

By the Committee on Education; and Senators Hukill, Galvano, and Simpson

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1 A bill to be entitled
2 An act relating to postsecondary education; providing
3 a short title; renaming the Florida College System as
4 the Florida Community College System; creating the
5 State Board of Community Colleges; requiring the
6 Governor to appoint the membership of the board;
7 providing that the appointments are subject to
8 confirmation by the Senate; requiring the Division of
9 Florida Colleges to provide administrative support to
10 the board until a specified date; transferring the
11 Florida College System and the Division of Florida
12 Colleges to the State Board of Community Colleges by a
13 specified date; requiring the State Board of Community
14 Colleges to appoint a Chancellor of the Florida
15 Community College System by a specified date; amending
16 s. 20.15, F.S.; removing the Division of Florida
17 Colleges from within the Department of Education;
18 requiring the department to provide support to the
19 State Board of Community Colleges; creating s. 20.156,
20 F.S.; creating the State Board of Community Colleges
21 and assigning and housing it for administrative
22 purposes, only, within the department; providing the
23 personnel for the state board; providing the powers
24 and duties of the state board; requiring the state
25 board to conduct an organizational meeting by a
26 specified date; amending s. 1000.03, F.S.; revising
27 the function and mission of the Florida K-20 education
28 system; requiring the State Board of Community
29 Colleges to oversee enforcement of Florida Community
30 College System laws and rules; amending s. 1000.05,
31 F.S.; requiring the State Board of Community Colleges,

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32 instead of the Commissioner of Education, to make
33 certain determinations regarding equal opportunities
34 at Florida Community College System institutions;
35 requiring the State Board of Community Colleges to
36 adopt rules; amending s. 1001.02, F.S.; revising the
37 general powers of the State Board of Education to
38 exempt provisions relating to the Florida Community
39 College System; amending s. 1001.03, F.S.; revising
40 certain articulation accountability and enforcement
41 measures; requiring the State Board of Education to
42 collect information in conjunction with the Board of
43 Governors and the State Board of Community Colleges;
44 deleting duties of the State Board of Education
45 regarding the Florida Community College System;
46 amending ss. 1001.10 and 1001.11, F.S.; revising the
47 general powers and duties of the Commissioner of
48 Education to exempt certain powers and duties related
49 to the Florida Community College System; amending s.
50 1001.20, F.S.; revising duties of the Office of
51 Inspector General within the department regarding the
52 Florida Community College System; amending s. 1001.28,
53 F.S.; providing that the powers and duties of the
54 State Board of Community Colleges are not abrogated,
55 superseded, altered, or amended by certain provisions
56 relating to the department's duties for distance
57 learning; amending s. 1001.42, F.S.; prohibiting a
58 technical center governing board from approving
59 certain types of courses and programs; amending s.
60 1001.44, F.S.; providing the primary mission of a

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61 career center operated by a district school board;
62 prohibiting specified career centers from offering
63 certain courses and programs; amending s. 1001.60,
64 F.S.; conforming provisions to changes made by the
65 act; creating s. 1001.601, F.S.; establishing the
66 State Board of Community Colleges; providing the
67 membership of the board; creating s. 1001.602, F.S.;
68 providing the responsibilities and duties of the State
69 Board of Community Colleges; requiring the board to
70 coordinate with the State Board of Education; amending
71 ss. 1001.61, 1001.64, 1001.65, 1001.66, and 1001.67,
72 F.S.; conforming provisions to changes made by the
73 act; amending s. 1001.706, F.S.; revising cooperation
74 duties of the Board of Governors to include
75 requirements for working with the State Board of
76 Community Colleges; amending s. 1002.34, F.S.;
77 providing the primary mission of a charter technical
78 career center; prohibiting specified career centers or
79 charter technical career centers from offering certain
80 courses and programs; requiring the State Board of
81 Education to adopt rules; amending s. 1003.491, F.S.;
82 revising the Florida Career and Professional Education
83 Act to require the State Board of Community Colleges
84 to recommend, jointly with the Board of Governors and
85 the Commissioner of Education, certain deadlines for
86 new core courses; amending s. 1003.493, F.S.; revising
87 department duties regarding articulation and the
88 transfer of credits to postsecondary institutions to
89 include consultation with the State Board of Community

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90 Colleges; amending s. 1004.015, F.S.; providing that
91 the Higher Education Coordinating Council serves as an
92 advisory board to, in addition to other bodies, the
93 State Board of Community Colleges; revising council
94 reporting requirements to include a report to the
95 State Board of Community Colleges; requiring the State
96 Board of Community Colleges, in addition to other
97 entities, to provide administrative support for the
98 council; amending ss. 1004.02 and 1004.03, F.S.;
99 conforming provisions to changes made by the act;
100 amending s. 1004.04, F.S.; revising department
101 reporting requirements regarding teacher preparation
102 programs to require a report to the State Board of
103 Community Colleges; amending s. 1004.07, F.S.;
104 providing that the State Board of Community Colleges,
105 instead of the State Board of Education, provide
106 guidelines for Florida Community College System
107 institution boards of trustees' policies; amending ss.
108 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, and
109 1004.6495, F.S.; conforming provisions to changes made
110 by the act; amending s. 1004.65, F.S.; revising
111 Florida Community College System institution
112 governance, mission, and responsibilities to provide
113 authority and duties to the State Board of Community
114 Colleges, instead of the State Board of Education;
115 providing that offering upper-level instruction and
116 awarding baccalaureate degrees are a secondary and not
117 a primary role of a Florida Community College System
118 institution; amending ss. 1004.67, 1004.70, and

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119 1004.71, F.S.; conforming provisions to changes made
120 by the act; amending s. 1004.74, F.S.; requiring the
121 Chancellor of the Florida Community College System,
122 jointly with the Commissioner of Education, to appoint
123 members of the Council for the Florida School for the
124 Arts; amending ss. 1004.78 and 1004.80, F.S.;

125 conforming provisions to changes made by the act;
126 amending s. 1004.91, F.S.; requiring the State Board
127 of Community Colleges, instead of the State Board of
128 Education, to provide certain rules for Florida
129 Community College System institutions regarding
130 requirements for career education program basic
131 skills; amending s. 1004.92, F.S.; providing
132 accountability for career education for the State
133 Board of Community Colleges; revising the department's
134 accountability for career education; requiring the
135 State Board of Education and the State Board of
136 Community Colleges to adopt rules; amending s.
137 1004.925, F.S.; revising industry certification
138 requirements for automotive service technology
139 education programs to include the State Board of
140 Community Colleges; amending s. 1004.93, F.S.;

141 conforming provisions to changes made by the act;
142 amending s. 1006.60, F.S.; authorizing sanctions for
143 violations of certain rules of the State Board of
144 Community Colleges, instead of the State Board of
145 Education; amending ss. 1006.61, 1006.62, and 1006.71,
146 F.S.; conforming provisions to changes made by the
147 act; amending s. 1007.01, F.S.; revising the role of

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148 the State Board of Education and the Board of
149 Governors in the statewide articulation system to
150 include the State Board of Community Colleges and the
151 Chancellor of the Florida Community College System;
152 amending s. 1007.23, F.S.; requiring each Florida
153 Community College System institution to execute at
154 least one "2+2" targeted pathway articulation
155 agreement by a specified time; providing requirements
156 and student eligibility for the agreements; requiring
157 the State Board of Community Colleges and the Board of
158 Governors to collaborate to eliminate barriers for the
159 agreements; amending s. 1007.24, F.S.; revising the
160 statewide course numbering system to include
161 participation by and input from the State Board of
162 Community Colleges and the Chancellor of the Florida
163 Community College System; amending ss. 1007.25,
164 1007.262, 1007.263, 1007.264, 1007.265, and 1007.27,
165 F.S.; conforming provisions to changes made by the
166 act; amending s. 1007.271, F.S.; requiring the State
167 Board of Education to collaborate with the State Board
168 of Community Colleges regarding certain articulation
169 agreements; amending s. 1007.273, F.S.; requiring the
170 State Board of Community Colleges to enforce
171 compliance with certain provisions relating to the
172 collegiate high school program by a specified date
173 each year; amending s. 1007.33, F.S.; prohibiting
174 Florida Community College System institutions from
175 offering bachelor of arts degree programs; deleting
176 provisions relating to an authorization for the Board

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177 of Trustees of St. Petersburg College to establish
178 certain baccalaureate degree programs; revising the
179 approval process for baccalaureate degree programs
180 proposed by Florida Community College System
181 institutions; requiring a Florida Community College
182 System institution to annually report certain
183 information to the State Board of Community Colleges,
184 the Chancellor of the State University System, and the
185 Legislature; revising the circumstances under which a
186 baccalaureate degree program may be required to be
187 modified or terminated; requiring the termination of a
188 baccalaureate degree program under certain
189 circumstances; restricting total upper-level,
190 undergraduate full-time equivalent enrollment at
191 Florida Community College System institutions under
192 certain circumstances; amending s. 1008.30, F.S.;
193 requiring the State Board of Community Colleges,
194 rather than the State Board of Education, to develop
195 and implement a specified common placement test and
196 approve a specified series of meta-majors and academic
197 pathways with the Board of Governors; amending s.
198 1008.31, F.S.; revising the legislative intent of
199 Florida's K-20 education performance and
200 accountability system to include recommendations from
201 and reports to the State Board of Community Colleges;
202 amending s. 1008.32, F.S.; removing the oversight
203 enforcement authority of the State Board of Education
204 relating to the Florida Community College System;
205 amending s. 1008.345, F.S.; removing provisions

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206 requiring the department to maintain a listing of
207 certain skills associated with the system of
208 educational accountability; amending s. 1008.37, F.S.;
209 revising certain student reporting requirements of the
210 Commissioner of Education to also require a report to
211 the State Board of Community Colleges; amending s.
212 1008.38, F.S.; revising the articulation
213 accountability process to include participation by the
214 State Board of Community Colleges; amending s.
215 1008.405, F.S.; requiring the State Board of Community
216 Colleges to adopt rules for the maintaining of
217 specific information by Florida Community College
218 System institutions; amending ss. 1008.44, 1008.45,
219 1009.21, 1009.22, 1009.23, and 1009.25, F.S.;
220 conforming provisions to changes made by the act;
221 amending s. 1009.26, F.S.; requiring that certain
222 information regarding fee waivers be reported to the
223 State Board of Community Colleges; requiring the State
224 Board of Community Colleges to adopt rules; amending
225 s. 1009.28, F.S.; conforming provisions to changes
226 made by the act; amending ss. 1009.90 and 1009.91,
227 F.S.; revising the duties of the department to include
228 reports to the State Board of Community Colleges;
229 amending s. 1009.971, F.S.; conforming provisions to
230 changes made by the act; amending s. 1010.01, F.S.;
231 requiring the financial records and accounts of
232 Florida Community College System institutions to
233 follow rules of the State Board of Community Colleges,
234 instead of the State Board of Education; requiring

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235 each Florida Community College System institution to
236 annually file specified financial statements with the
237 State Board of Community Colleges; amending ss.
238 1010.02 and 1010.04, F.S.; requiring the funds
239 accruing to and purchases and leases by Florida
240 Community College System institutions to follow rules
241 of the State Board of Community Colleges, instead of
242 the State Board of Education; amending s. 1010.07,
243 F.S.; requiring certain contractors to give bonds in
244 an amount set by the State Board of Community
245 Colleges; amending s. 1010.08, F.S.; authorizing
246 Florida Community College System board of trustees to
247 budget for promotion and public relations from certain
248 funds; amending ss. 1010.09, 1010.22, 1010.30, and
249 1010.58, F.S.; conforming provisions to changes made
250 by the act; amending s. 1011.01, F.S.; requiring each
251 Florida Community College System institution board of
252 trustees to submit an annual operating budget
253 according to rules of the State Board of Community
254 Colleges; amending s. 1011.011, F.S.; requiring the
255 State Board of Education to collaborate with the State
256 Board of Community Colleges for legislative budget
257 requests relating to Florida Community College System
258 institutions; amending ss. 1011.30 and 1011.32, F.S.;
259 conforming provisions to changes made by the act;
260 amending s. 1011.80, F.S.; conforming provisions to
261 changes made by the act; authorizing the State Board
262 of Community Colleges to adopt rules; amending s.
263 1011.801, F.S.; specifying duties of the State Board

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264 of Community Colleges regarding funds for the
265 operation of workforce education programs and the
266 Workforce Development Capitalization Incentive Grant
267 Program; amending ss. 1011.81, 1011.82, 1011.83,
268 1011.84, and 1011.85, F.S.; conforming provisions to
269 changes made by the act; amending s. 1012.01, F.S.;
270 redefining the term "school officers"; amending ss.
271 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,
272 F.S.; conforming provisions to changes made by the
273 act; amending s. 1013.01, F.S.; providing that the
274 term "board" does not include the State Board of
275 Community Colleges when used in the context of certain
276 educational facilities provisions; amending ss.
277 1013.02 and 1013.03, F.S.; requiring the State Board
278 of Community Colleges to adopt rules for and provide
279 functions relating to educational facilities; amending
280 s. 1013.28, F.S.; authorizing Florida Community
281 College System institution boards of trustees to
282 dispose of land or real property subject to rules of
283 the State Board of Community Colleges; amending s.
284 1013.31, F.S.; specifying the role of the State Board
285 of Community Colleges in educational plant surveys for
286 Florida Community College System institutions;
287 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
288 conforming provisions to changes made by the act;
289 amending s. 1013.47, F.S.; providing that certain
290 contractors are subject to rules of the State Board of
291 Community Colleges; amending s. 1013.52, F.S.;
292 specifying duties of the State Board of Community

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293 Colleges with regard to the cooperative development
294 and joint use of facilities; amending s. 1013.65,
295 F.S.; requiring the State Board of Community Colleges
296 to be provided with copies of authorized allocations
297 or reallocations for the Public Education Capital
298 Outlay and Debt Service Trust Fund; requiring the
299 Board of Governors and the State Board of Community
300 Colleges to submit a report to the Governor and the
301 Legislature by a specified date; providing a directive
302 to the Division of Law Revision and Information;
303 providing effective dates.

304
305 Be It Enacted by the Legislature of the State of Florida:

306
307 Section 1. This act may be cited as the "College
308 Competitiveness Act of 2017."

309 Section 2. Florida Community College System Governance.-

310 (1) Effective July 1, 2017:

311 (a) The Florida College System, established in s. 1001.60,
312 Florida Statutes, is renamed as the Florida Community College
313 System.

314 (b) The State Board of Community Colleges is created,
315 pursuant to s. 20.156, Florida Statutes, to oversee and
316 coordinate the Florida Community College System. The Governor
317 shall appoint the membership of the State Board of Community
318 Colleges, subject to confirmation by the Senate, in time for the
319 members to convene for the board's organizational meeting
320 pursuant to s. 20.156(5), Florida Statutes.

321 (c) The Division of Florida Colleges shall provide

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322 administrative support to the State Board of Community Colleges
 323 until September 30, 2017.

324 (2) (a) Effective October 1, 2017, powers, duties,
 325 functions, records, offices, personnel, property, pending issues
 326 and existing contracts, administrative authority, administrative
 327 rules, and unexpended balances of appropriations, allocations,
 328 and other funds related to the Florida College System and the
 329 Division of Florida Colleges are transferred by a type two
 330 transfer, as defined in s. 20.06(2), Florida Statutes, from the
 331 State Board of Education to the State Board of Community
 332 Colleges.

333 (b) The State Board of Community Colleges shall appoint a
 334 Chancellor of the Florida Community College System by November
 335 1, 2017, to aid the board in the implementation of its
 336 responsibilities.

337 (c) Any current State Board of Education approvals,
 338 policies, guidance, and appointments remain effective unless
 339 acted upon by the State Board of Community Colleges.

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

342 20.15 Department of Education.—There is created a
 343 Department of Education.

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

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

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

348 ~~(b)~~ ~~(e)~~ Division of Career and Adult Education.

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

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

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351 (e)~~(f)~~ Division of Accountability, Research, and
352 Measurement.

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

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

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

357 1. The Office of Early Learning, which shall be
358 administered by an executive director who is fully accountable
359 to the Commissioner of Education. The executive director shall,
360 pursuant to s. 1001.213, administer the early learning programs,
361 including the school readiness program and the Voluntary
362 Prekindergarten Education Program at the state level.

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

366 (8) SUPPORT SERVICES.—The Department of Education shall
367 continue to provide support to the Board of Governors of the
368 State University System and to the State Board of Community
369 Colleges of the Florida Community College System. At a minimum,
370 support services provided to the Board of Governors and the
371 State Board of Community Colleges shall include accounting,
372 printing, computer and Internet support, personnel and human
373 resources support, support for accountability initiatives, and
374 administrative support as needed for trust funds under the
375 jurisdiction of the Board of Governors and the State Board of
376 Community Colleges.

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

379 20.156 State Board of Community Colleges.—

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380 (1) GENERAL PROVISIONS.—The State Board of Community
381 Colleges is created. For the purposes of s. 6, Art. IV of the
382 State Constitution, the state board shall be assigned to and
383 administratively housed within the Department of Education.
384 However, the state board shall independently exercise the powers
385 and duties in s. 1001.602; is a separate budget program; and is
386 not subject to control, supervision, or direction by the
387 department. For purposes of this section, the State Board of
388 Community Colleges is referred to as the "state board."

389 (2) HEAD OF THE FLORIDA COMMUNITY COLLEGE SYSTEM.—The state
390 board is the head of the Florida Community College System. The
391 Governor shall appoint the board members, subject to
392 confirmation by the Senate.

393 (3) PERSONNEL.—The state board shall appoint a Chancellor
394 of the Florida Community College System by November 1, 2017, to
395 aid in carrying out the state board's duties. The chancellor is
396 the chief executive officer and secretary to the state board and
397 directs the activities of the staff of the state board. The
398 Chancellor of the Division of Florida Colleges shall serve as
399 the Chancellor of the Florida Community College System until the
400 state board selects a chancellor.

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

404 (5) ORGANIZATION.—The state board shall, by September 30,
405 2017, conduct an organizational meeting to adopt bylaws, elect a
406 chair and vice chair from the membership, and fix dates and
407 places for regular meetings.

408 Section 5. Subsections (2) and (4) of section 1000.03,

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409 Florida Statutes, are amended to read:

410 1000.03 Function, mission, and goals of the Florida K-20
411 education system.—

412 (2) (a) The Legislature shall establish education policy,
413 enact education laws, and appropriate and allocate education
414 resources.

415 (b) With the exception of matters relating to the State
416 University System and the Florida Community College System, the
417 State Board of Education shall oversee the enforcement of all
418 laws and rules, and the timely provision of direction,
419 resources, assistance, intervention when needed, and strong
420 incentives and disincentives to force accountability for
421 results.

422 (c) The Board of Governors shall oversee the enforcement of
423 all state university laws and rules and regulations and the
424 timely provision of direction, resources, assistance,
425 intervention when needed, and strong incentives and
426 disincentives to force accountability for results.

427 (d) The State Board of Community Colleges shall oversee the
428 enforcement of all Florida Community College System laws and
429 rules and the timely provision of direction, resources,
430 assistance, intervention when needed, and strong incentives and
431 disincentives to force accountability for results.

432 (4) The mission of Florida's K-20 education system is to
433 allow its students to increase their proficiency by allowing
434 them the opportunity to expand their knowledge and skills
435 through rigorous and relevant learning opportunities, in
436 accordance with the mission of the applicable career center or
437 system statement and the accountability requirements of s.

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438 1008.31, and to avoid wasteful duplication of programs offered
439 by state universities, Florida Community College System
440 institutions, and career centers and charter technical career
441 centers that are operated by a district school board or a
442 Florida Community College System institution board of trustees.

443 Section 6. Paragraph (d) of subsection (3) and subsections
444 (5) and (6) of section 1000.05, Florida Statutes, are amended to
445 read:

446 1000.05 Discrimination against students and employees in
447 the Florida K-20 public education system prohibited; equality of
448 access required.-

449 (3)

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

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

456 2. The Commissioner of Education, for school districts, and
457 the Chancellor of the Florida Community College System, for
458 Florida Community College System institutions, shall determine
459 whether equal opportunities are available in school districts
460 and Florida Community College System institutions. In
461 determining whether equal opportunities are available in school
462 districts and Florida Community College System institutions, the
463 Commissioner of Education and the Chancellor of the Florida
464 Community College System shall consider, among other factors:

465 a. Whether the selection of sports and levels of
466 competition effectively accommodate the interests and abilities

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- 467 of members of both genders.
- 468 b. The provision of equipment and supplies.
- 469 c. Scheduling of games and practice times.
- 470 d. Travel and per diem allowances.
- 471 e. Opportunities to receive coaching and academic tutoring.
- 472 f. Assignment and compensation of coaches and tutors.
- 473 g. Provision of locker room, practice, and competitive
- 474 facilities.
- 475 h. Provision of medical and training facilities and
- 476 services.
- 477 i. Provision of housing and dining facilities and services.
- 478 j. Publicity.

479

480 Unequal aggregate expenditures for members of each gender or

481 unequal expenditures for male and female teams if a public

482 school or Florida Community College System institution operates

483 or sponsors separate teams do not constitute nonimplementation

484 of this subsection, but the Commissioner of Education shall

485 consider the failure to provide necessary funds for teams for

486 one gender in assessing equality of opportunity for members of

487 each gender.

488 (5) (a) The State Board of Education shall adopt rules to

489 implement this section as it relates to school districts ~~and~~

490 ~~Florida College System institutions.~~

491 (b) The Board of Governors shall adopt regulations to

492 implement this section as it relates to state universities.

493 (c) The State Board of Community Colleges shall adopt rules

494 to implement this section as it relates to Florida Community

495 College System institutions.

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

500 (a) Requiring all district school boards and Florida
501 Community College System institution boards of trustees to
502 develop and submit plans for the implementation of this section
503 to the Department of Education.

504 (b) Conducting periodic reviews of school districts and
505 Florida Community College System institutions to determine
506 compliance with this section and, after a finding that a school
507 district or a Florida Community College System institution is
508 not in compliance with this section, notifying the entity of the
509 steps that it must take to attain compliance and performing
510 followup monitoring.

511 (c) Providing technical assistance, including assisting
512 school districts or Florida Community College System
513 institutions in identifying unlawful discrimination and
514 instructing them in remedies for correction and prevention of
515 such discrimination and performing followup monitoring.

516 (d) Conducting studies of the effectiveness of methods and
517 strategies designed to increase the participation of students in
518 programs and courses in which students of a particular race,
519 ethnicity, national origin, gender, disability, or marital
520 status have been traditionally underrepresented and monitoring
521 the success of students in such programs or courses, including
522 performing followup monitoring.

523 (e) Requiring all district school boards and Florida
524 Community College System institution boards of trustees to

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525 submit data and information necessary to determine compliance
526 with this section. The Commissioner of Education, for school
527 districts, and the Chancellor of the Florida Community College
528 System, for Florida Community College System institutions, shall
529 prescribe the format and the date for submission of such data
530 and any other educational equity data. If any board does not
531 submit the required compliance data or other required
532 educational equity data by the prescribed date, the commissioner
533 shall notify the board of this fact and, if the board does not
534 take appropriate action to immediately submit the required
535 report, the State Board of Education shall impose monetary
536 sanctions.

537 (f) Based upon rules of the State Board of Education, for
538 school districts, and the State Board of Community Colleges, for
539 Florida Community College System institutions, developing and
540 implementing enforcement mechanisms with appropriate penalties
541 to ensure that public K-12 schools and Florida Community College
542 System institutions comply with Title IX of the Education
543 Amendments of 1972 and subsection (3) of this section. However,
544 the State Board of Education may not force a public school or
545 Florida Community College System institution to conduct, nor
546 penalize such entity for not conducting, a program of athletic
547 activity or athletic scholarship for female athletes unless it
548 is an athletic activity approved for women by a recognized
549 association whose purpose is to promote athletics and a
550 conference or league exists to promote interscholastic or
551 intercollegiate competition for women in that athletic activity.

552 (g) Reporting to the Commissioner of Education, for school
553 districts, or to the Chancellor of the Florida Community College

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554 System, for Florida Community College System institutions, any
555 district school board or Florida Community College System
556 institution board of trustees found to be out of compliance with
557 rules of the State Board of Education or the State Board of
558 Community Colleges adopted as required by paragraph (f) or
559 paragraph (3)(d). To penalize the respective board, the State
560 Board of Education or the State Board of Community Colleges, as
561 applicable, shall:

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

564 2. Notwithstanding the provisions of s. 216.192, direct the
565 Chief Financial Officer to withhold general revenue funds
566 sufficient to obtain compliance from the school district or
567 Florida Community College System institution.

568

569 The school district or Florida Community College System
570 institution shall remain ineligible and the funds may ~~shall~~ not
571 be paid until the institution comes into compliance or the State
572 Board of Education or the State Board of Community Colleges, as
573 applicable, approves a plan for compliance.

574 Section 7. Section 1001.02, Florida Statutes, is amended to
575 read:

576 1001.02 General powers of State Board of Education.—

577 (1) The State Board of Education is the chief implementing
578 and coordinating body of public education in Florida except for
579 the State University System and the Florida Community College
580 System, and it shall focus on high-level policy decisions. It
581 has authority to adopt rules pursuant to ss. 120.536(1) and
582 120.54 to implement the provisions of law conferring duties upon

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583 it for the improvement of the state system of K-20 public
584 education except for the State University System and the Florida
585 Community College System. Except as otherwise provided herein,
586 it may, as it finds appropriate, delegate its general powers to
587 the Commissioner of Education or the directors of the divisions
588 of the department.

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

590 (a) To adopt comprehensive educational objectives for
591 public education except for the State University System and the
592 Florida Community College System.

593 (b) To adopt comprehensive long-range plans and short-range
594 programs for the development of the state system of public
595 education except for the State University System and the Florida
596 Community College System.

597 (c) To exercise general supervision over the divisions of
598 the Department of Education as necessary to ensure coordination
599 of educational plans and programs and resolve controversies and
600 to minimize problems of articulation and student transfers, to
601 ensure that students moving from one level of education to the
602 next have acquired competencies necessary for satisfactory
603 performance at that level, and to ensure maximum utilization of
604 facilities.

605 (d) To adopt, in consultation with the Board of Governors
606 and the State Board of Community Colleges, and from time to time
607 modify, minimum and uniform standards of college-level
608 communication and computation skills generally associated with
609 successful performance and progression through the baccalaureate
610 level and to identify college-preparatory high school coursework
611 and postsecondary-level coursework that prepares students with

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612 the academic skills necessary to succeed in postsecondary
613 education.

614 (e) To adopt and submit to the Governor and Legislature, as
615 provided in s. 216.023, a coordinated K-20 education budget that
616 estimates the expenditure requirements for the Board of
617 Governors, as provided in s. 1001.706, the State Board of
618 Education, including the Department of Education and the
619 Commissioner of Education, and all of the boards, institutions,
620 agencies, and services under the general supervision of the
621 Board of Governors, as provided in s. 1001.706, the State Board
622 of Community Colleges, as provided in s. 1001.602, or the State
623 Board of Education for the ensuing fiscal year. The State Board
624 of Education may not amend the budget request submitted by the
625 Board of Governors or the State Board of Community Colleges. Any
626 program recommended by the Board of Governors, the State Board
627 of Community Colleges, or the State Board of Education which
628 will require increases in state funding for more than 1 year
629 must be presented in a multiyear budget plan.

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

634 (g) To approve plans for cooperating with the Federal
635 Government.

636 (h) To approve plans for cooperating with other public
637 agencies in the development of rules and in the enforcement of
638 laws for which the state board and such agencies are jointly
639 responsible.

640 (i) To review plans for cooperating with appropriate

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641 nonpublic agencies for the improvement of conditions relating to
642 the welfare of schools.

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

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

648 (l) To assist in the economic development of the state by
649 developing a state-level planning process to identify future
650 training needs for industry, especially high-technology
651 industry.

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

655 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
656 120.54, within statutory authority.

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

659 (p) To contract with independent institutions accredited by
660 an agency whose standards are comparable to the minimum
661 standards required to operate a postsecondary career center
662 ~~educational institution at that level in the state~~. The purpose
663 of the contract is to provide those educational programs and
664 facilities which will meet needs unfulfilled by the state system
665 of public postsecondary education.

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

669 (r) To enforce systemwide education goals and policies

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670 except as otherwise provided by law.

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

674 (t) To establish accountability standards for existing
675 legislative performance goals, standards, and measures, and
676 order the development of mechanisms to implement new legislative
677 goals, standards, and measures.

678 (u) To adopt criteria and implementation plans for future
679 growth issues, ~~such as new Florida College System institutions~~
680 ~~and Florida College System institution campus mergers,~~ and to
681 provide for cooperative agreements between and within public and
682 private education sectors.

683 (v) To develop, in conjunction with the Board of Governors
684 and the State Board of Community Colleges, and periodically
685 review for adjustment, a coordinated 5-year plan for
686 postsecondary enrollment, identifying enrollment and graduation
687 expectations by baccalaureate degree program, and annually
688 submit the plan to the Legislature as part of its legislative
689 budget request.

690 ~~(w) Beginning in the 2014-2015 academic year and annually~~
691 ~~thereafter, to require each Florida College System institution~~
692 ~~prior to registration to provide each enrolled student~~
693 ~~electronic access to the economic security report of employment~~
694 ~~and earning outcomes prepared by the Department of Economic~~
695 ~~Opportunity pursuant to s. 445.07.~~

696 (3) (a) The State Board of Education shall adopt a strategic
697 plan that specifies goals and objectives for the state's public
698 schools ~~and Florida College System institutions.~~ The plan shall

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699 be formulated in conjunction with plans of the Board of
700 Governors and the State Board of Community Colleges in order to
701 provide for the roles of the universities and Florida Community
702 College System institutions to be coordinated to best meet state
703 needs and reflect cost-effective use of state resources. The
704 strategic plan must clarify the mission statements of each
705 Florida Community College System institution and the system as a
706 whole and identify degree programs, including baccalaureate
707 degree programs, to be offered at each Florida Community College
708 System institution in accordance with the objectives provided in
709 this subsection and the coordinated 5-year plan pursuant to
710 paragraph (2)(v). The strategic plan must cover a period of 5
711 years, with modification of the program lists after 2 years.
712 Development of each 5-year plan must be coordinated with and
713 initiated after completion of the master plan. The strategic
714 plans must specifically include programs and procedures for
715 responding to the educational needs of teachers and students in
716 the public schools of this state and consider reports and
717 recommendations of the Higher Education Coordinating Council
718 pursuant to s. 1004.015 and the Articulation Coordinating
719 Committee pursuant to s. 1007.01. The state board shall submit a
720 report to the President of the Senate and the Speaker of the
721 House of Representatives upon modification of the plan and as
722 part of its legislative budget request.

723 (b) The State Board of Education, ~~and~~ and the Board of
724 Governors, and the State Board of Community Colleges shall
725 jointly develop long-range plans and annual reports for
726 financial aid in this state. The long-range plans shall
727 establish goals and objectives for a comprehensive program of

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728 financial aid for Florida students and shall be updated every 5
729 years. The annual report shall include programs administered by
730 the department as well as awards made from financial aid fee
731 revenues, any other funds appropriated by the Legislature for
732 financial assistance, and the value of tuition and fees waived
733 for students enrolled in a dual enrollment course at a public
734 postsecondary educational institution. The annual report shall
735 include an assessment of progress made in achieving goals and
736 objectives established in the long-range plans and
737 recommendations for repealing or modifying existing financial
738 aid programs or establishing new programs. A long-range plan
739 shall be submitted by January 1, 2004, and every 5 years
740 thereafter. An annual report shall be submitted on January 1,
741 2004, and in each successive year that a long-range plan is not
742 submitted, to the President of the Senate and the Speaker of the
743 House of Representatives.

744 (4) The State Board of Education shall:

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

748 ~~(b) Specify, by rule, procedures to be used by the Florida~~
749 ~~College System institution boards of trustees in the annual~~
750 ~~evaluations of presidents and review the evaluations of~~
751 ~~presidents by the boards of trustees, including the extent to~~
752 ~~which presidents serve both institutional and system goals.~~

753 ~~(c) Establish, in conjunction with the Board of Governors,~~
754 ~~an effective information system that will provide composite data~~
755 ~~concerning the Florida College System institutions and state~~
756 ~~universities and ensure that special analyses and studies~~

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757 ~~concerning the institutions are conducted, as necessary, for~~
758 ~~provision of accurate and cost-effective information concerning~~
759 ~~the institutions.~~

760 ~~(d) Establish criteria for making recommendations for~~
761 ~~modifying district boundary lines for Florida College System~~
762 ~~institutions, including criteria for service delivery areas of~~
763 ~~Florida College System institutions authorized to grant~~
764 ~~baccalaureate degrees.~~

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

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

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

774 ~~(5) The State Board of Education is responsible for~~
775 ~~reviewing and administering the state program of support for the~~
776 ~~Florida College System institutions and, subject to existing~~
777 ~~law, shall establish the tuition and out-of-state fees for~~
778 ~~developmental education and for credit instruction that may be~~
779 ~~counted toward an associate in arts degree, an associate in~~
780 ~~applied science degree, or an associate in science degree.~~

781 ~~(6) The State Board of Education shall prescribe minimum~~
782 ~~standards, definitions, and guidelines for Florida College~~
783 ~~System institutions that will ensure the quality of education,~~
784 ~~coordination among the Florida College System institutions and~~
785 ~~state universities, and efficient progress toward accomplishing~~

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786 ~~the Florida College System institution mission. At a minimum,~~
787 ~~these rules must address:~~

788 ~~(a) Personnel.~~

789 ~~(b) Contracting.~~

790 ~~(c) Program offerings and classification, including~~
791 ~~college-level communication and computation skills associated~~
792 ~~with successful performance in college and with tests and other~~
793 ~~assessment procedures that measure student achievement of those~~
794 ~~skills. The performance measures must provide that students~~
795 ~~moving from one level of education to the next acquire the~~
796 ~~necessary competencies for that level.~~

797 ~~(d) Provisions for curriculum development, graduation~~
798 ~~requirements, college calendars, and program service areas.~~
799 ~~These provisions must include rules that:~~

800 ~~1. Provide for the award of an associate in arts degree to~~
801 ~~a student who successfully completes 60 semester credit hours at~~
802 ~~the Florida College System institution.~~

803 ~~2. Require all of the credits accepted for the associate in~~
804 ~~arts degree to be in the statewide course numbering system as~~
805 ~~credits toward a baccalaureate degree offered by a state~~
806 ~~university or a Florida College System institution.~~

807 ~~3. Require no more than 36 semester credit hours in general~~
808 ~~education courses in the subject areas of communication,~~
809 ~~mathematics, social sciences, humanities, and natural sciences.~~

810
811 ~~The rules should encourage Florida College System institutions~~
812 ~~to enter into agreements with state universities that allow~~
813 ~~Florida College System institution students to complete upper-~~
814 ~~division-level courses at a Florida College System institution.~~

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815 ~~An agreement may provide for concurrent enrollment at the~~
816 ~~Florida College System institution and the state university and~~
817 ~~may authorize the Florida College System institution to offer an~~
818 ~~upper division level course or distance learning.~~

819 ~~(e) Student admissions, conduct and discipline,~~
820 ~~nonclassroom activities, and fees.~~

821 ~~(f) Budgeting.~~

822 ~~(g) Business and financial matters.~~

823 ~~(h) Student services.~~

824 ~~(i) Reports, surveys, and information systems, including~~
825 ~~forms and dates of submission.~~

826 Section 8. Subsections (7) through (17) of section 1001.03,
827 Florida Statutes, are amended to read:

828 1001.03 Specific powers of State Board of Education.—

829 (7) ARTICULATION ACCOUNTABILITY.—The State Board of
830 Education shall develop articulation accountability measures
831 that assess the status of systemwide articulation processes, in
832 conjunction with the Board of Governors regarding the State
833 University System and the State Board of Community Colleges
834 regarding the Florida Community College System, and shall
835 establish an articulation accountability process in accordance
836 with the provisions of chapter 1008, in conjunction with the
837 Board of Governors regarding the State University System and the
838 State Board of Community Colleges regarding the Florida
839 Community College System.

840 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
841 shall enforce compliance with law and state board rule by all
842 school districts and public postsecondary educational
843 institutions, except for institutions within the State

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844 University System and the Florida Community College System, in
845 accordance with the provisions of s. 1008.32.

846 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
847 Education, in conjunction with the Board of Governors regarding
848 the State University System and the State Board of Community
849 Colleges regarding the Florida Community College System, shall
850 continue to collect and maintain, at a minimum, the management
851 information databases for state universities, community
852 colleges, and all other components of the public K-20 education
853 system as such databases existed on June 30, 2002.

854 ~~(10) COMMON PLACEMENT TESTING FOR PUBLIC POSTSECONDARY~~
855 ~~EDUCATION. The State Board of Education, in conjunction with the~~
856 ~~Board of Governors, shall develop and implement a common~~
857 ~~placement test to assess the basic computation and communication~~
858 ~~skills of students who intend to enter a degree program at any~~
859 ~~Florida College System institution or state university.~~

860 (10) ~~(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY
861 EDUCATION.—The State Board of Education shall adopt minimum
862 standards relating to nonpublic postsecondary education and
863 institutions, in accordance with the provisions of chapter 1005.

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

867 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS. The~~
868 ~~State Board of Education shall provide for the cyclic review of~~
869 ~~all academic programs in Florida College System institutions at~~
870 ~~least every 7 years. Program reviews shall document how~~
871 ~~individual academic programs are achieving stated student~~
872 ~~learning and program objectives within the context of the~~

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873 ~~institution's mission. The results of the program reviews shall~~
874 ~~inform strategic planning, program development, and budgeting~~
875 ~~decisions at the institutional level.~~

876 (11) ~~(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
877 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of
878 Education shall maintain a uniform classification system for
879 school district administrative and management personnel that
880 will facilitate the uniform coding of administrative and
881 management personnel to total district employees.

882 ~~(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE~~
883 ~~DEGREE PROGRAMS. The State Board of Education shall provide for~~
884 ~~the review and approval of proposals by Florida College System~~
885 ~~institutions to offer baccalaureate degree programs pursuant to~~
886 ~~s. 1007.33. A Florida College System institution, as defined in~~
887 ~~s. 1000.21, that is approved to offer baccalaureate degrees~~
888 ~~pursuant to s. 1007.33 remains under the authority of the State~~
889 ~~Board of Education and the Florida College System institution's~~
890 ~~board of trustees. The State Board of Education may not approve~~
891 ~~Florida College System institution baccalaureate degree program~~
892 ~~proposals from March 31, 2014, through May 31, 2015.~~

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

898 ~~(a) Performance metrics and standards common for all~~
899 ~~institutions and metrics and standards unique to institutions~~
900 ~~depending on institutional core missions, including, but not~~
901 ~~limited to, remediation success, retention, graduation,~~

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902 ~~employment, transfer rates, licensure passage, excess hours,~~
903 ~~student loan burden and default rates, job placement, faculty~~
904 ~~awards, and highly respected rankings for institution and~~
905 ~~program achievements.~~

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

909 (12)~~(17)~~ UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,
910 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of
911 Education, in consultation with the Board of Governors, the
912 State Board of Community Colleges, and the Department of
913 Economic Opportunity, shall adopt a unified state plan to
914 improve K-20 STEM education and prepare students for high-skill,
915 high-wage, and high-demand employment in STEM and STEM-related
916 fields.

917 Section 9. Subsection (1), paragraphs (g) and (j) of
918 subsection (6), and subsection (7) of section 1001.10, Florida
919 Statutes, are amended to read:

920 1001.10 Commissioner of Education; general powers and
921 duties.—

922 (1) The Commissioner of Education is the chief educational
923 officer of the state and the sole custodian of the K-20 data
924 warehouse, and is responsible for giving full assistance to the
925 State Board of Education in enforcing compliance with the
926 mission and goals of the K-20 education system except for the
927 State University System and the Florida Community College
928 System.

929 (6) Additionally, the commissioner has the following
930 general powers and duties:

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931 (g) To submit to the State Board of Education, on or before
932 October 1 of each year, recommendations for a coordinated K-20
933 education budget that estimates the expenditures for the Board
934 of Governors, the State Board of Community Colleges, the State
935 Board of Education, including the Department of Education and
936 the Commissioner of Education, and all of the boards,
937 institutions, agencies, and services under the general
938 supervision of the Board of Governors, the State Board of
939 Community Colleges, or the State Board of Education for the
940 ensuing fiscal year. Any program recommended to the State Board
941 of Education that will require increases in state funding for
942 more than 1 year must be presented in a multiyear budget plan.

943 (j) To implement a program of school improvement and
944 education accountability designed to provide all students the
945 opportunity to make adequate learning gains in each year of
946 school as provided by statute and State Board of Education rule
947 based upon the achievement of the state education goals,
948 recognizing the following:

949 1. The district school board is responsible for school and
950 student performance.

951 2. The individual school is the unit for education
952 accountability.

953 ~~3. The Florida College System institution board of trustees~~
954 ~~is responsible for Florida College System institution~~
955 ~~performance and student performance.~~

956 ~~(7) The commissioner, or the commissioner's designee, may~~
957 ~~conduct a review or investigation of practices, procedures, or~~
958 ~~actions at any Florida College System institution which appear~~
959 ~~to be inconsistent with sound financial, management, or academic~~

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960 ~~practice.~~

961 Section 10. Paragraphs (c) through (f) of subsection (1)
962 and subsection (3) of section 1001.11, Florida Statutes, are
963 amended to read:

964 1001.11 Commissioner of Education; other duties.—

965 (1) The Commissioner of Education must independently
966 perform the following duties:

967 (c) In cooperation with the Board of Governors and the
968 State Board of Community Colleges, develop and implement a
969 process for receiving and processing requests, in conjunction
970 with the Legislature, for the allocation of PECO funds for
971 qualified postsecondary education projects.

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

974 (d)(e) Monitor the activities of the State Board of
975 Education and provide information related to current and pending
976 policies to the members of the boards of trustees of the Florida
977 Community College System institutions and state universities.

978 (e)(f) Ensure the timely provision of information requested
979 by the Legislature from the State Board of Education, the
980 commissioner's office, and the Department of Education.

981 (3) Notwithstanding any other provision of law to the
982 contrary, the Commissioner of Education, in conjunction with the
983 Legislature, and the Board of Governors regarding the State
984 University System, and the State Board of Community Colleges
985 regarding the Florida Community College System, must recommend
986 funding priorities for the distribution of capital outlay funds
987 for public postsecondary educational institutions, based on
988 priorities that include, but are not limited to, the following

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989 criteria:

990 (a) Growth at the institutions.

991 (b) Need for specific skills statewide.

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

993 Section 11. Paragraph (e) of subsection (4) of section

994 1001.20, Florida Statutes, is amended to read:

995 1001.20 Department under direction of state board.—

996 (4) The Department of Education shall establish the
997 following offices within the Office of the Commissioner of
998 Education which shall coordinate their activities with all other
999 divisions and offices:

1000 (e) *Office of Inspector General.*—Organized using existing
1001 resources and funds and responsible for promoting
1002 accountability, efficiency, and effectiveness and detecting
1003 fraud and abuse within school districts and, the Florida School
1004 for the Deaf and the Blind, ~~and Florida College System~~
1005 ~~institutions in Florida~~. If the Commissioner of Education
1006 determines that a district school board or, the Board of
1007 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~
1008 ~~Florida College System institution board of trustees~~ is
1009 unwilling or unable to address substantiated allegations made by
1010 any person relating to waste, fraud, or financial mismanagement
1011 within the school district or, the Florida School for the Deaf
1012 and the Blind, ~~or the Florida College System institution~~, the
1013 office shall conduct, coordinate, or request investigations into
1014 such substantiated allegations. The office shall have access to
1015 all information and personnel necessary to perform its duties
1016 and shall have all of its current powers, duties, and
1017 responsibilities authorized in s. 20.055.

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1018 Section 12. Section 1001.28, Florida Statutes, is amended
1019 to read:

1020 1001.28 Distance learning duties.—The duties of the
1021 Department of Education concerning distance learning include,
1022 but are not limited to, the duty to:

1023 (1) Facilitate the implementation of a statewide
1024 coordinated system and resource system for cost-efficient
1025 advanced telecommunications services and distance education
1026 which will increase overall student access to education.

1027 (2) Coordinate the use of existing resources, including,
1028 but not limited to, the state's satellite transponders, the
1029 Florida Information Resource Network (FIRN), and distance
1030 learning initiatives.

1031 (3) Assist in the coordination of the utilization of the
1032 production and uplink capabilities available through Florida's
1033 public television stations, eligible facilities, independent
1034 colleges and universities, private firms, and others as needed.

1035 (4) Seek the assistance and cooperation of Florida's cable
1036 television providers in the implementation of the statewide
1037 advanced telecommunications services and distance learning
1038 network.

1039 (5) Seek the assistance and cooperation of Florida's
1040 telecommunications carriers to provide affordable student access
1041 to advanced telecommunications services and to distance
1042 learning.

1043 (6) Coordinate partnerships for development, acquisition,
1044 use, and distribution of distance learning.

1045 (7) Secure and administer funding for programs and
1046 activities for distance learning from federal, state, local, and

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1047 private sources and from fees derived from services and
1048 materials.

1049 (8) Hire appropriate staff which may include a position
1050 that shall be exempt from part II of chapter 110 and is included
1051 in the Senior Management Service in accordance with s. 110.205.

1052
1053 Nothing in this section shall be construed to abrogate,
1054 supersede, alter, or amend the powers and duties of any state
1055 agency, district school board, Florida Community College System
1056 institution board of trustees, university board of trustees, the
1057 Board of Governors, the State Board of Community Colleges, or
1058 the State Board of Education.

1059 Section 13. Effective July 1, 2017, subsection (26) of
1060 section 1001.42, Florida Statutes, is amended to read:

1061 1001.42 Powers and duties of district school board.—The
1062 district school board, acting as a board, shall exercise all
1063 powers and perform all duties listed below:

1064 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a
1065 governing board for a school district technical center or a
1066 system of technical centers for the purpose of aligning the
1067 educational programs of the technical center with the needs of
1068 local businesses and responding quickly to the needs of local
1069 businesses for employees holding industry certifications. A
1070 technical center governing board shall be comprised of seven
1071 members, three of whom must be members of the district school
1072 board or their designees and four of whom must be local business
1073 leaders. The district school board shall delegate to the
1074 technical center governing board decisions regarding entrance
1075 requirements for students, curriculum, program development,

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1076 budget and funding allocations, and the development with local
1077 businesses of partnership agreements and appropriate industry
1078 certifications in order to meet local and regional economic
1079 needs. A technical center governing board may approve only
1080 courses and programs that contain industry certifications. A
1081 course may be continued if at least 25 percent of the students
1082 enrolled in the course attain an industry certification. If
1083 fewer than 25 percent of the students enrolled in a course
1084 attain an industry certification, the course must be
1085 discontinued the following year. However, notwithstanding the
1086 authority to approve courses and programs under this subsection,
1087 a technical center governing board may not approve a college
1088 credit course or a college credit certificate or an associate
1089 degree or baccalaureate degree program.

1090 Section 14. Effective July 1, 2017, section 1001.44,
1091 Florida Statutes, is amended to read:

1092 1001.44 Career centers; governance, mission, and
1093 responsibilities.—

1094 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
1095 CENTERS.—Any district school board, after first obtaining the
1096 approval of the Department of Education, may, as a part of the
1097 district school system, organize, establish and operate a career
1098 center, or acquire and operate a career center previously
1099 established.

1100 (a) The primary mission of a career center that is operated
1101 by a district school board is to promote advances and
1102 innovations in workforce preparation and economic development. A
1103 career center may provide a learning environment that serves the
1104 needs of a specific population group or group of occupations,

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1105 thus promoting diversity and choices within the public technical
1106 education community in this state.

1107 (b) A career center that is operated by a district school
1108 board may not offer a college credit course or a college credit
1109 certificate or an associate degree or baccalaureate degree
1110 program.

1111 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
1112 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards
1113 of any two or more contiguous districts may, upon first
1114 obtaining the approval of the department, enter into an
1115 agreement to organize, establish and operate, or acquire and
1116 operate, a career center under this section.

1117 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED
1118 BY A DIRECTOR.—

1119 (a) A career center established or acquired under
1120 provisions of law and minimum standards prescribed by the
1121 commissioner shall comprise a part of the district school system
1122 and shall mean an educational institution offering terminal
1123 courses of a technical nature which are not for college credit,
1124 and courses for out-of-school youth and adults; shall be subject
1125 to all applicable provisions of this code; shall be under the
1126 control of the district school board of the school district in
1127 which it is located; and shall be directed by a director
1128 responsible through the district school superintendent to the
1129 district school board of the school district in which the center
1130 is located.

1131 (b) Each career center shall maintain an academic
1132 transcript for each student enrolled in the center. Such
1133 transcript shall delineate each course completed by the student.

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1134 Courses shall be delineated by the course prefix and title
1135 assigned pursuant to s. 1007.24. The center shall make a copy of
1136 a student's transcript available to any student who requests it.

1137 Section 15. Section 1001.60, Florida Statutes, is amended
1138 to read:

1139 1001.60 Florida Community College System.—

1140 (1) PURPOSES.—In order to maximize open access for
1141 students, respond to community needs for postsecondary academic
1142 education and career degree education, and provide associate and
1143 baccalaureate degrees that will best meet the state's employment
1144 needs, the Legislature establishes a system of governance for
1145 the Florida Community College System.

1146 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a
1147 single Florida Community College System comprised of the Florida
1148 Community College System institutions identified in s.
1149 1000.21(3). A Florida Community College System institution may
1150 not offer graduate degree programs.

1151 (a) The programs and services offered by Florida Community
1152 College System institutions in providing associate and
1153 baccalaureate degrees shall be delivered in a cost-effective
1154 manner that demonstrates substantial savings to the student and
1155 to the state over the cost of providing the degree at a state
1156 university.

1157 (b)1. With the approval of its district board of trustees,
1158 a Florida Community College System institution may change the
1159 institution's name set forth in s. 1000.21(3) and use the
1160 designation "college" or "state college" if it has been
1161 authorized to grant baccalaureate degrees pursuant to s. 1007.33
1162 and has been accredited as a baccalaureate-degree-granting

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1163 institution by the Commission on Colleges of the Southern
1164 Association of Colleges and Schools.

1165 2. With the approval of its district board of trustees, a
1166 Florida Community College System institution that does not meet
1167 the criteria in subparagraph 1. may request approval from the
1168 State Board of Education to change the institution's name set
1169 forth in s. 1000.21(3) and use the designation "college." The
1170 State Board of Community Colleges ~~Education~~ may approve the
1171 request if the Florida Community College System institution
1172 enters into an agreement with the State Board of Community
1173 Colleges ~~Education~~ to do the following:

1174 a. Maintain as its primary mission responsibility for
1175 responding to community needs for postsecondary academic
1176 education and career degree education as prescribed in s.
1177 1004.65(5).

1178 b. Maintain an open-door admissions policy for associate-
1179 level degree programs and workforce education programs.

1180 c. Continue to provide outreach to underserved populations.

1181 d. Continue to provide remedial education.

1182 e. Comply with all provisions of the statewide articulation
1183 agreement that relate to 2-year and 4-year public degree-
1184 granting institutions as adopted by the State Board of Community
1185 Colleges ~~Education~~ pursuant to s. 1007.23.

1186 (c) A district board of trustees that approves a change to
1187 the name of an institution under paragraph (b) must seek
1188 statutory codification of such name change in s. 1000.21(3)
1189 during the next regular legislative session.

1190 (d) A Florida Community College System institution may not
1191 use the designation "university."

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1192 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the
1193 Florida Community College System shall be governed by a local
1194 board of trustees as provided in s. 1001.64. The membership of
1195 each local board of trustees shall be as provided in s. 1001.61.

1196 Section 16. Effective July 1, 2017, section 1001.601,
1197 Florida Statutes, is created to read:

1198 1001.601 State Board of Community Colleges of the Florida
1199 Community College System.—

1200 (1) The State Board of Community Colleges is established as
1201 a body corporate consisting of 13 members as follows: 12 citizen
1202 members appointed by the Governor, one of whom must be a student
1203 currently enrolled in a Florida Community College System
1204 institution, and the Commissioner of Education. Appointed
1205 members shall serve staggered 4-year terms. In order to achieve
1206 staggered terms, beginning September 1, 2017, 4 members shall
1207 serve a 2-year term, 4 members shall serve a 3-year term, and 4
1208 members shall serve a 4-year term. Members may be reappointed to
1209 one additional 4-year term.

1210 (2) Members of the State Board of Community Colleges may
1211 not receive compensation but may be reimbursed for travel and
1212 per diem expenses as provided in s. 112.061.

1213 Section 17. Section 1001.602, Florida Statutes, is created
1214 to read:

1215 1001.602 Powers and duties of the State Board of Community
1216 Colleges.—

1217 (1) RESPONSIBILITIES.—The State Board of Community Colleges
1218 is responsible for the efficient and effective operation and
1219 maintenance of the Florida Community College System, as defined
1220 in s. 1001.60. The State Board of Community Colleges may adopt

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1221 rules pursuant to ss. 120.536(1) and 120.54 to implement
1222 provisions of law for the Florida Community College System. For
1223 the purposes of this section, the State Board of Community
1224 Colleges is referred to as the "state board."

1225 (2) DUTIES.—The state board has the following duties:

1226 (a) Ensure Florida Community College System institutions
1227 operate consistent with the mission of the system, pursuant to
1228 s. 1004.65.

1229 (b) Oversee the Florida Community College System and
1230 coordinate with the Board of Governors and the State Board of
1231 Education to avoid wasteful duplication of facilities or
1232 programs.

1233 (c) Provide for each Florida Community College System
1234 institution to offer educational training and service programs
1235 designed to meet the needs of both students and the communities
1236 served.

1237 (d) Hold meetings, transact business, keep records, and,
1238 except as otherwise provided by law, perform such other duties
1239 as may be necessary for the enforcement of laws and rules
1240 relating to the Florida Community College System.

1241 (e) Provide for the coordination of educational plans and
1242 programs to resolve controversies, minimize problems of
1243 articulation and student transfers, ensure that students moving
1244 from one level of education to the next have acquired
1245 competencies necessary for satisfactory performance at that
1246 level, and ensure maximum utilization of facilities.

1247 (f) Establish and review, in consultation with the State
1248 Board of Education and the Board of Governors, minimum and
1249 uniform standards of college-level communication and computation

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1250 skills generally associated with successful performance and
1251 progression through the baccalaureate level, to identify
1252 college-preparatory high school coursework and postsecondary-
1253 level coursework that prepares students with the academic skills
1254 necessary to succeed in postsecondary education.

1255 (g) Approve plans for cooperating with the Federal
1256 Government.

1257 (h) Approve plans for cooperating with other public
1258 agencies in the development of rules and in the enforcement of
1259 laws for which the state board and the agencies are jointly
1260 responsible.

1261 (i) Create subordinate advisory bodies if required by law
1262 or as necessary for the improvement of the Florida Community
1263 College System.

1264 (j) Coordinate with the State Board of Education to collect
1265 and maintain data for the Florida Community College System.

1266 (k) Establish, in conjunction with the State Board of
1267 Education and the Board of Governors, an effective information
1268 system that will provide composite data concerning the Florida
1269 Community College System institutions and state universities and
1270 that will ensure that special analyses and studies concerning
1271 the institutions are conducted, as necessary, for provision of
1272 accurate and cost-effective information concerning the
1273 institutions.

1274 (l) Establish accountability standards for existing
1275 legislative performance goals, standards, and measures, and
1276 order the development of mechanisms to implement new legislative
1277 goals, standards, and measures.

1278 (m) Require each Florida Community College System

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1279 institution, before registration, to provide each enrolled
1280 student electronic access to the economic security report of
1281 employment and earning outcomes prepared by the Department of
1282 Economic Opportunity pursuant to s. 445.07.

1283 (n) Specify, by rule, procedures to be used by Florida
1284 Community College System institution boards of trustees in the
1285 annual evaluation of presidents, and review the evaluations of
1286 presidents by the boards of trustees, including the extent to
1287 which presidents serve both institutional and system goals.

1288 (o) Establish, subject to existing law, the tuition and
1289 out-of-state fees for developmental education and for credit
1290 instruction that may be counted toward an associate in arts
1291 degree, an associate in applied science degree, or an associate
1292 in science degree.

1293 (p) Develop, in conjunction with the Board of Governors and
1294 the State Board of Education, and implement a common placement
1295 test to assess the basic computation and communication skills of
1296 students who intend to enter a degree program at a Florida
1297 Community College System institution or state university.

1298 (q) May direct the Chancellor of the Florida Community
1299 College System to conduct investigations of practices,
1300 procedures, or actions at a Florida Community College System
1301 institution which appear to be inconsistent with sound
1302 financial, management, or academic practice.

1303 (r) Examine the annual administrative review of each
1304 Florida Community College System institution.

1305 (s) Through the Chancellor of the Florida Community College
1306 System, integrally work with the boards of trustees of the
1307 Florida Community College System institutions.

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1308 (t) Establish criteria for making recommendations
1309 concerning all proposals to establish additional centers or
1310 campuses for a Florida Community College System institution.

1311 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
1312 the requirements under subsection (4) and the performance
1313 metrics and standards adopted under ss. 1001.66 and 1001.67, the
1314 state board shall identify performance metrics for the Florida
1315 Community College System and develop a plan that specifies goals
1316 and objectives for each Florida Community College System
1317 institution. The plan must include:

1318 (a) Performance metrics and standards common for all
1319 institutions and metrics and standards unique to institutions
1320 depending on institutional core missions, including, but not
1321 limited to, remediation success, retention, graduation,
1322 employment, transfer rates, licensure passage, excess hours,
1323 student loan burden and default rates, job placement, faculty
1324 awards, and highly respected rankings for institution and
1325 program achievements.

1326 (b) Student enrollment and performance data delineated by
1327 method of instruction, including, but not limited to,
1328 traditional, online, and distance learning instruction.

1329 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1330 (a) The state board shall adopt a strategic plan that
1331 specifies goals and objectives for the Florida Community College
1332 System. The plan must be formulated in conjunction with plans of
1333 the State Board of Education and the Board of Governors in order
1334 to coordinate the roles of the school districts and universities
1335 to best meet state needs and reflect cost-effective use of state
1336 resources. The strategic plan must clarify the mission

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1337 statements of the Florida Community College System and each
1338 Florida Community College System institution and identify degree
1339 programs, including baccalaureate degree programs, to be offered
1340 at each Florida Community College System institution in
1341 accordance with the objectives provided in this subsection and
1342 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The
1343 strategic plan must cover a period of 5 years, with modification
1344 of the program lists after 2 years. Development of each 5-year
1345 plan must be coordinated with and initiated after completion of
1346 the master plan. The strategic plan must consider reports and
1347 recommendations of the Higher Education Coordinating Council
1348 pursuant to s. 1004.015 and the Articulation Coordinating
1349 Committee pursuant to s. 1007.01. Upon modification of the plan,
1350 the state board shall submit a report to the President of the
1351 Senate and the Speaker of the House of Representatives as part
1352 of its legislative budget request.

1353 (b) The state board, the State Board of Education, and the
1354 Board of Governors shall jointly develop long-range plans and
1355 annual reports for financial aid in this state. The long-range
1356 plans must establish goals and objectives for a comprehensive
1357 program of financial aid for students and shall be updated every
1358 5 years. The annual report must include programs administered by
1359 the department as well as awards made from financial aid fee
1360 revenues, other funds appropriated by the Legislature for
1361 financial assistance, and the value of tuition and fees waived
1362 for students enrolled in a dual enrollment course at a public
1363 postsecondary educational institution. The annual report must
1364 include an assessment of the progress made in achieving goals
1365 and objectives established in the long-range plans and must

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1366 include recommendations for repealing or modifying existing
1367 financial aid programs or establishing new programs. The state
1368 board, the State Board of Education, and the Board of Governors
1369 shall submit their long-range plans by July 1, 2018, and every 5
1370 years thereafter and shall submit their annual reports on July
1371 1, 2018, and in each successive year that a long-range plan is
1372 not submitted, to the President of the Senate and the Speaker of
1373 the House of Representatives.

1374 (c) The state board shall also:

1375 1. Adopt comprehensive long-range plans and short-range
1376 programs for the development of the Florida Community College
1377 System.

1378 2. Assist in the economic development of the state by
1379 developing a state-level planning process to identify future
1380 training needs for industry, especially high-technology
1381 industry.

1382 3. Adopt criteria and implementation plans for future
1383 growth issues, such as new Florida Community College System
1384 institutions and Florida Community College System institution
1385 campus mergers, and provide for cooperative agreements between
1386 and within public and private education sectors.

1387 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
1388 prescribe minimum standards, definitions, and guidelines for
1389 Florida Community College System institutions which will ensure
1390 the quality of education, coordination among the Florida
1391 Community College System institutions and state universities,
1392 and efficient progress toward accomplishing the Florida
1393 Community College System institution's mission. At a minimum,
1394 these rules must address all of the following:

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- 1395 (a) Personnel.
- 1396 (b) Contracting.
- 1397 (c) Program offerings and classification, including
1398 college-level communication and computation skills associated
1399 with successful performance in college and with tests and other
1400 assessment procedures that measure student achievement of those
1401 skills. The performance measures must provide that students
1402 moving from one level of education to the next acquire the
1403 necessary competencies for that level.
- 1404 (d) Provisions for curriculum development, graduation
1405 requirements, college calendars, and program service areas.
1406 These provisions must include rules that:
- 1407 1. Provide for the award of an associate in arts degree to
1408 a student who successfully completes 60 semester credit hours at
1409 the Florida Community College System institution.
- 1410 2. Require all of the credits accepted for the associate in
1411 arts degree to be in the statewide course numbering system as
1412 credits toward a baccalaureate degree offered by a state
1413 university or a Florida Community College System institution.
- 1414 3. Require no more than 36 semester credit hours in general
1415 education courses in the subject areas of communication,
1416 mathematics, social sciences, humanities, and natural sciences.
- 1417
- 1418 The rules under this paragraph should encourage Florida
1419 Community College System institutions to enter into agreements
1420 with state universities which allow a Florida Community College
1421 System institution student to complete upper-division-level
1422 courses at a Florida Community College System institution. An
1423 agreement may provide for concurrent enrollment at the Florida

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1424 Community College System institution and the state university
1425 and may authorize the Florida Community College System
1426 institution to offer an upper-division-level course or distance
1427 learning.

1428 (e) Student admissions, conduct and discipline;
1429 nonclassroom activities; and fees.

1430 (f) Budgeting.

1431 (g) Business and financial matters.

1432 (h) Student services.

1433 (i) Reports, surveys, and information systems, including
1434 forms and dates of submission.

1435 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
1436 shall provide for the cyclic review of all academic programs in
1437 Florida Community College System institutions at least every 7
1438 years. Program reviews must document how individual academic
1439 programs are achieving stated student learning and program
1440 objectives within the context of the institution's mission. The
1441 results of the program reviews must inform strategic planning,
1442 program development, and budgeting decisions at the
1443 institutional level.

1444 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION
1445 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for
1446 the review and approval of proposals by Florida Community
1447 College System institutions to offer baccalaureate degree
1448 programs pursuant to s. 1007.33. A Florida Community College
1449 System institution, as defined in s. 1000.21, which is approved
1450 to offer baccalaureate degrees pursuant to s. 1007.33 remains
1451 under the authority of the state board and the Florida Community
1452 College System institution's board of trustees.

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1453 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall
1454 establish criteria for making recommendations for modifying
1455 district boundary lines for a Florida Community College System
1456 institution, including criteria for service delivery areas of a
1457 Florida Community College System institution authorized to grant
1458 baccalaureate degrees.

1459 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee
1460 the performance of Florida Community College System institution
1461 boards of trustees in enforcement of all laws and rules. Florida
1462 Community College System institution boards of trustees are
1463 primarily responsible for compliance with law and state board
1464 rule.

1465 (a) In order to ensure compliance with law or state board
1466 rule, the state board has the authority to request and receive
1467 information, data, and reports from Florida Community College
1468 System institutions. The Florida Community College System
1469 institution president is responsible for the accuracy of the
1470 information and data reported to the state board.

1471 (b) The Chancellor of the Florida Community College System
1472 may investigate allegations of noncompliance with law or state
1473 board rule and determine probable cause. The Chancellor shall
1474 report determinations of probable cause to the State Board of
1475 Community Colleges who shall require the Florida Community
1476 College System institution board of trustees to document
1477 compliance with law or state board rule.

1478 (c) If the Florida Community College System institution
1479 board of trustees cannot satisfactorily document compliance, the
1480 state board may order compliance within a specified timeframe.

1481 (d) If the state board determines that a Florida Community

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1482 College System institution board of trustees is unwilling or
1483 unable to comply with law or state board rule within the
1484 specified time, the state board has the authority to initiate
1485 any of the following actions:

1486 1. Report to the Legislature that the Florida Community
1487 College System institution is unwilling or unable to comply with
1488 law or state board rule and recommend that the Legislature take
1489 action against the institution;

1490 2. Withhold the transfer of state funds, discretionary
1491 grant funds, discretionary lottery funds, or any other funds
1492 specified as eligible for this purpose by the Legislature until
1493 the Florida Community College System institution complies with
1494 the law or state board rule;

1495 3. Declare the Florida Community College System institution
1496 ineligible for competitive grants; or

1497 4. Require monthly or periodic reporting on the situation
1498 related to noncompliance until it is remedied.

1499 (e) This section may not be construed to create a private
1500 cause of action or create any rights for individuals or entities
1501 in addition to those provided elsewhere in law or rule.

1502 (10) INSPECTOR GENERAL.—The inspector general is
1503 responsible for promoting accountability, efficiency, and
1504 effectiveness and detecting fraud and abuse within Florida
1505 Community College System institutions. If the Chancellor of the
1506 Florida Community College System determines that a Florida
1507 Community College System institution board of trustees is
1508 unwilling or unable to address substantiated allegations made by
1509 any person relating to waste, fraud, or financial mismanagement
1510 within the Florida Community College System institution, the

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1511 inspector general shall conduct, coordinate, or request
1512 investigations into such substantiated allegations. The
1513 inspector general shall have access to all information and
1514 personnel necessary to perform its duties and shall have all of
1515 his or her current powers, duties, and responsibilities
1516 authorized in s. 20.055.

1517 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
1518 state board shall coordinate with the State Board of Education:

1519 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
1520 education budget.

1521 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
1522 the Legislature a 3-year list of priorities for fixed-capital-
1523 outlay projects.

1524 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in
1525 collaboration with the State Board of Education, by rule,
1526 definitions for associate in science degrees and for
1527 certificates offered by Florida Community College System
1528 institutions.

1529 Section 18. Section 1001.61, Florida Statutes, is amended
1530 to read:

1531 1001.61 Florida Community College System institution boards
1532 of trustees; membership.—

1533 (1) Florida Community College System institution boards of
1534 trustees shall be comprised of five members when a Florida
1535 Community College System institution district is confined to one
1536 school board district; seven members when a Florida Community
1537 College System institution district is confined to one school
1538 board district and the board of trustees so elects; and not more
1539 than nine members when the district contains two or more school

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1540 board districts, as provided by rules of the State Board of
1541 Community Colleges ~~Education~~. However, Florida State College at
1542 Jacksonville shall have an odd number of trustees, and St. Johns
1543 River State College shall have seven trustees from the three-
1544 county area that the college serves.

1545 (2) Trustees shall be appointed by the Governor to
1546 staggered 4-year terms, subject to confirmation by the Senate in
1547 regular session.

1548 (3) Members of the board of trustees shall receive no
1549 compensation but may receive reimbursement for expenses as
1550 provided in s. 112.061.

1551 (4) At its first regular meeting after July 1 of each year,
1552 each Florida Community College System institution board of
1553 trustees shall organize by electing a chair, whose duty as such
1554 is to preside at all meetings of the board, to call special
1555 meetings thereof, and to attest to actions of the board, and a
1556 vice chair, whose duty as such is to act as chair during the
1557 absence or disability of the elected chair. It is the further
1558 duty of the chair of each board of trustees to notify the
1559 Governor, in writing, whenever a board member fails to attend
1560 three consecutive regular board meetings in any one fiscal year,
1561 which absences may be grounds for removal.

1562 (5) A Florida Community College System institution
1563 president shall serve as the executive officer and corporate
1564 secretary of the board of trustees and shall be responsible to
1565 the board of trustees for setting the agenda for meetings of the
1566 board of trustees in consultation with the chair. The president
1567 also serves as the chief administrative officer of the Florida
1568 Community College System institution, and all the components of

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1569 the institution and all aspects of its operation are responsible
1570 to the board of trustees through the president.

1571 Section 19. Section 1001.64, Florida Statutes, is amended
1572 to read:

1573 1001.64 Florida Community College System institution
1574 boards of trustees; powers and duties.—

1575 (1) The boards of trustees shall be responsible for cost-
1576 effective policy decisions appropriate to the Florida Community
1577 College System institution's mission, the implementation and
1578 maintenance of high-quality education programs within law and
1579 rules of the State Board of Community Colleges Education, the
1580 measurement of performance, the reporting of information, and
1581 the provision of input regarding state policy, budgeting, and
1582 education standards.

1583 (2) Each board of trustees is vested with the
1584 responsibility to govern its respective Florida Community
1585 College System institution and with such necessary authority as
1586 is needed for the proper operation and improvement thereof in
1587 accordance with rules of the State Board of Community Colleges
1588 Education.

1589 (3) A board of trustees shall have the power to take action
1590 without a recommendation from the president and shall have the
1591 power to require the president to deliver to the board of
1592 trustees all data and information required by the board of
1593 trustees in the performance of its duties. A board of trustees
1594 shall ask the Chancellor of the Florida Community College System
1595 ~~Commissioner of Education~~ to authorize an investigation of the
1596 president's actions by the State Board of Community College's
1597 ~~department's~~ inspector general if the board considers such

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1598 investigation necessary. The inspector general shall provide a
1599 report detailing each issue under investigation and shall
1600 recommend corrective action. If the inspector general identifies
1601 potential legal violations, he or she shall refer the potential
1602 legal violations to the Commission on Ethics, the Department of
1603 Law Enforcement, the Attorney General, or another appropriate
1604 authority.

1605 (4) (a) The board of trustees, after considering
1606 recommendations submitted by the Florida Community College
1607 System institution president, may adopt rules pursuant to ss.
1608 120.536(1) and 120.54 to implement the provisions of law
1609 conferring duties upon it. These rules may supplement those
1610 prescribed by the State Board of Community Colleges ~~Education~~ if
1611 they will contribute to the more orderly and efficient operation
1612 of Florida Community College System institutions.

1613 (b) Each board of trustees is specifically authorized to
1614 adopt rules, procedures, and policies, consistent with law and
1615 rules of the State Board of Community Colleges ~~Education~~,
1616 related to its mission and responsibilities as set forth in s.
1617 1004.65, its governance, personnel, budget and finance,
1618 administration, programs, curriculum and instruction, buildings
1619 and grounds, travel and purchasing, technology, students,
1620 contracts and grants, or college property.

1621 (5) Each board of trustees shall have responsibility for
1622 the use, maintenance, protection, and control of Florida
1623 Community College System institution owned or Florida Community
1624 College System institution controlled buildings and grounds,
1625 property and equipment, name, trademarks and other proprietary
1626 marks, and the financial and other resources of the Florida

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1627 Community College System institution. Such authority may include
1628 placing restrictions on activities and on access to facilities,
1629 firearms, food, tobacco, alcoholic beverages, distribution of
1630 printed materials, commercial solicitation, animals, and sound.

1631 (6) Each board of trustees has responsibility for the
1632 establishment and discontinuance of program and course offerings
1633 in accordance with law and rule; provision for instructional and
1634 noninstructional community services, location of classes, and
1635 services provided; and dissemination of information concerning
1636 such programs and services. New programs must be approved
1637 pursuant to s. 1004.03.

1638 (7) Each board of trustees has responsibility for~~+~~ ensuring
1639 that students have access to general education courses as
1640 identified in rule; requiring no more than 60 semester hours of
1641 degree program coursework, including 36 semester hours of
1642 general education coursework, for an associate in arts degree;
1643 notifying students that earned hours in excess of 60 semester
1644 hours may not be accepted by state universities; notifying
1645 students of unique program prerequisites; and ensuring that
1646 degree program coursework beyond general education coursework is
1647 consistent with degree program prerequisite requirements adopted
1648 pursuant to s. 1007.25(5).

1649 (8) Each board of trustees has authority for policies
1650 related to students, enrollment of students, student records,
1651 student activities, financial assistance, and other student
1652 services.

1653 (a) Each board of trustees shall govern admission of
1654 students pursuant to s. 1007.263 and rules of the State Board of
1655 Community Colleges Education. A board of trustees may establish

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1656 additional admissions criteria, which shall be included in the
1657 dual enrollment articulation agreement developed according to s.
1658 1007.271(21), to ensure student readiness for postsecondary
1659 instruction. Each board of trustees may consider the past
1660 actions of any person applying for admission or enrollment and
1661 may deny admission or enrollment to an applicant because of
1662 misconduct if determined to be in the best interest of the
1663 Florida Community College System institution.

1664 (b) Each board of trustees shall adopt rules establishing
1665 student performance standards for the award of degrees and
1666 certificates pursuant to s. 1004.68.

1667 (c) Boards of trustees are authorized to establish
1668 intrainstitutional and interinstitutional programs to maximize
1669 articulation pursuant to s. 1007.22.

1670 (d) Boards of trustees shall identify their general
1671 education curricula pursuant to s. 1007.25(6).

1672 (e) Each board of trustees must adopt a written antihazing
1673 policy, provide a program for the enforcement of such rules, and
1674 adopt appropriate penalties for violations of such rules
1675 pursuant to the provisions of s. 1006.63.

1676 (f) Each board of trustees may establish a uniform code of
1677 conduct and appropriate penalties for violation of its rules by
1678 students and student organizations, including rules governing
1679 student academic honesty. Such penalties, unless otherwise
1680 provided by law, may include fines, the withholding of diplomas
1681 or transcripts pending compliance with rules or payment of
1682 fines, and the imposition of probation, suspension, or
1683 dismissal.

1684 (g) Each board of trustees pursuant to s. 1006.53 shall

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1685 adopt a policy in accordance with rules of the State Board of
1686 Community Colleges ~~Education~~ that reasonably accommodates the
1687 religious observance, practice, and belief of individual
1688 students in regard to admissions, class attendance, and the
1689 scheduling of examinations and work assignments.

1690 (9) A board of trustees may contract with the board of
1691 trustees of a state university for the Florida Community College
1692 System institution to provide developmental education on the
1693 state university campus.

1694 (10) Each board of trustees shall establish fees pursuant
1695 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1696 (11) Each board of trustees shall submit an institutional
1697 budget request, including a request for fixed capital outlay,
1698 and an operating budget to the State Board of Community Colleges
1699 ~~Education~~ for review in accordance with guidelines established
1700 by the State Board of Community Colleges ~~Education~~.

1701 (12) Each board of trustees shall account for expenditures
1702 of all state, local, federal, and other funds in the manner
1703 described by the State Board of Community Colleges ~~Department of~~
1704 ~~Education~~.

1705 (13) Each board of trustees is responsible for the uses for
1706 the proceeds of academic improvement trust funds pursuant to s.
1707 1011.85.

1708 (14) Each board of trustees shall develop a strategic plan
1709 specifying institutional goals and objectives for the Florida
1710 Community College System institution for recommendation to the
1711 State Board of Community Colleges ~~Education~~.

1712 (15) Each board of trustees shall develop an accountability
1713 plan pursuant to s. 1008.45.

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1714 (16) Each board of trustees must expend performance funds
1715 provided for workforce education pursuant to the provisions of
1716 s. 1011.80.

1717 (17) Each board of trustees is accountable for performance
1718 in certificate career education and diploma programs pursuant to
1719 s. 1008.43.

1720 (18) Each board of trustees shall establish the personnel
1721 program for all employees of the Florida Community College
1722 System institution, including the president, pursuant to the
1723 provisions of chapter 1012 and rules and guidelines of the State
1724 Board of Community Colleges ~~Education~~, including: compensation
1725 and other conditions of employment; recruitment and selection;
1726 nonreappointment; standards for performance and conduct;
1727 evaluation; benefits and hours of work; leave policies;
1728 recognition; inventions and work products; travel; learning
1729 opportunities; exchange programs; academic freedom and
1730 responsibility; promotion; assignment; demotion; transfer;
1731 ethical obligations and conflict of interest; restrictive
1732 covenants; disciplinary actions; complaints; appeals and
1733 grievance procedures; and separation and termination from
1734 employment.

1735 (19) Each board of trustees shall appoint, suspend, or
1736 remove the president of the Florida Community College System
1737 institution. The board of trustees may appoint a search
1738 committee. The board of trustees shall conduct annual
1739 evaluations of the president in accordance with rules of the
1740 State Board of Community Colleges ~~Education~~ and submit such
1741 evaluations to the State Board of Community Colleges ~~Education~~
1742 for review. The evaluation must address the achievement of the

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1743 performance goals established by the accountability process
1744 implemented pursuant to s. 1008.45 and the performance of the
1745 president in achieving the annual and long-term goals and
1746 objectives established in the Florida Community College System
1747 institution's employment accountability program implemented
1748 pursuant to s. 1012.86.

1749 (20) Each board of trustees is authorized to enter into
1750 contracts to provide a State Community College System Optional
1751 Retirement Program pursuant to s. 1012.875 and to enter into
1752 consortia with other boards of trustees for this purpose.

1753 (21) Each board of trustees is authorized to purchase
1754 annuities for its Florida Community College System institution
1755 personnel who have 25 or more years of creditable service and
1756 who have reached age 55 and have applied for retirement under
1757 the Florida Retirement System pursuant to the provisions of s.
1758 1012.87.

1759 (22) A board of trustees may defray all costs of defending
1760 civil actions against officers, employees, or agents of the
1761 board of trustees pursuant to s. 1012.85.

1762 (23) Each board of trustees has authority for risk
1763 management, safety, security, and law enforcement operations.
1764 Each board of trustees is authorized to employ personnel,
1765 including police officers pursuant to s. 1012.88, to carry out
1766 the duties imposed by this subsection.

1767 (24) Each board of trustees shall provide rules governing
1768 parking and the direction and flow of traffic within campus
1769 boundaries. Except for sworn law enforcement personnel, persons
1770 employed to enforce campus parking rules have no authority to
1771 arrest or issue citations for moving traffic violations. The

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1772 board of trustees may adopt a uniform code of appropriate
1773 penalties for violations. Such penalties, unless otherwise
1774 provided by law, may include the levying of fines, the
1775 withholding of diplomas or transcripts pending compliance with
1776 rules or payment of fines, and the imposition of probation,
1777 suspension, or dismissal. Moneys collected from parking rule
1778 infractions shall be deposited in appropriate funds at each
1779 Florida Community College System institution for student
1780 financial aid purposes.

1781 (25) Each board of trustees constitutes the contracting
1782 agent of the Florida Community College System institution. It
1783 may when acting as a body make contracts, sue, and be sued in
1784 the name of the board of trustees. In any suit, a change in
1785 personnel of the board of trustees shall not abate the suit,
1786 which shall proceed as if such change had not taken place.

1787 (26) Each board of trustees is authorized to contract for
1788 the purchase, sale, lease, license, or acquisition in any
1789 manner, including purchase by installment or lease-purchase
1790 contract which may provide for the payment of interest on the
1791 unpaid portion of the purchase price and for the granting of a
1792 security interest in the items purchased, subject to the
1793 provisions of subsection (38) and ss. 1009.22 and 1009.23, of
1794 goods, materials, equipment, and services required by the
1795 Florida Community College System institution. The board of
1796 trustees may choose to consolidate equipment contracts under
1797 master equipment financing agreements made pursuant to s.
1798 287.064.

1799 (27) Each board of trustees shall be responsible for
1800 managing and protecting real and personal property acquired or

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1801 held in trust for use by and for the benefit of such Florida
1802 Community College System institution. To that end, any board of
1803 trustees is authorized to be self-insured, to enter into risk
1804 management programs, or to purchase insurance for whatever
1805 coverage it may choose, or to have any combination thereof, in
1806 anticipation of any loss, damage, or destruction. A board of
1807 trustees may contract for self-insurance services pursuant to s.
1808 1004.725.

1809 (28) Each board of trustees is authorized to enter into
1810 agreements for, and accept, credit card, charge card, and debit
1811 card payments as compensation for goods, services, tuition, and
1812 fees. Each Florida Community College System institution is
1813 further authorized to establish accounts in credit card, charge
1814 card, and debit card banks for the deposit of sales invoices.

1815 (29) Each board of trustees may provide incubator
1816 facilities to eligible small business concerns pursuant to s.
1817 1004.79.

1818 (30) Each board of trustees may establish a technology
1819 transfer center for the purpose of providing institutional
1820 support to local business and industry and governmental agencies
1821 in the application of new research in technology pursuant to the
1822 provisions of s. 1004.78.

1823 (31) Each board of trustees may establish economic
1824 development centers for the purpose of serving as liaisons
1825 between Florida Community College System institutions and the
1826 business sector pursuant to the provisions of s. 1004.80.

1827 (32) Each board of trustees may establish a child
1828 development training center pursuant to s. 1004.81.

1829 (33) Each board of trustees is authorized to develop and

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1830 produce work products relating to educational endeavors that are
1831 subject to trademark, copyright, or patent statutes pursuant to
1832 chapter 1004.

1833 (34) Each board of trustees shall administer the facilities
1834 program pursuant to chapter 1013, including but not limited to:
1835 the construction of public educational and ancillary plants; the
1836 acquisition and disposal of property; compliance with building
1837 and life safety codes; submission of data and information
1838 relating to facilities and construction; use of buildings and
1839 grounds; establishment of safety and sanitation programs for the
1840 protection of building occupants; and site planning and
1841 selection.

1842 (35) Each board of trustees may exercise the right of
1843 eminent domain pursuant to the provisions of chapter 1013.

1844 (36) Each board of trustees may enter into lease-purchase
1845 arrangements with private individuals or corporations for
1846 necessary grounds and buildings for Florida Community College
1847 System institution purposes, other than dormitories, or for
1848 buildings other than dormitories to be erected for Florida
1849 Community College System institution purposes. Such arrangements
1850 shall be paid from capital outlay and debt service funds as
1851 provided by s. 1011.84(2), with terms not to exceed 30 years at
1852 a stipulated rate. The provisions of such contracts, including
1853 building plans, are subject to approval by the Department of
1854 Education, and no such contract may be entered into without such
1855 approval.

1856 (37) Each board of trustees may purchase, acquire, receive,
1857 hold, own, manage, lease, sell, dispose of, and convey title to
1858 real property, in the best interests of the Florida Community

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1859 College System institution.

1860 (38) Each board of trustees is authorized to enter into
1861 short-term loans and installment, lease-purchase, and other
1862 financing contracts for a term of not more than 5 years,
1863 including renewals, extensions, and refundings. Payments on
1864 short-term loans and installment, lease-purchase, and other
1865 financing contracts pursuant to this subsection shall be subject
1866 to annual appropriation by the board of trustees. Each board of
1867 trustees is authorized to borrow funds and incur long-term debt,
1868 including promissory notes, installment sales agreements, lease-
1869 purchase agreements, certificates of participation, and other
1870 similar long-term financing arrangements, only as specifically
1871 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At
1872 the option of the board of trustees, bonds issued pursuant to
1873 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured
1874 by a combination of revenues authorized to be pledged to bonds
1875 pursuant to such subsections. Revenue bonds may not be secured
1876 by or paid from, directly or indirectly, tuition, financial aid
1877 fees, the Florida Community College System Program Fund, or any
1878 other operating revenues of a Florida Community College System
1879 institution. Lease-purchase agreements may be secured by a
1880 combination of revenues as specifically authorized pursuant to
1881 ss. 1009.22(7) and 1009.23(10).

1882 (39) Each board of trustees shall prescribe conditions for
1883 direct-support organizations to be certified and to use Florida
1884 Community College System institution property and services.
1885 Conditions relating to certification must provide for audit
1886 review and oversight by the board of trustees.

1887 (40) Each board of trustees may adopt policies pursuant to

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1888 s. 1010.02 that provide procedures for transferring to the
1889 direct-support organization of that Florida Community College
1890 System institution for administration by such organization
1891 contributions made to the Florida Community College System
1892 institution.

1893 (41) The board of trustees shall exert every effort to
1894 collect all delinquent accounts pursuant to s. 1010.03.

1895 (42) Each board of trustees shall implement a plan, in
1896 accordance with guidelines of the State Board of Community
1897 Colleges Education, for working on a regular basis with the
1898 other Florida Community College System institution boards of
1899 trustees, representatives of the university boards of trustees,
1900 and representatives of the district school boards to achieve the
1901 goals of the seamless education system.

1902 (43) Each board of trustees has responsibility for
1903 compliance with state and federal laws, rules, regulations, and
1904 requirements.

1905 (44) Each board of trustees may adopt rules, procedures,
1906 and policies related to institutional governance,
1907 administration, and management in order to promote orderly and
1908 efficient operation, including, but not limited to, financial
1909 management, budget management, physical plant management, and
1910 property management.

1911 (45) Each board of trustees may adopt rules and procedures
1912 related to data or technology, including, but not limited to,
1913 information systems, communications systems, computer hardware
1914 and software, and networks.

1915 (46) Each board of trustees may consider the past actions
1916 of any person applying for employment and may deny employment to

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1917 a person because of misconduct if determined to be in the best
1918 interest of the Florida Community College System institution.

1919 (47) Each contract or employment agreement, or renewal or
1920 renegotiation of an existing contract or employment agreement,
1921 containing a provision for severance pay with an officer, agent,
1922 employee, or contractor must include the provisions required in
1923 s. 215.425.

1924 (48) Each board of trustees shall use purchasing agreements
1925 and state term contracts pursuant to s. 287.056 or enter into
1926 consortia and cooperative agreements to maximize the purchasing
1927 power for goods and services. A consortium or cooperative
1928 agreement may be statewide, regional, or a combination of
1929 institutions, as appropriate to achieve the lowest cost, with
1930 the goal of achieving a 5-percent savings on existing contract
1931 prices through the use of new cooperative arrangements or new
1932 consortium contracts.

1933 Section 20. Section 1001.65, Florida Statutes, is amended
1934 to read:

1935 1001.65 Florida Community College System institution
1936 presidents; powers and duties.—The president is the chief
1937 executive officer of the Florida Community College System
1938 institution, shall be corporate secretary of the Florida
1939 Community College System institution board of trustees, and is
1940 responsible for the operation and administration of the Florida
1941 Community College System institution. Each Florida Community
1942 College System institution president shall:

1943 (1) Recommend the adoption of rules, as appropriate, to the
1944 Florida Community College System institution board of trustees
1945 to implement provisions of law governing the operation and

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1946 administration of the Florida Community College System
1947 institution, which shall include the specific powers and duties
1948 enumerated in this section. Such rules shall be consistent with
1949 law, the mission of the Florida Community College System
1950 institution, and the rules and policies of the State Board of
1951 Community Colleges Education.

1952 (2) Prepare a budget request and an operating budget
1953 pursuant to s. 1011.30 for approval by the Florida Community
1954 College System institution board of trustees at such time and in
1955 such format as the State Board of Community Colleges Education
1956 may prescribe.

1957 (3) Establish and implement policies and procedures to
1958 recruit, appoint, transfer, promote, compensate, evaluate,
1959 reward, demote, discipline, and remove personnel, within law and
1960 rules of the State Board of Community College Education and in
1961 accordance with rules or policies approved by the Florida
1962 Community College System institution board of trustees.

1963 (4) Govern admissions, subject to law and rules or policies
1964 of the Florida Community College System institution board of
1965 trustees and the State Board of Community Colleges Education.

1966 (5) Approve, execute, and administer contracts for and on
1967 behalf of the Florida Community College System institution board
1968 of trustees for licenses; the acquisition or provision of
1969 commodities, goods, equipment, and services; leases of real and
1970 personal property; and planning and construction to be rendered
1971 to or by the Florida Community College System institution,
1972 provided such contracts are within law and guidelines of the
1973 State Board of Community Colleges Education and in conformance
1974 with policies of the Florida Community College System

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1975 institution board of trustees, and are for the implementation of
1976 approved programs of the Florida Community College System
1977 institution.

1978 (6) Act for the Florida Community College System
1979 institution board of trustees as custodian of all Florida
1980 Community College System institution property and financial
1981 resources. The authority vested in the Florida Community College
1982 System institution president under this subsection includes the
1983 authority to prioritize the use of Florida Community College
1984 System institution space, property, equipment, and resources and
1985 the authority to impose charges for the use of those items.

1986 (7) Establish the internal academic calendar of the Florida
1987 Community College System institution within general guidelines
1988 of the State Board of Community Colleges ~~Education~~.

1989 (8) Administer the Florida Community College System
1990 institution's program of intercollegiate athletics.

1991 (9) Recommend to the board of trustees the establishment
1992 and termination of programs within the approved role and scope
1993 of the Florida Community College System institution.

1994 (10) Award degrees.

1995 (11) Recommend to the board of trustees a schedule of
1996 tuition and fees to be charged by the Florida Community College
1997 System institution, within law and rules of the State Board of
1998 Community Colleges ~~Education~~.

1999 (12) Organize the Florida Community College System
2000 institution to efficiently and effectively achieve the goals of
2001 the Florida Community College System institution.

2002 (13) Review periodically the operations of the Florida
2003 Community College System institution in order to determine how

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2004 effectively and efficiently the Florida Community College System
2005 institution is being administered and whether it is meeting the
2006 goals of its strategic plan adopted by the State Board of
2007 Community Colleges Education.

2008 (14) Enter into agreements for student exchange programs
2009 that involve students at the Florida Community College System
2010 institution and students in other institutions of higher
2011 learning.

2012 (15) Approve the internal procedures of student government
2013 organizations and provide purchasing, contracting, and budgetary
2014 review processes for these organizations.

2015 (16) Ensure compliance with federal and state laws, rules,
2016 regulations, and other requirements that are applicable to the
2017 Florida Community College System institution.

2018 (17) Maintain all data and information pertaining to the
2019 operation of the Florida Community College System institution,
2020 and report on the attainment by the Florida Community College
2021 System institution of institutional and statewide performance
2022 accountability goals.

2023 (18) Certify to the department a project's compliance with
2024 the requirements for expenditure of PECO funds prior to release
2025 of funds pursuant to ~~the provisions of~~ chapter 1013.

2026 (19) Provide to the law enforcement agency and fire
2027 department that has jurisdiction over the Florida Community
2028 College System institution a copy of the floor plans and other
2029 relevant documents for each educational facility as defined in
2030 s. 1013.01(6). After the initial submission of the floor plans
2031 and other relevant documents, the Florida Community College
2032 System institution president shall submit, by October 1 of each

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2033 year, revised floor plans and other relevant documents for each
2034 educational facility that was modified during the preceding
2035 year.

2036 (20) Develop and implement jointly with school
2037 superintendents a comprehensive dual enrollment articulation
2038 agreement for the students enrolled in their respective school
2039 districts and service areas pursuant to s. 1007.271(21).

2040 (21) Have authority, after notice to the student of the
2041 charges and after a hearing thereon, to expel, suspend, or
2042 otherwise discipline any student who is found to have violated
2043 any law, ordinance, or rule or regulation of the State Board of
2044 Community Colleges Education or of the board of trustees of the
2045 Florida Community College System institution pursuant to the
2046 provisions of s. 1006.62.

2047 (22) Submit an annual employment accountability plan to the
2048 State Board of Community Colleges Department of Education
2049 pursuant to the provisions of s. 1012.86.

2050 (23) Annually evaluate, or have a designee annually
2051 evaluate, each department chairperson, dean, provost, and vice
2052 president in achieving the annual and long-term goals and
2053 objectives of the Florida Community College System institution's
2054 employment accountability plan.

2055 (24) Have vested with the president or the president's
2056 designee the authority that is vested with the Florida Community
2057 College System institution.

2058 Section 21. Section 1001.66, Florida Statutes, is amended
2059 to read:

2060 1001.66 Florida Community College System Performance-Based
2061 Incentive.-

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2062 (1) A Florida Community College System Performance-Based
2063 Incentive shall be awarded to Florida Community College System
2064 institutions using performance-based metrics adopted by the
2065 State Board of Community Colleges Education. The performance-
2066 based metrics must include retention rates; program completion
2067 and graduation rates; postgraduation employment, salaries, and
2068 continuing education for workforce education and baccalaureate
2069 programs, with wage thresholds that reflect the added value of
2070 the certificate or degree; and outcome measures appropriate for
2071 associate of arts degree recipients. The state board shall adopt
2072 benchmarks to evaluate each institution's performance on the
2073 metrics to measure the institution's achievement of
2074 institutional excellence or need for improvement and the minimum
2075 requirements for eligibility to receive performance funding.

2076 (2) Each fiscal year, the amount of funds available for
2077 allocation to the Florida Community College System institutions
2078 based on the performance-based funding model shall consist of
2079 the state's investment in performance funding plus institutional
2080 investments consisting of funds to be redistributed from the
2081 base funding of the Florida Community College System Program
2082 Fund as determined in the General Appropriations Act. The State
2083 Board of Community Colleges Education shall establish minimum
2084 performance funding eligibility thresholds for the state's
2085 investment and the institutional investments. An institution
2086 that meets the minimum institutional investment eligibility
2087 threshold, but fails to meet the minimum state investment
2088 eligibility threshold, shall have its institutional investment
2089 restored but is ineligible for a share of the state's investment
2090 in performance funding. The institutional investment shall be

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2091 restored for all institutions eligible for the state's
2092 investment under the performance-based funding model.

2093 (3) (a) Each Florida Community College System institution's
2094 share of the performance funding shall be calculated based on
2095 its relative performance on the established metrics in
2096 conjunction with the institutional size and scope.

2097 (b) A Florida Community College System institution that
2098 fails to meet the State Board of Community Colleges' ~~Education's~~
2099 minimum institutional investment performance funding eligibility
2100 threshold shall have a portion of its institutional investment
2101 withheld by the state board and must submit an improvement plan
2102 to the state board which specifies the activities and strategies
2103 for improving the institution's performance. The state board
2104 must review and approve the improvement plan and, if the plan is
2105 approved, must monitor the institution's progress in
2106 implementing the activities and strategies specified in the
2107 improvement plan. The institution shall submit monitoring
2108 reports to the state board by December 31 and May 31 of each
2109 year in which an improvement plan is in place. Beginning in the
2110 2017-2018 fiscal year, the ability of an institution to submit
2111 an improvement plan to the state board is limited to 1 fiscal
2112 year.

2113 (c) The Chancellor of the Florida Community College System
2114 ~~Commissioner of Education~~ shall withhold disbursement of the
2115 institutional investment until the monitoring report is approved
2116 by the State Board of Community Colleges ~~Education~~. A Florida
2117 Community College System institution determined by the state
2118 board to be making satisfactory progress on implementing the
2119 improvement plan shall receive no more than one-half of the

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2120 withheld institutional investment in January and the balance of
2121 the withheld institutional investment in June. An institution
2122 that fails to make satisfactory progress may not have its full
2123 institutional investment restored. Any institutional investment
2124 funds that are not restored shall be redistributed in accordance
2125 with the state board's performance-based metrics.

2126 (4) Distributions of performance funding, as provided in
2127 this section, shall be made to each of the Florida Community
2128 College System institutions listed in the Florida Community
2129 Colleges category in the General Appropriations Act.

2130 (5) By October 1 of each year, the State Board of Community
2131 Colleges ~~Education~~ shall submit to the Governor, the President
2132 of the Senate, and the Speaker of the House of Representatives a
2133 report on the previous fiscal year's performance funding
2134 allocation, which must reflect the rankings and award
2135 distributions.

2136 (6) The State Board of Community Colleges ~~Education~~ shall
2137 adopt rules to administer this section.

2138 Section 22. Section 1001.67, Florida Statutes, is amended
2139 to read:

2140 1001.67 Distinguished Florida Community College System
2141 Institution Program.—A collaborative partnership is established
2142 between the State Board of Community Colleges ~~Education~~ and the
2143 Legislature to recognize the excellence of Florida's highest-
2144 performing Florida Community College System institutions.

2145 (1) EXCELLENCE STANDARDS.—The following excellence
2146 standards are established for the program:

2147 (a) A 150 percent-of-normal-time completion rate of 50
2148 percent or higher, as calculated by the Division of Florida

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2149 Colleges.

2150 (b) A 150 percent-of-normal-time completion rate for Pell
2151 Grant recipients of 40 percent or higher, as calculated by the
2152 State Board of Community ~~Division of Florida~~ Colleges.

2153 (c) A retention rate of 70 percent or higher, as calculated
2154 by the State Board of Community ~~Division of Florida~~ Colleges.

2155 (d) A continuing education, or transfer, rate of 72 percent
2156 or higher for students graduating with an associate of arts
2157 degree, as reported by the Florida Education and Training
2158 Placement Information Program (FETPIP).

2159 (e) A licensure passage rate on the National Council
2160 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
2161 percent or higher for first-time exam takers, as reported by the
2162 Board of Nursing.

2163 (f) A job placement or continuing education rate of 88
2164 percent or higher for workforce programs, as reported by FETPIP.

2165 (g) A time-to-degree for students graduating with an
2166 associate of arts degree of 2.25 years or less for first-time-
2167 in-college students with accelerated college credits, as
2168 reported by the Southern Regional Education Board.

2169 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
2170 Community Colleges ~~Education~~ shall designate each Florida
2171 Community College System institution that meets five of the
2172 seven standards identified in subsection (1) as a distinguished
2173 college.

2174 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community
2175 College System institution designated as a distinguished college
2176 by the State Board of Community Colleges ~~Education~~ is eligible
2177 for funding as specified in the General Appropriations Act.

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2178 Section 23. Subsection (9) of section 1001.706, Florida
2179 Statutes, is amended to read:

2180 1001.706 Powers and duties of the Board of Governors.—

2181 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
2182 shall implement a plan for working on a regular basis with the
2183 State Board of Education, the State Board of Community Colleges,
2184 the Commission for Independent Education, the Higher Education
2185 Coordinating Council, the Articulation Coordinating Committee,
2186 the university boards of trustees, representatives of the
2187 Florida Community College System institution boards of trustees,
2188 representatives of the private colleges and universities, and
2189 representatives of the district school boards to achieve a
2190 seamless education system.

2191 Section 24. Subsections (1) and (18) of section 1002.34,
2192 Florida Statutes, are amended to read:

2193 1002.34 Charter technical career centers; governance,
2194 mission, and responsibilities.—

2195 (1) MISSION AND AUTHORIZATION.—

2196 (a) The primary mission of a charter technical career
2197 center is to promote ~~The Legislature finds that the~~
2198 ~~establishment of charter technical career centers can assist in~~
2199 ~~promoting~~ advances and innovations in workforce preparation and
2200 economic development. A charter technical career center may
2201 provide a learning environment that ~~better~~ serves the needs of a
2202 specific population group or a group of occupations, thus
2203 promoting diversity and choices within the public education and
2204 public postsecondary technical education community in this
2205 state. Therefore, the creation of such centers is authorized as
2206 part of the state's program of public education. A charter

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2207 technical career center may be formed by creating a new school
2208 or converting an existing school district or Florida Community
2209 College System institution program to charter technical status.

2210 (b) A charter technical career center that is operated by a
2211 district school board may not offer a college credit course or a
2212 college credit certificate or an associate degree or
2213 baccalaureate degree program.

2214 (18) RULES.—The State Board of Education, for technical
2215 centers operated by school districts, and the State Board of
2216 Community Colleges, for technical centers operated by Florida
2217 Community College System institutions, shall adopt rules,
2218 pursuant to ss. 120.536(1) and 120.54, relating to the
2219 implementation of charter technical career centers, including
2220 rules to implement a charter model application form and an
2221 evaluation instrument in accordance with this section.

2222 Section 25. Paragraph (b) of subsection (4) of section
2223 1003.491, Florida Statutes, is amended to read:

2224 1003.491 Florida Career and Professional Education Act.—The
2225 Florida Career and Professional Education Act is created to
2226 provide a statewide planning partnership between the business
2227 and education communities in order to attract, expand, and
2228 retain targeted, high-value industry and to sustain a strong,
2229 knowledge-based economy.

2230 (4) The State Board of Education shall establish a process
2231 for the continual and uninterrupted review of newly proposed
2232 core secondary courses and existing courses requested to be
2233 considered as core courses to ensure that sufficient rigor and
2234 relevance is provided for workforce skills and postsecondary
2235 education and aligned to state curriculum standards.

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2236 (b) The curriculum review committee shall review newly
2237 proposed core courses electronically. Each proposed core course
2238 shall be approved or denied within 30 days after submission by a
2239 district school board or local workforce development board. All
2240 courses approved as core courses for purposes of middle school
2241 promotion and high school graduation shall be immediately added
2242 to the Course Code Directory. Approved core courses shall also
2243 be reviewed and considered for approval for dual enrollment
2244 credit. The Board of Governors, the State Board of Community
2245 Colleges, and the Commissioner of Education shall jointly
2246 recommend an annual deadline for approval of new core courses to
2247 be included for purposes of postsecondary admissions and dual
2248 enrollment credit the following academic year. The State Board
2249 of Education shall establish an appeals process in the event
2250 that a proposed course is denied which shall require a consensus
2251 ruling by the Department of Economic Opportunity and the
2252 Commissioner of Education within 15 days.

2253 Section 26. Paragraph (b) of subsection (4) of section
2254 1003.493, Florida Statutes, is amended to read:

2255 1003.493 Career and professional academies and career-
2256 themed courses.—

2257 (4) Each career and professional academy and secondary
2258 school providing a career-themed course must:

2259 (b) Include one or more partnerships with postsecondary
2260 institutions, businesses, industry, employers, economic
2261 development organizations, or other appropriate partners from
2262 the local community. Such partnerships with postsecondary
2263 institutions shall be delineated in articulation agreements and
2264 include any career and professional academy courses or career-

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2265 themed courses that earn postsecondary credit. Such agreements
2266 may include articulation between the secondary school and public
2267 or private 2-year and 4-year postsecondary institutions and
2268 technical centers. The Department of Education, in consultation
2269 with the Board of Governors and the State Board of Community
2270 Colleges, shall establish a mechanism to ensure articulation and
2271 transfer of credits to postsecondary institutions in this state.
2272 Such partnerships must provide opportunities for:

2273 1. Instruction from highly skilled professionals who
2274 possess industry-certification credentials for courses they are
2275 teaching.

2276 2. Internships, externships, and on-the-job training.

2277 3. A postsecondary degree, diploma, or certificate.

2278 4. The highest available level of industry certification.

2279 5. Maximum articulation of credits pursuant to s. 1007.23
2280 upon program completion.

2281 Section 27. Subsections (4), (5), and (6) of section
2282 1004.015, Florida Statutes, are amended to read:

2283 1004.015 Higher Education Coordinating Council.—

2284 (4) The council shall serve as an advisory board to the
2285 Legislature, the State Board of Education, ~~and~~ the Board of
2286 Governors, and the State Board of Community Colleges.

2287 Recommendations of the council shall be consistent with the
2288 following guiding principles:

2289 (a) To achieve within existing resources a seamless
2290 academic educational system that fosters an integrated continuum
2291 of kindergarten through graduate school education for Florida's
2292 students.

2293 (b) To promote consistent education policy across all

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2294 educational delivery systems, focusing on students.

2295 (c) To promote substantially improved articulation across
2296 all educational delivery systems.

2297 (d) To promote a system that maximizes educational access
2298 and allows the opportunity for a high-quality education for all
2299 Floridians.

2300 (e) To promote a system of coordinated and consistent
2301 transfer of credit and data collection for improved
2302 accountability purposes between the educational delivery
2303 systems.

2304 (5) The council shall annually by December 31 submit to the
2305 Governor, the President of the Senate, the Speaker of the House
2306 of Representatives, the Board of Governors, the State Board of
2307 Community Colleges, and the State Board of Education a report
2308 outlining its recommendations relating to:

2309 (a) The primary core mission of public and nonpublic
2310 postsecondary education institutions in the context of state
2311 access demands and economic development goals.

2312 (b) Performance outputs and outcomes designed to meet
2313 annual and long-term state goals, including, but not limited to,
2314 increased student access, preparedness, retention, transfer, and
2315 completion. Performance measures must be consistent across
2316 sectors and allow for a comparison of the state's performance to
2317 that of other states.

2318 (c) The state's articulation policies and practices to
2319 ensure that cost benefits to the state are maximized without
2320 jeopardizing quality. The recommendations shall consider return
2321 on investment for both the state and students and propose
2322 systems to facilitate and ensure institutional compliance with

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2323 state articulation policies.

2324 (d) Workforce development education, specifically
2325 recommending improvements to the consistency of workforce
2326 education data collected and reported by Florida Community
2327 College System institutions and school districts, including the
2328 establishment of common elements and definitions for any data
2329 that is used for state and federal funding and program
2330 accountability.

2331 (6) The Office of K-20 Articulation, in collaboration with
2332 the Board of Governors and the State Board of Community Division
2333 ~~of Florida~~ Colleges, shall provide administrative support for
2334 the council.

2335 Section 28. Subsection (7) of section 1004.02, Florida
2336 Statutes, is amended to read:

2337 1004.02 Definitions.—As used in this chapter:

2338 (7) "Applied technology diploma program" means a course of
2339 study that is part of a technical degree program, is less than
2340 60 credit hours, and leads to employment in a specific
2341 occupation. An applied technology diploma program may consist of
2342 either technical credit or college credit. A public school
2343 district may offer an applied technology diploma program only as
2344 technical credit, with college credit awarded to a student upon
2345 articulation to a Florida Community College System institution.
2346 Statewide articulation among public schools and Florida
2347 Community College System institutions is guaranteed by s.
2348 1007.23, and is subject to guidelines and standards adopted by
2349 the State Board of Community Colleges ~~Education~~ pursuant to ss.
2350 1007.24 and 1007.25.

2351 Section 29. Subsection (2) of section 1004.03, Florida

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2352 Statutes, is amended to read:

2353 1004.03 Program approval.—

2354 (2) The State Board of Community Colleges ~~Education~~ shall
2355 establish criteria for the approval of new programs at Florida
2356 Community College System institutions, which criteria include,
2357 but are not limited to, the following:

2358 (a) New programs may not be approved unless the same
2359 objectives cannot be met through use of educational technology.

2360 (b) Unnecessary duplication of programs offered by
2361 independent institutions shall be avoided.

2362 (c) Cooperative programs, particularly within regions,
2363 should be encouraged.

2364 (d) New programs may be approved only if they are
2365 consistent with the ~~state master~~ plan adopted by the State Board
2366 of Community Colleges ~~Education~~.

2367 Section 30. Paragraph (f) of subsection (4) of section
2368 1004.04, Florida Statutes, is amended to read:

2369 1004.04 Public accountability and state approval for
2370 teacher preparation programs.—

2371 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
2372 teacher preparation program shall be based upon evidence that
2373 the program continues to implement the requirements for initial
2374 approval and upon significant, objective, and quantifiable
2375 measures of the program and the performance of the program
2376 completers.

2377 (f) By January 1 of each year, the Department of Education
2378 shall report the results of each approved program's annual
2379 progress on the performance measures in paragraph (a) as well as
2380 the current approval status of each program to:

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- 2381 1. The Governor.
- 2382 2. The President of the Senate.
- 2383 3. The Speaker of the House of Representatives.
- 2384 4. The State Board of Education.
- 2385 5. The Board of Governors.
- 2386 6. The State Board of Community Colleges.
- 2387 7. The Commissioner of Education.
- 2388 ~~8.7.~~ Each Florida postsecondary teacher preparation
- 2389 program.
- 2390 ~~9.8.~~ Each district school superintendent.
- 2391 10.9. The public.

2392

2393 This report may include the results of other continued approval
 2394 requirements provided by State Board of Education rule and
 2395 recommendations for improving teacher preparation programs in
 2396 the state.

2397 Section 31. Section 1004.07, Florida Statutes, is amended
 2398 to read:

2399 1004.07 Student withdrawal from courses due to military
 2400 service; effect.—

2401 (1) Each district school board, Florida Community College
 2402 System institution board of trustees, and state university board
 2403 of trustees shall establish policies regarding currently
 2404 enrolled students who are called to, or enlist in, active
 2405 military service.

2406 (2) Such policies must ~~shall~~ provide that any student
 2407 enrolled in a postsecondary course or courses at a career
 2408 center, a Florida Community College System institution, or a
 2409 state university may ~~shall~~ not incur academic or financial

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2410 penalties by virtue of performing military service on behalf of
 2411 our country. Such student shall be permitted the option of
 2412 either completing the course or courses at a later date without
 2413 penalty or withdrawing from the course or courses with a full
 2414 refund of fees paid. If the student chooses to withdraw, the
 2415 student's record shall reflect that the withdrawal is due to
 2416 active military service.

2417 (3) Policies of district school boards must ~~and Florida~~
 2418 ~~College System institution boards of trustees shall be~~
 2419 established by rule and pursuant to guidelines of the State
 2420 Board of Education.

2421 (4) Policies of state university boards of trustees must
 2422 ~~shall~~ be established by regulation and pursuant to guidelines of
 2423 the Board of Governors.

2424 (5) Policies of Florida Community College System
 2425 institution boards of trustees must be established by rule and
 2426 pursuant to guidelines of the State Board of Community Colleges.

2427 Section 32. Section 1004.084, Florida Statutes, is amended
 2428 to read:

2429 1004.084 College affordability.—

2430 (1) The Board of Governors and the State Board of Community
 2431 Colleges Education ~~Education~~ shall annually identify strategies to promote
 2432 college affordability for all Floridians by evaluating, at a
 2433 minimum, the impact of:

2434 (a) Tuition and fees on undergraduate, graduate, and
 2435 professional students at public colleges and universities and
 2436 graduate assistants employed by public universities.

2437 (b) Federal, state, and institutional financial aid
 2438 policies on the actual cost of attendance for students and their

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2439 families.

2440 (c) The costs of textbooks and instructional materials.

2441 (2) By December 31 of each year, ~~beginning in 2016,~~ the

2442 Board of Governors and the State Board of Community Colleges

2443 ~~Education~~ shall submit a report on their respective college

2444 affordability initiatives to the Governor, the President of the

2445 Senate, and the Speaker of the House of Representatives.

2446 Section 33. Paragraph (d) of subsection (3) and subsections

2447 (6), (7), and (8) of section 1004.085, Florida Statutes, are

2448 amended to read:

2449 1004.085 Textbook and instructional materials

2450 affordability.—

2451 (3) An employee may receive:

2452 (d) Fees associated with activities such as reviewing,

2453 critiquing, or preparing support materials for textbooks or

2454 instructional materials pursuant to guidelines adopted by the

2455 State Board of Community Colleges ~~Education~~ or the Board of

2456 Governors.

2457 (6) Each Florida Community College System institution and
2458 state university shall post prominently in the course

2459 registration system and on its website, as early as is feasible,

2460 but at least 45 days before the first day of class for each

2461 term, a hyperlink to lists of required and recommended textbooks

2462 and instructional materials for at least 95 percent of all

2463 courses and course sections offered at the institution during

2464 the upcoming term. The lists must include the International

2465 Standard Book Number (ISBN) for each required and recommended

2466 textbook and instructional material or other identifying

2467 information, which must include, at a minimum, all of the

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2468 following: the title, all authors listed, publishers, edition
2469 number, copyright date, published date, and other relevant
2470 information necessary to identify the specific textbooks or
2471 instructional materials required and recommended for each
2472 course. The State Board of Community Colleges Education and the
2473 Board of Governors shall include in the policies, procedures,
2474 and guidelines adopted under subsection (7) certain limited
2475 exceptions to this notification requirement for classes added
2476 after the notification deadline.

2477 (7) After receiving input from students, faculty,
2478 bookstores, and publishers, the State Board of Community
2479 Colleges Education and the Board of Governors each shall adopt
2480 textbook and instructional materials affordability policies,
2481 procedures, and guidelines for implementation by Florida
2482 Community College System institutions and state universities,
2483 respectively, that further efforts to minimize the cost of
2484 textbooks and instructional materials for students attending
2485 such institutions while maintaining the quality of education and
2486 academic freedom. The policies, procedures, and guidelines shall
2487 address:

2488 (a) The establishment of deadlines for an instructor or
2489 department to notify the bookstore of required and recommended
2490 textbooks and instructional materials so that the bookstore may
2491 verify availability, source lower cost options when practicable,
2492 explore alternatives with faculty when academically appropriate,
2493 and maximize the availability of used textbooks and
2494 instructional materials.

2495 (b) Confirmation by the course instructor or academic
2496 department offering the course, before the textbook or

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2497 instructional materials adoption is finalized, of the intent to
2498 use all items ordered, particularly each individual item sold as
2499 part of a bundled package.

2500 (c) Determination by a course instructor or the academic
2501 department offering the course, before a textbook or
2502 instructional material is adopted, of the extent to which a new
2503 edition differs significantly and substantively from earlier
2504 versions and the value to the student of changing to a new
2505 edition or the extent to which an open-access textbook or
2506 instructional material is available.

2507 (d) The availability of required and recommended textbooks
2508 and instructional materials to students otherwise unable to
2509 afford the cost, including consideration of the extent to which
2510 an open-access textbook or instructional material may be used.

2511 (e) Participation by course instructors and academic
2512 departments in the development, adaptation, and review of open-
2513 access textbooks and instructional materials and, in particular,
2514 open-access textbooks and instructional materials for high-
2515 demand general education courses.

2516 (f) Consultation with school districts to identify
2517 practices that impact the cost of dual enrollment textbooks and
2518 instructional materials to school districts, including, but not
2519 limited to, the length of time that textbooks and instructional
2520 materials remain in use.

2521 (g) Selection of textbooks and instructional materials
2522 through cost-benefit analyses that enable students to obtain the
2523 highest-quality product at the lowest available price, by
2524 considering:

2525 1. Purchasing digital textbooks in bulk.

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2526 2. Expanding the use of open-access textbooks and
2527 instructional materials.

2528 3. Providing rental options for textbooks and instructional
2529 materials.

2530 4. Increasing the availability and use of affordable
2531 digital textbooks and learning objects.

2532 5. Developing mechanisms to assist in buying, renting,
2533 selling, and sharing textbooks and instructional materials.

2534 6. The length of time that textbooks and instructional
2535 materials remain in use.

2536 7. An evaluation of cost savings for textbooks and
2537 instructional materials which a student may realize if
2538 individual students are able to exercise opt-in provisions for
2539 the purchase of the materials.

2540 (8) The board of trustees of each Florida Community College
2541 System institution and state university shall report, by
2542 September 30 of each year, beginning in 2016, to the Chancellor
2543 of the Florida Community College System or the Chancellor of the
2544 State University System, as applicable, the textbook and
2545 instructional materials selection process for general education
2546 courses with a wide cost variance identified pursuant to
2547 subsection (4) and high-enrollment courses; specific initiatives
2548 of the institution designed to reduce the costs of textbooks and
2549 instructional materials; policies implemented in accordance with
2550 subsection (6); the number of courses and course sections that
2551 were not able to meet the textbook and instructional materials
2552 posting deadline for the previous academic year; and any
2553 additional information determined by the chancellors. By
2554 November 1 of each year, ~~beginning in 2016,~~ each chancellor

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2555 shall provide a summary of the information provided by
2556 institutions to the State Board of Community Colleges ~~Education~~
2557 and the Board of Governors, as applicable.

2558 Section 34. Section 1004.096, Florida Statutes, is amended
2559 to read:

2560 1004.096 College credit for military training and education
2561 courses.—The Board of Governors shall adopt regulations and the
2562 State Board of Community Colleges ~~Education~~ shall adopt rules
2563 that enable eligible servicemembers or veterans of the United
2564 States Armed Forces to earn academic college credit at public
2565 postsecondary educational institutions for college-level
2566 training and education acquired in the military. The regulations
2567 and rules shall include procedures for credential evaluation and
2568 the award of academic college credit, including, but not limited
2569 to, equivalency and alignment of military coursework with
2570 appropriate college courses, course descriptions, type and
2571 amount of college credit that may be awarded, and transfer of
2572 credit.

2573 Section 35. Section 1004.0961, Florida Statutes, is amended
2574 to read:

2575 1004.0961 Credit for online courses. ~~Beginning in the 2015-~~
2576 ~~2016 school year,~~ The State Board of Community Colleges
2577 ~~Education~~ shall adopt rules and the Board of Governors shall
2578 adopt regulations that enable students to earn academic credit
2579 for online courses, including massive open online courses,
2580 before initial enrollment at a postsecondary institution. The
2581 rules of the State Board of Community Colleges ~~Education~~ and
2582 regulations of the Board of Governors must include procedures
2583 for credential evaluation and the award of credit, including,

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2584 but not limited to, recommendations for credit by the American
2585 Council on Education; equivalency and alignment of coursework
2586 with appropriate courses; course descriptions; type and amount
2587 of credit that may be awarded; and transfer of credit.

2588 Section 36. Section 1004.35, Florida Statutes, is amended
2589 to read:

2590 1004.35 Broward County campuses of Florida Atlantic
2591 University; coordination with other institutions.—The State
2592 Board of Community Colleges Education, the Board of Governors,
2593 and Florida Atlantic University shall consult with Broward
2594 College and Florida International University in coordinating
2595 course offerings at the postsecondary level in Broward County.
2596 Florida Atlantic University may contract with the Board of
2597 Trustees of Broward College and with Florida International
2598 University to provide instruction in courses offered at the
2599 Southeast Campus. Florida Atlantic University shall increase
2600 course offerings at the Southeast Campus as facilities become
2601 available.

2602 Section 37. Paragraphs (c) and (d) of subsection (5) and
2603 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2604 are amended to read:

2605 1004.6495 Florida Postsecondary Comprehensive Transition
2606 Program and Florida Center for Students with Unique Abilities.—

2607 (5) CENTER RESPONSIBILITIES.—The Florida Center for
2608 Students with Unique Abilities is established within the
2609 University of Central Florida. At a minimum, the center shall:

2610 (c) Create the application for the initial approval and
2611 renewal of approval as an FPCTP for use by an eligible
2612 institution which, at a minimum, must align with the federal

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2613 comprehensive transition and postsecondary program application
2614 requirements. Notwithstanding the program approval requirements
2615 of s. 1004.03, the director shall review applications for the
2616 initial approval of an application for, or renewal of approval
2617 of, an FPCTP.

2618 1. Within 30 days after receipt of an application, the
2619 director shall issue his or her recommendation regarding
2620 approval to the Chancellor of the State University System, ~~or~~
2621 the Chancellor of the Florida Community College System, ~~or the~~
2622 Commissioner of Education, as applicable, or shall give written
2623 notice to the applicant of any deficiencies in the application,
2624 which the eligible institution must be given an opportunity to
2625 correct. Within 15 days after receipt of a notice of
2626 deficiencies, an eligible institution that chooses to continue
2627 to seek program approval shall correct the application
2628 deficiencies and return the application to the center. Within 30
2629 days after receipt of a revised application, the director shall
2630 recommend approval or disapproval of the revised application to
2631 the applicable chancellor ~~or the commissioner~~, as applicable.
2632 Within 15 days after receipt of the director's recommendation,
2633 the applicable chancellor ~~or the commissioner~~ shall approve or
2634 disapprove the recommendation. If the applicable chancellor ~~or~~
2635 ~~the commissioner~~ does not act on the director's recommendation
2636 within 15 days after receipt of such recommendation, the
2637 comprehensive transition program proposed by the institution
2638 shall be considered approved.

2639 2. Initial approval of an application for an FPCTP that
2640 meets the requirements of this section is valid for the 3
2641 academic years immediately following the academic year during

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2642 which the approval is granted. An eligible institution may
2643 submit an application to the center requesting that the initial
2644 approval be renewed. If the approval is granted and the FPCTP
2645 continues to meet the requirements of this section, including,
2646 but not limited to, program and student performance outcomes,
2647 and federal requirements, a renewal is valid for the 5 academic
2648 years immediately following the academic year during which the
2649 renewal is granted.

2650 3. An application must, at a minimum:

2651 a. Identify a credential associated with the proposed
2652 program which will be awarded to eligible students upon
2653 completion of the FPCTP.

2654 b. Outline the program length and design, including, at a
2655 minimum, inclusive and successful experiential education
2656 practices relating to curricular, assessment, and advising
2657 structure and internship and employment opportunities, which
2658 must support students with intellectual disabilities who are
2659 seeking to continue academic, career and technical, and
2660 independent living instruction at an eligible institution,
2661 including, but not limited to, opportunities to earn industry
2662 certifications, to prepare students for gainful employment. If
2663 an eligible institution offers a credit-bearing degree program,
2664 the institution is responsible for maintaining the rigor and
2665 effectiveness of a comprehensive transition degree program at
2666 the same level as other comparable degree programs offered by
2667 the institution pursuant to applicable accreditation standards.

2668 c. Outline a plan for students with intellectual
2669 disabilities to be integrated socially and academically with
2670 nondisabled students, to the maximum extent possible, and to

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2671 participate on not less than a half-time basis, as determined by
2672 the eligible institution, with such participation focusing on
2673 academic components and occurring through one or more of the
2674 following activities with nondisabled students:

2675 (I) Regular enrollment in credit-bearing courses offered by
2676 the institution.

2677 (II) Auditing or participating in courses offered by the
2678 institution for which the student does not receive academic
2679 credit.

2680 (III) Enrollment in noncredit-bearing, nondegree courses.

2681 (IV) Participation in internships or work-based training.

2682 d. Outline a plan for partnerships with businesses to
2683 promote experiential training and employment opportunities for
2684 students with intellectual disabilities.

2685 e. Identify performance indicators pursuant to subsection
2686 (8) and other requirements identified by the center.

2687 f. Outline a 5-year plan incorporating enrollment and
2688 operational expectations for the program.

2689 (d) Provide technical assistance regarding programs and
2690 services for students with intellectual disabilities to
2691 administrators, instructors, staff, and others, as applicable,
2692 at eligible institutions by:

2693 1. Holding meetings and annual workshops to share
2694 successful practices and to address issues or concerns.

2695 2. Facilitating collaboration between eligible institutions
2696 and school districts, private schools operating pursuant to s.
2697 1002.42, and parents of students enrolled in home education
2698 programs operating pursuant to s. 1002.41 in assisting students
2699 with intellectual disabilities and their parents to plan for the

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2700 transition of such students into an FPCTP or another program at
2701 an eligible institution.

2702 3. Assisting eligible institutions with FPCTP and federal
2703 comprehensive transition and postsecondary program applications.

2704 4. Assisting eligible institutions with the identification
2705 of funding sources for an FPCTP and for student financial
2706 assistance for students enrolled in an FPCTP.

2707 5. Monitoring federal and state law relating to the
2708 comprehensive transition program and notifying the Legislature,
2709 the Governor, the Board of Governors, the State Board of
2710 Community Colleges, and the State Board of Education of any
2711 change in law which may impact the implementation of this
2712 section.

2713 (8) ACCOUNTABILITY.—

2714 (a) The center, in collaboration with the Board of
2715 Governors and the State Board of Community Colleges ~~Education~~,
2716 shall identify indicators for the satisfactory progress of a
2717 student in an FPCTP and for the performance of such programs.
2718 Each eligible institution must address the indicators identified
2719 by the center in its application for the approval of a proposed
2720 program and for the renewal of an FPCTP and in the annual report
2721 that the institution submits to the center.

2722 (b) By October 1 of each year, the center shall provide to
2723 the Governor, the President of the Senate, the Speaker of the
2724 House of Representatives, the Chancellor of the State University
2725 System, and the Chancellor of the Florida Community College
2726 System ~~Commissioner of Education~~ a report summarizing
2727 information including, but not limited to:

2728 1. The status of the statewide coordination of FPCTPs and

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2729 the implementation of FPCTPs at eligible institutions including,
2730 but not limited to:

2731 a. The number of applications approved and disapproved and
2732 the reasons for each disapproval and no action taken by the
2733 chancellor or the commissioner.

2734 b. The number and value of all scholarships awarded to
2735 students and undisbursed advances remitted to the center
2736 pursuant to subsection (7).

2737 2. Indicators identified by the center pursuant to
2738 paragraph (a) and the performance of each eligible institution
2739 based on the indicators identified in paragraph (6)(c).

2740 3. The projected number of students with intellectual
2741 disabilities who may be eligible to enroll in the FPCTPs within
2742 the next academic year.

2743 4. Education programs and services for students with
2744 intellectual disabilities which are available at eligible
2745 institutions.

2746 (c) Beginning in the 2016-2017 fiscal year, the center, in
2747 collaboration with the Board of Governors, State Board of
2748 Community Colleges Education, Higher Education Coordinating
2749 Council, and other stakeholders, by December 1 of each year,
2750 shall submit to the Governor, the President of the Senate, and
2751 the Speaker of the House of Representatives statutory and budget
2752 recommendations for improving the implementation and delivery of
2753 FPCTPs and other education programs and services for students
2754 with disabilities.

2755 (9) RULES.—The Board of Governors and the State Board of
2756 Community Colleges Education, in consultation with the center,
2757 shall expeditiously adopt any necessary regulations and rules,

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2758 as applicable, to allow the center to perform its
2759 responsibilities pursuant to this section beginning in the 2016-
2760 2017 fiscal year.

2761 Section 38. Section 1004.65, Florida Statutes, is amended
2762 to read:

2763 1004.65 Florida Community College System institutions;
2764 governance, mission, and responsibilities.-

2765 (1) Each Florida Community College System institution shall
2766 be governed by a district board of trustees under statutory
2767 authority and rules of the State Board of Community Colleges
2768 ~~Education~~.

2769 (2) Each Florida Community College System institution
2770 district shall:

2771 (a) Consist of the county or counties served by the Florida
2772 Community College System institution pursuant to s. 1000.21(3).

2773 (b) Be an independent, separate, legal entity created for
2774 the operation of a Florida Community College System institution.

2775 (3) Florida Community College System institutions are
2776 locally based and governed entities with statutory and funding
2777 ties to state government. As such, the mission for Florida
2778 Community College System institutions reflects a commitment to
2779 be responsive to local educational needs and challenges. In
2780 achieving this mission, Florida Community College System
2781 institutions strive to maintain sufficient local authority and
2782 flexibility while preserving appropriate legal accountability to
2783 the state.

2784 (4) As comprehensive institutions, Florida Community
2785 College System institutions shall provide high-quality,
2786 affordable education and training opportunities, shall foster a

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2787 climate of excellence, and shall provide opportunities to all
2788 while combining high standards with an open-door admission
2789 policy for lower-division programs. Florida Community College
2790 System institutions shall, as open-access institutions, serve
2791 all who can benefit, without regard to age, race, gender, creed,
2792 or ethnic or economic background, while emphasizing the
2793 achievement of social and educational equity so that all can be
2794 prepared for full participation in society.

2795 (5) The primary mission and responsibility of Florida
2796 Community College System institutions is responding to community
2797 needs for postsecondary academic education and career degree
2798 education. This mission and responsibility includes being
2799 responsible for:

2800 (a) Providing lower-level ~~lower level~~ undergraduate
2801 instruction and awarding associate degrees.

2802 (b) Preparing students directly for careers requiring less
2803 than baccalaureate degrees. This may include preparing for job
2804 entry, supplementing of skills and knowledge, and responding to
2805 needs in new areas of technology. Career education in a Florida
2806 Community College System institution consists ~~shall consist~~ of
2807 career certificates, nationally recognized industry
2808 certifications, credit courses leading to associate in science
2809 degrees and associate in applied science degrees, and other
2810 programs in fields requiring substantial academic work,
2811 background, or qualifications. A Florida Community College
2812 System institution may offer career education programs in fields
2813 having lesser academic or technical requirements.

2814 (c) Providing student development services, including
2815 assessment, student tracking, support for disabled students,

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2816 advisement, counseling, financial aid, career development, and
 2817 remedial and tutorial services, to ensure student success.

2818 (d) Promoting economic development for the state within
 2819 each Florida Community College System institution district
 2820 through the provision of special programs, including, but not
 2821 limited to, the:

- 2822 1. Enterprise Florida-related programs.
- 2823 2. Technology transfer centers.
- 2824 3. Economic development centers.
- 2825 4. Workforce literacy programs.

2826 (e) Providing dual enrollment instruction.

2827 ~~(f) Providing upper level instruction and awarding~~
 2828 ~~baccalaureate degrees as specifically authorized by law.~~

2829 (6) A separate and secondary role for Florida Community
 2830 College System institutions includes ~~the offering of programs~~
 2831 ~~in~~:

2832 (a) Programs in community services that are not directly
 2833 related to academic or occupational advancement.

2834 (b) Programs in adult education services, including adult
 2835 basic education, adult general education, adult secondary
 2836 education, and high school equivalency examination instruction.

2837 (c) Programs in recreational and leisure services.

2838 (d) Upper-level instruction and awarding baccalaureate
 2839 degrees as specifically authorized by law.

2840 (7) Funding for Florida Community College System
 2841 institutions must ~~shall~~ reflect their mission as follows:

2842 (a) Postsecondary academic and career education programs
 2843 and adult general education programs must ~~shall~~ have first
 2844 priority in Florida Community College System institution

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2845 funding.

2846 (b) Community service programs shall be presented to the
2847 Legislature with rationale for state funding. The Legislature
2848 may identify priority areas for use of these funds.

2849 (c) The resources of a Florida Community College System
2850 institution, including staff, faculty, land, and facilities, may
2851 ~~shall~~ not be used to support the establishment of a new
2852 independent nonpublic educational institution. If any
2853 institution uses resources for such purpose, the State Board of
2854 Community ~~Division of Florida~~ Colleges shall notify the
2855 President of the Senate and the Speaker of the House of
2856 Representatives.

2857 (8) Florida Community College System institutions are
2858 authorized to:

2859 (a) Offer such programs and courses as are necessary to
2860 fulfill their mission.

2861 (b) Grant associate in arts degrees, associate in science
2862 degrees, associate in applied science degrees, certificates,
2863 awards, and diplomas.

2864 (c) Make provisions for the high school equivalency
2865 examination.

2866 (d) Provide access to and award baccalaureate degrees in
2867 accordance with law.

2868
2869 Authority to offer one or more baccalaureate degree programs
2870 does not alter the governance relationship of the Florida
2871 Community College System institution with its district board of
2872 trustees or the State Board of Community Colleges ~~Education~~.

2873 Section 39. Section 1004.67, Florida Statutes, is amended

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2874 to read:

2875 1004.67 Florida Community College System institutions;
2876 legislative intent.—It is The legislative intent that Florida
2877 Community College System institutions, constituted as political
2878 subdivisions of the state, continue to be operated by Florida
2879 Community College System institution boards of trustees as
2880 provided in s. 1001.63 and that no department, bureau, division,
2881 agency, or subdivision of the state exercise any responsibility
2882 and authority to operate any Florida Community College System
2883 institution of the state except as specifically provided by law
2884 or rules of the State Board of Community Colleges ~~Education~~.

2885 Section 40. Section 1004.70, Florida Statutes, is amended
2886 to read:

2887 1004.70 Florida Community College System institution
2888 direct-support organizations.—

2889 (1) DEFINITIONS.—For the purposes of this section:

2890 (a) "Florida Community College System institution direct-
2891 support organization" means an organization that is:

2892 1. A Florida corporation not for profit, incorporated under
2893 the provisions of chapter 617 and approved by the Department of
2894 State.

2895 2. Organized and operated exclusively to receive, hold,
2896 invest, and administer property and to make expenditures to, or
2897 for the benefit of, a Florida Community College System
2898 institution in this state.

2899 3. An organization that the Florida Community College
2900 System institution board of trustees, after review, has
2901 certified to be operating in a manner consistent with the goals
2902 of the Florida Community College System institution and in the

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2903 best interest of the state. Any organization that is denied
2904 certification by the board of trustees may not use the name of
2905 the Florida Community College System institution that it serves.

2906 (b) "Personal services" includes full-time or part-time
2907 personnel as well as payroll processing.

2908 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
2909 shall appoint a representative to the board of directors and the
2910 executive committee of each direct-support organization
2911 established under this section, including those established
2912 before July 1, 1998. The president of the Florida Community
2913 College System institution for which the direct-support
2914 organization is established, or the president's designee, shall
2915 also serve on the board of directors and the executive committee
2916 of the direct-support organization, including any direct-support
2917 organization established before July 1, 1998.

2918 (3) USE OF PROPERTY.—

2919 (a) The board of trustees is authorized to permit the use
2920 of property, facilities, and personal services at any Florida
2921 Community College System institution by any Florida Community
2922 College System institution direct-support organization, subject
2923 to the provisions of this section.

2924 (b) The board of trustees is authorized to prescribe by
2925 rule any condition with which a Florida Community College System
2926 institution direct-support organization must comply in order to
2927 use property, facilities, or personal services at any Florida
2928 Community College System institution.

2929 (c) The board of trustees may not permit the use of
2930 property, facilities, or personal services at any Florida
2931 Community College System institution by any Florida Community

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2932 College System institution direct-support organization that does
2933 not provide equal employment opportunities to all persons
2934 regardless of race, color, national origin, gender, age, or
2935 religion.

2936 (4) ACTIVITIES; RESTRICTIONS.—

2937 (a) A direct-support organization may, at the request of
2938 the board of trustees, provide residency opportunities on or
2939 near campus for students.

2940 (b) A direct-support organization that constructs
2941 facilities for use by a Florida Community College System
2942 institution or its students must comply with all requirements of
2943 law relating to the construction of facilities by a Florida
2944 Community College System institution, including requirements for
2945 competitive bidding.

2946 (c) Any transaction or agreement between one direct-support
2947 organization and another direct-support organization must be
2948 approved by the board of trustees.

2949 (d) A Florida Community College System institution direct-
2950 support organization is prohibited from giving, either directly
2951 or indirectly, any gift to a political committee as defined in
2952 s. 106.011 for any purpose other than those certified by a
2953 majority roll call vote of the governing board of the direct-
2954 support organization at a regularly scheduled meeting as being
2955 directly related to the educational mission of the Florida
2956 Community College System institution.

2957 (e) A Florida Community College System institution board of
2958 trustees must authorize all debt, including lease-purchase
2959 agreements, incurred by a direct-support organization.
2960 Authorization for approval of short-term loans and lease-

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2961 purchase agreements for a term of not more than 5 years,
2962 including renewals, extensions, and refundings, for goods,
2963 materials, equipment, and services may be delegated by the board
2964 of trustees to the board of directors of the direct-support
2965 organization. Trustees shall evaluate proposals for debt
2966 according to guidelines issued by the State Board of Community
2967 ~~Division of Florida~~ Colleges. Revenues of the Florida Community
2968 College System institution may not be pledged to debt issued by
2969 direct-support organizations.

2970 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
2971 organization shall submit to the board of trustees its federal
2972 Internal Revenue Service Application for Recognition of
2973 Exemption form (Form 1023) and its federal Internal Revenue
2974 Service Return of Organization Exempt from Income Tax form (Form
2975 990).

2976 (6) ANNUAL AUDIT.—Each direct-support organization shall
2977 provide for an annual financial audit in accordance with rules
2978 adopted by the Auditor General pursuant to s. 11.45(8). The
2979 annual audit report must be submitted, within 9 months after the
2980 end of the fiscal year, to the Auditor General, the State Board
2981 of Community Colleges ~~Education~~, and the board of trustees for
2982 review. The board of trustees, the Auditor General, and the
2983 Office of Program Policy Analysis and Government Accountability
2984 may require and receive from the organization or from its
2985 independent auditor any detail or supplemental data relative to
2986 the operation of the organization. The identity of donors who
2987 desire to remain anonymous shall be protected, and that
2988 anonymity shall be maintained in the auditor's report. All
2989 records of the organization, other than the auditor's report,

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2990 any information necessary for the auditor's report, any
2991 information related to the expenditure of funds, and any
2992 supplemental data requested by the board of trustees, the
2993 Auditor General, and the Office of Program Policy Analysis and
2994 Government Accountability, shall be confidential and exempt from
2995 the provisions of s. 119.07(1).

2996 Section 41. Section 1004.71, Florida Statutes, is amended
2997 to read:

2998 1004.71 Statewide Florida Community College System
2999 institution direct-support organizations.-

3000 (1) DEFINITIONS.—For the purposes of this section:

3001 (a) "Statewide Florida Community College System institution
3002 direct-support organization" means an organization that is:

3003 1. A Florida corporation not for profit, incorporated under
3004 the provisions of chapter 617 and approved by the Department of
3005 State.

3006 2. Organized and operated exclusively to receive, hold,
3007 invest, and administer property and to make expenditures to, or
3008 for the benefit of, the Florida Community College System
3009 institutions in this state.

3010 3. An organization that the State Board of Community
3011 Colleges Education, after review, has certified to be operating
3012 in a manner consistent with the goals of the Florida Community
3013 College System institutions and in the best interest of the
3014 state.

3015 (b) "Personal services" includes full-time or part-time
3016 personnel as well as payroll processing.

3017 (2) BOARD OF DIRECTORS.—The chair of the State Board of
3018 Community Colleges Education may appoint a representative to the

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3019 board of directors and the executive committee of any statewide,
3020 direct-support organization established under this section or s.
3021 1004.70. The chair of the State Board of Community Colleges
3022 ~~Education~~, or the chair's designee, shall also serve on the
3023 board of directors and the executive committee of any direct-
3024 support organization established to benefit Florida Community
3025 College System institutions.

3026 (3) USE OF PROPERTY.—

3027 (a) The State Board of Education may permit the use of
3028 property, facilities, and personal services of the Department of
3029 Education by any statewide Florida Community College System
3030 institution direct-support organization, subject to the
3031 provisions of this section.

3032 (b) The State Board of Education may prescribe by rule any
3033 condition with which a statewide Florida Community College
3034 System institution direct-support organization must comply in
3035 order to use property, facilities, or personal services of the
3036 Department of Education.

3037 (c) The State Board of Education may not permit the use of
3038 property, facilities, or personal services of the Department of
3039 Education by any statewide Florida Community College System
3040 institution direct-support organization that does not provide
3041 equal employment opportunities to all persons regardless of
3042 race, color, national origin, gender, age, or religion.

3043 (4) RESTRICTIONS.—

3044 (a) A statewide, direct-support organization may not use
3045 public funds to acquire, construct, maintain, or operate any
3046 facilities.

3047 (b) Any transaction or agreement between a statewide,

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3048 direct-support organization and any other direct-support
3049 organization must be approved by the State Board of Community
3050 Colleges Education.

3051 (c) A statewide Florida Community College System
3052 institution direct-support organization is prohibited from
3053 giving, either directly or indirectly, any gift to a political
3054 committee as defined in s. 106.011 for any purpose other than
3055 those certified by a majority roll call vote of the governing
3056 board of the direct-support organization at a regularly
3057 scheduled meeting as being directly related to the educational
3058 mission of the State Board of Community Colleges Education.

3059 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
3060 organization shall submit to the State Board of Community
3061 Colleges Education its federal Internal Revenue Service
3062 Application for Recognition of Exemption form (Form 1023) and
3063 its federal Internal Revenue Service Return of Organization
3064 Exempt from Income Tax form (Form 990).

3065 (6) ANNUAL AUDIT.—A statewide Florida Community College
3066 System institution direct-support organization shall provide for
3067 an annual financial audit in accordance with s. 1004.70. The
3068 identity of a donor or prospective donor who desires to remain
3069 anonymous and all information identifying such donor or
3070 prospective donor are confidential and exempt from the
3071 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
3072 Constitution. Such anonymity shall be maintained in the
3073 auditor's report.

3074 Section 42. Subsection (4) of section 1004.74, Florida
3075 Statutes, is amended to read:

3076 1004.74 Florida School of the Arts.—

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3077 (4) The Council for the Florida School of the Arts shall be
3078 established to advise the Florida Community College System
3079 institution district board of trustees on matters pertaining to
3080 the operation of the school. The council shall consist of nine
3081 members, appointed jointly by the Chancellor of the Florida
3082 Community College System and the Commissioner of Education for
3083 4-year terms. A member may serve three terms and may serve until
3084 replaced.

3085 Section 43. Section 1004.78, Florida Statutes, is amended
3086 to read:

3087 1004.78 Technology transfer centers at Florida Community
3088 College System institutions.—

3089 (1) Each Florida Community College System institution may
3090 establish a technology transfer center for the purpose of
3091 providing institutional support to local business and industry
3092 and governmental agencies in the application of new research in
3093 technology. The primary responsibilities of such centers may
3094 include: identifying technology research developed by
3095 universities, research institutions, businesses, industries, the
3096 United States Armed Forces, and other state or federal
3097 governmental agencies; determining and demonstrating the
3098 application of technologies; training workers to integrate
3099 advanced equipment and production processes; and determining for
3100 business and industry the feasibility and efficiency of
3101 accommodating advanced technologies.

3102 (2) The Florida Community College System institution board
3103 of trustees shall set such policies to regulate the activities
3104 of the technology transfer center as it may consider necessary
3105 to effectuate the purposes of this section and to administer the

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3106 programs of the center in a manner which assures efficiency and
3107 effectiveness, producing the maximum benefit for the educational
3108 programs and maximum service to the state. To this end,
3109 materials that relate to methods of manufacture or production,
3110 potential trade secrets, potentially patentable material, actual
3111 trade secrets, business transactions, or proprietary information
3112 received, generated, ascertained, or discovered during the
3113 course of activities conducted within the Florida Community
3114 College System institutions shall be confidential and exempt
3115 from the provisions of s. 119.07(1), except that a Florida
3116 Community College System institution shall make available upon
3117 request the title and description of a project, the name of the
3118 investigator, and the amount and source of funding provided for
3119 such project.

3120 (3) A technology transfer center created under the
3121 provisions of this section shall be under the supervision of the
3122 board of trustees of that Florida Community College System
3123 institution, which is authorized to appoint a director; to
3124 employ full-time and part-time staff, research personnel, and
3125 professional services; to employ on a part-time basis personnel
3126 of the Florida Community College System institution; and to
3127 employ temporary employees whose salaries are paid entirely from
3128 the permanent technology transfer fund or from that fund in
3129 combination with other nonstate sources, with such positions
3130 being exempt from the requirements of the Florida Statutes
3131 relating to salaries, except that no such appointment shall be
3132 made for a total period of longer than 1 year.

3133 (4) The board of trustees of the Florida Community College
3134 System institution in which a technology transfer center is

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3135 created, or its designee, may negotiate, enter into, and execute
3136 contracts; solicit and accept grants and donations; and fix and
3137 collect fees, other payments, and donations that may accrue by
3138 reason thereof for technology transfer activities. The board of
3139 trustees or its designee may negotiate, enter into, and execute
3140 contracts on a cost-reimbursement basis and may provide
3141 temporary financing of such costs prior to reimbursement from
3142 moneys on deposit in the technology transfer fund, except as may
3143 be prohibited elsewhere by law.

3144 (5) A technology transfer center shall be financed from the
3145 Academic Improvement Program or from moneys of a Florida
3146 Community College System institution which are on deposit or
3147 received for use in the activities conducted in the center. Such
3148 moneys shall be deposited by the Florida Community College
3149 System institution in a permanent technology transfer fund in a
3150 depository or depositories approved for the deposit of state
3151 funds and shall be accounted for and disbursed subject to audit
3152 by the Auditor General.

3153 (6) The fund balance in any existing research trust fund of
3154 a Florida Community College System institution at the time a
3155 technology transfer center is created shall be transferred to a
3156 permanent technology transfer fund established for the Florida
3157 Community College System institution, and thereafter the fund
3158 balance of the technology transfer fund at the end of any fiscal
3159 period may be used during any succeeding period pursuant to this
3160 section.

3161 (7) Moneys deposited in the permanent technology transfer
3162 fund of a Florida Community College System institution shall be
3163 disbursed in accordance with the terms of the contract, grant,

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3164 or donation under which they are received. Moneys received for
3165 overhead or indirect costs and other moneys not required for the
3166 payment of direct costs shall be applied to the cost of
3167 operating the technology transfer center.

3168 (8) All purchases of a technology transfer center shall be
3169 made in accordance with the policies and procedures of the
3170 Florida Community College System institution.

3171 (9) The Florida Community College System institution board
3172 of trustees may authorize the construction, alteration, or
3173 remodeling of buildings when the funds used are derived entirely
3174 from the technology transfer fund of a Florida Community College
3175 System institution or from that fund in combination with other
3176 nonstate sources, provided that such construction, alteration,
3177 or remodeling is for use exclusively by the center. It also may
3178 authorize the acquisition of real property when the cost is
3179 entirely from said funds. Title to all real property shall vest
3180 in the board of trustees.

3181 (10) The State Board of Community Colleges ~~Education~~ may
3182 award grants to Florida Community College System institutions,
3183 or consortia of public and private colleges and universities and
3184 other public and private entities, for the purpose of supporting
3185 the objectives of this section. Grants awarded pursuant to this
3186 subsection shall be in accordance with rules of the State Board
3187 of Community Colleges ~~Education~~. Such rules shall include the
3188 following provisions:

3189 (a) The number of centers established with state funds
3190 provided expressly for the purpose of technology transfer shall
3191 be limited, but shall be geographically located to maximize
3192 public access to center resources and services.

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3193 (b) Grants to centers funded with state revenues
3194 appropriated specifically for technology transfer activities
3195 shall be reviewed and approved by the State Board of Community
3196 Colleges Education using proposal solicitation, evaluation, and
3197 selection procedures established by the state board in
3198 consultation with Enterprise Florida, Inc. Such procedures may
3199 include designation of specific areas or applications of
3200 technology as priorities for the receipt of funding.

3201 (c) Priority for the receipt of state funds appropriated
3202 specifically for the purpose of technology transfer shall be
3203 given to grant proposals developed jointly by Florida Community
3204 College System institutions and public and private colleges and
3205 universities.

3206 (11) Each technology transfer center established under the
3207 provisions of this section shall establish a technology transfer
3208 center advisory committee. Each committee shall include
3209 representatives of a university or universities conducting
3210 research in the area of specialty of the center. Other members
3211 shall be determined by the Florida Community College System
3212 institution board of trustees.

3213 Section 44. Subsection (4) of section 1004.80, Florida
3214 Statutes, is amended to read:

3215 1004.80 Economic development centers.—

3216 (4) The State Board of Community Colleges Education may
3217 award grants to economic development centers for the purposes of
3218 this section. Grants awarded pursuant to this subsection shall
3219 be in accordance with rules established by the State Board of
3220 Community Colleges Education.

3221 Section 45. Section 1004.91, Florida Statutes, is amended

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3222 to read:

3223 1004.91 Requirements for career education program basic
3224 skills.-

3225 (1) The State Board of Education, for career centers
3226 operated by district school boards, and the State Board of
3227 Community Colleges, for charter technical career centers
3228 operated by Florida Community College System institutions, shall
3229 adopt, by rule, standards of basic skill mastery for completion
3230 of certificate career education programs. Each school district
3231 and Florida Community College System institution that conducts
3232 programs that confer career and technical certificates shall
3233 provide applied academics instruction through which students
3234 receive the basic skills instruction required pursuant to this
3235 section.

3236 (2) Students who enroll in a program offered for career
3237 credit of 450 hours or more shall complete an entry-level
3238 examination within the first 6 weeks after admission into the
3239 program. The State Board of Education and the State Board of
3240 Community Colleges shall collaborate to designate examinations
3241 that are currently in existence, the results of which are
3242 comparable across institutions, to assess student mastery of
3243 basic skills. Any student found to lack the required level of
3244 basic skills for such program shall be referred to applied
3245 academics instruction or another adult general education program
3246 for a structured program of basic skills instruction. Such
3247 instruction may include English for speakers of other languages.
3248 A student may not receive a career or technical certificate of
3249 completion without first demonstrating the basic skills required
3250 in the state curriculum frameworks for the career education

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3251 program.

3252 (3) (a) An adult student with a disability may be exempted
3253 from this section.

3254 (b) The following students are exempt from this section:

3255 1. A student who possesses a college degree at the
3256 associate in applied science level or higher.

3257 2. A student who demonstrates readiness for public
3258 postsecondary education pursuant to s. 1008.30 and applicable
3259 rules adopted by the State Board of Education and State Board of
3260 Community Colleges.

3261 3. A student who passes a state or national industry
3262 certification or licensure examination that is identified in
3263 State Board of Education or State Board of Community Colleges
3264 rules and aligned to the career education program in which the
3265 student is enrolled.

3266 4. An adult student who is enrolled in an apprenticeship
3267 program that is registered with the Department of Education in
3268 accordance with chapter 446.

3269 Section 46. Paragraph (b) of subsection (2) of section
3270 1004.92, Florida Statutes, is amended, and subsection (4) is
3271 added to that section, to read:

3272 1004.92 Purpose and responsibilities for career education.—

3273 (2)

3274 (b) Department of Education, for school districts, and the
3275 State Board of Community Colleges, for Florida Community College
3276 System institutions, have the following responsibilities related
3277 to accountability for career education ~~includes, but is not~~
3278 ~~limited to:~~

3279 1. The provision of timely, accurate technical assistance

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3280 to school districts and Florida Community College System
3281 institutions.

3282 2. The provision of timely, accurate information to the
3283 State Board of Education, the Legislature, and the public.

3284 3. The development of policies, rules, and procedures that
3285 facilitate institutional attainment of the accountability
3286 standards and coordinate the efforts of all divisions within the
3287 department.

3288 4. The development of program standards and industry-driven
3289 benchmarks for career, adult, and community education programs,
3290 which must be updated every 3 years. The standards must include
3291 career, academic, and workplace skills; viability of distance
3292 learning for instruction; ~~and~~ work/learn cycles that are
3293 responsive to business and industry; and provisions that reflect
3294 the quality components of career and technical education
3295 programs.

3296 5. Overseeing school district and Florida Community College
3297 System institution compliance with ~~the provisions of~~ this
3298 chapter.

3299 6. Ensuring that the educational outcomes for the technical
3300 component of career programs are uniform and designed to provide
3301 a graduate who is capable of entering the workforce on an
3302 equally competitive basis regardless of the institution of
3303 choice.

3304 (4) The State Board of Education, for career education
3305 provided by school districts, and the State Board of Community
3306 Colleges, for career education provided by Florida Community
3307 College System institutions, shall adopt rules to administer
3308 this section.

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3309 Section 47. Subsection (1) of section 1004.925, Florida
3310 Statutes, is amended to read:

3311 1004.925 Automotive service technology education programs;
3312 certification.—

3313 (1) All automotive service technology education programs
3314 shall be industry certified in accordance with rules adopted by
3315 the State Board of Education and the State Board of Community
3316 Colleges.

3317 Section 48. Paragraphs (c) and (d) of subsection (4) and
3318 subsections (6) and (9) of section 1004.93, Florida Statutes,
3319 are amended to read:

3320 1004.93 Adult general education.—

3321 (4)

3322 (c) The State Board of Community Colleges ~~Education~~ shall
3323 define, by rule, the levels and courses of instruction to be
3324 funded through the developmental education program. The State
3325 Board of Community Colleges shall coordinate the establishment
3326 of costs for developmental education courses, the establishment
3327 of statewide standards that define required levels of
3328 competence, acceptable rates of student progress, and the
3329 maximum amount of time to be allowed for completion of
3330 developmental education. Developmental education is part of an
3331 associate in arts degree program and may not be funded as an
3332 adult career education program.

3333 (d) Expenditures for developmental education and lifelong
3334 learning students shall be reported separately. Allocations for
3335 developmental education shall be based on proportional full-time
3336 equivalent enrollment. Program review results shall be included
3337 in the determination of subsequent allocations. A student shall

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3338 be funded to enroll in the same developmental education class
3339 within a skill area only twice, after which time the student
3340 shall pay 100 percent of the full cost of instruction to support
3341 the continuous enrollment of that student in the same class;
3342 however, students who withdraw or fail a class due to
3343 extenuating circumstances may be granted an exception only once
3344 for each class, provided approval is granted according to policy
3345 established by the board of trustees. Each Florida Community
3346 College System institution shall have the authority to review
3347 and reduce payment for increased fees due to continued
3348 enrollment in a developmental education class on an individual
3349 basis contingent upon the student's financial hardship, pursuant
3350 to definitions and fee levels established by the State Board of
3351 Community Colleges ~~Education~~. Developmental education and
3352 lifelong learning courses do not generate credit toward an
3353 associate or baccalaureate degree.

3354 (6) The commissioner, for school districts, and the
3355 Chancellor of the Florida Community College System, for Florida
3356 Community College System institutions, shall recommend the level
3357 of funding for public school and Florida Community College
3358 System institution adult education within the legislative budget
3359 request and make other recommendations and reports considered
3360 necessary or required by rules of the State Board of Education.

3361 (9) The State Board of Education and the State Board of
3362 Community Colleges may adopt rules necessary for the
3363 implementation of this section.

3364 Section 49. Subsection (3) of section 1006.60, Florida
3365 Statutes, is amended to read:

3366 1006.60 Codes of conduct; disciplinary measures; authority

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3367 to adopt rules or regulations.—

3368 (3) Sanctions authorized by such codes of conduct may be
3369 imposed only for acts or omissions in violation of rules or
3370 regulations adopted by the institution, including rules or
3371 regulations adopted under this section, rules of the State Board
3372 of Community Colleges regarding the Florida Community College
3373 System Education, rules or regulations of the Board of Governors
3374 regarding the State University System, county and municipal
3375 ordinances, and the laws of this state, the United States, or
3376 any other state.

3377 Section 50. Subsection (1) of section 1006.61, Florida
3378 Statutes, is amended to read:

3379 1006.61 Participation by students in disruptive activities
3380 at public postsecondary educational institution; penalties.—

3381 (1) Any person who accepts the privilege extended by the
3382 laws of this state of attendance at any public postsecondary
3383 educational institution shall, by attending such institution, be
3384 deemed to have given his or her consent to the policies of that
3385 institution, the State Board of Community Colleges regarding the
3386 Florida Community College System Education, and the Board of
3387 Governors regarding the State University System, and the laws of
3388 this state. Such policies shall include prohibition against
3389 disruptive activities at public postsecondary educational
3390 institutions.

3391 Section 51. Section 1006.62, Florida Statutes, is amended
3392 to read:

3393 1006.62 Expulsion and discipline of students of Florida
3394 Community College System institutions and state universities.—

3395 (1) Each student in a Florida Community College System

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3396 institution or state university is subject to federal and state
3397 law, respective county and municipal ordinances, and all rules
3398 and regulations of the State Board of Community Colleges
3399 regarding the Florida Community College System Education, the
3400 Board of Governors regarding the State University System, or the
3401 board of trustees of the institution.

3402 (2) Violation of these published laws, ordinances, or rules
3403 and regulations may subject the violator to appropriate action
3404 by the institution's authorities.

3405 (3) Each president of a Florida Community College System
3406 institution or state university may, after notice to the student
3407 of the charges and after a hearing thereon, expel, suspend, or
3408 otherwise discipline any student who is found to have violated
3409 any law, ordinance, or rule or regulation of the State Board of
3410 Community Colleges regarding the Florida Community College
3411 System Education, the Board of Governors regarding the State
3412 University System, or the board of trustees of the institution.
3413 A student may be entitled to waiver of expulsion:

3414 (a) If the student provides substantial assistance in the
3415 identification, arrest, or conviction of any of his or her
3416 accomplices, accessories, coconspirators, or principals or of
3417 any other person engaged in violations of chapter 893 within a
3418 state university or Florida Community College System
3419 institution;

3420 (b) If the student voluntarily discloses his or her
3421 violations of chapter 893 prior to his or her arrest; or

3422 (c) If the student commits himself or herself, or is
3423 referred by the court in lieu of sentence, to a state-licensed
3424 drug abuse program and successfully completes the program.

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3425 Section 52. Paragraphs (c) and (g) of subsection (1),
3426 paragraph (b) of subsection (2), and subsection (3) of section
3427 1006.71, Florida Statutes, are amended to read:

3428 1006.71 Gender equity in intercollegiate athletics.—

3429 (1) GENDER EQUITY PLAN.—

3430 (c) The Chancellor of the Florida Community College System
3431 ~~Commissioner of Education~~ shall annually assess the progress of
3432 each Florida Community College System institution's plan and
3433 advise the State Board of Community Colleges ~~Education~~ and the
3434 Legislature regarding compliance.

3435 (g)1. If a Florida Community College System institution is
3436 not in compliance with Title IX of the Education Amendments of
3437 1972 and the Florida Educational Equity Act, the State Board of
3438 Community Colleges ~~Education~~ shall:

3439 a. Declare the Florida Community College System institution
3440 ineligible for competitive state grants.

3441 b. Withhold funds sufficient to obtain compliance.

3442

3443 The Florida Community College System institution shall remain
3444 ineligible and the funds may ~~shall~~ not be paid until the Florida
3445 Community College System institution comes into compliance or
3446 the Chancellor of the Florida Community College System
3447 ~~Commissioner of Education~~ approves a plan for compliance.

3448 2. If a state university is not in compliance with Title IX
3449 of the Education Amendments of 1972 and the Florida Educational
3450 Equity Act, the Board of Governors shall:

3451 a. Declare the state university ineligible for competitive
3452 state grants.

3453 b. Withhold funds sufficient to obtain compliance.

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3454

3455 The state university shall remain ineligible and the funds may
3456 ~~shall~~ not be paid until the state university comes into
3457 compliance or the Board of Governors approves a plan for
3458 compliance.

3459 (2) FUNDING.—

3460 (b) The level of funding and percentage share of support
3461 for women's intercollegiate athletics for Florida Community
3462 College System institutions shall be determined by the State
3463 Board of Community Colleges Education. The level of funding and
3464 percentage share of support for women's intercollegiate
3465 athletics for state universities shall be determined by the
3466 Board of Governors. The level of funding and percentage share
3467 attained in the 1980-1981 fiscal year shall be the minimum level
3468 and percentage maintained by each institution, except as the
3469 State Board of Community Colleges Education or the Board of
3470 Governors otherwise directs its respective institutions for the
3471 purpose of assuring equity. Consideration shall be given by the
3472 State Board of Community Colleges Education or the Board of
3473 Governors to emerging athletic programs at institutions which
3474 may not have the resources to secure external funds to provide
3475 athletic opportunities for women. It is the intent that the
3476 effect of any redistribution of funds among institutions may
3477 ~~shall~~ not negate the requirements as set forth in this section.

3478 (3) STATE BOARD OF COMMUNITY COLLEGES EDUCATION.—The State
3479 Board of Community Colleges Education shall assure equal
3480 opportunity for female athletes at Florida Community College
3481 System institutions and establish:

3482 (a) In conjunction with the State Board of Education,

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3483 guidelines for reporting of intercollegiate athletics data
3484 concerning financial, program, and facilities information for
3485 review by the State Board of Community Colleges ~~Education~~
3486 annually.

3487 (b) Systematic audits for the evaluation of such data.

3488 (c) Criteria for determining and assuring equity.

3489 Section 53. Section 1007.01, Florida Statutes, is amended
3490 to read:

3491 1007.01 Articulation; legislative intent; purpose; role of
3492 the State Board of Education, the State Board of Community
3493 Colleges, and the Board of Governors; Articulation Coordinating
3494 Committee.—

3495 (1) It is the intent of the Legislature to facilitate
3496 articulation and seamless integration of the K-20 education
3497 system by building, sustaining, and strengthening relationships
3498 among K-20 public organizations, between public and private
3499 organizations, and between the education system as a whole and
3500 Florida's communities. The purpose of building, sustaining, and
3501 strengthening these relationships is to provide for the
3502 efficient and effective progression and transfer of students
3503 within the education system and to allow students to proceed
3504 toward their educational objectives as rapidly as their
3505 circumstances permit. The Legislature further intends that
3506 articulation policies and budget actions be implemented
3507 consistently in the practices of the Department of Education and
3508 postsecondary educational institutions and expressed in the
3509 collaborative policy efforts of the State Board of Education,
3510 ~~and~~ the Board of Governors, and the State Board of Community
3511 Colleges.

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3512 (2) To preserve Florida's "2+2" system of articulation and
3513 improve and facilitate articulation systemwide, the State Board
3514 of Education, ~~and~~ the Board of Governors, and the State Board of
3515 Community Colleges shall collaboratively establish and adopt
3516 policies with input from statewide K-20 advisory groups
3517 established by the Commissioner of Education, the Chancellor of
3518 the Florida Community College System, and the Chancellor of the
3519 State University System and shall recommend the policies to the
3520 Legislature. The policies shall relate to:

3521 (a) The alignment between the exit requirements of one
3522 education system and the admissions requirements of another
3523 education system into which students typically transfer.

3524 (b) The identification of common courses, the level of
3525 courses, institutional participation in a statewide course
3526 numbering system, and the transferability of credits among such
3527 institutions.

3528 (c) Identification of courses that meet general education
3529 or common degree program prerequisite requirements at public
3530 postsecondary educational institutions.

3531 (d) Dual enrollment course equivalencies.

3532 (e) Articulation agreements.

3533 (3) The Commissioner of Education, in consultation with the
3534 Chancellor of the Florida Community College System and the
3535 Chancellor of the State University System, shall establish the
3536 Articulation Coordinating Committee, which shall make
3537 recommendations related to statewide articulation policies and
3538 issues regarding access, quality, and reporting of data
3539 maintained by the K-20 data warehouse, established pursuant to
3540 ss. 1001.10 and 1008.31, to the Higher Education Coordination

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3541 Council, the State Board of Education, ~~and~~ the Board of
3542 Governors, and the State Board of Community Colleges. The
3543 committee shall consist of two members each representing the
3544 State University System, the Florida Community College System,
3545 public career and technical education, K-12 education, and
3546 nonpublic postsecondary education and one member representing
3547 students. The chair shall be elected from the membership. The
3548 Office of K-20 Articulation shall provide administrative support
3549 for the committee. The committee shall:

3550 (a) Monitor the alignment between the exit requirements of
3551 one education system and the admissions requirements of another
3552 education system into which students typically transfer and make
3553 recommendations for improvement.

3554 (b) Propose guidelines for interinstitutional agreements
3555 between and among public schools, career and technical education
3556 centers, Florida Community College System institutions, state
3557 universities, and nonpublic postsecondary institutions.

3558 (c) Annually recommend dual enrollment course and high
3559 school subject area equivalencies for approval by the State
3560 Board of Education, ~~and~~ the Board of Governors, and the State
3561 Board of Community Colleges.

3562 (d) Annually review the statewide articulation agreement
3563 pursuant to s. 1007.23 and make recommendations for revisions.

3564 (e) Annually review the statewide course numbering system,
3565 the levels of courses, and the application of transfer credit
3566 requirements among public and nonpublic institutions
3567 participating in the statewide course numbering system and
3568 identify instances of student transfer and admissions
3569 difficulties.

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3570 (f) Annually publish a list of courses that meet common
3571 general education and common degree program prerequisite
3572 requirements at public postsecondary institutions identified
3573 pursuant to s. 1007.25.

3574 (g) Foster timely collection and reporting of statewide
3575 education data to improve the K-20 education performance
3576 accountability system pursuant to ss. 1001.10 and 1008.31,
3577 including, but not limited to, data quality, accessibility, and
3578 protection of student records.

3579 (h) Recommend roles and responsibilities of public
3580 education entities in interfacing with the single, statewide
3581 computer-assisted student advising system established pursuant
3582 to s. 1006.735.

3583 (i) Make recommendations regarding the cost and
3584 requirements to develop and implement an online system for
3585 collecting and analyzing data regarding requests for transfer of
3586 credit by postsecondary education students. The online system,
3587 at a minimum, must collect information regarding the total
3588 number of credit transfer requests denied and the reason for
3589 each denial. Recommendations shall be reported to the President
3590 of the Senate and the Speaker of the House of Representatives on
3591 or before January 31, 2015.

3592 Section 54. Subsections (1) and (6) of section 1007.23,
3593 Florida Statutes, are amended, and subsection (7) is added to
3594 that section, to read:

3595 1007.23 Statewide articulation agreement.—

3596 (1) The State Board of Education, ~~and~~ and the Board of
3597 Governors, and the State Board of Community Colleges shall enter
3598 into a statewide articulation agreement which the State Board of

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3599 Education and the State Board of Community Colleges shall adopt
3600 by rule. The agreement must preserve Florida's "2+2" system of
3601 articulation, facilitate the seamless articulation of student
3602 credit across and among Florida's educational entities, and
3603 reinforce the provisions of this chapter by governing:

3604 (a) Articulation between secondary and postsecondary
3605 education;

3606 (b) Admission of associate in arts degree graduates from
3607 Florida Community College System institutions and state
3608 universities;

3609 (c) Admission of applied technology diploma program
3610 graduates from Florida Community College System institutions or
3611 career centers;

3612 (d) Admission of associate in science degree and associate
3613 in applied science degree graduates from Florida Community
3614 College System institutions;

3615 (e) The use of acceleration mechanisms, including
3616 nationally standardized examinations through which students may
3617 earn credit;

3618 (f) General education requirements and statewide course
3619 numbers as provided for in ss. 1007.24 and 1007.25; and

3620 (g) Articulation among programs in nursing.

3621 (6) The articulation agreement must guarantee the
3622 articulation of 9 credit hours toward a postsecondary degree in
3623 early childhood education for programs approved by the State
3624 Board of Community Colleges ~~Education~~ and the Board of Governors
3625 which:

3626 (a) Award a child development associate credential issued
3627 by the National Credentialing Program of the Council for

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3628 Professional Recognition or award a credential approved under s.
3629 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
3630 child development associate credential; and

3631 (b) Include training in emergent literacy which meets or
3632 exceeds the minimum standards for training courses for
3633 prekindergarten instructors of the Voluntary Prekindergarten
3634 Education Program in s. 1002.59.

3635 (7) To strengthen Florida's "2+2" system of articulation
3636 and improve student retention and on-time graduation, by the
3637 2018-2019 academic year, each Florida Community College System
3638 institution shall execute at least one "2+2" targeted pathway
3639 articulation agreement with one or more state universities to
3640 establish "2+2" targeted pathway programs. The agreement must
3641 provide students who graduate with an associate in arts degree
3642 and who meet specified requirements guaranteed access to the
3643 state university and a degree program at that university, in
3644 accordance with the terms of the "2+2" targeted pathway
3645 articulation agreement.

3646 (a) To participate in a "2+2" targeted pathway program, a
3647 student must:

3648 1. Enroll in the program before completing 30 credit hours,
3649 including, but not limited to, college credits earned through
3650 articulated acceleration mechanisms pursuant to s. 1007.27;

3651 2. Complete an associate in arts degree; and

3652 3. Meet the university's transfer requirements.

3653 (b) A state university that executes a "2+2" targeted
3654 pathway articulation agreement must meet the following
3655 requirements in order to implement a "2+2" targeted pathway
3656 program in collaboration with its partner Florida Community

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3657 College System institution:

3658 1. Establish a 4-year on-time graduation plan for a
3659 baccalaureate degree program, including, but not limited to, a
3660 plan for students to complete associate in arts degree programs,
3661 general education courses, common prerequisite courses, and
3662 elective courses;

3663 2. Advise students enrolled in the program about the
3664 university's transfer and degree program requirements; and

3665 3. Provide students who meet the requirements under this
3666 paragraph with access to academic advisors and campus events and
3667 with guaranteed admittance to the state university and a degree
3668 program of the state university, in accordance with the terms of
3669 the agreement.

3670 (c) To assist the state universities and Florida Community
3671 College System institutions with implementing the "2+2" targeted
3672 pathway programs effectively, the State Board of Community
3673 Colleges and the Board of Governors shall collaborate to
3674 eliminate barriers in executing "2+2" targeted pathway
3675 articulation agreements.

3676 Section 55. Subsections (1), (2), and (3) of section
3677 1007.24, Florida Statutes, are amended to read:

3678 1007.24 Statewide course numbering system.—

3679 (1) The Department of Education, in conjunction with the
3680 Board of Governors and the State Board of Community Colleges,
3681 shall develop, coordinate, and maintain a statewide course
3682 numbering system for postsecondary and dual enrollment education
3683 in school districts, public postsecondary educational
3684 institutions, and participating nonpublic postsecondary
3685 educational institutions that will improve program planning,

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3686 increase communication among all delivery systems, and
3687 facilitate student acceleration and the transfer of students and
3688 credits between public school districts, public postsecondary
3689 educational institutions, and participating nonpublic
3690 educational institutions. The continuing maintenance of the
3691 system shall be accomplished with the assistance of appropriate
3692 faculty committees representing public and participating
3693 nonpublic educational institutions.

3694 (2) The Commissioner of Education, in conjunction with the
3695 Chancellor of the Florida Community College System and the
3696 Chancellor of the State University System, shall appoint faculty
3697 committees representing faculties of participating institutions
3698 to recommend a single level for each course, including
3699 postsecondary career education courses, included in the
3700 statewide course numbering system.

3701 (a) Any course designated as an upper-division-level course
3702 must be characterized by a need for advanced academic
3703 preparation and skills that a student would be unlikely to
3704 achieve without significant prior coursework.

3705 (b) A course that is offered as part of an associate in
3706 science degree program and as an upper-division course for a
3707 baccalaureate degree shall be designated for both the lower and
3708 upper division.

3709 (c) A course designated as lower-division may be offered by
3710 any Florida Community College System institution.

3711 (3) The Commissioner of Education shall recommend to the
3712 State Board of Education the levels for the courses. The State
3713 Board of Education, with input from the Board of Governors and
3714 the State Board of Community Colleges, shall approve the levels

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3715 for the courses.

3716 Section 56. Subsections (3), (5), and (8) through (11) of
3717 section 1007.25, Florida Statutes, are amended to read:

3718 1007.25 General education courses; common prerequisites;
3719 other degree requirements.—

3720 (3) The chair of the State Board of Community Colleges
3721 ~~Education~~ and the chair of the Board of Governors, or their
3722 designees, shall jointly appoint faculty committees to identify
3723 statewide general education core course options. General
3724 education core course options shall consist of a maximum of five
3725 courses within each of the subject areas of communication,
3726 mathematics, social sciences, humanities, and natural sciences.
3727 The core courses may be revised, or the five-course maximum
3728 within each subject area may be exceeded, if approved by the
3729 State Board of Community Colleges ~~Education~~ and the Board of
3730 Governors, as recommended by the subject area faculty committee
3731 and approved by the Articulation Coordinating Committee as
3732 necessary for a subject area. Each general education core course
3733 option must contain high-level academic and critical thinking
3734 skills and common competencies that students must demonstrate to
3735 successfully complete the course. Beginning with students
3736 initially entering a Florida Community College System
3737 institution or state university in 2015-2016 and thereafter,
3738 each student must complete at least one identified core course
3739 in each subject area as part of the general education course
3740 requirements. All public postsecondary educational institutions
3741 shall accept these courses as meeting general education core
3742 course requirements. The remaining general education course
3743 requirements shall be identified by each institution and

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3744 reported to the department by their statewide course number. The
3745 general education core course options shall be adopted in rule
3746 by the State Board of Community Colleges ~~Education~~ and in
3747 regulation by the Board of Governors.

3748 (5) The department shall identify common prerequisite
3749 courses and course substitutions for degree programs across all
3750 institutions. Common degree program prerequisites shall be
3751 offered and accepted by all state universities and Florida
3752 Community College System institutions, except in cases approved
3753 by the State Board of Community Colleges, ~~Education~~ for Florida
3754 Community College System institutions, and the Board of
3755 Governors, for state universities. The department shall develop
3756 a centralized database containing the list of courses and course
3757 substitutions that meet the prerequisite requirements for each
3758 baccalaureate degree program.

3759 (8) A baccalaureate degree program shall require no more
3760 than 120 semester hours of college credit and include 36
3761 semester hours of general education coursework, unless prior
3762 approval has been granted by the Board of Governors for
3763 baccalaureate degree programs offered by state universities and
3764 by the State Board of Community Colleges ~~Education~~ for
3765 baccalaureate degree programs offered by Florida Community
3766 College System institutions.

3767 (9) A student who received an associate in arts degree for
3768 successfully completing 60 semester credit hours may continue to
3769 earn ~~additional~~ credits at a Florida Community College System
3770 institution. The university must provide credit toward the
3771 student's baccalaureate degree for a ~~an additional~~ Florida
3772 Community College System institution course if, according to the

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3773 statewide course numbering, the Florida Community College System
3774 institution course is a course listed in the university catalog
3775 as required for the degree or as prerequisite to a course
3776 required for the degree. Of the courses required for the degree,
3777 at least half of the credit hours required for the degree shall
3778 be achievable through courses designated as lower division,
3779 except in degree programs approved by the State Board of
3780 Community Colleges ~~Education~~ for programs offered by Florida
3781 Community College System institutions and by the Board of
3782 Governors for programs offered by state universities.

3783 (10) Students at state universities may request associate
3784 in arts certificates if they have successfully completed the
3785 minimum requirements for the degree of associate in arts (A.A.).
3786 The university must grant the student an associate in arts
3787 degree if the student has successfully completed minimum
3788 requirements for college-level communication and computation
3789 skills adopted by the State Board of Community Colleges
3790 ~~Education~~ and 60 academic semester hours or the equivalent
3791 within a degree program area, including 36 semester hours in
3792 general education courses in the subject areas of communication,
3793 mathematics, social sciences, humanities, and natural sciences,
3794 consistent with the general education requirements specified in
3795 the articulation agreement pursuant to s. 1007.23.

3796 (11) The Commissioner of Education and the Chancellor of
3797 the Florida Community College System shall jointly appoint
3798 faculty committees representing both Florida Community College
3799 System institution and public school faculties to recommend to
3800 the commissioner, or the Chancellor of the Florida Community
3801 College System, as applicable, for approval by the State Board

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3802 of Education and the State Board of Community Colleges, as
3803 applicable, a standard program length and appropriate
3804 occupational completion points for each postsecondary career
3805 certificate program, diploma, and degree offered by a school
3806 district or a Florida Community College System institution.

3807 Section 57. Section 1007.262, Florida Statutes, is amended
3808 to read:

3809 1007.262 Foreign language competence; equivalence
3810 determinations.—The Department of Education shall identify the
3811 competencies demonstrated by students upon the successful
3812 completion of 2 credits of sequential high school foreign
3813 language instruction. For the purpose of determining
3814 postsecondary equivalence, the State Board of Community Colleges
3815 ~~department~~ shall develop rules through which Florida Community
3816 College System institutions correlate such competencies to the
3817 competencies required of students in the colleges' respective
3818 courses. Based on this correlation, each Florida Community
3819 College System institution shall identify the minimum number of
3820 postsecondary credits that students must earn in order to
3821 demonstrate a level of competence in a foreign language at least
3822 equivalent to that of students who have completed 2 credits of
3823 such instruction in high school. The department may also specify
3824 alternative means by which students can demonstrate equivalent
3825 foreign language competence, including means by which a student
3826 whose native language is not English may demonstrate proficiency
3827 in the native language. A student who demonstrates proficiency
3828 in a native language other than English is exempt from a
3829 requirement of completing foreign language courses at the
3830 secondary or Florida Community College System level.

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3831 Section 58. Section 1007.263, Florida Statutes, is amended
3832 to read:

3833 1007.263 Florida Community College System institutions;
3834 admissions of students.—Each Florida Community College System
3835 institution board of trustees is authorized to adopt rules
3836 governing admissions of students subject to this section and
3837 rules of the State Board of Community Colleges ~~Education~~. These
3838 rules shall include the following:

3839 (1) Admissions counseling shall be provided to all students
3840 entering college or career credit programs. For students who are
3841 not otherwise exempt from testing under s. 1008.30, counseling
3842 must use tests to measure achievement of college-level
3843 communication and computation competencies by students entering
3844 college credit programs or tests to measure achievement of basic
3845 skills for career education programs as prescribed in s.
3846 1004.91. Counseling includes providing developmental education
3847 options for students whose assessment results, determined under
3848 s. 1008.30, indicate that they need to improve communication or
3849 computation skills that are essential to perform college-level
3850 work.

3851 (2) Admission to associate degree programs is subject to
3852 minimum standards adopted by the State Board of Community
3853 Colleges ~~Education~~ and shall require:

3854 (a) A standard high school diploma, a high school
3855 equivalency diploma as prescribed in s. 1003.435, previously
3856 demonstrated competency in college credit postsecondary
3857 coursework, or, in the case of a student who is home educated, a
3858 signed affidavit submitted by the student's parent or legal
3859 guardian attesting that the student has completed a home

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3860 education program pursuant to the requirements of s. 1002.41.
3861 Students who are enrolled in a dual enrollment or early
3862 admission program pursuant to s. 1007.271 are exempt from this
3863 requirement.

3864 (b) A demonstrated level of achievement of college-level
3865 communication and computation skills.

3866 (c) Any other requirements established by the board of
3867 trustees.

3868 (3) Admission to other programs within the Florida
3869 Community College System institution shall include education
3870 requirements as established by the board of trustees.

3871 (4) A student who has been awarded a certificate of
3872 completion under s. 1003.4282 is eligible to enroll in
3873 certificate career education programs.

3874 (5) A student with a documented disability may be eligible
3875 for reasonable substitutions, as prescribed in ss. 1007.264 and
3876 1007.265.

3877
3878 Each board of trustees shall establish policies that notify
3879 students about developmental education options for improving
3880 their communication or computation skills that are essential to
3881 performing college-level work, including tutoring, extended time
3882 in gateway courses, free online courses, adult basic education,
3883 adult secondary education, or private provider instruction.

3884 Section 59. Subsection (2) of section 1007.264, Florida
3885 Statutes, is amended to read:

3886 1007.264 Persons with disabilities; admission to
3887 postsecondary educational institutions; substitute requirements;
3888 rules and regulations.-

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3889 (2) The State Board of Community Colleges ~~Education~~, in
3890 consultation with the Board of Governors, shall adopt rules to
3891 implement this section for Florida Community College System
3892 institutions and shall develop substitute admission requirements
3893 where appropriate.

3894 Section 60. Subsections (2) and (3) of section 1007.265,
3895 Florida Statutes, are amended to read:

3896 1007.265 Persons with disabilities; graduation, study
3897 program admission, and upper-division entry; substitute
3898 requirements; rules and regulations.—

3899 (2) The State Board of Community Colleges ~~Education~~, in
3900 consultation with the Board of Governors, shall adopt rules to
3901 implement this section for Florida Community College System
3902 institutions and shall develop substitute requirements where
3903 appropriate.

3904 (3) The Board of Governors, in consultation with the State
3905 Board of Community Colleges ~~Education~~, shall adopt regulations
3906 to implement this section for state universities and shall
3907 develop substitute requirements where appropriate.

3908 Section 61. Subsections (6), (7), and (8) of section
3909 1007.27, Florida Statutes, are amended to read:

3910 1007.27 Articulated acceleration mechanisms.—

3911 (6) Credit by examination shall be the program through
3912 which secondary and postsecondary students generate
3913 postsecondary credit based on the receipt of a specified minimum
3914 score on nationally standardized general or subject-area
3915 examinations. For the purpose of statewide application, such
3916 examinations and the corresponding minimum scores required for
3917 an award of credit shall be delineated by the State Board of

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3918 Education, ~~and~~ the Board of Governors, and the State Board of
3919 Community Colleges in the statewide articulation agreement
3920 required by s. 1007.23(1). The maximum credit generated by a
3921 student pursuant to this subsection shall be mitigated by any
3922 related postsecondary credit earned by the student prior to the
3923 administration of the examination. This subsection shall not
3924 preclude Florida Community College System institutions and
3925 universities from awarding credit by examination based on
3926 student performance on examinations developed within and
3927 recognized by the individual postsecondary institutions.

3928 (7) The International Baccalaureate Program shall be the
3929 curriculum in which eligible secondary students are enrolled in
3930 a program of studies offered through the International
3931 Baccalaureate Program administered by the International
3932 Baccalaureate Office. The State Board of Community Colleges
3933 ~~Education~~ and the Board of Governors shall specify in the
3934 statewide articulation agreement required by s. 1007.23(1) the
3935 cutoff scores and International Baccalaureate Examinations which
3936 will be used to grant postsecondary credit at Florida Community
3937 College System institutions and universities. Any changes to the
3938 articulation agreement, ~~7~~ which have the effect of raising the
3939 required cutoff score or of changing the International
3940 Baccalaureate Examinations which will be used to grant
3941 postsecondary credit, ~~7~~ shall only apply to students taking
3942 International Baccalaureate Examinations after such changes are
3943 adopted by the State Board of Community Colleges ~~Education~~ and
3944 the Board of Governors. Students shall be awarded a maximum of
3945 30 semester credit hours pursuant to this subsection. The
3946 specific course for which a student may receive such credit

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3947 shall be specified in the statewide articulation agreement
3948 required by s. 1007.23(1). Students enrolled pursuant to this
3949 subsection shall be exempt from the payment of any fees for
3950 administration of the examinations regardless of whether or not
3951 the student achieves a passing score on the examination.

3952 (8) The Advanced International Certificate of Education
3953 Program and the International General Certificate of Secondary
3954 Education (pre-AICE) Program shall be the curricula in which
3955 eligible secondary students are enrolled in programs of study
3956 offered through the Advanced International Certificate of
3957 Education Program or the International General Certificate of
3958 Secondary Education (pre-AICE) Program administered by the
3959 University of Cambridge Local Examinations Syndicate. The State
3960 Board of Community Colleges Education and the Board of Governors
3961 shall specify in the statewide articulation agreement required
3962 by s. 1007.23(1) the cutoff scores and Advanced International
3963 Certificate of Education examinations which will be used to
3964 grant postsecondary credit at Florida Community College System
3965 institutions and universities. Any changes to the cutoff scores,
3966 which changes have the effect of raising the required cutoff
3967 score or of changing the Advanced International Certification of
3968 Education examinations which will be used to grant postsecondary
3969 credit, shall apply to students taking Advanced International
3970 Certificate of Education examinations after such changes are
3971 adopted by the State Board of Community Colleges Education and
3972 the Board of Governors. Students shall be awarded a maximum of
3973 30 semester credit hours pursuant to this subsection. The
3974 specific course for which a student may receive such credit
3975 shall be determined by the Florida Community College System

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3976 institution or university that accepts the student for
3977 admission. Students enrolled in either program of study pursuant
3978 to this subsection shall be exempt from the payment of any fees
3979 for administration of the examinations regardless of whether the
3980 student achieves a passing score on the examination.

3981 Section 62. Subsections (3) and (22) of section 1007.271,
3982 Florida Statutes, are amended to read:

3983 1007.271 Dual enrollment programs.—

3984 (3) Student eligibility requirements for initial enrollment
3985 in college credit dual enrollment courses must include a 3.0
3986 unweighted high school grade point average and the minimum score
3987 on a common placement test adopted by the State Board of
3988 Education which indicates that the student is ready for college-
3989 level coursework. Student eligibility requirements for continued
3990 enrollment in college credit dual enrollment courses must
3991 include the maintenance of a 3.0 unweighted high school grade
3992 point average and the minimum postsecondary grade point average
3993 established by the postsecondary institution. Regardless of
3994 meeting student eligibility requirements for continued
3995 enrollment, a student may lose the opportunity to participate in
3996 a dual enrollment course if the student is disruptive to the
3997 learning process such that the progress of other students or the
3998 efficient administration of the course is hindered. Student
3999 eligibility requirements for initial and continued enrollment in
4000 career certificate dual enrollment courses must include a 2.0
4001 unweighted high school grade point average. Exceptions to the
4002 required grade point averages may be granted on an individual
4003 student basis if the educational entities agree and the terms of
4004 the agreement are contained within the dual enrollment

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4005 articulation agreement established pursuant to subsection (21).
4006 Florida Community College System institution boards of trustees
4007 may establish additional initial student eligibility
4008 requirements, which shall be included in the dual enrollment
4009 articulation agreement, to ensure student readiness for
4010 postsecondary instruction. Additional requirements included in
4011 the agreement may not arbitrarily prohibit students who have
4012 demonstrated the ability to master advanced courses from
4013 participating in dual enrollment courses.

4014 (22) The Department of Education shall develop an
4015 electronic submission system for dual enrollment articulation
4016 agreements and shall review, for compliance, each dual
4017 enrollment articulation agreement submitted pursuant to
4018 subsections (13), (21), and (24). The Commissioner of Education
4019 shall notify the district school superintendent and the Florida
4020 Community College System institution president if the dual
4021 enrollment articulation agreement does not comply with statutory
4022 requirements and shall submit any dual enrollment articulation
4023 agreement with unresolved issues of noncompliance to the State
4024 Board of Education. The State Board of Education shall
4025 collaborate with the State Board of Community Colleges to
4026 resolve unresolved issues of noncompliance.

4027 Section 63. Subsection (6) of section 1007.273, Florida
4028 Statutes, is amended to read:

4029 1007.273 Collegiate high school program.—

4030 (6) The collegiate high school program shall be funded
4031 pursuant to ss. 1007.271 and 1011.62. The State Board of
4032 Education shall enforce compliance with this section by
4033 withholding the transfer of funds for the school districts ~~and~~

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4034 ~~the Florida College System institutions~~ in accordance with s.
4035 1008.32. Annually by December 31, the State Board of Community
4036 Colleges shall enforce compliance with this section by
4037 withholding the transfer of funds for the Florida Community
4038 College System institutions in accordance with s. 1001.602.

4039 Section 64. Section 1007.33, Florida Statutes, is amended
4040 to read:

4041 1007.33 Site-determined baccalaureate degree access.—

4042 (1) (a) The Legislature recognizes that public and private
4043 postsecondary educational institutions play an essential role in
4044 improving the quality of life and economic well-being of the
4045 state and its residents. The Legislature also recognizes that
4046 economic development needs and the educational needs of place-
4047 bound, nontraditional students have increased the demand for
4048 local access to baccalaureate degree programs. It is therefore
4049 the intent of the Legislature to further expand access to
4050 baccalaureate degree programs through the use of Florida
4051 Community College System institutions.

4052 (b) For purposes of this section, the term "district"
4053 refers to the county or counties served by a Florida Community
4054 College System institution pursuant to s. 1000.21(3).

4055 (2) Any Florida Community College System institution that
4056 offers one or more baccalaureate degree programs must:

4057 (a) Maintain as its primary mission:

4058 1. Responsibility for responding to community needs for
4059 postsecondary academic education and career degree education as
4060 prescribed in s. 1004.65(5).

4061 2. The provision of associate degrees that provide access
4062 to a university.

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4063 (b) Maintain an open-door admission policy for associate-
4064 level degree programs and workforce education programs.

4065 (c) Continue to provide outreach to underserved
4066 populations.

4067 (d) Continue to provide remedial education pursuant to s.
4068 1008.30.

4069 (e) Comply with all provisions of the statewide
4070 articulation agreement which relate to 2-year and 4-year public
4071 degree-granting institutions as adopted by the State Board of
4072 Education or the State Board of Community Colleges, as
4073 applicable, pursuant to s. 1007.23.

4074 (f) Not award graduate credit.

4075 (g) Not participate in intercollegiate athletics beyond the
4076 2-year level.

4077 (3) A Florida Community College System institution may not
4078 terminate its associate in arts or associate in science degree
4079 programs as a result of being authorized to offer one or more
4080 baccalaureate degree programs. The Legislature intends that the
4081 primary responsibility of a Florida Community College System
4082 institution, including a Florida Community College System
4083 institution that offers baccalaureate degree programs, continues
4084 to be the provision of associate degrees that provide access to
4085 a university.

4086 (4) A Florida Community College System institution may:

4087 (a) Offer specified baccalaureate degree programs through
4088 formal agreements between the Florida Community College System
4089 institution and other regionally accredited postsecondary
4090 educational institutions pursuant to s. 1007.22.

4091 (b) Offer baccalaureate degree programs that are ~~were~~

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4092 authorized by law ~~prior to July 1, 2009.~~

4093 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~
4094 ~~baccalaureate degree program~~ for purposes of meeting district,
4095 regional, or statewide workforce needs if approved by the State
4096 Board of Community Colleges ~~Education~~ under this section.
4097 However, a Florida Community College System institution may not
4098 offer a bachelor of arts degree program.

4099
4100 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
4101 ~~College is authorized to establish one or more bachelor of~~
4102 ~~applied science degree programs based on an analysis of~~
4103 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
4104 ~~other counties approved by the Department of Education. For each~~
4105 ~~program selected, St. Petersburg College must offer a related~~
4106 ~~associate in science or associate in applied science degree~~
4107 ~~program, and the baccalaureate degree level program must be~~
4108 ~~designed to articulate fully with at least one associate in~~
4109 ~~science degree program. The college is encouraged to develop~~
4110 ~~articulation agreements for enrollment of graduates of related~~
4111 ~~associate in applied science degree programs. The Board of~~
4112 ~~Trustees of St. Petersburg College is authorized to establish~~
4113 ~~additional baccalaureate degree programs if it determines a~~
4114 ~~program is warranted and feasible based on each of the factors~~
4115 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~
4116 ~~Petersburg College may not establish any new baccalaureate~~
4117 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~
4118 ~~to developing or proposing a new baccalaureate degree program,~~
4119 ~~St. Petersburg College shall engage in need, demand, and impact~~
4120 ~~discussions with the state university in its service district~~

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4121 ~~and other local and regional, accredited postsecondary providers~~
4122 ~~in its region. Documentation, data, and other information from~~
4123 ~~inter-institutional discussions regarding program need, demand,~~
4124 ~~and impact shall be provided to the college's board of trustees~~
4125 ~~to inform the program approval process. Employment at St.~~
4126 ~~Petersburg College is governed by the same laws that govern~~
4127 ~~Florida College System institutions, except that upper-division~~
4128 ~~faculty are eligible for continuing contracts upon the~~
4129 ~~completion of the fifth year of teaching. Employee records for~~
4130 ~~all personnel shall be maintained as required by s. 1012.81.~~

4131 (5) The approval process for baccalaureate degree programs
4132 requires ~~shall require~~:

4133 (a) Each Florida Community College System institution to
4134 submit a notice of its intent to propose a baccalaureate degree
4135 program to the State Board of Community ~~Division of Florida~~
4136 Colleges at least 1 year ~~100 days~~ before the submission of its
4137 proposal under paragraph (c) ~~(d)~~. The notice must include a
4138 brief description of the program, the workforce demand and unmet
4139 need for graduates of the program to include evidence from
4140 entities independent of the institution, the geographic region
4141 to be served, and an estimated timeframe for implementation.
4142 Notices of intent may be submitted by a Florida Community
4143 College System institution at any time throughout the year. The
4144 notice must also include evidence that the Florida Community
4145 College System institution engaged in need, demand, and impact
4146 discussions with the state university and other regionally
4147 accredited postsecondary education providers in its service
4148 district.

4149 (b) The State Board of Community ~~Division of Florida~~

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4150 Colleges to forward the notice of intent submitted pursuant to
4151 paragraph (a) and the justification for the proposed
4152 baccalaureate degree program submitted pursuant to paragraph (c)
4153 within 10 business days after receiving such notice and
4154 justification to the Chancellor of the State University System,
4155 the president of the Independent Colleges and Universities of
4156 Florida, and the Executive Director of the Commission for
4157 Independent Education. State universities shall have 180 ~~60~~ days
4158 following receipt of the notice and justification by the
4159 Chancellor of the State University System to submit an
4160 objection, including a reason for the objection, ~~objections~~ to
4161 the proposed new program or submit an alternative proposal to
4162 offer the baccalaureate degree program. The Chancellor of the
4163 State University System shall review the objection raised by a
4164 state university and inform the Board of Governors of the
4165 objection before a state university submits its objection to the
4166 State Board of Community Colleges. The State Board of Community
4167 Colleges must consult with the Chancellor of the State
4168 University System to consider the objection raised by the state
4169 university before approving or denying a Florida Community
4170 College System institution's proposal submitted pursuant to
4171 paragraph (c). If a proposal from a state university is not
4172 received within the 60-day period, The State Board of Community
4173 Colleges ~~Education~~ shall also provide regionally accredited
4174 private colleges and universities 180 ~~30~~ days to submit
4175 objections to the proposed new program or submit an alternative
4176 proposal. Objections by a regionally accredited private college
4177 or university or alternative proposals shall be submitted to the
4178 State Board of Community ~~Division of Florida~~ Colleges, and the

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4179 state board must consider such objections before and ~~must be~~
4180 ~~considered by the State Board of Education in making its~~
4181 ~~decision to approve or deny a Florida Community College System~~
4182 ~~institution's proposal submitted pursuant to paragraph (c).~~

4183 ~~(c) An alternative proposal submitted by a state university~~
4184 ~~or private college or university to adequately address:~~

4185 ~~1. The extent to which the workforce demand and unmet need~~
4186 ~~described in the notice of intent will be met.~~

4187 ~~2. The extent to which students will be able to complete~~
4188 ~~the degree in the geographic region proposed to be served by the~~
4189 ~~Florida College System institution.~~

4190 ~~3. The level of financial commitment of the college or~~
4191 ~~university to the development, implementation, and maintenance~~
4192 ~~of the specified degree program, including timelines.~~

4193 ~~4. The extent to which faculty at both the Florida College~~
4194 ~~System institution and the college or university will~~
4195 ~~collaborate in the development and offering of the curriculum.~~

4196 ~~5. The ability of the Florida College System institution~~
4197 ~~and the college or university to develop and approve the~~
4198 ~~curriculum for the specified degree program within 6 months~~
4199 ~~after an agreement between the Florida College System~~
4200 ~~institution and the college or university is signed.~~

4201 ~~6. The extent to which the student may incur additional~~
4202 ~~costs above what the student would expect to incur if the~~
4203 ~~program were offered by the Florida College System institution.~~

4204 ~~(c)~~(d) Each proposal submitted by a Florida Community
4205 College System institution to, at a minimum, include:

4206 ~~1. A description of the planning process and timeline for~~
4207 ~~implementation.~~

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4208 2. A justification for the proposed baccalaureate degree
4209 program, including, at a minimum, a data-driven ~~An~~ analysis of
4210 workforce demand and unmet need for graduates of the program on
4211 a district, regional, or statewide basis, as appropriate, and
4212 the extent to which the proposed program will meet the workforce
4213 demand and unmet need. The analysis must include workforce and
4214 employment data for the most recent 5 years and projections for
4215 the next 3 years, and a summary of degree programs similar to
4216 the proposed degree program which are currently offered by state
4217 universities or by independent nonprofit colleges or
4218 universities that are eligible to participate in a grant program
4219 pursuant to s. 1009.89 and which are located in the Florida
4220 Community College System institution's regional service area.
4221 The analysis must be verified by more than one third-party
4222 professional entity that is ~~including evidence from entities~~
4223 independent of the Florida Community College System institution.
4224 A Florida Community College System institution must submit the
4225 justification to the State Board of Community Colleges within 90
4226 days after forwarding the institution's notice of intent to
4227 propose a baccalaureate degree program. The State Board of
4228 Community Colleges must forward the justification for the
4229 proposed baccalaureate degree program within 10 business days
4230 after receiving the justification to the Chancellor of the State
4231 University System, the president of the Independent Colleges and
4232 Universities of Florida, and the Executive Director of the
4233 Commission for Independent Education.

4234 3. Identification of the facilities, equipment, and library
4235 and academic resources that will be used to deliver the program.

4236 4. The program cost analysis of creating a new

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4237 baccalaureate degree when compared to ~~alternative proposals~~ and
4238 other program delivery options.

4239 5. The program's admission requirements, academic content,
4240 curriculum, faculty credentials, student-to-teacher ratios, and
4241 accreditation plan.

4242 6. The program's enrollment ~~projections~~ and funding
4243 requirements, including:

4244 a. The impact of the program's enrollment projections on
4245 compliance with the upper-level enrollment provisions under
4246 subsection (6); and

4247 b. The institution's efforts to sustain the program at the
4248 cost of tuition and fees for students who are classified as
4249 residents for tuition purposes under s. 1009.21, not to exceed
4250 \$10,000 for the entire degree program, including flexible
4251 tuition and fee rates, and the use of waivers pursuant to s.
4252 1009.26(11).

4253 7. A plan of action if the program is terminated.

4254 ~~(d)-(e)~~ The State Board of Community ~~Division of Florida~~
4255 Colleges to review the proposal, notify the Florida Community
4256 College System institution of any deficiencies in writing within
4257 30 days following receipt of the proposal, and provide the
4258 Florida Community College System institution with an opportunity
4259 to correct the deficiencies. Within 45 days following receipt of
4260 a completed proposal by the State Board of Community ~~Division of~~
4261 ~~Florida~~ Colleges, the Chancellor of the Florida Community
4262 College System ~~Commissioner of Education~~ shall recommend
4263 approval or disapproval of the proposal to the State Board of
4264 Community Colleges ~~Education~~. The State Board of Community
4265 Colleges ~~Education~~ shall consider such recommendation, the

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4266 proposal, input from the Chancellor of the State University
4267 System and the president of the Independent Colleges and
4268 Universities of Florida, and any objections ~~or alternative~~
4269 ~~proposals~~ at its next meeting. If the State Board of Community
4270 Colleges Education disapproves the Florida Community College
4271 System institution's proposal, it shall provide the Florida
4272 Community College System institution with written reasons for
4273 that determination.

4274 (e)~~(f)~~ The Florida Community College System institution to
4275 obtain from the Commission on Colleges of the Southern
4276 Association of Colleges and Schools accreditation as a
4277 baccalaureate-degree-granting institution if approved by the
4278 State Board of Community Colleges Education to offer its first
4279 baccalaureate degree program.

4280 (f)~~(g)~~ The Florida Community College System institution to
4281 notify the Commission on Colleges of the Southern Association of
4282 Colleges and Schools of subsequent degree programs that are
4283 approved by the State Board of Community Colleges Education and
4284 to comply with the association's required substantive change
4285 protocols for accreditation purposes.

4286 (g)~~(h)~~ The Florida Community College System institution to
4287 annually report to the State Board of Community Colleges, the
4288 Chancellor of the State University System, and upon request of
4289 ~~the State Board of Education, the Commissioner of Education, the~~
4290 ~~Chancellor of the Florida College System, or the Legislature,~~
4291 ~~report~~ its status using the following performance and compliance
4292 indicators:

4293 1. Obtaining and maintaining appropriate Southern
4294 Association of Colleges and Schools accreditation;

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- 4295 2. Maintaining qualified faculty and institutional
4296 resources;
- 4297 3. Maintaining enrollment in previously approved programs;
- 4298 4. Managing fiscal resources appropriately;
- 4299 5. Complying with the primary mission and responsibility
4300 requirements in subsections (2) and (3); ~~and~~
- 4301 6. Other indicators of success, including program
4302 completions, employment and earnings outcomes, student
4303 acceptance into and performance in graduate programs ~~placements,~~
4304 and surveys of graduates and employers; ~~and-~~
- 4305 7. Continuing to meet workforce demand, as provided in
4306 subparagraph (c)2., as demonstrated through a data-driven needs
4307 assessment by the Florida Community College System institution
4308 which is verified by more than one third-party professional
4309 entity that is independent of the institution.
- 4310 8. Complying with the upper-level enrollment provisions
4311 under subsection (6).
- 4312
- 4313 The State Board of Community Colleges ~~Education~~, upon annual
4314 review of the baccalaureate degree program performance and
4315 compliance indicators and needs assessment, may require a
4316 Florida Community College System institution's board of trustees
4317 to modify or terminate a baccalaureate degree program authorized
4318 under this section. If the annual review indicates negative
4319 program performance and compliance results, and if the needs
4320 assessment fails to demonstrate a need for the program, the
4321 State Board of Community Colleges must require a Florida
4322 Community College System institution's board of trustees to
4323 terminate that baccalaureate degree program.

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4324 (6) (a) If the 2015-2016 total upper-level, undergraduate
4325 full-time equivalent enrollment at a Florida Community College
4326 System institution is at or above 8 percent of the 2015-2016
4327 combined total lower-level and upper-level full-time equivalent
4328 enrollment at that institution, the total upper-level
4329 enrollment, as a percentage of the combined enrollment, may not
4330 increase by more than 2 percentage points unless the institution
4331 obtains prior legislative approval.

4332 (b) If the 2015-2016 total upper-level, undergraduate full-
4333 time equivalent enrollment at a Florida Community College System
4334 institution is below 8 percent of the 2015-2016 combined total
4335 lower-level and upper-level full-time equivalent enrollment at
4336 that institution, the total upper-level enrollment, as a
4337 percentage of the combined enrollment, may not increase by more
4338 than 4 percentage points unless the institution obtains prior
4339 legislative approval.

4340 (c) Within the 2 percent or 4 percent growth authorized
4341 under paragraphs (a) or (b), for any planned and purposeful
4342 expansion of existing baccalaureate degree programs or creation
4343 of a new baccalaureate program, a community college must
4344 demonstrate satisfactory performance in fulfilling its primary
4345 mission pursuant to s. 1004.65, executing at least one "2+2"
4346 targeted pathway articulation agreement pursuant to s. 1007.23,
4347 and meeting or exceeding the performance standards related to
4348 on-time graduation rates under s. 1001.66 for students earning
4349 associate of arts or baccalaureate degrees. The State Board of
4350 Community Colleges may not approve a new baccalaureate degree
4351 program proposal for a community college that does not meet the
4352 conditions specified in this subsection in addition to the other

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4353 requirements for approval under this section. Each community
4354 college that offers a baccalaureate degree must annually review
4355 each baccalaureate degree program and annually report to the
4356 State Board of Community Colleges, in a format prescribed by the
4357 state board, current and projected student enrollment for such
4358 program, justification for continuation of each baccalaureate
4359 degree program, and a plan to comply with the upper-level
4360 enrollment provisions of this subsection. A Florida Community
4361 College System institution that does not comply with the
4362 requirements of this section is subject to s. 1001.602(9) and
4363 may not report for funding, the upper-level, undergraduate full-
4364 time equivalent enrollment that exceeds the upper-level
4365 enrollment percent provision of this subsection.

4366 (7)~~(6)~~ The State Board of Community Colleges Education
4367 shall adopt rules to prescribe format and content requirements
4368 and submission procedures for notices of intent, proposals,
4369 ~~alternative proposals~~, and compliance reviews under subsection
4370 (5).

4371 Section 65. Subsections (1), (3), (4), and (5) of section
4372 1008.30, Florida Statutes, are amended to read:

4373 1008.30 Common placement testing for public postsecondary
4374 education.—

4375 (1) The State Board of Community Colleges Education, in
4376 conjunction with the Board of Governors and the State Board of
4377 Education, shall develop and implement a common placement test
4378 for the purpose of assessing the basic computation and
4379 communication skills of students who intend to enter a degree
4380 program at any public postsecondary educational institution.
4381 Alternative assessments that may be accepted in lieu of the

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4382 common placement test shall also be identified in rule. Public
4383 postsecondary educational institutions shall provide appropriate
4384 modifications of the test instruments or test procedures for
4385 students with disabilities.

4386 (3) ~~By October 31, 2013,~~ The State Board of Community
4387 Colleges, in conjunction with the Board of Governors and the
4388 State Board of Education, Education shall establish by rule the
4389 test scores a student must achieve to demonstrate readiness to
4390 perform college-level work, and the rules must specify the
4391 following:

4392 (a) A student who entered 9th grade in a Florida public
4393 school in the 2003-2004 school year, or any year thereafter, and
4394 earned a Florida standard high school diploma or a student who
4395 is serving as an active duty member of any branch of the United
4396 States Armed Services shall not be required to take the common
4397 placement test and shall not be required to enroll in
4398 developmental education instruction in a Florida Community
4399 College System institution. However, a student who is not
4400 required to take the common placement test and is not required
4401 to enroll in developmental education under this paragraph may
4402 opt to be assessed and to enroll in developmental education
4403 instruction, and the college shall provide such assessment and
4404 instruction upon the student's request.

4405 (b) A student who takes the common placement test and whose
4406 score on the test indicates a need for developmental education
4407 must be advised of all the developmental education options
4408 offered at the institution and, after advisement, shall be
4409 allowed to enroll in the developmental education option of his
4410 or her choice.

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4411 (c) A student who demonstrates readiness by achieving or
4412 exceeding the test scores established by the state board and
4413 enrolls in a Florida Community College System institution within
4414 2 years after achieving such scores shall not be required to
4415 retest or complete developmental education when admitted to any
4416 Florida Community College System institution.

4417 (4) ~~By December 31, 2013,~~ The State Board of Community
4418 Colleges Education, in consultation with the Board of Governors,
4419 shall approve a series of meta-majors and the academic pathways
4420 that identify the gateway courses associated with each meta-
4421 major. Florida Community College System institutions shall use
4422 placement test results to determine the extent to which each
4423 student demonstrates sufficient communication and computation
4424 skills to indicate readiness for his or her chosen meta-major.
4425 Florida Community College System institutions shall counsel
4426 students into college credit courses as quickly as possible,
4427 with developmental education limited to that content needed for
4428 success in the meta-major.

4429 (5) (a) Each Florida Community College System institution
4430 board of trustees shall develop a plan to implement the
4431 developmental education strategies defined in s. 1008.02 and
4432 rules established by the State Board of Community Colleges
4433 ~~Education~~. The plan must be submitted to the Chancellor of the
4434 Florida Community College System for approval no later than
4435 March 1, 2014, for implementation no later than the fall
4436 semester 2014. Each plan must include, at a minimum, local
4437 policies that outline:

4438 1. Documented student achievements such as grade point
4439 averages, work history, military experience, participation in

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4440 juried competitions, career interests, degree major declaration,
4441 or any combination of such achievements that the institution may
4442 consider, in addition to common placement test scores, for
4443 advising students regarding enrollment options.

4444 2. Developmental education strategies available to
4445 students.

4446 3. A description of student costs and financial aid
4447 opportunities associated with each option.

4448 4. Provisions for the collection of student success data.

4449 5. A comprehensive plan for advising students into
4450 appropriate developmental education strategies based on student
4451 success data.

4452 (b) Beginning October 31, 2015, each Florida Community
4453 College System institution shall annually prepare an
4454 accountability report that includes student success data
4455 relating to each developmental education strategy implemented by
4456 the institution. The report shall be submitted to the State
4457 Board of Community ~~Division of Florida~~ Colleges by October 31 in
4458 a format determined by the Chancellor of the Florida Community
4459 College System. By December 31, the chancellor shall compile and
4460 submit the institutional reports to the Governor, the President
4461 of the Senate, the Speaker of the House of Representatives, and
4462 the State Board of Community Colleges ~~and the State Board of~~
4463 ~~Education.~~

4464 (c) A university board of trustees may contract with a
4465 Florida Community College System institution board of trustees
4466 for the Florida Community College System institution to provide
4467 developmental education on the state university campus. Any
4468 state university in which the percentage of incoming students

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4469 requiring developmental education equals or exceeds the average
4470 percentage of such students for the Florida Community College
4471 System may offer developmental education without contracting
4472 with a Florida Community College System institution; however,
4473 any state university offering college-preparatory instruction as
4474 of January 1, 1996, may continue to provide such services.

4475 Section 66. Paragraphs (d) and (e) of subsection (1) and
4476 paragraphs (a) and (c) of subsection (3) of section 1008.31,
4477 Florida Statutes, are amended to read:

4478 1008.31 Florida's K-20 education performance accountability
4479 system; legislative intent; mission, goals, and systemwide
4480 measures; data quality improvements.—

4481 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
4482 that:

4483 (d) The State Board of Education, ~~and~~ and the Board of
4484 Governors of the State University System, and the State Board of
4485 Community Colleges of the Florida Community College System
4486 recommend to the Legislature systemwide performance standards;
4487 the Legislature establish systemwide performance measures and
4488 standards; and the systemwide measures and standards provide
4489 Floridians with information on what the public is receiving in
4490 return for the funds it invests in education and how well the K-
4491 20 system educates its students.

4492 (e)1. The State Board of Education establish performance
4493 measures and set performance standards for individual public
4494 schools ~~and Florida College System institutions~~, with measures
4495 and standards based primarily on student achievement.

4496 2. The Board of Governors of the State University System
4497 establish performance measures and set performance standards for

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4498 individual state universities, including actual completion
4499 rates.

4500 3. The State Board of Community Colleges establish
4501 performance measures and set performance standards for
4502 individual Florida Community College System institutions.

4503 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4504 data required to implement education performance accountability
4505 measures in state and federal law, the Commissioner of Education
4506 shall initiate and maintain strategies to improve data quality
4507 and timeliness. The Board of Governors shall make available to
4508 the department all data within the State University Database
4509 System to be integrated into the K-20 data warehouse. The
4510 commissioner shall have unlimited access to such data for the
4511 purposes of conducting studies, reporting annual and
4512 longitudinal student outcomes, and improving college readiness
4513 and articulation. All public educational institutions shall
4514 annually provide data from the prior year to the K-20 data
4515 warehouse in a format based on data elements identified by the
4516 commissioner.

4517 (a) School districts and public postsecondary educational
4518 institutions shall maintain information systems that will
4519 provide the State Board of Education, the Board of Governors of
4520 the State University System, the State Board of Community
4521 Colleges of the Florida Community College System, and the
4522 Legislature with information and reports necessary to address
4523 the specifications of the accountability system. The level of
4524 comprehensiveness and quality must be no less than that which
4525 was available as of June 30, 2001.

4526 (c) The Commissioner of Education shall determine the

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4527 standards for the required data, monitor data quality, and
4528 measure improvements. The commissioner shall report annually to
4529 the State Board of Education, the Board of Governors of the
4530 State University System, the State Board of Community Colleges
4531 of the Florida Community College System, the President of the
4532 Senate, and the Speaker of the House of Representatives data
4533 quality indicators and ratings for all school districts and
4534 public postsecondary educational institutions.

4535 Section 67. Section 1008.32, Florida Statutes, is amended
4536 to read:

4537 1008.32 State Board of Education oversight enforcement
4538 authority.—The State Board of Education shall oversee the
4539 performance of district school boards ~~and Florida College System~~
4540 ~~institution boards of trustees~~ in enforcement of all laws and
4541 rules. District school boards ~~and Florida College System~~
4542 ~~institution boards of trustees~~ shall be primarily responsible
4543 for compliance with law and state board rule.

4544 (1) In order to ensure compliance with law or state board
4545 rule, the State Board of Education shall have the authority to
4546 request and receive information, data, and reports from school
4547 districts ~~and Florida College System institutions~~. District
4548 school superintendents ~~and Florida College System institution~~
4549 ~~presidents~~ are responsible for the accuracy of the information
4550 and data reported to the state board.

4551 (2) The Commissioner of Education may investigate
4552 allegations of noncompliance with law or state board rule and
4553 determine probable cause. The commissioner shall report
4554 determinations of probable cause to the State Board of Education
4555 which shall require the district school board ~~or Florida College~~

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4556 ~~System institution board of trustees~~ to document compliance with
4557 law or state board rule.

4558 (3) If the district school board ~~or Florida College System~~
4559 ~~institution board of trustees~~ cannot satisfactorily document
4560 compliance, the State Board of Education may order compliance
4561 within a specified timeframe.

4562 (4) If the State Board of Education determines that a
4563 district school board ~~or Florida College System institution~~
4564 ~~board of trustees~~ is unwilling or unable to comply with law or
4565 state board rule within the specified time, the state board
4566 shall have the authority to initiate any of the following
4567 actions:

4568 (a) Report to the Legislature that the school district ~~or~~
4569 ~~Florida College System institution~~ is unwilling or unable to
4570 comply with law or state board rule and recommend action to be
4571 taken by the Legislature.

4572 (b) Withhold the transfer of state funds, discretionary
4573 grant funds, discretionary lottery funds, or any other funds
4574 specified as eligible for this purpose by the Legislature until
4575 the school district ~~or Florida College System institution~~
4576 complies with the law or state board rule.

4577 (c) Declare the school district ~~or Florida College System~~
4578 ~~institution~~ ineligible for competitive grants.

4579 (d) Require monthly or periodic reporting on the situation
4580 related to noncompliance until it is remedied.

4581 (5) Nothing in this section shall be construed to create a
4582 private cause of action or create any rights for individuals or
4583 entities in addition to those provided elsewhere in law or rule.

4584 Section 68. Paragraphs (e) and (f) of subsection (7) of

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4585 section 1008.345, Florida Statutes, are amended to read:

4586 1008.345 Implementation of state system of school
4587 improvement and education accountability.—

4588 (7) As a part of the system of educational accountability,
4589 the Department of Education shall:

4590 (e) Maintain a listing of college-level communication and
4591 mathematics skills associated with successful student
4592 performance through the baccalaureate level and submit it to the
4593 State Board of Education, ~~and~~ the Board of Governors, and the
4594 State Board of Community Colleges for approval.

4595 (f) Perform any other functions that may be involved in
4596 educational planning, research, and evaluation or that may be
4597 required by the commissioner, the State Board of Education, the
4598 State Board of Community Colleges, the Board of Governors, or
4599 law.

4600 Section 69. Subsections (1) and (2) of section 1008.37,
4601 Florida Statutes, are amended to read:

4602 1008.37 Postsecondary feedback of information to high
4603 schools.—

4604 (1) The Commissioner of Education shall report to the State
4605 Board of Education, the Board of Governors, the State Board of
4606 Community Colleges, the Legislature, and the district school
4607 boards on the performance of each first-time-in-postsecondary
4608 education student from each public high school in this state who
4609 is enrolled in a public postsecondary institution or public
4610 career center. Such reports must be based on information
4611 databases maintained by the Department of Education. In
4612 addition, the public postsecondary educational institutions and
4613 career centers shall provide district school boards access to

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4614 information on student performance in regular and preparatory
4615 courses and shall indicate students referred for remediation
4616 pursuant to s. 1004.91 or s. 1008.30.

4617 (2) The Commissioner of Education shall report, by high
4618 school, to the State Board of Education, the Board of Governors,
4619 the State Board of Community Colleges, and the Legislature, no
4620 later than November 30 of each year, on the number of prior year
4621 Florida high school graduates who enrolled for the first time in
4622 public postsecondary education in this state during the previous
4623 summer, fall, or spring term, indicating the number of students
4624 whose scores on the common placement test indicated the need for
4625 developmental education under s. 1008.30 or for applied
4626 academics for adult education under s. 1004.91.

4627 Section 70. Section 1008.38, Florida Statutes, is amended
4628 to read:

4629 1008.38 Articulation accountability process.—The State
4630 Board of Education, in conjunction with the Board of Governors
4631 and the State Board of Community Colleges, shall develop
4632 articulation accountability measures which assess the status of
4633 systemwide articulation processes authorized under s. 1007.23
4634 and establish an articulation accountability process which at a
4635 minimum shall address:

4636 (1) The impact of articulation processes on ensuring
4637 educational continuity and the orderly and unobstructed
4638 transition of students between public secondary and
4639 postsecondary education systems and facilitating the transition
4640 of students between the public and private sectors.

4641 (2) The adequacy of preparation of public secondary
4642 students to smoothly articulate to a public postsecondary

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4643 institution.

4644 (3) The effectiveness of articulated acceleration
4645 mechanisms available to secondary students.

4646 (4) The smooth transfer of Florida Community College System
4647 associate degree graduates to a Florida Community College System
4648 institution or a state university.

4649 (5) An examination of degree requirements that exceed the
4650 parameters of 60 credit hours for an associate degree and 120
4651 hours for a baccalaureate degree in public postsecondary
4652 programs.

4653 (6) The relationship between student attainment of college-
4654 level academic skills and articulation to the upper division in
4655 public postsecondary institutions.

4656 Section 71. Section 1008.405, Florida Statutes, is amended
4657 to read:

4658 1008.405 Adult student information.—Each school district
4659 and Florida Community College System institution shall maintain
4660 sufficient information for each student enrolled in workforce
4661 education to allow local and state administrators to locate such
4662 student upon the termination of instruction and to determine the
4663 appropriateness of student placement in specific instructional
4664 programs. The State Board of Education and the State Board of
4665 Community Colleges shall adopt, by rule, specific information
4666 that must be maintained and acceptable means of maintaining that
4667 information.

4668 Section 72. Subsection (2) of section 1008.44, Florida
4669 Statutes, is amended to read:

4670 1008.44 CAPE Industry Certification Funding List and CAPE
4671 Postsecondary Industry Certification Funding List.—

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4672 (2) The State Board of Education, for school districts, and
4673 the State Board of Community Colleges, for Florida Community
4674 College System institutions, shall approve, at least annually,
4675 the CAPE Postsecondary Industry Certification Funding List
4676 pursuant to this section. The Commissioner of Education and the
4677 Chancellor of the Florida Community College System shall
4678 recommend, at least annually, the CAPE Postsecondary Industry
4679 Certification Funding List to the State Board of Education and
4680 the State Board of Community Colleges, respectively, and may at
4681 any time recommend adding certifications. The Chancellor of the
4682 State University System, the Chancellor of the Florida Community
4683 College System, and the Chancellor of Career and Adult Education
4684 shall work with local workforce boards, other postsecondary
4685 institutions, businesses, and industry to identify, create, and
4686 recommend to the Commissioner of Education industry
4687 certifications to be placed on the funding list. The list shall
4688 be used to determine annual performance funding distributions to
4689 school districts or Florida Community College System
4690 institutions as specified in ss. 1011.80 and 1011.81,
4691 respectively. The chancellors shall review results of the
4692 economic security report of employment and earning outcomes
4693 produced annually pursuant to s. 445.07 when determining
4694 recommended certifications for the list, as well as other
4695 reports and indicators available regarding certification needs.

4696 Section 73. Section 1008.45, Florida Statutes, is amended
4697 to read:

4698 1008.45 Florida Community College System institution
4699 accountability process.—

4700 (1) It is the intent of the Legislature that a management

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4701 and accountability process be implemented which provides for the
4702 systematic, ongoing improvement and assessment of the
4703 improvement of the quality and efficiency of the Florida
4704 Community College System institutions. Accordingly, the State
4705 Board of Community Colleges ~~Education~~ and the Florida Community
4706 College System institution boards of trustees shall develop and
4707 implement an accountability plan to improve and evaluate the
4708 instructional and administrative efficiency and effectiveness of
4709 the Florida Community College System. This plan shall be
4710 designed in consultation with staff of the Governor and the
4711 Legislature and must address the following issues:

4712 (a) Graduation rates of A.A. and A.S. degree-seeking
4713 students compared to first-time-enrolled students seeking the
4714 associate degree.

4715 (b) Minority student enrollment and retention rates.

4716 (c) Student performance, including student performance in
4717 college-level academic skills, mean grade point averages for
4718 Florida Community College System institution A.A. transfer
4719 students, and Florida Community College System institution
4720 student performance on state licensure examinations.

4721 (d) Job placement rates of Florida Community College System
4722 institution career students.

4723 (e) Student progression by admission status and program.

4724 (f) Career accountability standards identified in s.
4725 1008.42.

4726 (g) Institutional assessment efforts related to the
4727 requirements of s. III in the Criteria for Accreditation of the
4728 Commission on Colleges of the Southern Association of Colleges
4729 and Schools.

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4730 (h) Other measures approved by the State Board of Community
4731 Colleges ~~Education~~.

4732 (2) The State Board of Community Colleges ~~Education~~ shall
4733 submit an annual report, to coincide with the submission of the
4734 state board's agency strategic plan required by law, providing
4735 the results of initiatives taken during the prior year and the
4736 initiatives and related objective performance measures proposed
4737 for the next year.

4738 (3) The State Board of Community Colleges ~~Education~~ shall
4739 address within the annual evaluation of the performance of the
4740 chancellor ~~executive director~~, and the Florida Community College
4741 System institution boards of trustees shall address within the
4742 annual evaluation of the presidents, the achievement of the
4743 performance goals established by the accountability process.

4744 Section 74. Section 1009.21, Florida Statutes, is amended
4745 to read:

4746 1009.21 Determination of resident status for tuition
4747 purposes.—Students shall be classified as residents or
4748 nonresidents for the purpose of assessing tuition in
4749 postsecondary educational programs offered by charter technical
4750 career centers or career centers operated by school districts,
4751 in Florida Community College System institutions, and in state
4752 universities.

4753 (1) As used in this section, the term:

4754 (a) "Dependent child" means any person, whether or not
4755 living with his or her parent, who is eligible to be claimed by
4756 his or her parent as a dependent under the federal income tax
4757 code.

4758 (b) "Initial enrollment" means the first day of class at an

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4759 institution of higher education.

4760 (c) "Institution of higher education" means any charter
4761 technical career center as defined in s. 1002.34, career center
4762 operated by a school district as defined in s. 1001.44, Florida
4763 Community College System institution as defined in s.
4764 1000.21(3), or state university as defined in s. 1000.21(6).

4765 (d) "Legal resident" or "resident" means a person who has
4766 maintained his or her residence in this state for the preceding
4767 year, has purchased a home which is occupied by him or her as
4768 his or her residence, or has established a domicile in this
4769 state pursuant to s. 222.17.

4770 (e) "Nonresident for tuition purposes" means a person who
4771 does not qualify for the in-state tuition rate.

4772 (f) "Parent" means either or both parents of a student, any
4773 guardian of a student, or any person in a parental relationship
4774 to a student.

4775 (g) "Resident for tuition purposes" means a person who
4776 qualifies as provided in this section for the in-state tuition
4777 rate.

4778 (2) (a) To qualify as a resident for tuition purposes:

4779 1. A person or, if that person is a dependent child, his or
4780 her parent or parents must have established legal residence in
4781 this state and must have maintained legal residence in this
4782 state for at least 12 consecutive months immediately prior to
4783 his or her initial enrollment in an institution of higher
4784 education.

4785 2. Every applicant for admission to an institution of
4786 higher education shall be required to make a statement as to his
4787 or her length of residence in the state and, further, shall

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4788 establish that his or her presence or, if the applicant is a
4789 dependent child, the presence of his or her parent or parents in
4790 the state currently is, and during the requisite 12-month
4791 qualifying period was, for the purpose of maintaining a bona
4792 fide domicile, rather than for the purpose of maintaining a mere
4793 temporary residence or abode incident to enrollment in an
4794 institution of higher education.

4795 (b) However, with respect to a dependent child living with
4796 an adult relative other than the child's parent, such child may
4797 qualify as a resident for tuition purposes if the adult relative
4798 is a legal resident who has maintained legal residence in this
4799 state for at least 12 consecutive months immediately before the
4800 child's initial enrollment in an institution of higher
4801 education, provided the child has resided continuously with such
4802 relative for the 3 years immediately before the child's initial
4803 enrollment in an institution of higher education, during which
4804 time the adult relative has exercised day-to-day care,
4805 supervision, and control of the child.

4806 (c) The legal residence of a dependent child whose parents
4807 are divorced, separated, or otherwise living apart will be
4808 deemed to be this state if either parent is a legal resident of
4809 this state, regardless of which parent is entitled to claim, and
4810 does in fact claim, the minor as a dependent pursuant to federal
4811 individual income tax provisions.

4812 (d) A dependent child who is a United States citizen may
4813 not be denied classification as a resident for tuition purposes
4814 based solely upon the immigration status of his or her parent.

4815 (3) (a) An individual shall not be classified as a resident
4816 for tuition purposes and, thus, shall not be eligible to receive

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4817 the in-state tuition rate until he or she has provided such
4818 evidence related to legal residence and its duration or, if that
4819 individual is a dependent child, evidence of his or her parent's
4820 legal residence and its duration, as may be required by law and
4821 by officials of the institution of higher education from which
4822 he or she seeks the in-state tuition rate.

4823 (b) Except as otherwise provided in this section, evidence
4824 of legal residence and its duration shall include clear and
4825 convincing documentation that residency in this state was for a
4826 minimum of 12 consecutive months prior to a student's initial
4827 enrollment in an institution of higher education.

4828 (c) Each institution of higher education shall
4829 affirmatively determine that an applicant who has been granted
4830 admission to that institution as a Florida resident meets the
4831 residency requirements of this section at the time of initial
4832 enrollment. The residency determination must be documented by
4833 the submission of written or electronic verification that
4834 includes two or more of the documents identified in this
4835 paragraph. No single piece of evidence shall be conclusive.

4836 1. The documents must include at least one of the
4837 following:

- 4838 a. A Florida voter's registration card.
- 4839 b. A Florida driver license.
- 4840 c. A State of Florida identification card.
- 4841 d. A Florida vehicle registration.
- 4842 e. Proof of a permanent home in Florida which is occupied
4843 as a primary residence by the individual or by the individual's
4844 parent if the individual is a dependent child.
- 4845 f. Proof of a homestead exemption in Florida.

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4846 g. Transcripts from a Florida high school for multiple
4847 years if the Florida high school diploma or high school
4848 equivalency diploma was earned within the last 12 months.

4849 h. Proof of permanent full-time employment in Florida for
4850 at least 30 hours per week for a 12-month period.

4851 2. The documents may include one or more of the following:

4852 a. A declaration of domicile in Florida.

4853 b. A Florida professional or occupational license.

4854 c. Florida incorporation.

4855 d. A document evidencing family ties in Florida.

4856 e. Proof of membership in a Florida-based charitable or
4857 professional organization.

4858 f. Any other documentation that supports the student's
4859 request for resident status, including, but not limited to,
4860 utility bills and proof of 12 consecutive months of payments; a
4861 lease agreement and proof of 12 consecutive months of payments;
4862 or an official state, federal, or court document evidencing
4863 legal ties to Florida.

4864 (4) With respect to a dependent child, the legal residence
4865 of the dependent child's parent or parents is prima facie
4866 evidence of the dependent child's legal residence, which
4867 evidence may be reinforced or rebutted, relative to the age and
4868 general circumstances of the dependent child, by the other
4869 evidence of legal residence required of or presented by the
4870 dependent child. However, the legal residence of a dependent
4871 child's parent or parents who are domiciled outside this state
4872 is not prima facie evidence of the dependent child's legal
4873 residence if that dependent child has lived in this state for 5
4874 consecutive years prior to enrolling or reregistering at the

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4875 institution of higher education at which resident status for
4876 tuition purposes is sought.

4877 (5) A person who physically resides in this state may be
4878 classified as a resident for tuition purposes if he or she
4879 marries a person who meets the 12-month residency requirement
4880 under subsection (2) and who is a legal resident of this state.

4881 (6) (a) Except as otherwise provided in this section, a
4882 person who is classified as a nonresident for tuition purposes
4883 may become eligible for reclassification as a resident for
4884 tuition purposes if that person or, if that person is a
4885 dependent child, his or her parent presents clear and convincing
4886 documentation that supports permanent legal residency in this
4887 state for at least 12 consecutive months rather than temporary
4888 residency for the purpose of pursuing an education, such as
4889 documentation of full-time permanent employment for the prior 12
4890 months or the purchase of a home in this state and residence
4891 therein for the prior 12 months while not enrolled in an
4892 institution of higher education.

4893 (b) If a person who is a dependent child and his or her
4894 parent move to this state while such child is a high school
4895 student and the child graduates from a high school in this
4896 state, the child may become eligible for reclassification as a
4897 resident for tuition purposes when the parent submits evidence
4898 that the parent qualifies for permanent residency.

4899 (c) If a person who is a dependent child and his or her
4900 parent move to this state after such child graduates from high
4901 school, the child may become eligible for reclassification as a
4902 resident for tuition purposes after the parent submits evidence
4903 that he or she has established legal residence in the state and

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4904 has maintained legal residence in the state for at least 12
4905 consecutive months.

4906 (d) A person who is classified as a nonresident for tuition
4907 purposes and who marries a legal resident of the state or
4908 marries a person who becomes a legal resident of the state may,
4909 upon becoming a legal resident of the state, become eligible for
4910 reclassification as a resident for tuition purposes upon
4911 submitting evidence of his or her own legal residency in the
4912 state, evidence of his or her marriage to a person who is a
4913 legal resident of the state, and evidence of the spouse's legal
4914 residence in the state for at least 12 consecutive months
4915 immediately preceding the application for reclassification.

4916 (7) A person shall not lose his or her resident status for
4917 tuition purposes solely by reason of serving, or, if such person
4918 is a dependent child, by reason of his or her parent's or
4919 parents' serving, in the Armed Forces outside this state.

4920 (8) A person who has been properly classified as a resident
4921 for tuition purposes but who, while enrolled in an institution
4922 of higher education in this state, loses his or her resident
4923 tuition status because the person or, if he or she is a
4924 dependent child, the person's parent or parents establish
4925 domicile or legal residence elsewhere shall continue to enjoy
4926 the in-state tuition rate for a statutory grace period, which
4927 period shall be measured from the date on which the
4928 circumstances arose that culminated in the loss of resident
4929 tuition status and shall continue for 12 months. However, if the
4930 12-month grace period ends during a semester or academic term
4931 for which such former resident is enrolled, such grace period
4932 shall be extended to the end of that semester or academic term.

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4933 (9) Any person who ceases to be enrolled at or who
4934 graduates from an institution of higher education while
4935 classified as a resident for tuition purposes and who
4936 subsequently abandons his or her domicile in this state shall be
4937 permitted to reenroll at an institution of higher education in
4938 this state as a resident for tuition purposes without the
4939 necessity of meeting the 12-month durational requirement of this
4940 section if that person has reestablished his or her domicile in
4941 this state within 12 months of such abandonment and continuously
4942 maintains the reestablished domicile during the period of
4943 enrollment. The benefit of this subsection shall not be accorded
4944 more than once to any one person.

4945 (10) The following persons shall be classified as residents
4946 for tuition purposes:

4947 (a) Active duty members of the Armed Services of the United
4948 States residing or stationed in this state, their spouses, and
4949 dependent children, and active drilling members of the Florida
4950 National Guard.

4951 (b) Active duty members of the Armed Services of the United
4952 States and their spouses and dependents attending a Florida
4953 Community College System institution or state university within
4954 50 miles of the military establishment where they are stationed,
4955 if such military establishment is within a county contiguous to
4956 Florida.

4957 (c) United States citizens living on the Isthmus of Panama,
4958 who have completed 12 consecutive months of college work at the
4959 Florida State University Panama Canal Branch, and their spouses
4960 and dependent children.

4961 (d) Full-time instructional and administrative personnel

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4962 employed by state public schools and institutions of higher
4963 education and their spouses and dependent children.

4964 (e) Students from Latin America and the Caribbean who
4965 receive scholarships from the federal or state government. Any
4966 student classified pursuant to this paragraph shall attend, on a
4967 full-time basis, a Florida institution of higher education.

4968 (f) Southern Regional Education Board's Academic Common
4969 Market graduate students attending Florida's state universities.

4970 (g) Full-time employees of state agencies or political
4971 subdivisions of the state when the student fees are paid by the
4972 state agency or political subdivision for the purpose of job-
4973 related law enforcement or corrections training.

4974 (h) McKnight Doctoral Fellows and Finalists who are United
4975 States citizens.

4976 (i) United States citizens living outside the United States
4977 who are teaching at a Department of Defense Dependent School or
4978 in an American International School and who enroll in a graduate
4979 level education program which leads to a Florida teaching
4980 certificate.

4981 (j) Active duty members of the Canadian military residing
4982 or stationed in this state under the North American Air Defense
4983 (NORAD) agreement, and their spouses and dependent children,
4984 attending a Florida Community College System institution or
4985 state university within 50 miles of the military establishment
4986 where they are stationed.

4987 (k) Active duty members of a foreign nation's military who
4988 are serving as liaison officers and are residing or stationed in
4989 this state, and their spouses and dependent children, attending
4990 a Florida Community College System institution or state

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4991 university within 50 miles of the military establishment where
4992 the foreign liaison officer is stationed.

4993 (11) Once a student has been classified as a resident for
4994 tuition purposes, an institution of higher education to which
4995 the student transfers is not required to reevaluate the
4996 classification unless inconsistent information suggests that an
4997 erroneous classification was made or the student's situation has
4998 changed. However, the student must have attended the institution
4999 making the initial classification within the prior 12 months,
5000 and the residency classification must be noted on the student's
5001 transcript. The Higher Education Coordinating Council shall
5002 consider issues related to residency determinations and make
5003 recommendations relating to efficiency and effectiveness of
5004 current law.

5005 (12) Each institution of higher education shall establish a
5006 residency appeal committee comprised of at least three members
5007 to consider student appeals of residency determinations, in
5008 accordance with the institution's official appeal process. The
5009 residency appeal committee must render to the student the final
5010 residency determination in writing. The institution must advise
5011 the student of the reasons for the determination.

5012 (13) The State Board of Education, ~~and~~ and the Board of
5013 Governors, and the State Board of Community Colleges shall adopt
5014 rules to implement this section.

5015 Section 75. Paragraph (e) of subsection (3) of section
5016 1009.22, Florida Statutes, is amended to read:

5017 1009.22 Workforce education postsecondary student fees.—

5018 (3)

5019 (e) The State Board of Education and the State Board of

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5020 Community Colleges may adopt, by rule, the definitions and
5021 procedures that district school boards and Florida Community
5022 College System institution boards of trustees shall use in the
5023 calculation of cost borne by students.

5024 Section 76. Section 1009.23, Florida Statutes, is amended
5025 to read:

5026 1009.23 Florida Community College System institution
5027 student fees.—

5028 (1) Unless otherwise provided, this section applies only to
5029 fees charged for college credit instruction leading to an
5030 associate in arts degree, an associate in applied science
5031 degree, an associate in science degree, or a baccalaureate
5032 degree authorized pursuant to s. 1007.33, for noncollege credit
5033 developmental education defined in s. 1004.02, and for educator
5034 preparation institute programs defined in s. 1004.85.

5035 (2) (a) All students shall be charged fees except students
5036 who are exempt from fees or students whose fees are waived.

5037 (b) Tuition and out-of-state fees for upper-division
5038 courses must reflect the fact that the Florida Community College
5039 System institution has a less expensive cost structure than that
5040 of a state university. Therefore, the board of trustees shall
5041 establish tuition and out-of-state fees for upper-division
5042 courses in baccalaureate degree programs approved pursuant to s.
5043 1007.33 consistent with law and proviso language in the General
5044 Appropriations Act. However, the board of trustees may vary
5045 tuition and out-of-state fees only as provided in subsection (6)
5046 and s. 1009.26(11).

5047 (3) (a) Effective July 1, 2014, for advanced and
5048 professional, postsecondary vocational, developmental education,

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5049 and educator preparation institute programs, the standard
5050 tuition shall be \$71.98 per credit hour for residents and
5051 nonresidents, and the out-of-state fee shall be \$215.94 per
5052 credit hour.

5053 (b) Effective July 1, 2014, for baccalaureate degree
5054 programs, the following tuition and fee rates shall apply:

5055 1. The tuition shall be \$91.79 per credit hour for students
5056 who are residents for tuition purposes.

5057 2. The sum of the tuition and the out-of-state fee per
5058 credit hour for students who are nonresidents for tuition
5059 purposes shall be no more than 85 percent of the sum of the
5060 tuition and the out-of-state fee at the state university nearest
5061 the Florida Community College System institution.

5062 (4) Each Florida Community College System institution board
5063 of trustees shall establish tuition and out-of-state fees, which
5064 may vary no more than 10 percent below and 15 percent above the
5065 combined total of the standard tuition and fees established in
5066 subsection (3).

5067 (5) Except as otherwise provided in law, the sum of
5068 nonresident student tuition and out-of-state fees must be
5069 sufficient to defray the full cost of each program.

5070 (6) (a) A Florida Community College System institution board
5071 of trustees that has a service area that borders another state
5072 may implement a plan for a differential out-of-state fee.

5073 (b) A Florida Community College System institution board of
5074 trustees may establish a differential out-of-state fee for a
5075 student who has been determined to be a nonresident for tuition
5076 purposes pursuant to s. 1009.21 and is enrolled in a distance
5077 learning course offered by the institution. A differential out-

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5078 of-state fee established pursuant to this paragraph shall be
5079 applicable only to distance learning courses and must be
5080 established such that the sum of tuition and the differential
5081 out-of-state fee is sufficient to defray the full cost of
5082 instruction.

5083 (7) Each Florida Community College System institution board
5084 of trustees may establish a separate activity and service fee
5085 not to exceed 10 percent of the tuition fee, according to rules
5086 of the State Board of Community Colleges ~~Education~~. The student
5087 activity and service fee shall be collected as a component part
5088 of the tuition and fees. The student activity and service fees
5089 shall be paid into a student activity and service fund at the
5090 Florida Community College System institution and shall be
5091 expended for lawful purposes to benefit the student body in
5092 general. These purposes include, but are not limited to, student
5093 publications and grants to duly recognized student
5094 organizations, the membership of which is open to all students
5095 at the Florida Community College System institution without
5096 regard to race, sex, or religion. No Florida Community College
5097 System institution shall be required to lower any activity and
5098 service fee approved by the board of trustees of the Florida
5099 Community College System institution and in effect prior to
5100 October 26, 2007, in order to comply with the provisions of this
5101 subsection.

5102 (8) (a) Each Florida Community College System institution
5103 board of trustees is authorized to establish a separate fee for
5104 financial aid purposes in an additional amount up to, but not to
5105 exceed, 5 percent of the total student tuition or out-of-state
5106 fees collected. Each Florida Community College System

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5107 institution board of trustees may collect up to an additional 2
5108 percent if the amount generated by the total financial aid fee
5109 is less than \$500,000. If the amount generated is less than
5110 \$500,000, a Florida Community College System institution that
5111 charges tuition and out-of-state fees at least equal to the
5112 average fees established by rule may transfer from the general
5113 current fund to the scholarship fund an amount equal to the
5114 difference between \$500,000 and the amount generated by the
5115 total financial aid fee assessment. No other transfer from the
5116 general current fund to the loan, endowment, or scholarship
5117 fund, by whatever name known, is authorized.

5118 (b) All funds collected under this program shall be placed
5119 in the loan and endowment fund or scholarship fund of the
5120 college, by whatever name known. Such funds shall be disbursed
5121 to students as quickly as possible. An amount not greater than
5122 40 percent of the fees collected in a fiscal year may be carried
5123 forward unexpended to the following fiscal year. However, funds
5124 collected prior to July 1, 1989, and placed in an endowment fund
5125 may not be considered part of the balance of funds carried
5126 forward unexpended to the following fiscal year.

5127 (c) Up to 25 percent or \$600,000, whichever is greater, of
5128 the financial aid fees collected may be used to assist students
5129 who demonstrate academic merit; who participate in athletics,
5130 public service, cultural arts, and other extracurricular
5131 programs as determined by the institution; or who are identified
5132 as members of a targeted gender or ethnic minority population.
5133 The financial aid fee revenues allocated for athletic
5134 scholarships and any fee exemptions provided to athletes
5135 pursuant to s. 1009.25(2) must be distributed equitably as

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5136 required by s. 1000.05(3)(d). A minimum of 75 percent of the
5137 balance of these funds for new awards shall be used to provide
5138 financial aid based on absolute need, and the remainder of the
5139 funds shall be used for academic merit purposes and other
5140 purposes approved by the boards of trustees. Such other purposes
5141 shall include the payment of child care fees for students with
5142 financial need. The State Board of Education shall develop
5143 criteria for making financial aid awards. Each college shall
5144 report annually to the Department of Education on the revenue
5145 collected pursuant to this paragraph, the amount carried
5146 forward, the criteria used to make awards, the amount and number
5147 of awards for each criterion, and a delineation of the
5148 distribution of such awards. The report shall include an
5149 assessment by category of the financial need of every student
5150 who receives an award, regardless of the purpose for which the
5151 award is received. Awards that are based on financial need shall
5152 be distributed in accordance with a nationally recognized system
5153 of need analysis approved by the State Board of Education. An
5154 award for academic merit requires a minimum overall grade point
5155 average of 3.0 on a 4.0 scale or the equivalent for both initial
5156 receipt of the award and renewal of the award.

5157 (d) These funds may not be used for direct or indirect
5158 administrative purposes or salaries.

5159 (9) Any Florida Community College System institution that
5160 reports students who have not paid fees in an approved manner in
5161 calculations of full-time equivalent enrollments for state
5162 funding purposes shall be penalized at a rate equal to two times
5163 the value of such enrollments. Such penalty shall be charged
5164 against the following year's allocation from the Florida

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5165 Community College System Program Fund and shall revert to the
5166 General Revenue Fund.

5167 (10) Each Florida Community College System institution
5168 board of trustees is authorized to establish a separate fee for
5169 technology, which may not exceed 5 percent of tuition per credit
5170 hour or credit-hour equivalent for resident students and may not
5171 exceed 5 percent of tuition and the out-of-state fee per credit
5172 hour or credit-hour equivalent for nonresident students.
5173 Revenues generated from the technology fee shall be used to
5174 enhance instructional technology resources for students and
5175 faculty. The technology fee may apply to both college credit and
5176 developmental education and shall not be included in any award
5177 under the Florida Bright Futures Scholarship Program. Fifty
5178 percent of technology fee revenues may be pledged by a Florida
5179 Community College System institution board of trustees as a
5180 dedicated revenue source for the repayment of debt, including
5181 lease-purchase agreements, not to exceed the useful life of the
5182 asset being financed. Revenues generated from the technology fee
5183 may not be bonded.

5184 (11) (a) Each Florida Community College System institution
5185 board of trustees may establish a separate fee for capital
5186 improvements, technology enhancements, equipping student
5187 buildings, or the acquisition of improved real property which
5188 may not exceed 20 percent of tuition for resident students or 20
5189 percent of the sum of tuition and out-of-state fees for
5190 nonresident students. The fee for resident students shall be
5191 limited to an increase of \$2 per credit hour over the prior
5192 year. Funds collected by Florida Community College System
5193 institutions through the fee may be bonded only as provided in

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5194 this subsection for the purpose of financing or refinancing new
5195 construction and equipment, renovation, remodeling of
5196 educational facilities, or the acquisition and renovation or
5197 remodeling of improved real property for use as educational
5198 facilities. The fee shall be collected as a component part of
5199 the tuition and fees, paid into a separate account, and expended
5200 only to acquire improved real property or construct and equip,
5201 maintain, improve, or enhance the educational facilities of the
5202 Florida Community College System institution. Projects and
5203 acquisitions of improved real property funded through the use of
5204 the capital improvement fee shall meet the survey and
5205 construction requirements of chapter 1013. Pursuant to s.
5206 216.0158, each Florida Community College System institution
5207 shall identify each project, including maintenance projects,
5208 proposed to be funded in whole or in part by such fee.

5209 (b) Capital improvement fee revenues may be pledged by a
5210 board of trustees as a dedicated revenue source to the repayment
5211 of debt, including lease-purchase agreements, with an overall
5212 term of not more than 7 years, including renewals, extensions,
5213 and refundings, and revenue bonds with a term not exceeding 20
5214 annual maturities and not exceeding the useful life of the asset
5215 being financed, only for financing or refinancing of the new
5216 construction and equipment, renovation, or remodeling of
5217 educational facilities. Bonds authorized pursuant to this
5218 subsection shall be requested by the Florida Community College
5219 System institution board of trustees and shall be issued by the
5220 Division of Bond Finance in compliance with s. 11(d), Art. VII
5221 of the State Constitution and the State Bond Act. The Division
5222 of Bond Finance may pledge fees collected by one or more Florida

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5223 Community College System institutions to secure such bonds. Any
5224 project included in the approved educational plant survey
5225 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.
5226 VII of the State Constitution.

5227 (c) Bonds issued pursuant to this subsection may be
5228 validated in the manner provided by chapter 75. Only the initial
5229 series of bonds is required to be validated. The complaint for
5230 such validation shall be filed in the circuit court of the
5231 county where the seat of state government is situated, the
5232 notice required to be published by s. 75.06 shall be published
5233 only in the county where the complaint is filed, and the
5234 complaint and order of the circuit court shall be served only on
5235 the state attorney of the circuit in which the action is
5236 pending.

5237 (d) A maximum of 15 percent may be allocated from the
5238 capital improvement fee for child care centers conducted by the
5239 Florida Community College System institution. The use of capital
5240 improvement fees for such purpose shall be subordinate to the
5241 payment of any bonds secured by the fees.

5242 (e) The state does hereby covenant with the holders of the
5243 bonds issued under this subsection that it will not take any
5244 action that will materially and adversely affect the rights of
5245 such holders so long as the bonds authorized by this subsection
5246 are outstanding.

5247 (12) (a) In addition to tuition, out-of-state, financial
5248 aid, capital improvement, student activity and service, and
5249 technology fees authorized in this section, each Florida
5250 Community College System institution board of trustees is
5251 authorized to establish fee schedules for the following user

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5252 fees and fines: laboratory fees, which do not apply to a
5253 distance learning course; parking fees and fines; library fees
5254 and fines; fees and fines relating to facilities and equipment
5255 use or damage; access or identification card fees; duplicating,
5256 photocopying, binding, or microfilming fees; standardized
5257 testing fees; diploma replacement fees; transcript fees;
5258 application fees; graduation fees; and late fees related to
5259 registration and payment. Such user fees and fines shall not
5260 exceed the cost of the services provided and shall only be
5261 charged to persons receiving the service. A Florida Community
5262 College System institution may not charge any fee except as
5263 authorized by law. Parking fee revenues may be pledged by a
5264 Florida Community College System institution board of trustees
5265 as a dedicated revenue source for the repayment of debt,
5266 including lease-purchase agreements, with an overall term of not
5267 more than 7 years, including renewals, extensions, and
5268 refundings, and revenue bonds with a term not exceeding 20 years
5269 and not exceeding the useful life of the asset being financed.
5270 Florida Community College System institutions shall use the
5271 services of the Division of Bond Finance of the State Board of
5272 Administration to issue any revenue bonds authorized by this
5273 subsection. Any such bonds issued by the Division of Bond
5274 Finance shall be in compliance with the provisions of the State
5275 Bond Act. Bonds issued pursuant to the State Bond Act may be
5276 validated in the manner established in chapter 75. The complaint
5277 for such validation shall be filed in the circuit court of the
5278 county where the seat of state government is situated, the
5279 notice required to be published by s. 75.06 shall be published
5280 only in the county where the complaint is filed, and the

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5281 complaint and order of the circuit court shall be served only on
5282 the state attorney of the circuit in which the action is
5283 pending.

5284 (b) The State Board of Community Colleges ~~Education~~ may
5285 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
5286 this subsection.

5287 (13) The State Board of Community Colleges ~~Education~~ shall
5288 specify, as necessary, by rule, approved methods of student fee
5289 payment. Such methods shall include, but not be limited to,
5290 student fee payment; payment through federal, state, or
5291 institutional financial aid; and employer fee payments.

5292 (14) Each Florida Community College System institution
5293 board of trustees shall report only those students who have
5294 actually enrolled in instruction provided or supervised by
5295 instructional personnel under contract with the Florida
5296 Community College System institution in calculations of actual
5297 full-time equivalent enrollments for state funding purposes. No
5298 student who has been exempted from taking a course or who has
5299 been granted academic or career credit through means other than
5300 actual coursework completed at the granting institution shall be
5301 calculated for enrollment in the course from which he or she has
5302 been exempted or granted credit. Florida Community College
5303 System institutions that report enrollments in violation of this
5304 subsection shall be penalized at a rate equal to two times the
5305 value of such enrollments. Such penalty shall be charged against
5306 the following year's allocation from the Florida Community
5307 College System Program Fund and shall revert to the General
5308 Revenue Fund.

5309 (15) Each Florida Community College System institution may

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5310 assess a service charge for the payment of tuition and fees in
5311 installments and a convenience fee for the processing of
5312 automated or online credit card payments. However, the amount of
5313 the convenience fee may not exceed the total cost charged by the
5314 credit card company to the Florida Community College System
5315 institution. Such service charge or convenience fee must be
5316 approved by the Florida Community College System institution
5317 board of trustees.

5318 (16) (a) Each Florida Community College System institution
5319 may assess a student who enrolls in a course listed in the
5320 distance learning catalog, established pursuant to s. 1006.735,
5321 a per-credit-hour distance learning course user fee. For
5322 purposes of assessing this fee, a distance learning course is a
5323 course in which at least 80 percent of the direct instruction of
5324 the course is delivered using some form of technology when the
5325 student and instructor are separated by time or space, or both.

5326 (b) The amount of the distance learning course user fee may
5327 not exceed the additional costs of the services provided which
5328 are attributable to the development and delivery of the distance
5329 learning course. If a Florida Community College System
5330 institution assesses the distance learning course user fee, the
5331 institution may not assess any other fees to cover the
5332 additional costs. By September 1 of each year, each board of
5333 trustees shall report to the State Board of Community Colleges
5334 ~~Division of Florida Colleges~~ the total amount of revenue
5335 generated by the distance learning course user fee for the prior
5336 fiscal year and how the revenue was expended.

5337 (c) If an institution assesses the distance learning fee,
5338 the institution must provide a link to the catalog within the

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5339 advising and distance learning sections of the institution's
5340 website, using a graphic and description provided by the
5341 Complete Florida Plus Program, to inform students of the
5342 catalog.

5343 (17) Each Florida Community College System institution that
5344 accepts transient students, pursuant to s. 1006.735, may
5345 establish a transient student fee not to exceed \$5 per course
5346 for processing the transient student admissions application.

5347 (18) (a) The Board of Trustees of Santa Fe College may
5348 establish a transportation access fee. Revenue from the fee may
5349 be used only to provide or improve access to transportation
5350 services for students enrolled at Santa Fe College. The fee may
5351 not exceed \$6 per credit hour. An increase in the transportation
5352 access fee may occur only once each fiscal year and must be
5353 implemented beginning with the fall term. A referendum must be
5354 held by the student government to approve the application of the
5355 fee.

5356 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
5357 the transportation access fee authorized under paragraph (a) may
5358 not be included in calculating the amount a student receives for
5359 a Florida Academic Scholars award, a Florida Medallion Scholars
5360 award, or a Florida Gold Seal Vocational Scholars award.

5361 (19) The State Board of Community Colleges ~~Education~~ shall
5362 adopt a rule specifying the definitions and procedures to be
5363 used in the calculation of the percentage of cost paid by
5364 students. The rule must provide for the calculation of the full
5365 cost of educational programs based on the allocation of all
5366 funds provided through the general current fund to programs of
5367 instruction, and other activities as provided in the annual

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5368 expenditure analysis. The rule shall be developed in
5369 consultation with the Legislature.

5370 (20) Each Florida Community College System institution
5371 shall publicly notice and notify all enrolled students of any
5372 proposal to increase tuition or fees at least 28 days before its
5373 consideration at a board of trustees meeting. The notice must:

5374 (a) Include the date and time of the meeting at which the
5375 proposal will be considered.

5376 (b) Specifically outline the details of existing tuition
5377 and fees, the rationale for the proposed increase, and how the
5378 funds from the proposed increase will be used.

5379 (c) Be posted on the institution's website and issued in a
5380 press release.

5381 Section 77. Subsection (2) of section 1009.25, Florida
5382 Statutes, is amended to read:

5383 1009.25 Fee exemptions.—

5384 (2) Each Florida Community College System institution is
5385 authorized to grant student fee exemptions from all fees adopted
5386 by the State Board of Community Colleges ~~Education~~ and the
5387 Florida Community College System institution board of trustees
5388 for up to 54 full-time equivalent students or 1 percent of the
5389 institution's total full-time equivalent enrollment, whichever
5390 is greater, at each institution.

5391 Section 78. Paragraph (b) of subsection (12), paragraphs
5392 (c) and (d) of subsection (13), and paragraph (d) of subsection
5393 (14) of section 1009.26, Florida Statutes, are amended, to read:

5394 1009.26 Fee waivers.—

5395 (12)

5396 (b) Tuition and fees charged to a student who qualifies for

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5397 the out-of-state fee waiver under this subsection may not exceed
5398 the tuition and fees charged to a resident student. The waiver
5399 is applicable for 110 percent of the required credit hours of
5400 the degree or certificate program for which the student is
5401 enrolled. Each state university, Florida Community College
5402 System institution, career center operated by a school district
5403 under s. 1001.44, and charter technical career center shall
5404 report to the Board of Governors, the State Board of Community
5405 Colleges, and the State Board of Education, respectively, the
5406 number and value of all fee waivers granted annually under this
5407 subsection. By October 1 of each year, the Board of Governors,
5408 for the state universities; ~~and~~ the State Board of Community
5409 Colleges, ~~Education~~ for Florida Community College System
5410 institutions; ~~;~~ career centers operated by a school district
5411 under s. 1001.44; ~~;~~ and charter technical career centers shall
5412 annually report for the previous academic year the percentage of
5413 resident and nonresident students enrolled systemwide.

5414 (13)

5415 (c) Each state university, Florida Community College System
5416 institution, career center operated by a school district under
5417 s. 1001.44, and charter technical career center shall report to
5418 the Board of Governors, the State Board of Community, and the
5419 State Board of Education, respectively, the number and value of
5420 all fee waivers granted annually under this subsection.

5421 (d) The Board of Governors, the State Board of Community
5422 Colleges, and the State Board of Education shall respectively
5423 adopt regulations and rules to administer this subsection.

5424 (14)

5425 (d) The Board of Governors, the State Board of Community

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5426 Colleges, and the State Board of Education shall respectively
5427 adopt regulations and rules to administer this subsection.

5428 Section 79. Section 1009.28, Florida Statutes, is amended
5429 to read:

5430 1009.28 Fees for repeated enrollment in developmental
5431 education classes.—A student enrolled in the same developmental
5432 education class more than twice shall pay 100 percent of the
5433 full cost of instruction to support continuous enrollment of
5434 that student in the same class, and the student shall not be
5435 included in calculations of full-time equivalent enrollments for
5436 state funding purposes; however, students who withdraw or fail a
5437 class due to extenuating circumstances may be granted an
5438 exception only once for each class, provided approval is granted
5439 according to policy established by the board of trustees. Each
5440 Florida Community College System institution may review and
5441 reduce fees paid by students due to continued enrollment in a
5442 developmental education class on an individual basis contingent
5443 upon the student's financial hardship, pursuant to definitions
5444 and fee levels established by the State Board of Community
5445 Colleges ~~Education~~.

5446 Section 80. Subsections (9) and (12) of section 1009.90,
5447 Florida Statutes, are amended to read:

5448 1009.90 Duties of the Department of Education.—The duties
5449 of the department shall include:

5450 (9) Development and submission of a report, annually, to
5451 the State Board of Education, the Board of Governors, the State
5452 Board of Community Colleges, the President of the Senate, and
5453 the Speaker of the House of Representatives, which shall
5454 include, but not be limited to, recommendations for the

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5455 distribution of state financial aid funds.

5456 (12) Calculation of the amount of need-based student
5457 financial aid required to offset fee increases recommended by
5458 the State Board of Education, ~~and~~ the Board of Governors, and
5459 the State Board of Community Colleges, and inclusion of such
5460 amount within the legislative budget request for student
5461 assistance grant programs.

5462 Section 81. Subsection (4) of section 1009.91, Florida
5463 Statutes, is amended to read:

5464 1009.91 Assistance programs and activities of the
5465 department.—

5466 (4) The department shall maintain records on the student
5467 loan default rate of each Florida postsecondary institution and
5468 report that information annually to both the institution and the
5469 State Board of Education. Information relating to state
5470 universities shall also be reported annually to the Board of
5471 Governors. Information relating to Florida Community College
5472 System institutions shall be reported annually to the State
5473 Board of Community Colleges.

5474 Section 82. Subsection (2) of section 1009.971, Florida
5475 Statutes, is amended to read:

5476 1009.971 Florida Prepaid College Board.—

5477 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
5478 shall consist of seven members to be composed of the Attorney
5479 General, the Chief Financial Officer, the Chancellor of the
5480 State University System, the Chancellor of the Florida Community
5481 College System ~~Division of Florida Colleges,~~ and three members
5482 appointed by the Governor and subject to confirmation by the
5483 Senate. Each member appointed by the Governor shall possess

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5484 knowledge, skill, and experience in the areas of accounting,
5485 actuary, risk management, or investment management. Each member
5486 of the board not appointed by the Governor may name a designee
5487 to serve on the board on behalf of the member; however, any
5488 designee so named shall meet the qualifications required of
5489 gubernatorial appointees to the board. Members appointed by the
5490 Governor shall serve terms of 3 years. Any person appointed to
5491 fill a vacancy on the board shall be appointed in a like manner
5492 and shall serve for only the unexpired term. Any member shall be
5493 eligible for reappointment and shall serve until a successor
5494 qualifies. Members of the board shall serve without compensation
5495 but shall be reimbursed for per diem and travel in accordance
5496 with s. 112.061. Each member of the board shall file a full and
5497 public disclosure of his or her financial interests pursuant to
5498 s. 8, Art. II of the State Constitution and corresponding
5499 statute.

5500 Section 83. Section 1010.01, Florida Statutes, is amended
5501 to read:

5502 1010.01 Uniform records and accounts.—

5503 (1) (a) The financial records and accounts of each school
5504 district, ~~Florida College System institution,~~ and other
5505 institution or agency under the supervision of the State Board
5506 of Education shall be prepared and maintained as prescribed by
5507 law and rules of the State Board of Education.

5508 (b) The financial records and accounts of each state
5509 university under the supervision of the Board of Governors shall
5510 be prepared and maintained as prescribed by law and rules of the
5511 Board of Governors.

5512 (c) The financial records and accounts of each Florida

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5513 Community College System institution under the supervision of
5514 the State Board of Community Colleges shall be prepared and
5515 maintained as prescribed by law and rules of the State Board of
5516 Community Colleges.

5517 (2) Rules of the State Board of Education, ~~and rules of the~~
5518 Board of Governors, and the State Board of Community Colleges
5519 shall incorporate the requirements of law and accounting
5520 principles generally accepted in the United States. Such rules
5521 shall include a uniform classification of accounts.

5522 (3) Each state university shall annually file with the
5523 Board of Governors financial statements prepared in conformity
5524 with accounting principles generally accepted by the United
5525 States and the uniform classification of accounts prescribed by
5526 the Board of Governors. The Board of Governors' rules shall
5527 prescribe the filing deadline for the financial statements.

5528 (4) Required financial accounts and reports shall include
5529 provisions that are unique to each of the following: K-12 school
5530 districts, Florida Community College System institutions, and
5531 state universities, and shall provide for the data to be
5532 reported to the National Center of Educational Statistics and
5533 other governmental and professional educational data information
5534 services as appropriate.

5535 (5) Each Florida Community College System institution shall
5536 annually file with the State Board of Community Colleges
5537 financial statements prepared in conformity with accounting
5538 principles generally accepted by the United States and the
5539 uniform classification of accounts prescribed by the State Board
5540 of Community Colleges. The State Board of Community Colleges'
5541 rules shall prescribe the filing deadline for the financial

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5542 statements.

5543 Section 84. Subsection (1) of section 1010.02, Florida
5544 Statutes, is amended, and subsection (3) is added to that
5545 section, to read:

5546 1010.02 Financial accounting and expenditures.—

5547 (1) All funds accruing to a school district ~~or a Florida~~
5548 ~~College System institution~~ must be received, accounted for, and
5549 expended in accordance with law and rules of the State Board of
5550 Education.

5551 (3) All funds accruing to a Florida Community College
5552 System institution must be received, accounted for, and expended
5553 in accordance with law and rules of the State Board of Community
5554 Colleges.

5555 Section 85. Section 1010.04, Florida Statutes, is amended
5556 to read:

5557 1010.04 Purchasing.—

5558 (1) (a) Purchases and leases by school districts must ~~and~~
5559 ~~Florida College System institutions~~ shall comply with the
5560 requirements of law and rules of the State Board of Education.

5561 (b) Before purchasing nonacademic commodities and
5562 contractual services, each district school board and Florida
5563 Community College System institution board of trustees shall
5564 review the purchasing agreements and state term contracts
5565 available under s. 287.056 to determine whether it is in the
5566 school board's or the board of trustees' economic advantage to
5567 use the agreements and contracts. Each bid specification for
5568 nonacademic commodities and contractual services must include a
5569 statement indicating that the purchasing agreements and state
5570 term contracts available under s. 287.056 have been reviewed.

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5571 Each district school board may also use the cooperative state
5572 purchasing programs managed through the regional consortium
5573 service organizations pursuant to their authority under s.
5574 1001.451(3). This paragraph does not apply to services that are
5575 eligible for reimbursement under the federal E-rate program
5576 administered by the Universal Service Administrative Company.

5577 (c) Purchases and leases by state universities must ~~shall~~
5578 comply with the requirements of law and regulations of the Board
5579 of Governors.

5580 (d) Purchases and leases by Florida Community College
5581 System institutions must comply with the requirements of law and
5582 rules of the State Board of Community Colleges.

5583 (2) Each district school board and Florida Community
5584 College System institution board of trustees shall adopt rules,
5585 and each university board of trustees shall adopt regulations,
5586 to be followed in making purchases. Purchases may be made
5587 through an online procurement system, an electronic auction
5588 service, or other efficient procurement tool.

5589 (3) In districts in which the county purchasing agent is
5590 authorized by law to make purchases for the benefit of other
5591 governmental agencies within the county, the district school
5592 board and Florida Community College System institution board of
5593 trustees shall have the option to purchase from the current
5594 county contracts at the unit price stated therein if such
5595 purchase is to the economic advantage of the district school
5596 board or the Florida Community College System institution board
5597 of trustees; subject to confirmation of the items of purchase to
5598 the standards and specifications prescribed by the school
5599 district or Florida Community College System institution.

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5600 (4) (a) The State Board of Education may, by rule, provide
5601 for alternative procedures for school districts ~~and Florida~~
5602 ~~College System institutions~~ for bidding or purchasing in cases
5603 in which the character of the item requested renders competitive
5604 bidding impractical.

5605 (b) The Board of Governors may, by regulation, provide for
5606 alternative procedures for state universities for bidding or
5607 purchasing in cases in which the character of the item requested
5608 renders competitive bidding impractical.

5609 (c) The State Board of Community Colleges may, by rule,
5610 provide for alternative procedures for Florida Community College
5611 System institutions for bidding or purchasing in cases in which
5612 the character of the item requested renders competitive bidding
5613 impractical.

5614 Section 86. Section 1010.07, Florida Statutes, is amended
5615 to read:

5616 1010.07 Bonds or insurance required.—

5617 (1) Each district school board, Florida Community College
5618 System institution board of trustees, and university board of
5619 trustees shall ensure that each official and employee
5620 responsible for handling, expending, or authorizing the
5621 expenditure of funds shall be appropriately bonded or insured to
5622 protect the board and the funds involved.

5623 (2) (a) Contractors paid from school district ~~or Florida~~
5624 ~~College System institution~~ funds shall give bond for the
5625 faithful performance of their contracts in such amount and for
5626 such purposes as prescribed by s. 255.05 or by rules of the
5627 State Board of Education relating to the type of contract
5628 involved. It shall be the duty of the district school board ~~or~~

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5629 ~~Florida College System institution board of trustees~~ to require
5630 from construction contractors a bond adequate to protect the
5631 board and the board's funds involved.

5632 (b) Contractors paid from university funds shall give bond
5633 for the faithful performance of their contracts in such amount
5634 and for such purposes as prescribed by s. 255.05 or by
5635 regulations of the Board of Governors relating to the type of
5636 contract involved. It shall be the duty of the university board
5637 of trustees to require from construction contractors a bond
5638 adequate to protect the board and the board's funds involved.

5639 (c) Contractors paid from Florida Community College System
5640 institution funds shall give bonds for the faithful performance
5641 of their contracts in such amount and for such purposes as
5642 prescribed by s. 255.05 or by rules of the State Board of
5643 Community Colleges relating to the type of contract involved. It
5644 is the duty of the Florida Community College System institution
5645 board of trustees to require construction contractors to provide
5646 a bond adequate to protect the board and the board's funds
5647 involved.

5648 Section 87. Section 1010.08, Florida Statutes, is amended
5649 to read:

5650 1010.08 Promotion and public relations; funding.—

5651 (1) Each district school board ~~and Florida College System~~
5652 ~~institution board of trustees~~ may budget and use a portion of
5653 the funds accruing to it from auxiliary enterprises and
5654 undesignated gifts for promotion and public relations as
5655 prescribed by rules of the State Board of Education. Such funds
5656 may be used to provide hospitality to business guests in the
5657 district or elsewhere. However, such hospitality expenses may

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5658 not exceed the amount authorized for such contingency funds as
5659 prescribed by rules of the State Board of Education.

5660 (2) Each Florida Community College System institution board
5661 of trustees may budget and use a portion of the funds accruing
5662 to it from auxiliary enterprises and undesignated gifts for
5663 promotion and public relations as prescribed by rules of the
5664 State Board of Community Colleges. Such funds may be used to
5665 provide hospitality to business guests in the district or
5666 elsewhere. However, such hospitality expenses may not exceed the
5667 amount authorized for such contingency funds as prescribed by
5668 rules of the State Board of Community Colleges.

5669 Section 88. Subsection (1) of section 1010.09, Florida
5670 Statutes, is amended and subsection (3) is added to that
5671 section, to read:

5672 1010.09 Direct-support organizations.—

5673 (1) School district ~~and Florida College System institution~~
5674 direct-support organizations shall be organized and conducted
5675 under the provisions of ss. 1001.453 and 1004.70 and rules of
5676 the State Board of Education, as applicable.

5677 (3) Florida Community College System institution direct-
5678 support organizations shall be organized and conducted under the
5679 provisions of s. 1004.70 and rules of the State Board of
5680 Community Colleges.

5681 Section 89. Section 1010.22, Florida Statutes, is amended
5682 to read:

5683 1010.22 Cost accounting and reporting for workforce
5684 education.—

5685 (1) (a) Each school district ~~and each Florida College System~~
5686 ~~institution~~ shall account for expenditures of all state, local,

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5687 federal, and other funds in the manner prescribed by the State
5688 Board of Education.

5689 (b) Each Florida Community College System institution shall
5690 account for expenditures of all state, local, federal, and other
5691 funds in the manner prescribed by the State Board of Community
5692 Colleges.

5693 (2) ~~(a) Each school district and each Florida College System~~
5694 ~~institution~~ shall report expenditures for workforce education in
5695 accordance with requirements prescribed by the State Board of
5696 Education.

5697 (b) Each Florida Community College System institution shall
5698 report expenditures for workforce education in accordance with
5699 requirements prescribed by the State Board of Community
5700 Colleges.

5701 (3) The Department of Education, in cooperation with school
5702 districts and Florida Community College System institutions,
5703 shall develop and maintain a database of valid comparable
5704 information on workforce education which will meet both state
5705 and local needs.

5706 Section 90. Subsection (1) of section 1010.30, Florida
5707 Statutes, is amended to read:

5708 1010.30 Audits required.—

5709 (1) School districts, ~~Florida College System institutions,~~
5710 and other institutions and agencies under the supervision of the
5711 State Board of Education, Florida Community College System
5712 institutions under the supervision of the State Board of
5713 Community Colleges, and state universities under the supervision
5714 of the Board of Governors are subject to the audit provisions of
5715 ss. 11.45 and 218.39.

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5716 Section 91. Section 1010.58, Florida Statutes, is amended
5717 to read:

5718 1010.58 Procedure for determining number of instruction
5719 units for Florida Community College System institutions.—The
5720 number of instruction units for Florida Community College System
5721 institutions shall be determined from the full-time equivalent
5722 students in the Florida Community College System institution,
5723 provided that full-time equivalent students may not be counted
5724 more than once in determining instruction units. Instruction
5725 units for Florida Community College System institutions shall be
5726 computed as follows:

5727 (1) One unit for each 12 full-time equivalent students at a
5728 Florida Community College System institution for the first 420
5729 students and one unit for each 15 full-time equivalent students
5730 for all over 420 students, in other than career education
5731 programs as defined by rules of the State Board of Community
5732 Colleges Education, and one unit for each 10 full-time
5733 equivalent students in career education programs and
5734 compensatory education programs as defined by rules of the State
5735 Board of Community Colleges Education. Full-time equivalent
5736 students enrolled in a Florida Community College System
5737 institution shall be defined by rules of the State Board of
5738 Community Colleges Education.

5739 (2) For each 8 instruction units in a Florida Community
5740 College System institution, 1 instruction unit or proportionate
5741 fraction of a unit shall be allowed for administrative and
5742 special instructional services, and for each 20 instruction
5743 units, 1 instruction unit or proportionate fraction of a unit
5744 shall be allowed for student personnel services.

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5745 Section 92. Section 1011.01, Florida Statutes, is amended
5746 to read:

5747 1011.01 Budget system established.—

5748 (1) The State Board of Education shall prepare and submit a
5749 coordinated K-20 education annual legislative budget request to
5750 the Governor and the Legislature on or before the date provided
5751 by the Governor and the Legislature. The board's legislative
5752 budget request must clearly define the needs of school
5753 districts, Florida Community College System institutions,
5754 universities, other institutions, organizations, programs, and
5755 activities under the supervision of the board and that are
5756 assigned by law or the General Appropriations Act to the
5757 Department of Education.

5758 (2) (a) There is ~~shall be~~ established in each school
5759 district ~~and Florida College System institution~~ a budget system
5760 as prescribed by law and rules of the State Board of Education.

5761 (b) There is ~~shall be~~ established in each state university
5762 a budget system as prescribed by law and rules of the Board of
5763 Governors.

5764 (c) There is established in each Florida Community College
5765 System institution a budget system as prescribed by law and
5766 rules of the State Board of Community Colleges.

5767 (3) (a) Each district school board ~~and each Florida College~~
5768 ~~System institution board of trustees~~ shall prepare, adopt, and
5769 submit to the Commissioner of Education an annual operating
5770 budget. Operating budgets must ~~shall~~ be prepared and submitted
5771 in accordance with the provisions of law, rules of the State
5772 Board of Education, the General Appropriations Act, and for
5773 district school boards in accordance with the provisions of ss.

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5774 200.065 and 1011.64.

5775 (b) Each state university board of trustees shall prepare,
5776 adopt, and submit to the Chancellor of the State University
5777 System for review an annual operating budget in accordance with
5778 provisions of law, rules of the Board of Governors, and the
5779 General Appropriations Act.

5780 (c) Each Florida Community College System institution board
5781 of trustees shall prepare, adopt, and submit to the State Board
5782 of Community Colleges an annual operating budget in accordance
5783 with provisions of law, rules of the State Board of Community
5784 Colleges, and the General Appropriations Act.

5785 (4) The State Board of Education shall coordinate with the
5786 Board of Governors and the State Board of Community Colleges to
5787 facilitate the budget system requirements of this section. The
5788 State Board of Community College exclusively retains the review
5789 and approval powers of this section for Florida Community
5790 College System institutions. The Board of Governors exclusively
5791 retains the review and approval powers of this section for state
5792 universities.

5793 Section 93. Section 1011.011, Florida Statutes, is amended
5794 to read:

5795 1011.011 Legislative capital outlay budget request.—The
5796 State Board of Education shall submit an integrated,
5797 comprehensive budget request for educational facilities
5798 construction and fixed capital outlay needs for school
5799 districts, and, in conjunction with the State Board of Community
5800 Colleges for Florida Community College System institutions, ~~and~~
5801 ~~in conjunction~~ with the Board of Governors for state
5802 universities, pursuant to this section and s. 1013.46 and

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5803 applicable provisions of chapter 216.

5804 Section 94. Section 1011.30, Florida Statutes, is amended
5805 to read:

5806 1011.30 Budgets for Florida Community College System
5807 institutions.—Each Florida Community College System institution
5808 president shall recommend to the Florida Community College
5809 System institution board of trustees a budget of income and
5810 expenditures at such time and in such form as the State Board of
5811 Community Colleges ~~Education~~ may prescribe. Upon approval of a
5812 budget by the Florida Community College System institution board
5813 of trustees, such budget ~~must~~ shall be transmitted to the State
5814 Board of Community Colleges ~~Department of Education~~ for review.
5815 Rules of the State Board of Community Colleges ~~must~~ Education
5816 ~~shall~~ prescribe procedures for effecting budget amendments
5817 subsequent to the final approval of a budget for a given year.

5818 Section 95. Section 1011.32, Florida Statutes, is amended
5819 to read:

5820 1011.32 Florida Community College System Institution
5821 Facility Enhancement Challenge Grant Program.—

5822 (1) The Legislature recognizes that ~~the~~ Florida Community
5823 College System institutions do not have sufficient physical
5824 facilities to meet the current demands of their instructional
5825 and community programs. It further recognizes that, to
5826 strengthen and enhance Florida Community College System
5827 institutions, it is necessary to provide facilities in addition
5828 to those currently available from existing revenue sources. It
5829 further recognizes that there are sources of private support
5830 that, if matched with state support, can assist in constructing
5831 much needed facilities and strengthen the commitment of citizens

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5832 and organizations in promoting excellence at each Florida
5833 Community College System institution. Therefore, it is the
5834 intent of the Legislature to establish a program to provide the
5835 opportunity for each Florida Community College System
5836 institution through its direct-support organization to receive
5837 and match challenge grants for instructional and community-
5838 related capital facilities within the Florida Community College
5839 System institution.

5840 (2) There is established the Florida Community College
5841 System Institution Facility Enhancement Challenge Grant Program
5842 for the purpose of assisting the Florida Community College
5843 System institutions in building high priority instructional and
5844 community-related capital facilities consistent with s. 1004.65,
5845 including common areas connecting such facilities. The direct-
5846 support organizations that serve the Florida Community College
5847 System institutions shall solicit gifts from private sources to
5848 provide matching funds for capital facilities. For the purposes
5849 of this section, private sources of funds shall not include any
5850 federal or state government funds that a Florida Community
5851 College System institution may receive.

5852 (3) The Florida Community College System Institution
5853 Capital Facilities Matching Program shall provide funds to match
5854 private contributions for the development of high priority
5855 instructional and community-related capital facilities,
5856 including common areas connecting such facilities, within the
5857 Florida Community College System institutions.

5858 (4) Within the direct-support organization of each Florida
5859 Community College System institution there must be established a
5860 separate capital facilities matching account for the purpose of

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5861 providing matching funds from the direct-support organization's
5862 unrestricted donations or other private contributions for the
5863 development of high priority instructional and community-related
5864 capital facilities, including common areas connecting such
5865 facilities. The Legislature shall appropriate funds for
5866 distribution to a Florida Community College System institution
5867 after matching funds are certified by the direct-support
5868 organization and Florida Community College System institution.
5869 The Public Education Capital Outlay and Debt Service Trust Fund
5870 shall not be used as the source of the state match for private
5871 contributions.

5872 (5) A project may not be initiated unless all private funds
5873 for planning, construction, and equipping the facility have been
5874 received and deposited in the direct-support organization's
5875 matching account for this purpose. However, this requirement
5876 does not preclude the Florida Community College System
5877 institution or direct-support organization from expending
5878 available funds from private sources to develop a prospectus,
5879 including preliminary architectural schematics or models, for
5880 use in its efforts to raise private funds for a facility and for
5881 site preparation, planning, and construction. The Legislature
5882 may appropriate the state's matching funds in one or more fiscal
5883 years for the planning, construction, and equipping of an
5884 eligible facility. Each Florida Community College System
5885 institution shall notify all donors of private funds of a
5886 substantial delay in the availability of state matching funds
5887 for this program.

5888 (6) To be eligible to participate in the Florida Community
5889 College System Institution Facility Enhancement Challenge Grant

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5890 Program, a Florida Community College System institution, through
5891 its direct-support organization, shall raise a contribution
5892 equal to one-half of the total cost of a facilities construction
5893 project from private sources which shall be matched by a state
5894 appropriation equal to the amount raised for a facilities
5895 construction project, subject to the General Appropriations Act.

5896 (7) If the state's share of the required match is
5897 insufficient to meet the requirements of subsection (6), the
5898 Florida Community College System institution shall renegotiate
5899 the terms of the contribution with the donors. If the project is
5900 terminated, each private donation, plus accrued interest,
5901 reverts to the direct-support organization for remittance to the
5902 donor.

5903 (8) By October 15 of each year, the State Board of
5904 Community Colleges ~~Education~~ shall transmit to the Governor and
5905 the Legislature a list of projects that meet all eligibility
5906 requirements to participate in the Florida Community College
5907 System Institution Facility Enhancement Challenge Grant Program
5908 and a budget request that includes the recommended schedule
5909 necessary to complete each project.

5910 (9) In order for a project to be eligible under this
5911 program, it must be survey recommended under the provisions of
5912 s. 1013.31 and included in the Florida Community College System
5913 institution's 5-year capital improvement plan, and it must
5914 receive approval from the State Board of Community Colleges
5915 ~~Education~~ or the Legislature.

5916 (10) A Florida Community College System institution project
5917 may not be removed from the approved 3-year PECO priority list
5918 because of its successful participation in this program until

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5919 approved by the Legislature and provided for in the General
5920 Appropriations Act. When such a project is completed and removed
5921 from the list, all other projects shall move up on the 3-year
5922 PECO priority list.

5923 (11) Any private matching funds for a project which are
5924 unexpended after the project is completed shall revert to the
5925 Florida Community College System institution's direct-support
5926 organization capital facilities matching account. The balance of
5927 any unexpended state matching funds shall be returned to the
5928 fund from which those funds were appropriated.

5929 (12) The surveys, architectural plans, facility, and
5930 equipment shall be the property of the participating Florida
5931 Community College System institution. A facility constructed
5932 under this section may be named in honor of a donor at the
5933 option of the Florida Community College System institution
5934 district board of trustees. A facility may not be named after a
5935 living person without prior approval by the State Board of
5936 Community Colleges Education.

5937 (13) Effective July 1, 2011, state matching funds are
5938 temporarily suspended for donations received for the program on
5939 or after June 30, 2011. Existing eligible donations remain
5940 eligible for future matching funds. The program may be restarted
5941 after \$200 million of the backlog for programs under this
5942 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

5943 Section 96. Subsection (2), paragraph (b) of subsection
5944 (5), and subsections (8), (9), and (11) of section 1011.80,
5945 Florida Statutes, are amended to read:

5946 1011.80 Funds for operation of workforce education
5947 programs.—

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5948 (2) Any workforce education program may be conducted by a
5949 Florida Community College System institution or a school
5950 district, except that college credit in an associate in applied
5951 science or an associate in science degree may be awarded only by
5952 a Florida Community College System institution. However, if an
5953 associate in applied science or an associate in science degree
5954 program contains within it an occupational completion point that
5955 confers a certificate or an applied technology diploma, that
5956 portion of the program may be conducted by a school district
5957 career center. Any instruction designed to articulate to a
5958 degree program is subject to guidelines and standards adopted by
5959 the State Board of Community Colleges ~~Education~~ pursuant to s.
5960 1007.25.

5961 (5) State funding and student fees for workforce education
5962 instruction shall be established as follows:

5963 (b) For all other workforce education programs, state
5964 funding shall equal 75 percent of the average cost of
5965 instruction with the remaining 25 percent made up from student
5966 fees. Fees for courses within a program shall not vary according
5967 to the cost of the individual program, but instead shall be
5968 based on a uniform fee calculated and set at the state level, as
5969 adopted by the State Board of Education, for school districts
5970 and the State Board of Community Colleges, for Florida Community
5971 College System institutions, unless otherwise specified in the
5972 General Appropriations Act.

5973 (8) The State Board of Education, the State Board of
5974 Community Colleges, and CareerSource Florida, Inc., shall
5975 provide the Legislature with recommended formulas, criteria,
5976 timeframes, and mechanisms for distributing performance funds.

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5977 The commissioner shall consolidate the recommendations and
5978 develop a consensus proposal for funding. The Legislature shall
5979 adopt a formula and distribute the performance funds to the
5980 State Board of Community Colleges ~~Education~~ for Florida
5981 Community College System institutions and to the State Board of
5982 Education for school districts through the General
5983 Appropriations Act. These recommendations shall be based on
5984 formulas that would discourage low-performing or low-demand
5985 programs and encourage through performance-funding awards:

5986 (a) Programs that prepare people to enter high-wage
5987 occupations identified by the Workforce Estimating Conference
5988 created by s. 216.136 and other programs as approved by
5989 CareerSource Florida, Inc. At a minimum, performance incentives
5990 shall be calculated for adults who reach completion points or
5991 complete programs that lead to specified high-wage employment
5992 and to their placement in that employment.

5993 (b) Programs that successfully prepare adults who are
5994 eligible for public assistance, economically disadvantaged,
5995 disabled, not proficient in English, or dislocated workers for
5996 high-wage occupations. At a minimum, performance incentives
5997 shall be calculated at an enhanced value for the completion of
5998 adults identified in this paragraph and job placement of such
5999 adults upon completion. In addition, adjustments may be made in
6000 payments for job placements for areas of high unemployment.

6001 (c) Programs that are specifically designed to be
6002 consistent with the workforce needs of private enterprise and
6003 regional economic development strategies, as defined in
6004 guidelines set by CareerSource Florida, Inc. CareerSource
6005 Florida, Inc., shall develop guidelines to identify such needs

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6006 and strategies based on localized research of private employers
6007 and economic development practitioners.

6008 (d) Programs identified by CareerSource Florida, Inc., as
6009 increasing the effectiveness and cost efficiency of education.

6010 (9) School districts shall report full-time equivalent
6011 students by discipline category for the programs specified in
6012 subsection (1). There shall be an annual cost analysis for the
6013 school district workforce education programs that reports cost
6014 by discipline category consistent with the reporting for full-
6015 time equivalent students. The annual financial reports submitted
6016 by the school districts must accurately report on the student
6017 fee revenues by fee type according to the programs specified in
6018 subsection (1). The Department of Education and the State Board
6019 of Community Colleges shall develop a plan for comparable
6020 reporting of program, student, facility, personnel, and
6021 financial data between the Florida Community College System
6022 institutions and the school district workforce education
6023 programs.

6024 (11) The State Board of Education and the State Board of
6025 Community Colleges may adopt rules to administer this section.

6026 Section 97. Section 1011.801, Florida Statutes, is amended
6027 to read:

6028 1011.801 Workforce Development Capitalization Incentive
6029 Grant Program.—The Legislature recognizes that the need for
6030 school districts and Florida Community College System
6031 institutions to be able to respond to emerging local or
6032 statewide economic development needs is critical to the
6033 workforce development system. The Workforce Development
6034 Capitalization Incentive Grant Program is created to provide

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6035 grants to school districts and Florida Community College System
6036 institutions on a competitive basis to fund some or all of the
6037 costs associated with the creation or expansion of workforce
6038 development programs that serve specific employment workforce
6039 needs.

6040 (1) Funds awarded for a workforce development
6041 capitalization incentive grant may be used for instructional
6042 equipment, laboratory equipment, supplies, personnel, student
6043 services, or other expenses associated with the creation or
6044 expansion of a workforce development program. Expansion of a
6045 program may include either the expansion of enrollments in a
6046 program or expansion into new areas of specialization within a
6047 program. No grant funds may be used for recurring instructional
6048 costs or for institutions' indirect costs.

6049 (2) The State Board of Education shall accept applications
6050 from school districts, and the State Board of Community Colleges
6051 shall accept applications from ~~or~~ Florida Community College
6052 System institutions, for workforce development capitalization
6053 incentive grants. Applications from school districts or Florida
6054 Community College System institutions must ~~shall~~ contain
6055 projected enrollments and projected costs for the new or
6056 expanded workforce development program. The State Board of
6057 Education or the State Board of Community Colleges, as
6058 appropriate, in consultation with CareerSource Florida, Inc.,
6059 shall review and rank each application for a grant according to
6060 subsection (3) and shall submit to the Legislature a list in
6061 priority order of applications recommended for a grant award.

6062 (3) The State Board of Education or the State Board of
6063 Community Colleges, as appropriate, shall give highest priority

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6064 to programs that train people to enter high-skill, high-wage
6065 occupations identified by the Workforce Estimating Conference
6066 and other programs approved by CareerSource Florida, Inc.;

6067 programs that train people to enter occupations under the
6068 welfare transition program; or programs that train for the
6069 workforce adults who are eligible for public assistance,
6070 economically disadvantaged, disabled, not proficient in English,
6071 or dislocated workers. The State Board of Education or the State
6072 Board of Community Colleges, as appropriate, shall consider the
6073 statewide geographic dispersion of grant funds in ranking the
6074 applications and shall give priority to applications from
6075 education agencies that are making maximum use of their
6076 workforce development funding by offering high-performing, high-
6077 demand programs.

6078 Section 98. Section 1011.81, Florida Statutes, is amended
6079 to read:

6080 1011.81 Florida Community College System Program Fund.—

6081 (1) There is established a Florida Community College System
6082 Program Fund. This fund shall comprise all appropriations made
6083 by the Legislature for the support of the current operating
6084 program and shall be apportioned and distributed to the Florida
6085 Community College System institution districts of the state on
6086 the basis of procedures established by law and rules of the
6087 State Board of Education. The annual apportionment for each
6088 Florida Community College System institution district shall be
6089 distributed monthly in payments as nearly equal as possible.

6090 (2) Performance funding for industry certifications for
6091 Florida Community College System institutions is contingent upon
6092 specific appropriation in the General Appropriations Act and

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6093 shall be determined as follows:

6094 (a) Occupational areas for which industry certifications
6095 may be earned, as established in the General Appropriations Act,
6096 are eligible for performance funding. Priority shall be given to
6097 the occupational areas emphasized in state, national, or
6098 corporate grants provided to Florida educational institutions.

6099 (b) The Chancellor of the Florida Community College System,
6100 for the Florida Community College System institutions, shall
6101 identify the industry certifications eligible for funding on the
6102 CAPE Postsecondary Industry Certification Funding List approved
6103 by the State Board of Community Colleges ~~Education~~ pursuant to
6104 s. 1008.44, based on the occupational areas specified in the
6105 General Appropriations Act.

6106 (c) Each Florida Community College System institution shall
6107 be provided \$1,000 for each industry certification earned by a
6108 student. The maximum amount of funding appropriated for
6109 performance funding pursuant to this subsection shall be limited
6110 to \$15 million annually. If funds are insufficient to fully fund
6111 the calculated total award, such funds shall be prorated.

6112 (3) None of the funds made available in the Florida
6113 Community College System Program Fund, or funds made available
6114 to Florida Community College System institutions outside the
6115 Florida Community College System Program Fund, may be used to
6116 implement, organize, direct, coordinate, or administer, or to
6117 support the implementation, organization, direction,
6118 coordination, or administration of, activities related to, or
6119 involving, travel to a terrorist state. For purposes of this
6120 section, "terrorist state" is defined as any state, country, or
6121 nation designated by the United States Department of State as a

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6122 state sponsor of terrorism.

6123 (4) State funds provided for the Florida Community College
6124 System Program Fund may not be expended for the education of
6125 state or federal inmates.

6126 Section 99. Section 1011.82, Florida Statutes, is amended
6127 to read:

6128 1011.82 Requirements for participation in Florida Community
6129 College System Program Fund.—Each Florida Community College
6130 System institution district which participates in the state
6131 appropriations for the Florida Community College System Program
6132 Fund shall provide evidence of its effort to maintain an
6133 adequate Florida Community College System institution program
6134 which shall:

6135 (1) Meet the minimum standards prescribed by the State
6136 Board of Community Colleges ~~Education~~ in accordance with s.
6137 1001.602(5) ~~s. 1001.02(6)~~.

6138 (2) Effectively fulfill the mission of the Florida
6139 Community College System institutions in accordance with s.
6140 1004.65.

6141 Section 100. Section 1011.83, Florida Statutes, is amended
6142 to read:

6143 1011.83 Financial support of Florida Community College
6144 System institutions.—

6145 (1) Each Florida Community College System institution that
6146 ~~has been approved by the Department of Education and~~ meets the
6147 requirements of law and rules of the State Board of Community
6148 Colleges ~~Education~~ shall participate in the Florida Community
6149 College System Program Fund. However, funds to support workforce
6150 education programs conducted by Florida Community College System

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6151 institutions shall be provided pursuant to s. 1011.80.

6152 (2) A student in a baccalaureate degree program approved
6153 pursuant to s. 1007.33 who is not classified as a resident for
6154 tuition purposes pursuant to s. 1009.21 may not be included in
6155 calculations of full-time equivalent enrollments for state
6156 funding purposes.

6157 Section 101. Section 1011.84, Florida Statutes, is amended
6158 to read:

6159 1011.84 Procedure for determining state financial support
6160 and annual apportionment of state funds to each Florida
6161 Community College System institution district.—The procedure for
6162 determining state financial support and the annual apportionment
6163 to each Florida Community College System institution district
6164 authorized to operate a Florida Community College System
6165 institution under the provisions of s. 1001.61 shall be as
6166 follows:

6167 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
6168 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING
6169 PROGRAM.—

6170 (a) The State Board of Community Colleges ~~Department of~~
6171 ~~Education~~ shall determine annually, from an analysis of
6172 operating costs, ~~prepared in the manner prescribed by rules of~~
6173 ~~the State Board of Education,~~ the costs per full-time equivalent
6174 student served in courses and fields of study offered in Florida
6175 Community College System institutions. This information and
6176 current college operating budgets shall be submitted to the
6177 Executive Office of the Governor with the legislative budget
6178 request prior to each regular session of the Legislature.

6179 (b) The allocation of funds for Florida Community College

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6180 System institutions must ~~shall~~ be based on advanced and
6181 professional disciplines, developmental education, and other
6182 programs for adults funded pursuant to s. 1011.80.

6183 (c) The category of lifelong learning is for students
6184 enrolled pursuant to s. 1004.93. A student shall also be
6185 reported as a lifelong learning student for his or her
6186 enrollment in any course that he or she has previously taken,
6187 unless it is a credit course in which the student earned a grade
6188 of D or F.

6189 (d) If an adult student has been determined to be a
6190 disabled student eligible for an approved educational program
6191 for disabled adults provided pursuant to s. 1004.93 and rules of
6192 the State Board of Community Colleges ~~Education~~ and is enrolled
6193 in a class with curriculum frameworks developed for the program,
6194 state funding for that student shall be provided at a level
6195 double that of a student enrolled in a special adult general
6196 education program provided by a Florida Community College System
6197 institution.

6198 (e) All state inmate education provided by Florida
6199 Community College System institutions shall be reported by
6200 program, FTE expenditure, and revenue source. These enrollments,
6201 expenditures, and revenues shall be reported and projected
6202 separately. Instruction of state inmates may ~~shall~~ not be
6203 included in the full-time equivalent student enrollment for
6204 funding through the Florida Community College System Program
6205 Fund.

6206 (f) When a public educational institution has been fully
6207 funded by an external agency for direct instructional costs of
6208 any course or program, the FTE generated may ~~shall~~ not be

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6209 reported for state funding.

6210 (g) The State Board of Education shall adopt rules to
6211 implement s. 9(d)(8)f., Art. XII of the State Constitution.
6212 These rules shall provide for the use of the funds available
6213 under s. 9(d)(8)f., Art. XII by an individual Florida Community
6214 College System institution for operating expense in any fiscal
6215 year during which the State Board of Education has determined
6216 that all major capital outlay needs have been met. Highest
6217 priority for the use of these funds for purposes other than
6218 financing approved capital outlay projects shall be for the
6219 proper maintenance and repair of existing facilities for
6220 projects approved by the State Board of Education. However, in
6221 any fiscal year in which funds from this source are authorized
6222 for operating expense other than approved maintenance and repair
6223 projects, the allocation of Florida Community College System
6224 institution program funds shall be reduced by an amount equal to
6225 the sum used for such operating expense for that Florida
6226 Community College System institution that year, and that amount
6227 shall not be released or allocated among the other Florida
6228 Community College System institutions that year.

6229 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
6230 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay
6231 and debt service shall be as determined and provided in s. 18,
6232 Art. XII of the State Constitution of 1885, as adopted by s.
6233 9(d), Art. XII of the 1968 revised State Constitution and State
6234 Board of Education rules.

6235 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6236 (a) By December 15 of each year, the State Board of
6237 Community Colleges ~~Department of Education~~ shall estimate the

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6238 annual enrollment of each Florida Community College System
6239 institution for the current fiscal year and for the 3 subsequent
6240 fiscal years. These estimates shall be based upon prior years'
6241 enrollments, upon the initial fall term enrollments for the
6242 current fiscal year for each college, and upon each college's
6243 estimated current enrollment and demographic changes in the
6244 respective Florida Community College System institution
6245 districts. Upper-division enrollment shall be estimated
6246 separately from lower-division enrollment.

6247 (b) The apportionment to each Florida Community College
6248 System institution from the Florida Community College System
6249 Program Fund shall be determined annually in the General
6250 Appropriations Act. In determining each college's apportionment,
6251 the Legislature shall consider the following components:

6252 1. Base budget, which includes the state appropriation to
6253 the Florida Community College System Program Fund in the current
6254 year plus the related student tuition and out-of-state fees
6255 assigned in the current General Appropriations Act.

6256 2. The cost-to-continue allocation, which consists of
6257 incremental changes to the base budget, including salaries,
6258 price levels, and other related costs allocated through a
6259 funding model approved by the Legislature which may recognize
6260 differing economic factors arising from the individual
6261 educational approaches of the various Florida Community College
6262 System institutions, including, but not limited to:

6263 a. Direct Instructional Funding, including class size,
6264 faculty productivity factors, average faculty salary, ratio of
6265 full-time to part-time faculty, costs of programs, and
6266 enrollment factors.

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6267 b. Academic Support, including small colleges factor,
6268 multicampus factor, and enrollment factor.

6269 c. Student Services Support, including headcount of
6270 students as well as FTE count and enrollment factors.

6271 d. Library Support, including volume and other
6272 materials/audiovisual requirements.

6273 e. Special Projects.

6274 f. Operations and Maintenance of Plant, including square
6275 footage and utilization factors.

6276 g. District Cost Differential.

6277 3. Students enrolled in a recreation and leisure program
6278 and students enrolled in a lifelong learning program who may not
6279 be counted as full-time equivalent enrollments for purposes of
6280 enrollment workload adjustments.

6281 4. Operating costs of new facilities adjustments, which
6282 shall be provided, from funds available, for each new facility
6283 that is owned by the college and is recommended in accordance
6284 with s. 1013.31.

6285 5. New and improved program enhancements, which shall be
6286 determined by the Legislature.

6287

6288 Student fees in the base budget plus student fee revenues
6289 generated by increases in fee rates shall be deducted from the
6290 sum of the components determined in subparagraphs 1.-5. The
6291 amount remaining shall be the net annual state apportionment to
6292 each college.

6293 (c) A ~~No~~ Florida Community College System institution may
6294 not ~~shall~~ commit funds for the employment of personnel or
6295 resources in excess of those required to continue the same level

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6296 of support for either the previously approved enrollment or the
6297 revised enrollment, whichever is lower.

6298 (d) The apportionment to each Florida Community College
6299 System institution district for capital outlay and debt service
6300 shall be the amount determined in accordance with subsection
6301 (2). This amount, less any amount determined as necessary for
6302 administrative expense by the State Board of Education and any
6303 amount necessary for debt service on bonds issued by the State
6304 Board of Education, shall be transmitted to the Florida
6305 Community College System institution board of trustees to be
6306 expended in a manner prescribed by rules of the State Board of
6307 Education.

6308 (e) If at any time the unencumbered balance in the general
6309 fund of the Florida Community College System institution board
6310 of trustees approved operating budget goes below 5 percent, the
6311 president shall provide written notification to the State Board
6312 of Education.

6313 (f) Expenditures for apprenticeship programs must ~~shall~~ be
6314 reported separately.

6315 (g) Expenditures for upper-division enrollment in a Florida
6316 Community College System institution that grants baccalaureate
6317 degrees must ~~shall~~ be reported separately from expenditures for
6318 lower-division enrollment, in accordance with law and State
6319 Board of Education rule.

6320 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
6321 herein to any Florida Community College System institution must
6322 ~~shall~~ be expended only for the purpose of supporting that
6323 Florida Community College System institution.

6324 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida

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6325 Community College System institution board of trustees shall
6326 report, as a separate item in its annual cost accounting system,
6327 the volume and cost of developmental education options provided
6328 to help students attain the communication and computation skills
6329 that are essential for college-level work pursuant to s.
6330 1008.30.

6331 Section 102. Section 1011.85, Florida Statutes, is amended
6332 to read:

6333 1011.85 Dr. Philip Benjamin Matching Grant Program for
6334 Florida Community College System Institutions.—

6335 (1) There is created the Dr. Philip Benjamin Matching Grant
6336 Program for Florida Community College System Institutions as a
6337 single matching gifts program that encompasses the goals
6338 originally set out in the Academic Improvement Program, the
6339 Scholarship Matching Program, and the Health Care Education
6340 Quality Enhancement Challenge Grant. The program shall be
6341 administered according to rules of the State Board of Community
6342 Colleges ~~Education~~ and used to encourage private support in
6343 enhancing Florida Community College System institutions by
6344 providing the Florida Community College System with the
6345 opportunity to receive and match challenge grants. Funds
6346 received prior to the effective date of this act for each of the
6347 three programs shall be retained in the separate account for
6348 which it was designated.

6349 (2) Each Florida Community College System institution board
6350 of trustees receiving state appropriations under this program
6351 shall approve each gift to ensure alignment with the unique
6352 mission of the Florida Community College System institution. The
6353 board of trustees must link all requests for a state match to

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6354 the goals and mission statement. The Florida Community College
6355 System Institution Foundation Board receiving state
6356 appropriations under this program shall approve each gift to
6357 ensure alignment with its goals and mission statement. Funds
6358 received from community events and festivals are not eligible
6359 for state matching funds under this program.

6360 (3) Upon approval by the Florida Community College System
6361 institution board of trustees and the State Board of Community
6362 Colleges ~~Education~~, the ordering of donations for priority
6363 listing of unmatched gifts should be determined by the
6364 submitting Florida Community College System institution.

6365 (4) Each year, eligible contributions received by a Florida
6366 Community College System institution's foundation or the State
6367 Board of Community Colleges ~~Education~~ by February 1 shall be
6368 eligible for state matching funds.

6369 (a) Each Florida Community College System institution board
6370 of trustees and, when applicable, the Florida Community College
6371 System Institution Foundation Board, receiving state
6372 appropriations under this program shall also certify in an
6373 annual report to the State Board of Community Colleges ~~Education~~
6374 the receipt of eligible cash contributions that were previously
6375 unmatched by the state. The State Board of Education shall adopt
6376 rules providing all Florida Community College System
6377 institutions with an opportunity to apply for excess funds
6378 before the awarding of such funds.

6379 (b) Florida Community College System institutions must
6380 submit to the State Board of Community Colleges ~~Education~~ an
6381 annual expenditure report tracking the use of all matching
6382 funds.

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6383 (c) The audit of each foundation receiving state funds from
6384 this program must include a certification of accuracy in the
6385 amount reported for matching funds.

6386 (5) The matching ratio for donations that are specifically
6387 designated to support scholarships, including scholarships for
6388 first-generation-in-college students, student loans, or need-
6389 based grants shall be \$1 of state funds to \$1 of local private
6390 funds.

6391 (6) Otherwise, funds must ~~shall~~ be proportionately
6392 allocated to the Florida Community College System institutions
6393 on the basis of matching each \$6 of local or private funds with
6394 \$4 of state funds. To be eligible, a minimum of \$4,500 must be
6395 raised from private sources.

6396 (7) The Florida Community College System institution board
6397 of trustees, in conjunction with the donor, shall determine ~~make~~
6398 ~~the determination of~~ whether scholarships established pursuant
6399 to this program are endowed.

6400 (8) (a) Funds sufficient to provide the match shall be
6401 transferred from the state appropriations to the local Florida
6402 Community College System institution foundation or the statewide
6403 Florida Community College System institution foundation upon
6404 notification that a proportionate amount has been received and
6405 deposited by a Florida Community College System institution in
6406 its own trust fund.

6407 (b) If state funds appropriated for the program are
6408 insufficient to match contributions, the amount allocated must
6409 ~~shall~~ be reduced in proportion to its share of the total
6410 eligible contributions. However, in making proportional
6411 reductions, every Florida Community College System institution

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6412 shall receive a minimum of \$75,000 in state matching funds if
6413 its eligible contributions would have generated an amount at
6414 least equal to \$75,000. All unmet contributions must ~~shall~~ be
6415 eligible for state matching funds in subsequent fiscal years.

6416 (9) Each Florida Community College System institution
6417 entity shall establish its own matching grant program fund as a
6418 depository for the private contributions and matching state
6419 funds provided under this section. Florida Community College
6420 System institution foundations are responsible for the
6421 maintenance, investment, and administration of their matching
6422 grant program funds.

6423 (10) The State Board of Community Colleges ~~Education~~ may
6424 receive submissions of requests for matching funds and
6425 documentation relating to those requests, may approve requests
6426 for matching funds, and may allocate such funds to the Florida
6427 Community College System institutions.

6428 (11) The board of trustees of the Florida Community College
6429 System institution and the State Board of Community Colleges
6430 ~~Education~~ are responsible for determining the uses for the
6431 proceeds of their respective trust funds. Such use of the
6432 proceeds shall include, but not be limited to, expenditure of
6433 the funds for:

6434 (a) Scientific and technical equipment.

6435 (b) Scholarships, loans, or need-based grants.

6436 (c) Other activities that will benefit future students as
6437 well as students currently enrolled at the Florida Community
6438 College System institution, will improve the quality of
6439 education at the Florida Community College System institution,
6440 or will enhance economic development in the community.

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6441 (12) Each Florida Community College System institution
6442 shall notify all donors of private funds of a substantial delay
6443 in the availability of state matching funds for this program.

6444 (13) Effective July 1, 2011, state matching funds are
6445 temporarily suspended for donations received for this program on
6446 or after June 30, 2011. Existing eligible donations remain
6447 eligible for future matching funds. The program may be restarted
6448 after \$200 million of the backlog for programs under this
6449 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6450 Section 103. Subsection (1) of section 1012.01, Florida
6451 Statutes, is amended to read:

6452 1012.01 Definitions.—As used in this chapter, the following
6453 terms have the following meanings:

6454 (1) SCHOOL OFFICERS.—The officers of the state system of
6455 public K-12 ~~and Florida College System institution~~ education
6456 shall be the Commissioner of Education and the members of the
6457 State Board of Education; for the Florida Community College
6458 System, the officers shall be the Chancellor of the Florida
6459 Community College System and the members of the State Board of
6460 Community Colleges; for each district school system, the
6461 officers shall be the district school superintendent and members
6462 of the district school board; and for each Florida Community
6463 College System institution, the officers shall be the Florida
6464 Community College System institution president and members of
6465 the Florida Community College System institution board of
6466 trustees.

6467 Section 104. Paragraph (a) of subsection (1) of section
6468 1012.80, Florida Statutes, is amended to read:

6469 1012.80 Participation by employees in disruptive activities

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6470 at public postsecondary educational institutions; penalties.—

6471 (1) (a) Any person who accepts the privilege extended by the
6472 laws of this state of employment at any Florida Community
6473 College System institution shall, by working at such
6474 institution, be deemed to have given his or her consent to the
6475 policies of that institution, the policies of the State Board of
6476 Community Colleges Education, and the laws of this state. Such
6477 policies shall include prohibition against disruptive activities
6478 at Florida Community College System institutions.

6479 Section 105. Subsection (1) of section 1012.81, Florida
6480 Statutes, is amended to read:

6481 1012.81 Personnel records.—

6482 (1) The State Board of Community Colleges ~~Education~~ shall
6483 adopt rules prescribing the content and custody of limited-
6484 access records that a Florida Community College System
6485 institution may maintain on its employees. Limited-access
6486 employee records are confidential and exempt from ~~the provisions~~
6487 ~~of~~ s. 119.07(1). Limited-access records include only the
6488 following:

6489 (a) Records containing information reflecting academic
6490 evaluations of employee performance; however, the employee and
6491 officials of the institution responsible for supervision of the
6492 employee shall have access to such records.

6493 (b) Records maintained for the purposes of any
6494 investigation of employee misconduct, including, but not limited
6495 to, a complaint against an employee and all information obtained
6496 pursuant to the investigation of such complaint; however, these
6497 records become public after the investigation ceases to be
6498 active or when the institution provides written notice to the

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6499 employee who is the subject of the complaint that the
6500 institution has either:

- 6501 1. Concluded the investigation with a finding not to
6502 proceed with disciplinary action;
- 6503 2. Concluded the investigation with a finding to proceed
6504 with disciplinary action; or
- 6505 3. Issued a letter of discipline.

6506

6507 For the purpose of this paragraph, an investigation shall be
6508 considered active as long as it is continuing with a reasonable,
6509 good faith anticipation that a finding will be made in the
6510 foreseeable future. An investigation shall be presumed to be
6511 inactive if no finding is made within 90 days after the
6512 complaint is filed.

6513 Section 106. Subsection (1) of section 1012.83, Florida
6514 Statutes, is amended to read:

6515 1012.83 Contracts with administrative and instructional
6516 staff.—

6517 (1) Each person employed in an administrative or
6518 instructional capacity in a Florida Community College System
6519 institution shall be entitled to a contract as provided by rules
6520 of the State Board of Community Colleges ~~Education~~.

6521 Section 107. Section 1012.855, Florida Statutes, is amended
6522 to read:

6523 1012.855 Employment of Florida Community College System
6524 institution personnel; discrimination in granting salary
6525 prohibited.—

6526 (1) (a) Employment of all personnel in each Florida
6527 Community College System institution shall be upon

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6528 recommendation of the president, subject to rejection for cause
6529 by the Florida Community College System institution board of
6530 trustees; to the rules of the State Board of Community Colleges
6531 ~~Education~~ relative to certification, tenure, leaves of absence
6532 of all types, including sabbaticals, remuneration, and such
6533 other conditions of employment as the State Board of Community
6534 Colleges ~~Education~~ deems necessary and proper; and to policies
6535 of the Florida Community College System institution board of
6536 trustees not inconsistent with law.

6537 (b) Any internal auditor employed by a Florida Community
6538 College System institution shall be hired by the Florida
6539 Community College System institution board of trustees and shall
6540 report directly to the board.

6541 (2) Each Florida Community College System institution board
6542 of trustees shall undertake a program to eradicate any
6543 discrimination on the basis of gender, race, or physical
6544 handicap in the granting of salaries to employees.

6545 Section 108. Section 1012.86, Florida Statutes, is amended
6546 to read:

6547 1012.86 Florida Community College System institution
6548 employment equity accountability program.—

6549 (1) Each Florida Community College System institution shall
6550 include in its annual equity update a plan for increasing the
6551 representation of women and minorities in senior-level
6552 administrative positions and in full-time faculty positions, and
6553 for increasing the representation of women and minorities who
6554 have attained continuing-contract status. Positions shall be
6555 defined in the personnel data element directory of the
6556 Department of Education. The plan must include specific

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6557 measurable goals and objectives, specific strategies and
6558 timelines for accomplishing these goals and objectives, and
6559 comparable national standards as provided by the Department of
6560 Education. The goals and objectives shall be based on meeting or
6561 exceeding comparable national standards and shall be reviewed
6562 and recommended by the State Board of Community Colleges
6563 ~~Education~~ as appropriate. Such plans shall be maintained until
6564 appropriate representation has been achieved and maintained for
6565 at least 3 consecutive reporting years.

6566 (2) (a) On or before May 1 of each year, each Florida
6567 Community College System institution president shall submit an
6568 annual employment accountability plan to the Chancellor of the
6569 Florida Community College System and the State Board of
6570 Community Colleges ~~Commissioner of Education and the State Board~~
6571 ~~of Education~~. The accountability plan must show faculty and
6572 administrator employment data according to requirements
6573 specified on the federal Equal Employment Opportunity (EE0-6)
6574 report.

6575 (b) The plan must show the following information for those
6576 positions including, but not limited to:

6577 1. Job classification title.

6578 2. Gender.

6579 3. Ethnicity.

6580 4. Appointment status.

6581 5. Salary information. At each Florida Community College
6582 System institution, salary information shall also include the
6583 salary ranges in which new hires were employed compared to the
6584 salary ranges for employees with comparable experience and
6585 qualifications.

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6586 6. Other comparative information including, but not limited
6587 to, composite information regarding the total number of
6588 positions within the particular job title classification for the
6589 Florida Community College System institution by race, gender,
6590 and salary range compared to the number of new hires.

6591 7. A statement certifying diversity and balance in the
6592 gender and ethnic composition of the selection committee for
6593 each vacancy, including a brief description of guidelines used
6594 for ensuring balanced and diverse membership on selection and
6595 review committees.

6596 (c) The annual employment accountability plan shall also
6597 include an analysis and an assessment of the Florida Community
6598 College System institution's attainment of annual goals and of
6599 long-range goals for increasing the number of women and
6600 minorities in faculty and senior-level administrative positions,
6601 and a corrective action plan for addressing underrepresentation.

6602 (d) Each Florida Community College System institution's
6603 employment accountability plan must also include:

6604 1. The requirements for receiving a continuing contract.

6605 2. A brief description of the process used to grant
6606 continuing-contract status.

6607 3. A brief description of the process used to annually
6608 apprise each eligible faculty member of progress toward
6609 attainment of continuing-contract status.

6610 (3) Florida Community College System institution presidents
6611 and the heads of each major administrative division shall be
6612 evaluated annually on the progress made toward meeting the goals
6613 and objectives of the Florida Community College System
6614 institution's employment accountability plan.

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6615 (a) The Florida Community College System institution
6616 presidents, or the presidents' designees, shall annually
6617 evaluate each department chairperson, dean, provost, and vice
6618 president in achieving the annual and long-term goals and
6619 objectives. A summary of the results of such evaluations shall
6620 be reported annually by the Florida Community College System
6621 institution president to the Florida Community College System
6622 institution board of trustees. Annual budget allocations by the
6623 Florida Community College System institution board of trustees
6624 for positions and funding must take into consideration these
6625 evaluations.

6626 (b) Florida Community College System institution boards of
6627 trustees shall annually evaluate the performance of the Florida
6628 Community College System institution presidents in achieving the
6629 annual and long-term goals and objectives. A summary of the
6630 results of such evaluations shall be reported to the State Board
6631 of Community Colleges ~~Commissioner of Education and the State~~
6632 ~~Board of Education~~ as part of the Florida Community College
6633 System institution's annual employment accountability plan, and
6634 to the Legislature as part of the annual equity progress report
6635 submitted by the State Board of Community Colleges ~~Education~~.

6636 (4) The State Board of Community Colleges ~~Education~~ shall
6637 submit an annual equity progress report to the President of the
6638 Senate and the Speaker of the House of Representatives on or
6639 before January 1 of each year.

6640 (5) Each Florida Community College System institution shall
6641 develop a budgetary incentive plan to support and ensure
6642 attainment of the goals developed pursuant to this section. The
6643 plan shall specify, at a minimum, how resources shall be

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6644 allocated to support the achievement of goals and the
6645 implementation of strategies in a timely manner. After prior
6646 review and approval by the Florida Community College System
6647 institution president and the Florida Community College System
6648 institution board of trustees, the plan shall be submitted as
6649 part of the annual employment accountability plan submitted by
6650 each Florida Community College System institution to the State
6651 Board of Community Colleges ~~Education~~.

6652 (6) Subject to available funding, the Legislature shall
6653 provide an annual appropriation to the State Board of Community
6654 Colleges ~~Education~~ to be allocated to Florida Community College
6655 System institution presidents, faculty, and administrative
6656 personnel to further enhance equity initiatives and related
6657 priorities that support the mission of colleges and departments
6658 in recognition of the attainment of the equity goals and
6659 objectives.

6660 Section 109. Subsection (3) of section 1013.01, Florida
6661 Statutes, is amended to read:

6662 1013.01 Definitions.—The following terms shall be defined
6663 as follows for the purpose of this chapter:

6664 (3) "Board," unless otherwise specified, means a district
6665 school board, a Florida Community College System institution
6666 board of trustees, a university board of trustees, and the Board
6667 of Trustees for the Florida School for the Deaf and the Blind.
6668 The term "board" does not include the State Board of Education,
6669 ~~or~~ the Board of Governors, or the State Board of Community
6670 Colleges.

6671 Section 110. Subsection (2) of section 1013.02, Florida
6672 Statutes, is amended to read:

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6673 1013.02 Purpose; rules and regulations.—

6674 (2) (a) The State Board of Education shall adopt rules
6675 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
6676 ~~provisions of this chapter for school districts and Florida~~
6677 ~~College System institutions.~~

6678 (b) The Board of Governors shall adopt regulations pursuant
6679 to its regulation development procedure to implement ~~the~~
6680 ~~provisions of this chapter for state universities.~~

6681 (c) The State Board of Community Colleges shall adopt rules
6682 pursuant to ss. 120.536(1) and 120.54 to implement this chapter
6683 for Florida Community College System institutions.

6684 Section 111. Section 1013.03, Florida Statutes, is amended
6685 to read:

6686 1013.03 Functions of the department, the State Board of
6687 Community Colleges, and the Board of Governors.—The functions of
6688 the Department of Education as it pertains to educational
6689 facilities of school districts, of the State Board of Community
6690 Colleges as it pertains to educational facilities of ~~and~~ Florida
6691 Community College System institutions, and of the Board of
6692 Governors as it pertains to educational facilities of state
6693 universities shall include, but not be limited to, the
6694 following:

6695 (1) Establish recommended minimum and maximum square
6696 footage standards for different functions and areas and
6697 procedures for determining the gross square footage for each
6698 educational facility to be funded in whole or in part by the
6699 state, including public broadcasting stations but excluding
6700 postsecondary special purpose laboratory space. The gross square
6701 footage determination standards may be exceeded when the core

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6702 facility space of an educational facility is constructed or
6703 renovated to accommodate the future addition of classrooms to
6704 meet projected increases in student enrollment. The department,
6705 the State Board of Community Colleges, and the Board of
6706 Governors shall encourage multiple use of facilities and spaces
6707 in educational plants.

6708 (2) Establish, for the purpose of determining need,
6709 equitably uniform utilization standards for all types of like
6710 space, regardless of the level of education. These standards
6711 shall also establish, for postsecondary education classrooms, a
6712 minimum room utilization rate of 40 hours per week and a minimum
6713 station utilization rate of 60 percent. These rates shall be
6714 subject to increase based on national norms for utilization of
6715 postsecondary education classrooms.

6716 (3) Require boards to submit other educational plant
6717 inventories data and statistical data or information relevant to
6718 construction, capital improvements, and related costs.

6719 (4) Require each board and other appropriate agencies to
6720 submit complete and accurate financial data as to the amounts of
6721 funds from all sources that are available and spent for
6722 construction and capital improvements. The commissioner shall
6723 prescribe the format and the date for the submission of this
6724 data and any other educational facilities data. If any district
6725 does not submit the required educational facilities fiscal data
6726 by the prescribed date, the Commissioner of Education shall
6727 notify the district school board of this fact and, if
6728 appropriate action is not taken to immediately submit the
6729 required report, the district school board shall be directed to
6730 proceed pursuant to s. 1001.42(13)(b). If any Florida Community

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6731 College System institution or university does not submit the
6732 required educational facilities fiscal data by the prescribed
6733 date, the same policy prescribed in this subsection for school
6734 districts shall be implemented.

6735 (5) Administer, under the supervision of the Commissioner
6736 of Education, the Public Education Capital Outlay and Debt
6737 Service Trust Fund and the School District and Community College
6738 District Capital Outlay and Debt Service Trust Fund.

6739 (6) Develop, review, update, revise, and recommend a
6740 mandatory portion of the Florida Building Code for educational
6741 facilities construction and capital improvement by Florida
6742 Community College System institution boards and district school
6743 boards.

6744 (7) Provide training, technical assistance, and building
6745 code interpretation for requirements of the mandatory Florida
6746 Building Code for the educational facilities construction and
6747 capital improvement programs of ~~the Florida College System~~
6748 ~~institution boards and~~ district school boards and, upon request,
6749 approve phase III construction documents for remodeling,
6750 renovation, or new construction of educational plants or
6751 ancillary facilities, except that Florida Community College
6752 System institutions and university boards of trustees shall
6753 approve specifications and construction documents for their
6754 respective institutions pursuant to guidelines of the Board of
6755 Governors or State Board of Community Colleges, as applicable.
6756 The Department of Management Services may, upon request, provide
6757 similar services for the Florida School for the Deaf and the
6758 Blind and shall use the Florida Building Code and the Florida
6759 Fire Prevention Code.

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6760 (8) Provide minimum criteria, procedures, and training to
6761 boards to conduct educational plant surveys and document the
6762 determination of future needs.

6763 (9) Make available to boards technical assistance,
6764 awareness training, and research and technical publications
6765 relating to lifesafety, casualty, sanitation, environmental,
6766 maintenance, and custodial issues; and, as needed, technical
6767 assistance for survey, planning, design, construction,
6768 operation, and evaluation of educational and ancillary
6769 facilities and plants, facilities administrative procedures
6770 review, and training for new administrators.

6771 (10) (a) Review and validate surveys proposed or amended by
6772 the boards and recommend to the Commissioner of Education, the
6773 Chancellor of the Florida Community College System, or the
6774 Chancellor of the State University System, as appropriate, for
6775 approval, surveys that meet the requirements of this chapter.

6776 1. The term "validate" as applied to surveys by school
6777 districts means to review inventory data as submitted to the
6778 department by district school boards; provide for review and
6779 inspection, where required, of student stations and aggregate
6780 square feet of inventory changed from satisfactory to
6781 unsatisfactory or changed from unsatisfactory to satisfactory;
6782 compare new school inventory to allocation limits provided by
6783 this chapter; review cost projections for conformity with cost
6784 limits set by s. 1013.64(6); compare total capital outlay full-
6785 time equivalent enrollment projections in the survey with the
6786 department's projections; review facilities lists to verify that
6787 student station and auxiliary facility space allocations do not
6788 exceed the limits provided by this chapter and related rules;

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6789 review and confirm the application of uniform facility
6790 utilization factors, where provided by this chapter or related
6791 rules; use ~~utilize~~ the documentation of programs offered per
6792 site, as submitted by the board, to analyze facility needs;
6793 confirm that need projections for career and adult educational
6794 programs comply with needs documented by the Department of
6795 Education; and confirm the assignment of full-time student
6796 stations to all space except auxiliary facilities, which, for
6797 purposes of exemption from student station assignment, include
6798 the following:

- 6799 a. Cafeterias.
6800 b. Multipurpose dining areas.
6801 c. Media centers.
6802 d. Auditoriums.
6803 e. Administration.
6804 f. Elementary, middle, and high school resource rooms, up
6805 to the number of such rooms recommended for the applicable
6806 occupant and space design capacity of the educational plant in
6807 the State Requirements for Educational Facilities, beyond which
6808 student stations must be assigned.
6809 g. Elementary school skills labs, up to the number of such
6810 rooms recommended for the applicable occupant and space design
6811 capacity of the educational plant in the State Requirements for
6812 Educational Facilities, beyond which student stations must be
6813 assigned.
6814 h. Elementary school art and music rooms.

6815
6816 The Commissioner of Education may grant a waiver from the
6817 requirements of this subparagraph if a district school board

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6818 determines that such waiver will make possible a substantial
6819 savings of funds or will be advantageous to the welfare of the
6820 educational system. The district school board shall present a
6821 full statement to the commissioner which sets forth the facts
6822 that warrant the waiver. If the commissioner denies a request
6823 for a waiver, the district school board may appeal such decision
6824 to the State Board of Education.

6825 2. The term "validate" as applied to surveys by Florida
6826 Community College System institutions and universities means to
6827 review and document the approval of each new site and official
6828 designation, where applicable; review the inventory database as
6829 submitted by each board to the department, including noncareer,
6830 and total capital outlay full-time equivalent enrollment
6831 projections per site and per college; provide for the review and
6832 inspection, where required, of student stations and aggregate
6833 square feet of space changed from satisfactory to
6834 unsatisfactory; use ~~utilize~~ and review the documentation of
6835 programs offered per site submitted by the boards as accurate
6836 for analysis of space requirements and needs; confirm that needs
6837 projected for career and adult educational programs comply with
6838 needs documented by the Department of Education; compare new
6839 facility inventory to allocations limits as provided in this
6840 chapter; review cost projections for conformity with state
6841 averages or limits designated by this chapter; compare student
6842 enrollment projections in the survey to the department's
6843 projections; review facilities lists to verify that area
6844 allocations and space factors for generating space needs do not
6845 exceed the limits as provided by this chapter and related rules;
6846 confirm the application of facility utilization factors as

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6847 provided by this chapter and related rules; and review, as
6848 submitted, documentation of how survey recommendations will
6849 implement the detail of current campus master plans and
6850 integrate with local comprehensive plans and development
6851 regulations.

6852 (b) Recommend priority of projects to be funded.

6853 (11) Prepare the commissioner's comprehensive fixed capital
6854 outlay legislative budget request and provide annually an
6855 estimate of the funds available for developing required 3-year
6856 priority lists. This amount shall be based upon the average
6857 percentage for the 5 prior years of funds appropriated by the
6858 Legislature for fixed capital outlay to each level of public
6859 education: public schools, Florida Community College System
6860 institutions, and universities.

6861 (12) Perform any other functions that may be involved in
6862 educational facilities construction and capital improvement
6863 which shall ensure that the intent of the Legislature is
6864 implemented.

6865 Section 112. Section 1013.28, Florida Statutes, is amended
6866 to read:

6867 1013.28 Disposal of property.—

6868 (1) REAL PROPERTY.—

6869 (a) Subject to rules of the State Board of Education, a
6870 district school board or, the Board of Trustees for the Florida
6871 School for the Deaf and the Blind, ~~or a Florida College System~~
6872 ~~institution board of trustees~~ may dispose of any land or real
6873 property to which the board holds title which is, by resolution
6874 of the board, determined to be unnecessary for educational
6875 purposes as recommended in an educational plant survey. A

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6876 district school board or the Board of Trustees for the Florida
6877 School for the Deaf and the Blind, ~~or a Florida College System~~
6878 ~~institution board of trustees~~ shall take diligent measures to
6879 dispose of educational property only in the best interests of
6880 the public. However, appraisals may be obtained by the district
6881 school board or the Board of Trustees for the Florida School
6882 for the Deaf and the Blind before, ~~or the Florida College System~~
6883 ~~institution board of trustees~~ prior to or simultaneously with
6884 the receipt of bids.

6885 (b) Subject to regulations of the Board of Governors, a
6886 state university board of trustees may dispose of any land or
6887 real property to which it holds valid title which is, by
6888 resolution of the state university board of trustees, determined
6889 to be unnecessary for educational purposes as recommended in an
6890 educational plant survey. A state university board of trustees
6891 shall take diligent measures to dispose of educational property
6892 only in the best interests of the public. However, appraisals
6893 may be obtained by the state university board of trustees prior
6894 to or simultaneously with the receipt of bids.

6895 (c) Subject to rules of the State Board of Community
6896 Colleges, a Florida Community College System institution board
6897 of trustees may dispose of any land or real property to which it
6898 holds valid title which is, by resolution of the Florida
6899 Community College System institution board of trustees,
6900 determined to be unnecessary for educational purposes as
6901 recommended in an educational plant survey. A Florida Community
6902 College System institution board of trustees shall take diligent
6903 measures to dispose of educational property only in the best
6904 interests of the public. However, appraisals may be obtained by

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6905 the Florida Community College System institution board of
6906 trustees prior to or simultaneously with the receipt of bids.

6907 (2) TANGIBLE PERSONAL PROPERTY.—

6908 (a) Tangible personal property that has been properly
6909 classified as surplus by a district school board ~~or Florida~~
6910 ~~College System institution board of trustees~~ shall be disposed
6911 of in accordance with the procedure established by chapter 274.
6912 However, the provisions of chapter 274 shall not be applicable
6913 to a motor vehicle used in driver education to which title is
6914 obtained for a token amount from an automobile dealer or
6915 manufacturer. In such cases, the disposal of the vehicle shall
6916 be as prescribed in the contractual agreement between the
6917 automotive agency or manufacturer and the board.

6918 (b) Tangible personal property that has been properly
6919 classified as surplus by a state university board of trustees
6920 shall be disposed of in accordance with the procedure
6921 established by chapter 273.

6922 (c) Tangible personal property that has been properly
6923 classified as surplus by a Florida Community College System
6924 institution board of trustees shall be disposed of in accordance
6925 with the procedure established by chapter 273.

6926 Section 113. Subsection (1) of section 1013.31, Florida
6927 Statutes, is amended to read:

6928 1013.31 Educational plant survey; localized need
6929 assessment; PECO project funding.—

6930 (1) At least every 5 years, each board shall arrange for an
6931 educational plant survey, to aid in formulating plans for
6932 housing the educational program and student population, faculty,
6933 administrators, staff, and auxiliary and ancillary services of

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6934 the district or campus, including consideration of the local
6935 comprehensive plan. The Department of Education, for school
6936 districts, and the State Board of Community Colleges, for the
6937 Florida Community College System, shall document the need for
6938 additional career and adult education programs and the
6939 continuation of existing programs before facility construction
6940 or renovation related to career or adult education may be
6941 included in the educational plant survey of a school district or
6942 Florida Community College System institution that delivers
6943 career or adult education programs. Information used by the
6944 Department of Education or State Board of Community Colleges to
6945 establish facility needs must include, but need not be limited
6946 to, labor market data, needs analysis, and information submitted
6947 by the school district or Florida Community College System
6948 institution.

6949 (a) *Survey preparation and required data.*—Each survey shall
6950 be conducted by the board or an agency employed by the board.
6951 Surveys shall be reviewed and approved by the board, and a file
6952 copy shall be submitted to the Department of Education, the
6953 Chancellor of the Florida Community College System, or the
6954 Chancellor of the State University System, as appropriate. The
6955 survey report shall include at least an inventory of existing
6956 educational and ancillary plants, including safe access
6957 facilities; recommendations for existing educational and
6958 ancillary plants; recommendations for new educational or
6959 ancillary plants, including the general location of each in
6960 coordination with the land use plan and safe access facilities;
6961 campus master plan update and detail for Florida Community
6962 College System institutions; the use ~~utilization~~ of school

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6963 plants based on an extended school day or year-round operation;
6964 and such other information as may be required by the Department
6965 of Education. This report may be amended, if conditions warrant,
6966 at the request of the department or commissioner.

6967 (b) *Required need assessment criteria for district, Florida*
6968 *Community College System institution, state university, and*
6969 *Florida School for the Deaf and the Blind plant surveys.*—
6970 Educational plant surveys must use uniform data sources and
6971 criteria specified in this paragraph. Each revised educational
6972 plant survey and each new educational plant survey supersedes
6973 previous surveys.

6974 1. The school district's survey must be submitted as a part
6975 of the district educational facilities plan defined in s.
6976 1013.35. To ensure that the data reported to the Department of
6977 Education as required by this section is correct, the department
6978 shall annually conduct an onsite review of 5 percent of the
6979 facilities reported for each school district completing a new
6980 survey that year. If the department's review finds the data
6981 reported by a district is less than 95 percent accurate, within
6982 1 year from the time of notification by the department the
6983 district must submit revised reports correcting its data. If a
6984 district fails to correct its reports, the commissioner may
6985 direct that future fixed capital outlay funds be withheld until
6986 such time as the district has corrected its reports so that they
6987 are not less than 95 percent accurate.

6988 2. Each survey of a special facility, joint-use facility,
6989 or cooperative career education facility must be based on
6990 capital outlay full-time equivalent student enrollment data
6991 prepared by the department for school districts and Florida

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6992 Community College System institutions and by the Chancellor of
6993 the State University System for universities. A survey of space
6994 needs of a joint-use facility shall be based upon the respective
6995 space needs of the school districts, Florida Community College
6996 System institutions, and universities, as appropriate.
6997 Projections of a school district's facility space needs may not
6998 exceed the norm space and occupant design criteria established
6999 by the State Requirements for Educational Facilities.

7000 3. Each Florida Community College System institution's
7001 survey must reflect the capacity of existing facilities as
7002 specified in the inventory maintained and validated by the
7003 Chancellor of the Florida Community College System ~~by the~~
7004 ~~Department of Education~~. Projections of facility space needs
7005 must comply with standards for determining space needs as
7006 specified by rule of the State Board of Community Colleges
7007 ~~Education~~. The 5-year projection of capital outlay student
7008 enrollment must be consistent with the annual report of capital
7009 outlay full-time student enrollment prepared by the Department
7010 of Education.

7011 4. Each state university's survey must reflect the capacity
7012 of existing facilities as specified in the inventory maintained
7013 and validated by the Chancellor of the State University System.
7014 Projections of facility space needs must be consistent with
7015 standards for determining space needs as specified by regulation
7016 of the Board of Governors. The projected capital outlay full-
7017 time equivalent student enrollment must be consistent with the
7018 5-year planned enrollment cycle for the State University System
7019 approved by the Board of Governors.

7020 5. The district educational facilities plan of a school

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7021 district and the educational plant survey of a Florida Community
7022 College System institution, state university, or the Florida
7023 School for the Deaf and the Blind may include space needs that
7024 deviate from approved standards for determining space needs if
7025 the deviation is justified by the district or institution and
7026 approved by the department, the State Board of Community
7027 Colleges, or the Board of Governors, as appropriate, as
7028 necessary for the delivery of an approved educational program.

7029 (c) *Review and validation.*—The Department of Education
7030 shall review and validate the surveys of school districts, the
7031 Chancellor of the Florida Community College System shall review
7032 and validate the surveys of ~~and~~ Florida Community College System
7033 institutions, and the Chancellor of the State University System
7034 shall review and validate the surveys of universities, and any
7035 amendments thereto for compliance with the requirements of this
7036 chapter and shall recommend those in compliance for approval by
7037 the State Board of Education, the State Board of Community
7038 Colleges, or the Board of Governors, as appropriate. Annually,
7039 the department shall perform an in-depth analysis of a
7040 representative sample of each survey of recommended needs for
7041 five districts selected by the commissioner from among districts
7042 with the largest need-to-revenue ratio. For the purpose of this
7043 subsection, the need-to-revenue ratio is determined by dividing
7044 the total 5-year cost of projects listed on the district survey
7045 by the total 5-year fixed capital outlay revenue projections
7046 from state and local sources as determined by the department.
7047 The commissioner may direct fixed capital outlay funds to be
7048 withheld from districts until such time as the survey accurately
7049 projects facilities needs.

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7050 (d) *Periodic update of Florida Inventory of School Houses.*—
7051 School districts shall periodically update their inventory of
7052 educational facilities as new capacity becomes available and as
7053 unsatisfactory space is eliminated. The State Board of Education
7054 shall adopt rules to determine the timeframe in which districts
7055 must provide a periodic update.

7056 Section 114. Subsections (1) and (3) of section 1013.36,
7057 Florida Statutes, are amended to read:

7058 1013.36 Site planning and selection.—

7059 (1) Before acquiring property for sites, each district
7060 school board and Florida Community College System institution
7061 board of trustees shall determine the location of proposed
7062 educational centers or campuses. In making this determination,
7063 the board shall consider existing and anticipated site needs and
7064 the most economical and practicable locations of sites. The
7065 board shall coordinate with the long-range or comprehensive
7066 plans of local, regional, and state governmental agencies to
7067 assure the consistency of such plans. Boards are encouraged to
7068 locate district educational facilities proximate to urban
7069 residential areas to the extent possible, and shall seek to
7070 collocate district educational facilities with other public
7071 facilities, such as parks, libraries, and community centers, to
7072 the extent possible and to encourage using elementary schools as
7073 focal points for neighborhoods.

7074 (3) Sites recommended for purchase or purchased must meet
7075 standards prescribed in law and such supplementary standards as
7076 the State Board of Education or State Board of Community
7077 Colleges, as appropriate, prescribes to promote the educational
7078 interests of the students. Each site must be well drained and

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7079 suitable for outdoor educational purposes as appropriate for the
7080 educational program or collocated with facilities to serve this
7081 purpose. As provided in s. 333.03, the site must not be located
7082 within any path of flight approach of any airport. Insofar as is
7083 practicable, the site must not adjoin a right-of-way of any
7084 railroad or through highway and must not be adjacent to any
7085 factory or other property from which noise, odors, or other
7086 disturbances, or at which conditions, would be likely to
7087 interfere with the educational program. To the extent
7088 practicable, sites must be chosen which will provide safe access
7089 from neighborhoods to schools.

7090 Section 115. Subsections (3) and (4) of section 1013.37,
7091 Florida Statutes, are amended to read:

7092 1013.37 State uniform building code for public educational
7093 facilities construction.—

7094 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
7095 Chancellor of the Florida Community College System, as
7096 appropriate, shall cooperate with the Florida Building
7097 Commission in addressing all questions, disputes, or
7098 interpretations involving the provisions of the Florida Building
7099 Code which govern the construction of public educational and
7100 ancillary facilities, and any objections to decisions made by
7101 the inspectors or the department must be submitted in writing.

7102 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
7103 department, for school districts, and the State Board of
7104 Community Colleges, for Florida Community College System
7105 institutions, shall biennially review and recommend to the
7106 Florida Building Commission updates and revisions to the
7107 provisions of the Florida Building Code which govern the

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7108 construction of public educational and ancillary facilities. The
7109 department, for school districts, and the State Board of
7110 Community Colleges, for Florida Community College System
7111 institutions, shall publish and make available to each board at
7112 no cost copies of the State Requirements for Educational
7113 Facilities and each amendment and revision thereto. The
7114 department and state board shall make additional copies
7115 available to all interested persons at a price sufficient to
7116 recover costs.

7117 Section 116. Section 1013.40, Florida Statutes, is amended
7118 to read:

7119 1013.40 Planning and construction of Florida Community
7120 College System institution facilities; property acquisition.—

7121 (1) The need for Florida Community College System
7122 institution facilities shall be established by a survey
7123 conducted pursuant to this chapter. The facilities recommended
7124 by such survey must be approved by the State Board of Community
7125 Colleges Education, and the projects must be constructed
7126 according to the provisions of this chapter and State Board of
7127 Community Colleges Education rules.

7128 (2) A ~~Ne~~ Florida Community College System institution may
7129 not expend public funds for the acquisition of additional
7130 property without the specific approval of the Legislature.

7131 (3) A ~~Ne~~ facility may not be acquired or constructed by a
7132 Florida Community College System institution or its direct-
7133 support organization if such facility requires general revenue
7134 funds for operation or maintenance upon project completion or in
7135 subsequent years of operation, unless prior approval is received
7136 from the Legislature.

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7137 (4) The campus of a Florida Community College System
7138 institution within a municipality designated as an area of
7139 critical state concern, as defined in s. 380.05, and having a
7140 comprehensive plan and land development regulations containing a
7141 building permit allocation system that limits annual growth, may
7142 construct dormitories for up to 300 beds for Florida Community
7143 College System institution students. Such dormitories are exempt
7144 from the building permit allocation system and may be
7145 constructed up to 45 feet in height if the dormitories are
7146 otherwise consistent with the comprehensive plan, the Florida
7147 Community College System institution has a hurricane evacuation
7148 plan that requires all dormitory occupants to be evacuated 48
7149 hours in advance of tropical force winds, and transportation is
7150 provided for dormitory occupants during an evacuation. State
7151 funds and tuition and fee revenues may not be used for
7152 construction, debt service payments, maintenance, or operation
7153 of such dormitories. Additional dormitory beds constructed after
7154 July 1, 2016, may not be financed through the issuance of a
7155 bond.

7156 Section 117. Section 1013.47, Florida Statutes, is amended
7157 to read:

7158 1013.47 Substance of contract; contractors to give bond;
7159 penalties.—Each board shall develop contracts consistent with
7160 this chapter and statutes governing public facilities. Such a
7161 contract must contain the drawings and specifications of the
7162 work to be done and the material to be furnished, the time limit
7163 in which the construction is to be completed, the time and
7164 method by which payments are to be made upon the contract, and
7165 the penalty to be paid by the contractor for a failure to comply

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7166 with the terms of the contract. The board may require the
7167 contractor to pay a penalty for any failure to comply with the
7168 terms of the contract and may provide an incentive for early
7169 completion. Upon accepting a satisfactory bid, the board shall
7170 enter into a contract with the party or parties whose bid has
7171 been accepted. The contractor shall furnish the board with a
7172 performance and payment bond as set forth in s. 255.05. A board
7173 or other public entity may not require a contractor to secure a
7174 surety bond under s. 255.05 from a specific agent or bonding
7175 company. A person, firm, or corporation that constructs any part
7176 of any educational plant, or addition thereto, on the basis of
7177 any unapproved plans or in violation of any plans approved in
7178 accordance with the provisions of this chapter and rules of the
7179 State Board of Education or State Board of Community Colleges or
7180 regulations of the Board of Governors relating to building
7181 standards or specifications is subject to forfeiture of the
7182 surety bond and unpaid compensation in an amount sufficient to
7183 reimburse the board for any costs that will need to be incurred
7184 in making any changes necessary to assure that all requirements
7185 are met and is also guilty of a misdemeanor of the second
7186 degree, punishable as provided in s. 775.082 or s. 775.083, for
7187 each separate violation.

7188 Section 118. Section 1013.52, Florida Statutes, is amended
7189 to read:

7190 1013.52 Cooperative development and joint use of facilities
7191 by two or more boards.—

7192 (1) Two or more boards, including district school boards,
7193 Florida Community College System institution boards of trustees,
7194 the Board of Trustees for the Florida School for the Deaf and

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7195 the Blind, and university boards of trustees, desiring to
7196 cooperatively establish a common educational facility to
7197 accommodate students shall:

7198 (a) Jointly request a formal assessment by the Commissioner
7199 of Education, ~~or~~ the Chancellor of the State University System,
7200 or the Chancellor of the State Board of Community Colleges, as
7201 appropriate, of the academic program need and the need to build
7202 new joint-use facilities to house approved programs. Completion
7203 of the assessment and approval of the project by the State Board
7204 of Education, the State Board of Community Colleges, the
7205 Chancellor of the Florida Community College System, the Board of
7206 Governors, the Chancellor of the State University System, or the
7207 Commissioner of Education, as appropriate, should be done prior
7208 to conducting an educational facilities survey.

7209 (b) Demonstrate the need for construction of new joint-use
7210 facilities involving postsecondary institutions by those
7211 institutions presenting evidence of the presence of sufficient
7212 actual full-time equivalent enrollments in the locale in leased,
7213 rented, or borrowed spaces to justify the requested facility for
7214 the programs identified in the formal assessment rather than
7215 using projected or anticipated future full-time equivalent
7216 enrollments as justification. If the decision is made to
7217 construct new facilities to meet this demonstrated need, then
7218 building plans should consider full-time equivalent enrollment
7219 growth facilitated by this new construction and subsequent new
7220 program offerings made possible by the existence of the new
7221 facilities.

7222 (c) Adopt and submit to the Commissioner of Education, the
7223 Chancellor of the Florida Community College System, or ~~and~~ the

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7224 Chancellor of the State University System, as appropriate, if
7225 the joint request involves a state university, a joint
7226 resolution of the participating boards indicating their
7227 commitment to the utilization of the requested facility and
7228 designating the locale of the proposed facility. The joint
7229 resolution shall contain a statement of determination by the
7230 participating boards that alternate options, including the use
7231 of leased, rented, or borrowed space, were considered and found
7232 less appropriate than construction of the proposed facility. The
7233 joint resolution shall contain assurance that the development of
7234 the proposed facility has been examined in conjunction with the
7235 programs offered by neighboring public educational facilities
7236 offering instruction at the same level. The joint resolution
7237 also shall contain assurance that each participating board shall
7238 provide for continuity of educational progression. All joint
7239 resolutions shall be submitted by August 1 for consideration of
7240 funding by the subsequent Legislature.

7241 (d) Submit requests for funding of joint-use facilities
7242 projects involving state universities and Florida Community
7243 College System institutions for approval by the Chancellor of
7244 the Florida Community College System ~~Commissioner of Education~~
7245 and the Chancellor of the State University System. The
7246 Chancellor of the Florida Community College System ~~Commissioner~~
7247 ~~of Education~~ and the Chancellor of the State University System
7248 shall jointly determine the priority for funding these projects
7249 in relation to the priority of all other capital outlay projects
7250 under their consideration. To be eligible for funding from the
7251 Public Education Capital Outlay and Debt Service Trust Fund
7252 under the provisions of this section, projects involving both

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7253 state universities and Florida Community College System
7254 institutions shall appear on the 3-year capital outlay priority
7255 lists of Florida Community College System institutions and of
7256 universities required by s. 1013.64. Projects involving a state
7257 university, a Florida Community College System institution, and
7258 a public school, and in which the larger share of the proposed
7259 facility is for the use of the state university or the Florida
7260 Community College System institution, shall appear on the 3-year
7261 capital outlay priority lists of the Florida Community College
7262 System institutions or of the universities, as applicable.

7263 (e) Include in their joint resolution for the joint-use
7264 facilities, comprehensive plans for the operation and management
7265 of the facility upon completion. Institutional responsibilities
7266 for specific functions shall be identified, including
7267 designation of one participating board as sole owner of the
7268 facility. Operational funding arrangements shall be clearly
7269 defined.

7270 (2) An educational plant survey must be conducted within 90
7271 days after submission of the joint resolution and substantiating
7272 data describing the benefits to be obtained, the programs to be
7273 offered, and the estimated cost of the proposed project. Upon
7274 completion of the educational plant survey, the participating
7275 boards may include the recommended projects in their plan as
7276 provided in s. 1013.31. Upon approval of the project by the
7277 commissioner, the Chancellor of the Florida Community College
7278 System, or the Chancellor of the State University System, as
7279 appropriate, 25 percent of the total cost of the project, or the
7280 pro rata share based on space utilization of 25 percent of the
7281 cost, must be included in the department's legislative capital

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7282 outlay budget request as provided in s. 1013.60 for educational
7283 plants. The participating boards must include in their joint
7284 resolution a commitment to finance the remaining funds necessary
7285 to complete the planning, construction, and equipping of the
7286 facility. Funds from the Public Education Capital Outlay and
7287 Debt Service Trust Fund may not be expended on any project
7288 unless specifically authorized by the Legislature.

7289 (3) Included in all proposals for joint-use facilities must
7290 be documentation that the proposed new campus or new joint-use
7291 facility has been reviewed by the State Board of Education, the
7292 State Board of Community Colleges, or the Board of Governors, as
7293 appropriate, and has been formally requested for authorization
7294 by the Legislature.

7295 (4) A ~~No~~ district school board, Florida Community College
7296 System institution, or state university may not ~~shall~~ receive
7297 funding for more than one approved joint-use facility per campus
7298 in any 3-year period.

7299 Section 119. Subsection (1) of section 1013.65, Florida
7300 Statutes, is amended to read:

7301 1013.65 Educational and ancillary plant construction funds;
7302 Public Education Capital Outlay and Debt Service Trust Fund;
7303 allocation of funds.—

7304 (1) The commissioner, through the department, shall
7305 administer the Public Education Capital Outlay and Debt Service
7306 Trust Fund. The commissioner shall allocate or reallocate funds
7307 as authorized by the Legislature. Copies of each allocation or
7308 reallocation shall be provided to members of the State Board of
7309 Education, the State Board of Community Colleges, and the Board
7310 of Governors and to the chairs of the House of Representatives

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7311 and Senate appropriations committees. The commissioner shall
7312 provide for timely encumbrances of funds for duly authorized
7313 projects. Encumbrances may include proceeds to be received under
7314 a resolution approved by the State Board of Education
7315 authorizing the issuance of public education capital outlay
7316 bonds pursuant to s. 9(a)(2), Art. XII of the State
7317 Constitution, s. 215.61, and other applicable law. The
7318 commissioner shall provide for the timely disbursement of moneys
7319 necessary to meet the encumbrance authorizations of the boards.
7320 Records shall be maintained by the department to identify
7321 legislative appropriations, allocations, encumbrance
7322 authorizations, disbursements, transfers, investments, sinking
7323 funds, and revenue receipts by source. The Department of
7324 Education shall pay the administrative costs of the Public
7325 Education Capital Outlay and Debt Service Trust Fund from the
7326 funds which comprise the trust fund.

7327 Section 120. The State Board of Community Colleges, in
7328 collaboration with the Board of Governors, shall evaluate and
7329 report on the status of Florida's "2+2" system of articulation
7330 using the accountability measures required pursuant to s.
7331 1008.38, Florida Statutes, and any other applicable state law.
7332 By December 31, 2017, the state board and the Board of Governors
7333 shall submit their report to the Governor, the President of the
7334 Senate, and the Speaker of the House of Representatives. The
7335 report must include findings regarding the effectiveness of
7336 Florida's "2+2" system of articulation and recommendations for
7337 improvement.

7338 Section 121. The Division of Law Revision and Information
7339 is directed to prepare a reviser's bill for the 2018 Regular

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7340 Session to substitute the term "Florida Community College
7341 System" for "Florida College System" and the term "Florida
7342 Community College System institution" for "Florida College
7343 System institution" where those terms appear in the Florida
7344 Statutes.

7345 Section 122. Except as otherwise expressly provided in this
7346 act, this act shall take effect October 1, 2017.