey recommended under the provisions of
5983 s. 1013.31 and included in the Florida Community College System
5984 institution's 5-year capital improvement plan, and it must
5985 receive approval from the State Board of Community Colleges
5986 ~~Education~~ or the Legislature.

5987 (10) A Florida Community College System institution project
5988 may not be removed from the approved 3-year PECO priority list
5989 because of its successful participation in this program until
5990 approved by the Legislature and provided for in the General
5991 Appropriations Act. When such a project is completed and removed
5992 from the list, all other projects shall move up on the 3-year
5993 PECO priority list.

5994 (11) Any private matching funds for a project which are
5995 unexpended after the project is completed shall revert to the
5996 Florida Community College System institution's direct-support
5997 organization capital facilities matching account. The balance of
5998 any unexpended state matching funds shall be returned to the
5999 fund from which those funds were appropriated.

6000 (12) The surveys, architectural plans, facility, and
6001 equipment shall be the property of the participating Florida



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6002 Community College System institution. A facility constructed
6003 under this section may be named in honor of a donor at the
6004 option of the Florida Community College System institution
6005 district board of trustees. A facility may not be named after a
6006 living person without prior approval by the State Board of
6007 Community Colleges Education.

6008 (13) Effective July 1, 2011, state matching funds are
6009 temporarily suspended for donations received for the program on
6010 or after June 30, 2011. Existing eligible donations remain
6011 eligible for future matching funds. The program may be restarted
6012 after \$200 million of the backlog for programs under this
6013 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

6014 Section 98. Subsection (2), paragraph (b) of subsection
6015 (5), and subsections (8), (9), and (11) of section 1011.80,
6016 Florida Statutes, are amended to read:

6017 1011.80 Funds for operation of workforce education
6018 programs.—

6019 (2) Any workforce education program may be conducted by a
6020 Florida Community College System institution or a school
6021 district, except that college credit in an associate in applied
6022 science or an associate in science degree may be awarded only by
6023 a Florida Community College System institution. However, if an
6024 associate in applied science or an associate in science degree
6025 program contains within it an occupational completion point that
6026 confers a certificate or an applied technology diploma, that
6027 portion of the program may be conducted by a school district
6028 career center. Any instruction designed to articulate to a
6029 degree program is subject to guidelines and standards adopted by
6030 the State Board of Community Colleges Education pursuant to s.



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6031 1007.25.

6032 (5) State funding and student fees for workforce education
6033 instruction shall be established as follows:

6034 (b) For all other workforce education programs, state
6035 funding shall equal 75 percent of the average cost of
6036 instruction with the remaining 25 percent made up from student
6037 fees. Fees for courses within a program shall not vary according
6038 to the cost of the individual program, but instead shall be
6039 based on a uniform fee calculated and set at the state level, as
6040 adopted by the State Board of Education, for school districts
6041 and the State Board of Community Colleges, for Florida Community
6042 College System institutions, unless otherwise specified in the
6043 General Appropriations Act.

6044 (8) The State Board of Education, the State Board of
6045 Community Colleges, and CareerSource Florida, Inc., shall
6046 provide the Legislature with recommended formulas, criteria,
6047 timeframes, and mechanisms for distributing performance funds.
6048 The commissioner shall consolidate the recommendations and
6049 develop a consensus proposal for funding. The Legislature shall
6050 adopt a formula and distribute the performance funds to the
6051 State Board of Community Colleges ~~Education~~ for Florida
6052 Community College System institutions and to the State Board of
6053 Education for school districts through the General
6054 Appropriations Act. These recommendations shall be based on
6055 formulas that would discourage low-performing or low-demand
6056 programs and encourage through performance-funding awards:

6057 (a) Programs that prepare people to enter high-wage
6058 occupations identified by the Workforce Estimating Conference
6059 created by s. 216.136 and other programs as approved by



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6060 CareerSource Florida, Inc. At a minimum, performance incentives
6061 shall be calculated for adults who reach completion points or
6062 complete programs that lead to specified high-wage employment
6063 and to their placement in that employment.

6064 (b) Programs that successfully prepare adults who are
6065 eligible for public assistance, economically disadvantaged,
6066 disabled, not proficient in English, or dislocated workers for
6067 high-wage occupations. At a minimum, performance incentives
6068 shall be calculated at an enhanced value for the completion of
6069 adults identified in this paragraph and job placement of such
6070 adults upon completion. In addition, adjustments may be made in
6071 payments for job placements for areas of high unemployment.

6072 (c) Programs that are specifically designed to be
6073 consistent with the workforce needs of private enterprise and
6074 regional economic development strategies, as defined in
6075 guidelines set by CareerSource Florida, Inc. CareerSource
6076 Florida, Inc., shall develop guidelines to identify such needs
6077 and strategies based on localized research of private employers
6078 and economic development practitioners.

6079 (d) Programs identified by CareerSource Florida, Inc., as
6080 increasing the effectiveness and cost efficiency of education.

6081 (9) School districts shall report full-time equivalent
6082 students by discipline category for the programs specified in
6083 subsection (1). There shall be an annual cost analysis for the
6084 school district workforce education programs that reports cost
6085 by discipline category consistent with the reporting for full-
6086 time equivalent students. The annual financial reports submitted
6087 by the school districts must accurately report on the student
6088 fee revenues by fee type according to the programs specified in



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6089 subsection (1). The Department of Education and the State Board
6090 of Community Colleges shall develop a plan for comparable
6091 reporting of program, student, facility, personnel, and
6092 financial data between the Florida Community College System
6093 institutions and the school district workforce education
6094 programs.

6095 (11) The State Board of Education and the State Board of
6096 Community Colleges may adopt rules to administer this section.

6097 Section 99. Section 1011.801, Florida Statutes, is amended
6098 to read:

6099 1011.801 Workforce Development Capitalization Incentive
6100 Grant Program.—The Legislature recognizes that the need for
6101 school districts and Florida Community College System
6102 institutions to be able to respond to emerging local or
6103 statewide economic development needs is critical to the
6104 workforce development system. The Workforce Development
6105 Capitalization Incentive Grant Program is created to provide
6106 grants to school districts and Florida Community College System
6107 institutions on a competitive basis to fund some or all of the
6108 costs associated with the creation or expansion of workforce
6109 development programs that serve specific employment workforce
6110 needs.

6111 (1) Funds awarded for a workforce development
6112 capitalization incentive grant may be used for instructional
6113 equipment, laboratory equipment, supplies, personnel, student
6114 services, or other expenses associated with the creation or
6115 expansion of a workforce development program. Expansion of a
6116 program may include either the expansion of enrollments in a
6117 program or expansion into new areas of specialization within a



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6118 program. No grant funds may be used for recurring instructional
6119 costs or for institutions' indirect costs.

6120 (2) The State Board of Education shall accept applications
6121 from school districts, and the State Board of Community Colleges
6122 shall accept applications from ~~or~~ Florida Community College
6123 System institutions, for workforce development capitalization
6124 incentive grants. Applications from school districts or Florida
6125 Community College System institutions must ~~shall~~ contain
6126 projected enrollments and projected costs for the new or
6127 expanded workforce development program. The State Board of
6128 Education or the State Board of Community Colleges, as
6129 appropriate, in consultation with CareerSource Florida, Inc.,
6130 shall review and rank each application for a grant according to
6131 subsection (3) and shall submit to the Legislature a list in
6132 priority order of applications recommended for a grant award.

6133 (3) The State Board of Education or the State Board of
6134 Community Colleges, as appropriate, shall give highest priority
6135 to programs that train people to enter high-skill, high-wage
6136 occupations identified by the Workforce Estimating Conference
6137 and other programs approved by CareerSource Florida, Inc. ;
6138 programs that train people to enter occupations under the
6139 welfare transition program; or programs that train for the
6140 workforce adults who are eligible for public assistance,
6141 economically disadvantaged, disabled, not proficient in English,
6142 or dislocated workers. The State Board of Education or the State
6143 Board of Community Colleges, as appropriate, shall consider the
6144 statewide geographic dispersion of grant funds in ranking the
6145 applications and shall give priority to applications from
6146 education agencies that are making maximum use of their



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6147 workforce development funding by offering high-performing, high-
6148 demand programs.

6149 Section 100. Section 1011.81, Florida Statutes, is amended
6150 to read:

6151 1011.81 Florida Community College System Program Fund.—

6152 (1) There is established a Florida Community College System
6153 Program Fund. This fund shall comprise all appropriations made
6154 by the Legislature for the support of the current operating
6155 program and shall be apportioned and distributed to the Florida
6156 Community College System institution districts of the state on
6157 the basis of procedures established by law and rules of the
6158 State Board of Education. The annual apportionment for each
6159 Florida Community College System institution district shall be
6160 distributed monthly in payments as nearly equal as possible.

6161 (2) Performance funding for industry certifications for
6162 Florida Community College System institutions is contingent upon
6163 specific appropriation in the General Appropriations Act and
6164 shall be determined as follows:

6165 (a) Occupational areas for which industry certifications
6166 may be earned, as established in the General Appropriations Act,
6167 are eligible for performance funding. Priority shall be given to
6168 the occupational areas emphasized in state, national, or
6169 corporate grants provided to Florida educational institutions.

6170 (b) The Chancellor of the Florida Community College System,
6171 for the Florida Community College System institutions, shall
6172 identify the industry certifications eligible for funding on the
6173 CAPE Postsecondary Industry Certification Funding List approved
6174 by the State Board of Community Colleges ~~Education~~ pursuant to
6175 s. 1008.44, based on the occupational areas specified in the



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6176 General Appropriations Act.

6177 (c) Each Florida Community College System institution shall
6178 be provided \$1,000 for each industry certification earned by a
6179 student. The maximum amount of funding appropriated for
6180 performance funding pursuant to this subsection shall be limited
6181 to \$15 million annually. If funds are insufficient to fully fund
6182 the calculated total award, such funds shall be prorated.

6183 (3) None of the funds made available in the Florida
6184 Community College System Program Fund, or funds made available
6185 to Florida Community College System institutions outside the
6186 Florida Community College System Program Fund, may be used to
6187 implement, organize, direct, coordinate, or administer, or to
6188 support the implementation, organization, direction,
6189 coordination, or administration of, activities related to, or
6190 involving, travel to a terrorist state. For purposes of this
6191 section, "terrorist state" is defined as any state, country, or
6192 nation designated by the United States Department of State as a
6193 state sponsor of terrorism.

6194 (4) State funds provided for the Florida Community College
6195 System Program Fund may not be expended for the education of
6196 state or federal inmates.

6197 Section 101. Section 1011.82, Florida Statutes, is amended
6198 to read:

6199 1011.82 Requirements for participation in Florida Community
6200 College System Program Fund.—Each Florida Community College
6201 System institution district which participates in the state
6202 appropriations for the Florida Community College System Program
6203 Fund shall provide evidence of its effort to maintain an
6204 adequate Florida Community College System institution program



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6205 which shall:

6206 (1) Meet the minimum standards prescribed by the State
6207 Board of Community Colleges Education in accordance with s.
6208 1001.602(5) ~~s. 1001.02(6)~~.

6209 (2) Effectively fulfill the mission of the Florida
6210 Community College System institutions in accordance with s.
6211 1004.65.

6212 Section 102. Section 1011.83, Florida Statutes, is amended
6213 to read:

6214 1011.83 Financial support of Florida Community College
6215 System institutions.—

6216 (1) Each Florida Community College System institution that
6217 ~~has been approved by the Department of Education and~~ meets the
6218 requirements of law and rules of the State Board of Community
6219 Colleges Education shall participate in the Florida Community
6220 College System Program Fund. However, funds to support workforce
6221 education programs conducted by Florida Community College System
6222 institutions shall be provided pursuant to s. 1011.80.

6223 (2) A student in a baccalaureate degree program approved
6224 pursuant to s. 1007.33 who is not classified as a resident for
6225 tuition purposes pursuant to s. 1009.21 may not be included in
6226 calculations of full-time equivalent enrollments for state
6227 funding purposes.

6228 Section 103. Section 1011.84, Florida Statutes, is amended
6229 to read:

6230 1011.84 Procedure for determining state financial support
6231 and annual apportionment of state funds to each Florida
6232 Community College System institution district.—The procedure for
6233 determining state financial support and the annual apportionment



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6234 to each Florida Community College System institution district
6235 authorized to operate a Florida Community College System
6236 institution under the provisions of s. 1001.61 shall be as
6237 follows:

6238 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
6239 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING
6240 PROGRAM.—

6241 (a) The State Board of Community Colleges ~~Department of~~
6242 ~~Education~~ shall determine annually, from an analysis of
6243 operating costs, ~~prepared in the manner prescribed by rules of~~
6244 ~~the State Board of Education,~~ the costs per full-time equivalent
6245 student served in courses and fields of study offered in Florida
6246 Community College System institutions. This information and
6247 current college operating budgets shall be submitted to the
6248 Executive Office of the Governor with the legislative budget
6249 request prior to each regular session of the Legislature.

6250 (b) The allocation of funds for Florida Community College
6251 System institutions must ~~shall~~ be based on advanced and
6252 professional disciplines, developmental education, and other
6253 programs for adults funded pursuant to s. 1011.80.

6254 (c) The category of lifelong learning is for students
6255 enrolled pursuant to s. 1004.93. A student shall also be
6256 reported as a lifelong learning student for his or her
6257 enrollment in any course that he or she has previously taken,
6258 unless it is a credit course in which the student earned a grade
6259 of D or F.

6260 (d) If an adult student has been determined to be a
6261 disabled student eligible for an approved educational program
6262 for disabled adults provided pursuant to s. 1004.93 and rules of



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6263 the State Board of Community Colleges ~~Education~~ and is enrolled
6264 in a class with curriculum frameworks developed for the program,
6265 state funding for that student shall be provided at a level
6266 double that of a student enrolled in a special adult general
6267 education program provided by a Florida Community College System
6268 institution.

6269 (e) All state inmate education provided by Florida
6270 Community College System institutions shall be reported by
6271 program, FTE expenditure, and revenue source. These enrollments,
6272 expenditures, and revenues shall be reported and projected
6273 separately. Instruction of state inmates may ~~shall~~ not be
6274 included in the full-time equivalent student enrollment for
6275 funding through the Florida Community College System Program
6276 Fund.

6277 (f) When a public educational institution has been fully
6278 funded by an external agency for direct instructional costs of
6279 any course or program, the FTE generated may ~~shall~~ not be
6280 reported for state funding.

6281 (g) The State Board of Education shall adopt rules to
6282 implement s. 9(d)(8)f., Art. XII of the State Constitution.
6283 These rules shall provide for the use of the funds available
6284 under s. 9(d)(8)f., Art. XII by an individual Florida Community
6285 College System institution for operating expense in any fiscal
6286 year during which the State Board of Education has determined
6287 that all major capital outlay needs have been met. Highest
6288 priority for the use of these funds for purposes other than
6289 financing approved capital outlay projects shall be for the
6290 proper maintenance and repair of existing facilities for
6291 projects approved by the State Board of Education. However, in



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6292 any fiscal year in which funds from this source are authorized
6293 for operating expense other than approved maintenance and repair
6294 projects, the allocation of Florida Community College System
6295 institution program funds shall be reduced by an amount equal to
6296 the sum used for such operating expense for that Florida
6297 Community College System institution that year, and that amount
6298 shall not be released or allocated among the other Florida
6299 Community College System institutions that year.

6300 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
6301 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay
6302 and debt service shall be as determined and provided in s. 18,
6303 Art. XII of the State Constitution of 1885, as adopted by s.
6304 9(d), Art. XII of the 1968 revised State Constitution and State
6305 Board of Education rules.

6306 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6307 (a) By December 15 of each year, the State Board of
6308 Community Colleges ~~Department of Education~~ shall estimate the
6309 annual enrollment of each Florida Community College System
6310 institution for the current fiscal year and for the 3 subsequent
6311 fiscal years. These estimates shall be based upon prior years'
6312 enrollments, upon the initial fall term enrollments for the
6313 current fiscal year for each college, and upon each college's
6314 estimated current enrollment and demographic changes in the
6315 respective Florida Community College System institution
6316 districts. Upper-division enrollment shall be estimated
6317 separately from lower-division enrollment.

6318 (b) The apportionment to each Florida Community College
6319 System institution from the Florida Community College System
6320 Program Fund shall be determined annually in the General



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6321 Appropriations Act. In determining each college's apportionment,
6322 the Legislature shall consider the following components:

6323 1. Base budget, which includes the state appropriation to
6324 the Florida Community College System Program Fund in the current
6325 year plus the related student tuition and out-of-state fees
6326 assigned in the current General Appropriations Act.

6327 2. The cost-to-continue allocation, which consists of
6328 incremental changes to the base budget, including salaries,
6329 price levels, and other related costs allocated through a
6330 funding model approved by the Legislature which may recognize
6331 differing economic factors arising from the individual
6332 educational approaches of the various Florida Community College
6333 System institutions, including, but not limited to:

6334 a. Direct Instructional Funding, including class size,
6335 faculty productivity factors, average faculty salary, ratio of
6336 full-time to part-time faculty, costs of programs, and
6337 enrollment factors.

6338 b. Academic Support, including small colleges factor,
6339 multicampus factor, and enrollment factor.

6340 c. Student Services Support, including headcount of
6341 students as well as FTE count and enrollment factors.

6342 d. Library Support, including volume and other
6343 materials/audiovisual requirements.

6344 e. Special Projects.

6345 f. Operations and Maintenance of Plant, including square
6346 footage and utilization factors.

6347 g. District Cost Differential.

6348 3. Students enrolled in a recreation and leisure program
6349 and students enrolled in a lifelong learning program who may not



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6350 be counted as full-time equivalent enrollments for purposes of
6351 enrollment workload adjustments.

6352 4. Operating costs of new facilities adjustments, which
6353 shall be provided, from funds available, for each new facility
6354 that is owned by the college and is recommended in accordance
6355 with s. 1013.31.

6356 5. New and improved program enhancements, which shall be
6357 determined by the Legislature.

6358
6359 Student fees in the base budget plus student fee revenues
6360 generated by increases in fee rates shall be deducted from the
6361 sum of the components determined in subparagraphs 1.-5. The
6362 amount remaining shall be the net annual state apportionment to
6363 each college.

6364 (c) A ~~No~~ Florida Community College System institution may
6365 not ~~shall~~ commit funds for the employment of personnel or
6366 resources in excess of those required to continue the same level
6367 of support for either the previously approved enrollment or the
6368 revised enrollment, whichever is lower.

6369 (d) The apportionment to each Florida Community College
6370 System institution district for capital outlay and debt service
6371 shall be the amount determined in accordance with subsection
6372 (2). This amount, less any amount determined as necessary for
6373 administrative expense by the State Board of Education and any
6374 amount necessary for debt service on bonds issued by the State
6375 Board of Education, shall be transmitted to the Florida
6376 Community College System institution board of trustees to be
6377 expended in a manner prescribed by rules of the State Board of
6378 Education.



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6379 (e) If at any time the unencumbered balance in the general
6380 fund of the Florida Community College System institution board
6381 of trustees approved operating budget goes below 5 percent, the
6382 president shall provide written notification to the State Board
6383 of Education.

6384 (f) Expenditures for apprenticeship programs must ~~shall~~ be
6385 reported separately.

6386 (g) Expenditures for upper-division enrollment in a Florida
6387 Community College System institution that grants baccalaureate
6388 degrees must ~~shall~~ be reported separately from expenditures for
6389 lower-division enrollment, in accordance with law and State
6390 Board of Education rule.

6391 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
6392 herein to any Florida Community College System institution must
6393 ~~shall~~ be expended only for the purpose of supporting that
6394 Florida Community College System institution.

6395 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida
6396 Community College System institution board of trustees shall
6397 report, as a separate item in its annual cost accounting system,
6398 the volume and cost of developmental education options provided
6399 to help students attain the communication and computation skills
6400 that are essential for college-level work pursuant to s.
6401 1008.30.

6402 Section 104. Section 1011.85, Florida Statutes, is amended
6403 to read:

6404 1011.85 Dr. Philip Benjamin Matching Grant Program for
6405 Florida Community College System Institutions.—

6406 (1) There is created the Dr. Philip Benjamin Matching Grant
6407 Program for Florida Community College System Institutions as a



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6408 single matching gifts program that encompasses the goals
6409 originally set out in the Academic Improvement Program, the
6410 Scholarship Matching Program, and the Health Care Education
6411 Quality Enhancement Challenge Grant. The program shall be
6412 administered according to rules of the State Board of Community
6413 Colleges Education and used to encourage private support in
6414 enhancing Florida Community College System institutions by
6415 providing the Florida Community College System with the
6416 opportunity to receive and match challenge grants. Funds
6417 received prior to the effective date of this act for each of the
6418 three programs shall be retained in the separate account for
6419 which it was designated.

6420 (2) Each Florida Community College System institution board
6421 of trustees receiving state appropriations under this program
6422 shall approve each gift to ensure alignment with the unique
6423 mission of the Florida Community College System institution. The
6424 board of trustees must link all requests for a state match to
6425 the goals and mission statement. The Florida Community College
6426 System Institution Foundation Board receiving state
6427 appropriations under this program shall approve each gift to
6428 ensure alignment with its goals and mission statement. Funds
6429 received from community events and festivals are not eligible
6430 for state matching funds under this program.

6431 (3) Upon approval by the Florida Community College System
6432 institution board of trustees and the State Board of Community
6433 Colleges Education, the ordering of donations for priority
6434 listing of unmatched gifts should be determined by the
6435 submitting Florida Community College System institution.

6436 (4) Each year, eligible contributions received by a Florida



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6437 Community College System institution's foundation or the State
6438 Board of Community Colleges Education by February 1 shall be
6439 eligible for state matching funds.

6440 (a) Each Florida Community College System institution board
6441 of trustees and, when applicable, the Florida Community College
6442 System Institution Foundation Board, receiving state
6443 appropriations under this program shall also certify in an
6444 annual report to the State Board of Community Colleges Education
6445 the receipt of eligible cash contributions that were previously
6446 unmatched by the state. The State Board of Education shall adopt
6447 rules providing all Florida Community College System
6448 institutions with an opportunity to apply for excess funds
6449 before the awarding of such funds.

6450 (b) Florida Community College System institutions must
6451 submit to the State Board of Community Colleges Education an
6452 annual expenditure report tracking the use of all matching
6453 funds.

6454 (c) The audit of each foundation receiving state funds from
6455 this program must include a certification of accuracy in the
6456 amount reported for matching funds.

6457 (5) The matching ratio for donations that are specifically
6458 designated to support scholarships, including scholarships for
6459 first-generation-in-college students, student loans, or need-
6460 based grants shall be \$1 of state funds to \$1 of local private
6461 funds.

6462 (6) Otherwise, funds must ~~shall~~ be proportionately
6463 allocated to the Florida Community College System institutions
6464 on the basis of matching each \$6 of local or private funds with
6465 \$4 of state funds. To be eligible, a minimum of \$4,500 must be



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6466 raised from private sources.

6467 (7) The Florida Community College System institution board
6468 of trustees, in conjunction with the donor, shall determine ~~make~~
6469 ~~the determination of~~ whether scholarships established pursuant
6470 to this program are endowed.

6471 (8) (a) Funds sufficient to provide the match shall be
6472 transferred from the state appropriations to the local Florida
6473 Community College System institution foundation or the statewide
6474 Florida Community College System institution foundation upon
6475 notification that a proportionate amount has been received and
6476 deposited by a Florida Community College System institution in
6477 its own trust fund.

6478 (b) If state funds appropriated for the program are
6479 insufficient to match contributions, the amount allocated must
6480 ~~shall~~ be reduced in proportion to its share of the total
6481 eligible contributions. However, in making proportional
6482 reductions, every Florida Community College System institution
6483 shall receive a minimum of \$75,000 in state matching funds if
6484 its eligible contributions would have generated an amount at
6485 least equal to \$75,000. All unmet contributions must ~~shall~~ be
6486 eligible for state matching funds in subsequent fiscal years.

6487 (9) Each Florida Community College System institution
6488 entity shall establish its own matching grant program fund as a
6489 depository for the private contributions and matching state
6490 funds provided under this section. Florida Community College
6491 System institution foundations are responsible for the
6492 maintenance, investment, and administration of their matching
6493 grant program funds.

6494 (10) The State Board of Community Colleges ~~Education~~ may



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6495 receive submissions of requests for matching funds and
6496 documentation relating to those requests, may approve requests
6497 for matching funds, and may allocate such funds to the Florida
6498 Community College System institutions.

6499 (11) The board of trustees of the Florida Community College
6500 System institution and the State Board of Community Colleges
6501 ~~Education~~ are responsible for determining the uses for the
6502 proceeds of their respective trust funds. Such use of the
6503 proceeds shall include, but not be limited to, expenditure of
6504 the funds for:

6505 (a) Scientific and technical equipment.

6506 (b) Scholarships, loans, or need-based grants.

6507 (c) Other activities that will benefit future students as
6508 well as students currently enrolled at the Florida Community
6509 College System institution, will improve the quality of
6510 education at the Florida Community College System institution,
6511 or will enhance economic development in the community.

6512 (12) Each Florida Community College System institution
6513 shall notify all donors of private funds of a substantial delay
6514 in the availability of state matching funds for this program.

6515 (13) Effective July 1, 2011, state matching funds are
6516 temporarily suspended for donations received for this program on
6517 or after June 30, 2011. Existing eligible donations remain
6518 eligible for future matching funds. The program may be restarted
6519 after \$200 million of the backlog for programs under this
6520 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6521 Section 105. Subsection (1) of section 1012.01, Florida
6522 Statutes, is amended to read:

6523 1012.01 Definitions.—As used in this chapter, the following



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6524 terms have the following meanings:

6525 (1) SCHOOL OFFICERS.—The officers of the state system of
6526 public K-12 ~~and Florida College System institution~~ education
6527 shall be the Commissioner of Education and the members of the
6528 State Board of Education; for the Florida Community College
6529 System, the officers shall be the Chancellor of the Florida
6530 Community College System and the members of the State Board of
6531 Community Colleges; for each district school system, the
6532 officers shall be the district school superintendent and members
6533 of the district school board; and for each Florida Community
6534 College System institution, the officers shall be the Florida
6535 Community College System institution president and members of
6536 the Florida Community College System institution board of
6537 trustees.

6538 Section 106. Paragraph (a) of subsection (1) of section
6539 1012.80, Florida Statutes, is amended to read:

6540 1012.80 Participation by employees in disruptive activities
6541 at public postsecondary educational institutions; penalties.—

6542 (1) (a) Any person who accepts the privilege extended by the
6543 laws of this state of employment at any Florida Community
6544 College System institution shall, by working at such
6545 institution, be deemed to have given his or her consent to the
6546 policies of that institution, the policies of the State Board of
6547 Community Colleges Education, and the laws of this state. Such
6548 policies shall include prohibition against disruptive activities
6549 at Florida Community College System institutions.

6550 Section 107. Subsection (1) of section 1012.81, Florida
6551 Statutes, is amended to read:

6552 1012.81 Personnel records.—



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6553 (1) The State Board of Community Colleges ~~Education~~ shall
6554 adopt rules prescribing the content and custody of limited-
6555 access records that a Florida Community College System
6556 institution may maintain on its employees. Limited-access
6557 employee records are confidential and exempt from ~~the provisions~~
6558 ~~of~~ s. 119.07(1). Limited-access records include only the
6559 following:

6560 (a) Records containing information reflecting academic
6561 evaluations of employee performance; however, the employee and
6562 officials of the institution responsible for supervision of the
6563 employee shall have access to such records.

6564 (b) Records maintained for the purposes of any
6565 investigation of employee misconduct, including, but not limited
6566 to, a complaint against an employee and all information obtained
6567 pursuant to the investigation of such complaint; however, these
6568 records become public after the investigation ceases to be
6569 active or when the institution provides written notice to the
6570 employee who is the subject of the complaint that the
6571 institution has either:

- 6572 1. Concluded the investigation with a finding not to
6573 proceed with disciplinary action;
- 6574 2. Concluded the investigation with a finding to proceed
6575 with disciplinary action; or
- 6576 3. Issued a letter of discipline.
- 6577

6578 For the purpose of this paragraph, an investigation shall be
6579 considered active as long as it is continuing with a reasonable,
6580 good faith anticipation that a finding will be made in the
6581 foreseeable future. An investigation shall be presumed to be



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6582 inactive if no finding is made within 90 days after the
6583 complaint is filed.

6584 Section 108. Subsection (1) of section 1012.83, Florida
6585 Statutes, is amended to read:

6586 1012.83 Contracts with administrative and instructional
6587 staff.—

6588 (1) Each person employed in an administrative or
6589 instructional capacity in a Florida Community College System
6590 institution shall be entitled to a contract as provided by rules
6591 of the State Board of Community Colleges ~~Education~~.

6592 Section 109. Section 1012.855, Florida Statutes, is amended
6593 to read:

6594 1012.855 Employment of Florida Community College System
6595 institution personnel; discrimination in granting salary
6596 prohibited.—

6597 (1) (a) Employment of all personnel in each Florida
6598 Community College System institution shall be upon
6599 recommendation of the president, subject to rejection for cause
6600 by the Florida Community College System institution board of
6601 trustees; to the rules of the State Board of Community Colleges
6602 ~~Education~~ relative to certification, tenure, leaves of absence
6603 of all types, including sabbaticals, remuneration, and such
6604 other conditions of employment as the State Board of Community
6605 Colleges ~~Education~~ deems necessary and proper; and to policies
6606 of the Florida Community College System institution board of
6607 trustees not inconsistent with law.

6608 (b) Any internal auditor employed by a Florida Community
6609 College System institution shall be hired by the Florida
6610 Community College System institution board of trustees and shall



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6611 report directly to the board.

6612 (2) Each Florida Community College System institution board
6613 of trustees shall undertake a program to eradicate any
6614 discrimination on the basis of gender, race, or physical
6615 handicap in the granting of salaries to employees.

6616 Section 110. Section 1012.86, Florida Statutes, is amended
6617 to read:

6618 1012.86 Florida Community College System institution
6619 employment equity accountability program.—

6620 (1) Each Florida Community College System institution shall
6621 include in its annual equity update a plan for increasing the
6622 representation of women and minorities in senior-level
6623 administrative positions and in full-time faculty positions, and
6624 for increasing the representation of women and minorities who
6625 have attained continuing-contract status. Positions shall be
6626 defined in the personnel data element directory of the
6627 Department of Education. The plan must include specific
6628 measurable goals and objectives, specific strategies and
6629 timelines for accomplishing these goals and objectives, and
6630 comparable national standards as provided by the Department of
6631 Education. The goals and objectives shall be based on meeting or
6632 exceeding comparable national standards and shall be reviewed
6633 and recommended by the State Board of Community Colleges
6634 ~~Education~~ as appropriate. Such plans shall be maintained until
6635 appropriate representation has been achieved and maintained for
6636 at least 3 consecutive reporting years.

6637 (2) (a) On or before May 1 of each year, each Florida
6638 Community College System institution president shall submit an
6639 annual employment accountability plan to the Chancellor of the



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6640 Florida Community College System and the State Board of
6641 Community Colleges ~~Commissioner of Education and the State Board~~
6642 ~~of Education~~. The accountability plan must show faculty and
6643 administrator employment data according to requirements
6644 specified on the federal Equal Employment Opportunity (EEO-6)
6645 report.

6646 (b) The plan must show the following information for those
6647 positions including, but not limited to:

6648 1. Job classification title.

6649 2. Gender.

6650 3. Ethnicity.

6651 4. Appointment status.

6652 5. Salary information. At each Florida Community College
6653 System institution, salary information shall also include the
6654 salary ranges in which new hires were employed compared to the
6655 salary ranges for employees with comparable experience and
6656 qualifications.

6657 6. Other comparative information including, but not limited
6658 to, composite information regarding the total number of
6659 positions within the particular job title classification for the
6660 Florida Community College System institution by race, gender,
6661 and salary range compared to the number of new hires.

6662 7. A statement certifying diversity and balance in the
6663 gender and ethnic composition of the selection committee for
6664 each vacancy, including a brief description of guidelines used
6665 for ensuring balanced and diverse membership on selection and
6666 review committees.

6667 (c) The annual employment accountability plan shall also
6668 include an analysis and an assessment of the Florida Community



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6669 College System institution's attainment of annual goals and of
6670 long-range goals for increasing the number of women and
6671 minorities in faculty and senior-level administrative positions,
6672 and a corrective action plan for addressing underrepresentation.

6673 (d) Each Florida Community College System institution's
6674 employment accountability plan must also include:

6675 1. The requirements for receiving a continuing contract.

6676 2. A brief description of the process used to grant
6677 continuing-contract status.

6678 3. A brief description of the process used to annually
6679 apprise each eligible faculty member of progress toward
6680 attainment of continuing-contract status.

6681 (3) Florida Community College System institution presidents
6682 and the heads of each major administrative division shall be
6683 evaluated annually on the progress made toward meeting the goals
6684 and objectives of the Florida Community College System
6685 institution's employment accountability plan.

6686 (a) The Florida Community College System institution
6687 presidents, or the presidents' designees, shall annually
6688 evaluate each department chairperson, dean, provost, and vice
6689 president in achieving the annual and long-term goals and
6690 objectives. A summary of the results of such evaluations shall
6691 be reported annually by the Florida Community College System
6692 institution president to the Florida Community College System
6693 institution board of trustees. Annual budget allocations by the
6694 Florida Community College System institution board of trustees
6695 for positions and funding must take into consideration these
6696 evaluations.

6697 (b) Florida Community College System institution boards of



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6698 trustees shall annually evaluate the performance of the Florida
6699 Community College System institution presidents in achieving the
6700 annual and long-term goals and objectives. A summary of the
6701 results of such evaluations shall be reported to the State Board
6702 of Community Colleges ~~Commissioner of Education and the State~~
6703 ~~Board of Education~~ as part of the Florida Community College
6704 System institution's annual employment accountability plan, and
6705 to the Legislature as part of the annual equity progress report
6706 submitted by the State Board of Community Colleges ~~Education~~.

6707 (4) The State Board of Community Colleges ~~Education~~ shall
6708 submit an annual equity progress report to the President of the
6709 Senate and the Speaker of the House of Representatives on or
6710 before January 1 of each year.

6711 (5) Each Florida Community College System institution shall
6712 develop a budgetary incentive plan to support and ensure
6713 attainment of the goals developed pursuant to this section. The
6714 plan shall specify, at a minimum, how resources shall be
6715 allocated to support the achievement of goals and the
6716 implementation of strategies in a timely manner. After prior
6717 review and approval by the Florida Community College System
6718 institution president and the Florida Community College System
6719 institution board of trustees, the plan shall be submitted as
6720 part of the annual employment accountability plan submitted by
6721 each Florida Community College System institution to the State
6722 Board of Community Colleges ~~Education~~.

6723 (6) Subject to available funding, the Legislature shall
6724 provide an annual appropriation to the State Board of Community
6725 Colleges ~~Education~~ to be allocated to Florida Community College
6726 System institution presidents, faculty, and administrative



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6727 personnel to further enhance equity initiatives and related
6728 priorities that support the mission of colleges and departments
6729 in recognition of the attainment of the equity goals and
6730 objectives.

6731 Section 111. Subsection (3) of section 1013.01, Florida
6732 Statutes, is amended to read:

6733 1013.01 Definitions.—The following terms shall be defined
6734 as follows for the purpose of this chapter:

6735 (3) "Board," unless otherwise specified, means a district
6736 school board, a Florida Community College System institution
6737 board of trustees, a university board of trustees, and the Board
6738 of Trustees for the Florida School for the Deaf and the Blind.
6739 The term "board" does not include the State Board of Education,
6740 ~~or~~ the Board of Governors, or the State Board of Community
6741 Colleges.

6742 Section 112. Subsection (2) of section 1013.02, Florida
6743 Statutes, is amended to read:

6744 1013.02 Purpose; rules and regulations.—

6745 (2) (a) The State Board of Education shall adopt rules
6746 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
6747 ~~provisions of this chapter for school districts and Florida~~
6748 ~~College System institutions.~~

6749 (b) The Board of Governors shall adopt regulations pursuant
6750 to its regulation development procedure to implement ~~the~~
6751 ~~provisions of this chapter for state universities.~~

6752 (c) The State Board of Community Colleges shall adopt rules
6753 pursuant to ss. 120.536(1) and 120.54 to implement this chapter
6754 for Florida Community College System institutions.

6755 Section 113. Section 1013.03, Florida Statutes, is amended



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6756 to read:

6757 1013.03 Functions of the department, the State Board of
6758 Community Colleges, and the Board of Governors.—The functions of
6759 the Department of Education as it pertains to educational
6760 facilities of school districts, of the State Board of Community
6761 Colleges as it pertains to educational facilities of ~~and~~ Florida
6762 Community College System institutions, and of the Board of
6763 Governors as it pertains to educational facilities of state
6764 universities shall include, but not be limited to, the
6765 following:

6766 (1) Establish recommended minimum and maximum square
6767 footage standards for different functions and areas and
6768 procedures for determining the gross square footage for each
6769 educational facility to be funded in whole or in part by the
6770 state, including public broadcasting stations but excluding
6771 postsecondary special purpose laboratory space. The gross square
6772 footage determination standards may be exceeded when the core
6773 facility space of an educational facility is constructed or
6774 renovated to accommodate the future addition of classrooms to
6775 meet projected increases in student enrollment. The department,
6776 the State Board of Community Colleges, and the Board of
6777 Governors shall encourage multiple use of facilities and spaces
6778 in educational plants.

6779 (2) Establish, for the purpose of determining need,
6780 equitably uniform utilization standards for all types of like
6781 space, regardless of the level of education. These standards
6782 shall also establish, for postsecondary education classrooms, a
6783 minimum room utilization rate of 40 hours per week and a minimum
6784 station utilization rate of 60 percent. These rates shall be



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6785 subject to increase based on national norms for utilization of
6786 postsecondary education classrooms.

6787 (3) Require boards to submit other educational plant
6788 inventories data and statistical data or information relevant to
6789 construction, capital improvements, and related costs.

6790 (4) Require each board and other appropriate agencies to
6791 submit complete and accurate financial data as to the amounts of
6792 funds from all sources that are available and spent for
6793 construction and capital improvements. The commissioner shall
6794 prescribe the format and the date for the submission of this
6795 data and any other educational facilities data. If any district
6796 does not submit the required educational facilities fiscal data
6797 by the prescribed date, the Commissioner of Education shall
6798 notify the district school board of this fact and, if
6799 appropriate action is not taken to immediately submit the
6800 required report, the district school board shall be directed to
6801 proceed pursuant to s. 1001.42(13)(b). If any Florida Community
6802 College System institution or university does not submit the
6803 required educational facilities fiscal data by the prescribed
6804 date, the same policy prescribed in this subsection for school
6805 districts shall be implemented.

6806 (5) Administer, under the supervision of the Commissioner
6807 of Education, the Public Education Capital Outlay and Debt
6808 Service Trust Fund and the School District and Community College
6809 District Capital Outlay and Debt Service Trust Fund.

6810 (6) Develop, review, update, revise, and recommend a
6811 mandatory portion of the Florida Building Code for educational
6812 facilities construction and capital improvement by Florida
6813 Community College System institution boards and district school



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6814 boards.

6815 (7) Provide training, technical assistance, and building

6816 code interpretation for requirements of the mandatory Florida

6817 Building Code for the educational facilities construction and

6818 capital improvement programs of ~~the Florida College System~~

6819 ~~institution boards~~ and district school boards and, upon request,

6820 approve phase III construction documents for remodeling,

6821 renovation, or new construction of educational plants or

6822 ancillary facilities, except that Florida Community College

6823 System institutions and university boards of trustees shall

6824 approve specifications and construction documents for their

6825 respective institutions pursuant to guidelines of the Board of

6826 Governors or State Board of Community Colleges, as applicable.

6827 The Department of Management Services may, upon request, provide

6828 similar services for the Florida School for the Deaf and the

6829 Blind and shall use the Florida Building Code and the Florida

6830 Fire Prevention Code.

6831 (8) Provide minimum criteria, procedures, and training to

6832 boards to conduct educational plant surveys and document the

6833 determination of future needs.

6834 (9) Make available to boards technical assistance,

6835 awareness training, and research and technical publications

6836 relating to lifesafety, casualty, sanitation, environmental,

6837 maintenance, and custodial issues; and, as needed, technical

6838 assistance for survey, planning, design, construction,

6839 operation, and evaluation of educational and ancillary

6840 facilities and plants, facilities administrative procedures

6841 review, and training for new administrators.

6842 (10) (a) Review and validate surveys proposed or amended by



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6843 the boards and recommend to the Commissioner of Education, the
6844 Chancellor of the Florida Community College System, or the
6845 Chancellor of the State University System, as appropriate, for
6846 approval, surveys that meet the requirements of this chapter.

6847 1. The term "validate" as applied to surveys by school
6848 districts means to review inventory data as submitted to the
6849 department by district school boards; provide for review and
6850 inspection, where required, of student stations and aggregate
6851 square feet of inventory changed from satisfactory to
6852 unsatisfactory or changed from unsatisfactory to satisfactory;
6853 compare new school inventory to allocation limits provided by
6854 this chapter; review cost projections for conformity with cost
6855 limits set by s. 1013.64(6); compare total capital outlay full-
6856 time equivalent enrollment projections in the survey with the
6857 department's projections; review facilities lists to verify that
6858 student station and auxiliary facility space allocations do not
6859 exceed the limits provided by this chapter and related rules;
6860 review and confirm the application of uniform facility
6861 utilization factors, where provided by this chapter or related
6862 rules; use ~~utilize~~ the documentation of programs offered per
6863 site, as submitted by the board, to analyze facility needs;
6864 confirm that need projections for career and adult educational
6865 programs comply with needs documented by the Department of
6866 Education; and confirm the assignment of full-time student
6867 stations to all space except auxiliary facilities, which, for
6868 purposes of exemption from student station assignment, include
6869 the following:

- 6870 a. Cafeterias.
- 6871 b. Multipurpose dining areas.



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6872 c. Media centers.
6873 d. Auditoriums.
6874 e. Administration.
6875 f. Elementary, middle, and high school resource rooms, up
6876 to the number of such rooms recommended for the applicable
6877 occupant and space design capacity of the educational plant in
6878 the State Requirements for Educational Facilities, beyond which
6879 student stations must be assigned.
6880 g. Elementary school skills labs, up to the number of such
6881 rooms recommended for the applicable occupant and space design
6882 capacity of the educational plant in the State Requirements for
6883 Educational Facilities, beyond which student stations must be
6884 assigned.
6885 h. Elementary school art and music rooms.
6886
6887 The Commissioner of Education may grant a waiver from the
6888 requirements of this subparagraph if a district school board
6889 determines that such waiver will make possible a substantial
6890 savings of funds or will be advantageous to the welfare of the
6891 educational system. The district school board shall present a
6892 full statement to the commissioner which sets forth the facts
6893 that warrant the waiver. If the commissioner denies a request
6894 for a waiver, the district school board may appeal such decision
6895 to the State Board of Education.
6896 2. The term "validate" as applied to surveys by Florida
6897 Community College System institutions and universities means to
6898 review and document the approval of each new site and official
6899 designation, where applicable; review the inventory database as
6900 submitted by each board to the department, including noncareer,



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6901 and total capital outlay full-time equivalent enrollment
6902 projections per site and per college; provide for the review and
6903 inspection, where required, of student stations and aggregate
6904 square feet of space changed from satisfactory to
6905 unsatisfactory; use ~~utilize~~ and review the documentation of
6906 programs offered per site submitted by the boards as accurate
6907 for analysis of space requirements and needs; confirm that needs
6908 projected for career and adult educational programs comply with
6909 needs documented by the Department of Education; compare new
6910 facility inventory to allocations limits as provided in this
6911 chapter; review cost projections for conformity with state
6912 averages or limits designated by this chapter; compare student
6913 enrollment projections in the survey to the department's
6914 projections; review facilities lists to verify that area
6915 allocations and space factors for generating space needs do not
6916 exceed the limits as provided by this chapter and related rules;
6917 confirm the application of facility utilization factors as
6918 provided by this chapter and related rules; and review, as
6919 submitted, documentation of how survey recommendations will
6920 implement the detail of current campus master plans and
6921 integrate with local comprehensive plans and development
6922 regulations.

6923 (b) Recommend priority of projects to be funded.

6924 (11) Prepare the commissioner's comprehensive fixed capital
6925 outlay legislative budget request and provide annually an
6926 estimate of the funds available for developing required 3-year
6927 priority lists. This amount shall be based upon the average
6928 percentage for the 5 prior years of funds appropriated by the
6929 Legislature for fixed capital outlay to each level of public



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6930 education: public schools, Florida Community College System
6931 institutions, and universities.

6932 (12) Perform any other functions that may be involved in
6933 educational facilities construction and capital improvement
6934 which shall ensure that the intent of the Legislature is
6935 implemented.

6936 Section 114. Section 1013.28, Florida Statutes, is amended
6937 to read:

6938 1013.28 Disposal of property.—

6939 (1) REAL PROPERTY.—

6940 (a) Subject to rules of the State Board of Education, a
6941 district school board or, the Board of Trustees for the Florida
6942 School for the Deaf and the Blind, ~~or a Florida College System~~
6943 ~~institution board of trustees~~ may dispose of any land or real
6944 property to which the board holds title which is, by resolution
6945 of the board, determined to be unnecessary for educational
6946 purposes as recommended in an educational plant survey. A
6947 district school board or, the Board of Trustees for the Florida
6948 School for the Deaf and the Blind, ~~or a Florida College System~~
6949 ~~institution board of trustees~~ shall take diligent measures to
6950 dispose of educational property only in the best interests of
6951 the public. However, appraisals may be obtained by the district
6952 school board or, the Board of Trustees for the Florida School
6953 for the Deaf and the Blind before, ~~or the Florida College System~~
6954 ~~institution board of trustees prior to~~ or simultaneously with
6955 the receipt of bids.

6956 (b) Subject to regulations of the Board of Governors, a
6957 state university board of trustees may dispose of any land or
6958 real property to which it holds valid title which is, by



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6959 resolution of the state university board of trustees, determined
6960 to be unnecessary for educational purposes as recommended in an
6961 educational plant survey. A state university board of trustees
6962 shall take diligent measures to dispose of educational property
6963 only in the best interests of the public. However, appraisals
6964 may be obtained by the state university board of trustees prior
6965 to or simultaneously with the receipt of bids.

6966 (c) Subject to rules of the State Board of Community
6967 Colleges, a Florida Community College System institution board
6968 of trustees may dispose of any land or real property to which it
6969 holds valid title which is, by resolution of the Florida
6970 Community College System institution board of trustees,
6971 determined to be unnecessary for educational purposes as
6972 recommended in an educational plant survey. A Florida Community
6973 College System institution board of trustees shall take diligent
6974 measures to dispose of educational property only in the best
6975 interests of the public. However, appraisals may be obtained by
6976 the Florida Community College System institution board of
6977 trustees prior to or simultaneously with the receipt of bids.

6978 (2) TANGIBLE PERSONAL PROPERTY.—

6979 (a) Tangible personal property that has been properly
6980 classified as surplus by a district school board ~~or Florida~~
6981 ~~College System institution board of trustees~~ shall be disposed
6982 of in accordance with the procedure established by chapter 274.
6983 However, the provisions of chapter 274 shall not be applicable
6984 to a motor vehicle used in driver education to which title is
6985 obtained for a token amount from an automobile dealer or
6986 manufacturer. In such cases, the disposal of the vehicle shall
6987 be as prescribed in the contractual agreement between the



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6988 automotive agency or manufacturer and the board.

6989 (b) Tangible personal property that has been properly
6990 classified as surplus by a state university board of trustees
6991 shall be disposed of in accordance with the procedure
6992 established by chapter 273.

6993 (c) Tangible personal property that has been properly
6994 classified as surplus by a Florida Community College System
6995 institution board of trustees shall be disposed of in accordance
6996 with the procedure established by chapter 274.

6997 Section 115. Subsection (1) of section 1013.31, Florida
6998 Statutes, is amended to read:

6999 1013.31 Educational plant survey; localized need
7000 assessment; PECO project funding.—

7001 (1) At least every 5 years, each board shall arrange for an
7002 educational plant survey, to aid in formulating plans for
7003 housing the educational program and student population, faculty,
7004 administrators, staff, and auxiliary and ancillary services of
7005 the district or campus, including consideration of the local
7006 comprehensive plan. The Department of Education, for school
7007 districts, and the State Board of Community Colleges, for the
7008 Florida Community College System, shall document the need for
7009 additional career and adult education programs and the
7010 continuation of existing programs before facility construction
7011 or renovation related to career or adult education may be
7012 included in the educational plant survey of a school district or
7013 Florida Community College System institution that delivers
7014 career or adult education programs. Information used by the
7015 Department of Education or State Board of Community Colleges to
7016 establish facility needs must include, but need not be limited



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7017 to, labor market data, needs analysis, and information submitted
7018 by the school district or Florida Community College System
7019 institution.

7020 (a) *Survey preparation and required data.*—Each survey shall
7021 be conducted by the board or an agency employed by the board.
7022 Surveys shall be reviewed and approved by the board, and a file
7023 copy shall be submitted to the Department of Education, the
7024 Chancellor of the Florida Community College System, or the
7025 Chancellor of the State University System, as appropriate. The
7026 survey report shall include at least an inventory of existing
7027 educational and ancillary plants, including safe access
7028 facilities; recommendations for existing educational and
7029 ancillary plants; recommendations for new educational or
7030 ancillary plants, including the general location of each in
7031 coordination with the land use plan and safe access facilities;
7032 campus master plan update and detail for Florida Community
7033 College System institutions; the use ~~utilization~~ of school
7034 plants based on an extended school day or year-round operation;
7035 and such other information as may be required by the Department
7036 of Education. This report may be amended, if conditions warrant,
7037 at the request of the department or commissioner.

7038 (b) *Required need assessment criteria for district, Florida*
7039 *Community College System institution, state university, and*
7040 *Florida School for the Deaf and the Blind plant surveys.*—
7041 Educational plant surveys must use uniform data sources and
7042 criteria specified in this paragraph. Each revised educational
7043 plant survey and each new educational plant survey supersedes
7044 previous surveys.

7045 1. The school district's survey must be submitted as a part



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7046 of the district educational facilities plan defined in s.
7047 1013.35. To ensure that the data reported to the Department of
7048 Education as required by this section is correct, the department
7049 shall annually conduct an onsite review of 5 percent of the
7050 facilities reported for each school district completing a new
7051 survey that year. If the department's review finds the data
7052 reported by a district is less than 95 percent accurate, within
7053 1 year from the time of notification by the department the
7054 district must submit revised reports correcting its data. If a
7055 district fails to correct its reports, the commissioner may
7056 direct that future fixed capital outlay funds be withheld until
7057 such time as the district has corrected its reports so that they
7058 are not less than 95 percent accurate.

7059 2. Each survey of a special facility, joint-use facility,
7060 or cooperative career education facility must be based on
7061 capital outlay full-time equivalent student enrollment data
7062 prepared by the department for school districts and Florida
7063 Community College System institutions and by the Chancellor of
7064 the State University System for universities. A survey of space
7065 needs of a joint-use facility shall be based upon the respective
7066 space needs of the school districts, Florida Community College
7067 System institutions, and universities, as appropriate.
7068 Projections of a school district's facility space needs may not
7069 exceed the norm space and occupant design criteria established
7070 by the State Requirements for Educational Facilities.

7071 3. Each Florida Community College System institution's
7072 survey must reflect the capacity of existing facilities as
7073 specified in the inventory maintained and validated by the
7074 Chancellor of the Florida Community College System ~~by the~~



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7075 ~~Department of Education.~~ Projections of facility space needs
7076 must comply with standards for determining space needs as
7077 specified by rule of the State Board of Community Colleges
7078 ~~Education.~~ The 5-year projection of capital outlay student
7079 enrollment must be consistent with the annual report of capital
7080 outlay full-time student enrollment prepared by the Department
7081 of Education.

7082 4. Each state university's survey must reflect the capacity
7083 of existing facilities as specified in the inventory maintained
7084 and validated by the Chancellor of the State University System.
7085 Projections of facility space needs must be consistent with
7086 standards for determining space needs as specified by regulation
7087 of the Board of Governors. The projected capital outlay full-
7088 time equivalent student enrollment must be consistent with the
7089 5-year planned enrollment cycle for the State University System
7090 approved by the Board of Governors.

7091 5. The district educational facilities plan of a school
7092 district and the educational plant survey of a Florida Community
7093 College System institution, state university, or the Florida
7094 School for the Deaf and the Blind may include space needs that
7095 deviate from approved standards for determining space needs if
7096 the deviation is justified by the district or institution and
7097 approved by the department, the State Board of Community
7098 Colleges, or the Board of Governors, as appropriate, as
7099 necessary for the delivery of an approved educational program.

7100 (c) *Review and validation.*—The Department of Education
7101 shall review and validate the surveys of school districts, the
7102 Chancellor of the Florida Community College System shall review
7103 and validate the surveys of ~~and~~ Florida Community College System



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7104 institutions, and the Chancellor of the State University System
7105 shall review and validate the surveys of universities, and any
7106 amendments thereto for compliance with the requirements of this
7107 chapter and shall recommend those in compliance for approval by
7108 the State Board of Education, the State Board of Community
7109 Colleges, or the Board of Governors, as appropriate. Annually,
7110 the department shall perform an in-depth analysis of a
7111 representative sample of each survey of recommended needs for
7112 five districts selected by the commissioner from among districts
7113 with the largest need-to-revenue ratio. For the purpose of this
7114 subsection, the need-to-revenue ratio is determined by dividing
7115 the total 5-year cost of projects listed on the district survey
7116 by the total 5-year fixed capital outlay revenue projections
7117 from state and local sources as determined by the department.
7118 The commissioner may direct fixed capital outlay funds to be
7119 withheld from districts until such time as the survey accurately
7120 projects facilities needs.

7121 (d) *Periodic update of Florida Inventory of School Houses.*—
7122 School districts shall periodically update their inventory of
7123 educational facilities as new capacity becomes available and as
7124 unsatisfactory space is eliminated. The State Board of Education
7125 shall adopt rules to determine the timeframe in which districts
7126 must provide a periodic update.

7127 Section 116. Subsections (1) and (3) of section 1013.36,
7128 Florida Statutes, are amended to read:

7129 1013.36 Site planning and selection.—

7130 (1) Before acquiring property for sites, each district
7131 school board and Florida Community College System institution
7132 board of trustees shall determine the location of proposed



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7133 educational centers or campuses. In making this determination,
7134 the board shall consider existing and anticipated site needs and
7135 the most economical and practicable locations of sites. The
7136 board shall coordinate with the long-range or comprehensive
7137 plans of local, regional, and state governmental agencies to
7138 assure the consistency of such plans. Boards are encouraged to
7139 locate district educational facilities proximate to urban
7140 residential areas to the extent possible, and shall seek to
7141 collocate district educational facilities with other public
7142 facilities, such as parks, libraries, and community centers, to
7143 the extent possible and to encourage using elementary schools as
7144 focal points for neighborhoods.

7145 (3) Sites recommended for purchase or purchased must meet
7146 standards prescribed in law and such supplementary standards as
7147 the State Board of Education or State Board of Community
7148 Colleges, as appropriate, prescribes to promote the educational
7149 interests of the students. Each site must be well drained and
7150 suitable for outdoor educational purposes as appropriate for the
7151 educational program or collocated with facilities to serve this
7152 purpose. As provided in s. 333.03, the site must not be located
7153 within any path of flight approach of any airport. Insofar as is
7154 practicable, the site must not adjoin a right-of-way of any
7155 railroad or through highway and must not be adjacent to any
7156 factory or other property from which noise, odors, or other
7157 disturbances, or at which conditions, would be likely to
7158 interfere with the educational program. To the extent
7159 practicable, sites must be chosen which will provide safe access
7160 from neighborhoods to schools.

7161 Section 117. Subsections (3) and (4) of section 1013.37,



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7162 Florida Statutes, are amended to read:

7163 1013.37 State uniform building code for public educational
7164 facilities construction.—

7165 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
7166 Chancellor of the Florida Community College System, as
7167 appropriate, shall cooperate with the Florida Building
7168 Commission in addressing all questions, disputes, or
7169 interpretations involving the provisions of the Florida Building
7170 Code which govern the construction of public educational and
7171 ancillary facilities, and any objections to decisions made by
7172 the inspectors or the department must be submitted in writing.

7173 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
7174 department, for school districts, and the State Board of
7175 Community Colleges, for Florida Community College System
7176 institutions, shall biennially review and recommend to the
7177 Florida Building Commission updates and revisions to the
7178 provisions of the Florida Building Code which govern the
7179 construction of public educational and ancillary facilities. The
7180 department, for school districts, and the State Board of
7181 Community Colleges, for Florida Community College System
7182 institutions, shall publish and make available to each board at
7183 no cost copies of the State Requirements for Educational
7184 Facilities and each amendment and revision thereto. The
7185 department and state board shall make additional copies
7186 available to all interested persons at a price sufficient to
7187 recover costs.

7188 Section 118. Section 1013.40, Florida Statutes, is amended
7189 to read:

7190 1013.40 Planning and construction of Florida Community



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7191 College System institution facilities; property acquisition.-

7192 (1) The need for Florida Community College System
7193 institution facilities shall be established by a survey
7194 conducted pursuant to this chapter. The facilities recommended
7195 by such survey must be approved by the State Board of Community
7196 Colleges Education, and the projects must be constructed
7197 according to the provisions of this chapter and State Board of
7198 Community Colleges Education rules.

7199 (2) A Ne Florida Community College System institution may
7200 not expend public funds for the acquisition of additional
7201 property without the specific approval of the Legislature.

7202 (3) A Ne facility may not be acquired or constructed by a
7203 Florida Community College System institution or its direct-
7204 support organization if such facility requires general revenue
7205 funds for operation or maintenance upon project completion or in
7206 subsequent years of operation, unless prior approval is received
7207 from the Legislature.

7208 (4) The campus of a Florida Community College System
7209 institution within a municipality designated as an area of
7210 critical state concern, as defined in s. 380.05, and having a
7211 comprehensive plan and land development regulations containing a
7212 building permit allocation system that limits annual growth, may
7213 construct dormitories for up to 300 beds for Florida Community
7214 College System institution students. Such dormitories are exempt
7215 from the building permit allocation system and may be
7216 constructed up to 45 feet in height if the dormitories are
7217 otherwise consistent with the comprehensive plan, the Florida
7218 Community College System institution has a hurricane evacuation
7219 plan that requires all dormitory occupants to be evacuated 48



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7220 hours in advance of tropical force winds, and transportation is
7221 provided for dormitory occupants during an evacuation. State
7222 funds and tuition and fee revenues may not be used for
7223 construction, debt service payments, maintenance, or operation
7224 of such dormitories. Additional dormitory beds constructed after
7225 July 1, 2016, may not be financed through the issuance of a
7226 bond.

7227 Section 119. Section 1013.47, Florida Statutes, is amended
7228 to read:

7229 1013.47 Substance of contract; contractors to give bond;
7230 penalties.—Each board shall develop contracts consistent with
7231 this chapter and statutes governing public facilities. Such a
7232 contract must contain the drawings and specifications of the
7233 work to be done and the material to be furnished, the time limit
7234 in which the construction is to be completed, the time and
7235 method by which payments are to be made upon the contract, and
7236 the penalty to be paid by the contractor for a failure to comply
7237 with the terms of the contract. The board may require the
7238 contractor to pay a penalty for any failure to comply with the
7239 terms of the contract and may provide an incentive for early
7240 completion. Upon accepting a satisfactory bid, the board shall
7241 enter into a contract with the party or parties whose bid has
7242 been accepted. The contractor shall furnish the board with a
7243 performance and payment bond as set forth in s. 255.05. A board
7244 or other public entity may not require a contractor to secure a
7245 surety bond under s. 255.05 from a specific agent or bonding
7246 company. A person, firm, or corporation that constructs any part
7247 of any educational plant, or addition thereto, on the basis of
7248 any unapproved plans or in violation of any plans approved in



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7249 accordance with the provisions of this chapter and rules of the
7250 State Board of Education or State Board of Community Colleges or
7251 regulations of the Board of Governors relating to building
7252 standards or specifications is subject to forfeiture of the
7253 surety bond and unpaid compensation in an amount sufficient to
7254 reimburse the board for any costs that will need to be incurred
7255 in making any changes necessary to assure that all requirements
7256 are met and is also guilty of a misdemeanor of the second
7257 degree, punishable as provided in s. 775.082 or s. 775.083, for
7258 each separate violation.

7259 Section 120. Section 1013.52, Florida Statutes, is amended
7260 to read:

7261 1013.52 Cooperative development and joint use of facilities
7262 by two or more boards.—

7263 (1) Two or more boards, including district school boards,
7264 Florida Community College System institution boards of trustees,
7265 the Board of Trustees for the Florida School for the Deaf and
7266 the Blind, and university boards of trustees, desiring to
7267 cooperatively establish a common educational facility to
7268 accommodate students shall:

7269 (a) Jointly request a formal assessment by the Commissioner
7270 of Education, ~~or~~ the Chancellor of the State University System,
7271 or the Chancellor of the State Board of Community Colleges, as
7272 appropriate, of the academic program need and the need to build
7273 new joint-use facilities to house approved programs. Completion
7274 of the assessment and approval of the project by the State Board
7275 of Education, the State Board of Community Colleges, the
7276 Chancellor of the Florida Community College System, the Board of
7277 Governors, the Chancellor of the State University System, or the



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7278 Commissioner of Education, as appropriate, should be done prior
7279 to conducting an educational facilities survey.

7280 (b) Demonstrate the need for construction of new joint-use
7281 facilities involving postsecondary institutions by those
7282 institutions presenting evidence of the presence of sufficient
7283 actual full-time equivalent enrollments in the locale in leased,
7284 rented, or borrowed spaces to justify the requested facility for
7285 the programs identified in the formal assessment rather than
7286 using projected or anticipated future full-time equivalent
7287 enrollments as justification. If the decision is made to
7288 construct new facilities to meet this demonstrated need, then
7289 building plans should consider full-time equivalent enrollment
7290 growth facilitated by this new construction and subsequent new
7291 program offerings made possible by the existence of the new
7292 facilities.

7293 (c) Adopt and submit to the Commissioner of Education, the
7294 Chancellor of the Florida Community College System, or and the
7295 Chancellor of the State University System, as appropriate, if
7296 the joint request involves a state university, a joint
7297 resolution of the participating boards indicating their
7298 commitment to the utilization of the requested facility and
7299 designating the locale of the proposed facility. The joint
7300 resolution shall contain a statement of determination by the
7301 participating boards that alternate options, including the use
7302 of leased, rented, or borrowed space, were considered and found
7303 less appropriate than construction of the proposed facility. The
7304 joint resolution shall contain assurance that the development of
7305 the proposed facility has been examined in conjunction with the
7306 programs offered by neighboring public educational facilities



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7307 offering instruction at the same level. The joint resolution
7308 also shall contain assurance that each participating board shall
7309 provide for continuity of educational progression. All joint
7310 resolutions shall be submitted by August 1 for consideration of
7311 funding by the subsequent Legislature.

7312 (d) Submit requests for funding of joint-use facilities
7313 projects involving state universities and Florida Community
7314 College System institutions for approval by the Chancellor of
7315 the Florida Community College System ~~Commissioner of Education~~
7316 and the Chancellor of the State University System. The
7317 Chancellor of the Florida Community College System ~~Commissioner~~
7318 ~~of Education~~ and the Chancellor of the State University System
7319 shall jointly determine the priority for funding these projects
7320 in relation to the priority of all other capital outlay projects
7321 under their consideration. To be eligible for funding from the
7322 Public Education Capital Outlay and Debt Service Trust Fund
7323 under the provisions of this section, projects involving both
7324 state universities and Florida Community College System
7325 institutions shall appear on the 3-year capital outlay priority
7326 lists of Florida Community College System institutions and of
7327 universities required by s. 1013.64. Projects involving a state
7328 university, a Florida Community College System institution, and
7329 a public school, and in which the larger share of the proposed
7330 facility is for the use of the state university or the Florida
7331 Community College System institution, shall appear on the 3-year
7332 capital outlay priority lists of the Florida Community College
7333 System institutions or of the universities, as applicable.

7334 (e) Include in their joint resolution for the joint-use
7335 facilities, comprehensive plans for the operation and management



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7336 of the facility upon completion. Institutional responsibilities
7337 for specific functions shall be identified, including
7338 designation of one participating board as sole owner of the
7339 facility. Operational funding arrangements shall be clearly
7340 defined.

7341 (2) An educational plant survey must be conducted within 90
7342 days after submission of the joint resolution and substantiating
7343 data describing the benefits to be obtained, the programs to be
7344 offered, and the estimated cost of the proposed project. Upon
7345 completion of the educational plant survey, the participating
7346 boards may include the recommended projects in their plan as
7347 provided in s. 1013.31. Upon approval of the project by the
7348 commissioner, the Chancellor of the Florida Community College
7349 System, or the Chancellor of the State University System, as
7350 appropriate, 25 percent of the total cost of the project, or the
7351 pro rata share based on space utilization of 25 percent of the
7352 cost, must be included in the department's legislative capital
7353 outlay budget request as provided in s. 1013.60 for educational
7354 plants. The participating boards must include in their joint
7355 resolution a commitment to finance the remaining funds necessary
7356 to complete the planning, construction, and equipping of the
7357 facility. Funds from the Public Education Capital Outlay and
7358 Debt Service Trust Fund may not be expended on any project
7359 unless specifically authorized by the Legislature.

7360 (3) Included in all proposals for joint-use facilities must
7361 be documentation that the proposed new campus or new joint-use
7362 facility has been reviewed by the State Board of Education, the
7363 State Board of Community Colleges, or the Board of Governors, as
7364 appropriate, and has been formally requested for authorization



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7365 by the Legislature.

7366 (4) A ~~Ne~~ district school board, Florida Community College
7367 System institution, or state university may not ~~shall~~ receive
7368 funding for more than one approved joint-use facility per campus
7369 in any 3-year period.

7370 Section 121. Subsection (1) of section 1013.65, Florida
7371 Statutes, is amended to read:

7372 1013.65 Educational and ancillary plant construction funds;
7373 Public Education Capital Outlay and Debt Service Trust Fund;
7374 allocation of funds.—

7375 (1) The commissioner, through the department, shall
7376 administer the Public Education Capital Outlay and Debt Service
7377 Trust Fund. The commissioner shall allocate or reallocate funds
7378 as authorized by the Legislature. Copies of each allocation or
7379 reallocation shall be provided to members of the State Board of
7380 Education, the State Board of Community Colleges, and the Board
7381 of Governors and to the chairs of the House of Representatives
7382 and Senate appropriations committees. The commissioner shall
7383 provide for timely encumbrances of funds for duly authorized
7384 projects. Encumbrances may include proceeds to be received under
7385 a resolution approved by the State Board of Education
7386 authorizing the issuance of public education capital outlay
7387 bonds pursuant to s. 9(a)(2), Art. XII of the State
7388 Constitution, s. 215.61, and other applicable law. The
7389 commissioner shall provide for the timely disbursement of moneys
7390 necessary to meet the encumbrance authorizations of the boards.
7391 Records shall be maintained by the department to identify
7392 legislative appropriations, allocations, encumbrance
7393 authorizations, disbursements, transfers, investments, sinking



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7394 funds, and revenue receipts by source. The Department of
7395 Education shall pay the administrative costs of the Public
7396 Education Capital Outlay and Debt Service Trust Fund from the
7397 funds which comprise the trust fund.

7398 Section 122. The State Board of Community Colleges, in
7399 collaboration with the Board of Governors, shall evaluate and
7400 report on the status of Florida's "2+2" system of articulation
7401 using the accountability measures required pursuant to s.
7402 1008.38, Florida Statutes, and any other applicable state law.
7403 By December 31, 2017, the state board and the Board of Governors
7404 shall submit their report to the Governor, the President of the
7405 Senate, and the Speaker of the House of Representatives. The
7406 report must include findings regarding the effectiveness of
7407 Florida's "2+2" system of articulation and recommendations for
7408 improvement.

7409 Section 123. The Division of Law Revision and Information
7410 is directed to prepare a reviser's bill for the 2018 Regular
7411 Session to substitute the term "Florida Community College
7412 System" for "Florida College System" and the term "Florida
7413 Community College System institution" for "Florida College
7414 System institution" where those terms appear in the Florida
7415 Statutes.

7416 Section 124. Except as otherwise expressly provided in this
7417 act and except for this section, which shall take effect upon
7418 becoming a law, this act shall take effect October 1, 2017.