

**By** the Committees on Appropriations; and 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; creating s. 1001.6001, F.S.; renaming  
4       the Florida College System as the Florida Community  
5       College System; creating the State Board of Community  
6       Colleges; requiring the Governor to appoint the  
7       membership of the board; providing that the  
8       appointments are subject to confirmation by the  
9       Senate; requiring the Division of Florida Colleges to  
10      provide administrative support to the board until a  
11      specified date; transferring the Florida College  
12      System and the Division of Florida Colleges to the  
13      State Board of Community Colleges by a specified date;  
14      requiring the State Board of Community Colleges to  
15      appoint a Chancellor of the Florida Community College  
16      System by a specified date; amending s. 20.15, F.S.;  
17      removing the Division of Florida Colleges from within  
18      the Department of Education; requiring the department  
19      to provide support to the State Board of Community  
20      Colleges; creating s. 20.156, F.S.; creating the State  
21      Board of Community Colleges and assigning and housing  
22      it for administrative purposes, only, within the  
23      department; providing the personnel for the state  
24      board; providing the powers and duties of the state  
25      board; requiring the state board to conduct an  
26      organizational meeting by a specified date; amending  
27      s. 112.313, F.S.; prohibiting citizen members of the  
28      State Board of Community Colleges or Florida Community  
29      College System institution boards of trustees from

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30 having an employment or contractual relationship as  
31 specified lobbyists; amending s. 112.3145, F.S.;  
32 revising the term "state officer" to include certain  
33 Florida Community College System personnel; amending  
34 s. 1000.03, F.S.; revising the function and mission of  
35 the Florida K-20 education system; requiring the State  
36 Board of Community Colleges to oversee enforcement of  
37 Florida Community College System laws and rules;  
38 amending s. 1000.05, F.S.; requiring the State Board  
39 of Community Colleges, instead of the Commissioner of  
40 Education, to make certain determinations regarding  
41 equal opportunities at Florida Community College  
42 System institutions; requiring the State Board of  
43 Community Colleges to adopt rules; amending s.  
44 1001.02, F.S.; revising the general powers of the  
45 State Board of Education to exempt provisions relating  
46 to the Florida Community College System; amending s.  
47 1001.03, F.S.; revising certain articulation  
48 accountability and enforcement measures; requiring the  
49 State Board of Education to collect information in  
50 conjunction with the Board of Governors and the State  
51 Board of Community Colleges; deleting duties of the  
52 State Board of Education regarding the Florida  
53 Community College System; amending ss. 1001.10 and  
54 1001.11, F.S.; revising the general powers and duties  
55 of the Commissioner of Education to exempt certain  
56 powers and duties related to the Florida Community  
57 College System; amending s. 1001.20, F.S.; revising  
58 duties of the Office of Inspector General within the

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

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88 courses and programs; requiring the State Board of  
89 Education to adopt rules; amending s. 1003.491, F.S.;  
90 revising the Florida Career and Professional Education  
91 Act to require the State Board of Community Colleges  
92 to recommend, jointly with the Board of Governors and  
93 the Commissioner of Education, certain deadlines for  
94 new core courses; amending s. 1003.493, F.S.; revising  
95 department duties regarding articulation and the  
96 transfer of credits to postsecondary institutions to  
97 include consultation with the State Board of Community  
98 Colleges; amending s. 1004.015, F.S.; providing that  
99 the Higher Education Coordinating Council serves as an  
100 advisory board to, in addition to other bodies, the  
101 State Board of Community Colleges; revising council  
102 reporting requirements to include a report to the  
103 State Board of Community Colleges; requiring the State  
104 Board of Community Colleges, in addition to other  
105 entities, to provide administrative support for the  
106 council; amending ss. 1004.02 and 1004.03, F.S.;  
107 conforming provisions to changes made by the act;  
108 amending s. 1004.04, F.S.; revising department  
109 reporting requirements regarding teacher preparation  
110 programs to require a report to the State Board of  
111 Community Colleges; amending s. 1004.07, F.S.;  
112 providing that the State Board of Community Colleges,  
113 instead of the State Board of Education, provide  
114 guidelines for Florida Community College System  
115 institution boards of trustees' policies; amending ss.  
116 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, and

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117 1004.6495, F.S.; conforming provisions to changes made  
118 by the act; amending s. 1004.65, F.S.; revising  
119 Florida Community College System institution  
120 governance, mission, and responsibilities to provide  
121 authority and duties to the State Board of Community  
122 Colleges, instead of the State Board of Education;  
123 providing that offering upper-level instruction and  
124 awarding baccalaureate degrees are a secondary and not  
125 a primary role of a Florida Community College System  
126 institution; amending ss. 1004.67, 1004.70, and  
127 1004.71, F.S.; conforming provisions to changes made  
128 by the act; amending s. 1004.74, F.S.; requiring the  
129 Chancellor of the Florida Community College System,  
130 jointly with the Commissioner of Education, to appoint  
131 members of the Council for the Florida School for the  
132 Arts; amending ss. 1004.78 and 1004.80, F.S.;

133 conforming provisions to changes made by the act;  
134 amending s. 1004.91, F.S.; requiring the State Board  
135 of Community Colleges to collaborate with the State  
136 Board of Education to provide certain rules for  
137 Florida Community College System institutions  
138 regarding requirements for career education program  
139 basic skills; amending s. 1004.92, F.S.; providing  
140 accountability for career education for the State  
141 Board of Community Colleges; revising the department's  
142 accountability for career education; requiring the  
143 department and the State Board of Community Colleges  
144 to collaborate to develop certain standards and  
145 benchmarks; requiring the State Board of Education and

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146 the State Board of Community Colleges to collaborate  
147 to adopt rules; amending s. 1004.925, F.S.; revising  
148 industry certification requirements for automotive  
149 service technology education programs to include the  
150 State Board of Community Colleges; amending s.  
151 1004.93, F.S.; conforming provisions to changes made  
152 by the act; amending s. 1006.60, F.S.; authorizing  
153 sanctions for violations of certain rules of the State  
154 Board of Community Colleges, instead of the State  
155 Board of Education; amending ss. 1006.61, 1006.62, and  
156 1006.71, F.S.; conforming provisions to changes made  
157 by the act; amending s. 1007.01, F.S.; revising the  
158 role of the State Board of Education and the Board of  
159 Governors in the statewide articulation system to  
160 include the State Board of Community Colleges and the  
161 Chancellor of the Florida Community College System;  
162 amending s. 1007.23, F.S.; requiring each Florida  
163 Community College System institution to execute at  
164 least one "2+2" targeted pathway articulation  
165 agreement by a specified time; providing requirements  
166 and student eligibility for the agreements; requiring  
167 the State Board of Community Colleges and the Board of  
168 Governors to collaborate to eliminate barriers for the  
169 agreements; amending s. 1007.24, F.S.; revising the  
170 statewide course numbering system to include  
171 participation by and input from the State Board of  
172 Community Colleges and the Chancellor of the Florida  
173 Community College System; amending ss. 1007.25,  
174 1007.262, 1007.263, 1007.264, 1007.265, and 1007.27,

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175 F.S.; conforming provisions to changes made by the  
176 act; amending s. 1007.271, F.S.; requiring the State  
177 Board of Education to collaborate with the State Board  
178 of Community Colleges regarding certain articulation  
179 agreements; amending s. 1007.273, F.S.; requiring the  
180 State Board of Community Colleges to enforce  
181 compliance with certain provisions relating to the  
182 collegiate high school program by a specified date  
183 each year; amending s. 1007.33, F.S.; prohibiting  
184 Florida Community College System institutions from  
185 offering bachelor of arts degree programs; deleting  
186 provisions relating to an authorization for the Board  
187 of Trustees of St. Petersburg College to establish  
188 certain baccalaureate degree programs; revising the  
189 approval process for baccalaureate degree programs  
190 proposed by Florida Community College System  
191 institutions; requiring a Florida Community College  
192 System institution to annually report certain  
193 information to the State Board of Community Colleges,  
194 the Chancellor of the State University System, and the  
195 Legislature; revising the circumstances under which a  
196 baccalaureate degree program may be required to be  
197 modified or terminated; requiring the termination of a  
198 baccalaureate degree program under certain  
199 circumstances; restricting total upper-level,  
200 undergraduate full-time equivalent enrollment at  
201 Florida Community College System institutions under  
202 certain circumstances; amending s. 1008.30, F.S.;  
203 requiring the State Board of Community Colleges,

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204 rather than the State Board of Education, to develop  
205 and implement a specified common placement test and  
206 approve a specified series of meta-majors and academic  
207 pathways with the Board of Governors; amending s.  
208 1008.31, F.S.; revising the legislative intent of  
209 Florida's K-20 education performance and  
210 accountability system to include recommendations from  
211 and reports to the State Board of Community Colleges;  
212 amending s. 1008.32, F.S.; removing the oversight  
213 enforcement authority of the State Board of Education  
214 relating to the Florida Community College System;  
215 amending s. 1008.345, F.S.; removing provisions  
216 requiring the department to maintain a listing of  
217 certain skills associated with the system of  
218 educational accountability; amending s. 1008.37, F.S.;  
219 revising certain student reporting requirements of the  
220 Commissioner of Education to also require a report to  
221 the State Board of Community Colleges; amending s.  
222 1008.38, F.S.; revising the articulation  
223 accountability process to include participation by the  
224 State Board of Community Colleges; amending s.  
225 1008.405, F.S.; requiring the State Board of Community  
226 Colleges to adopt rules for the maintaining of  
227 specific information by Florida Community College  
228 System institutions; amending ss. 1008.44, 1008.45,  
229 1009.21, 1009.22, 1009.23, and 1009.25, F.S.;  
230 conforming provisions to changes made by the act;  
231 amending s. 1009.26, F.S.; requiring that certain  
232 information regarding fee waivers be reported to the



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233 State Board of Community Colleges; requiring the State  
234 Board of Community Colleges to adopt rules; amending  
235 s. 1009.28, F.S.; conforming provisions to changes  
236 made by the act; amending ss. 1009.90 and 1009.91,  
237 F.S.; revising the duties of the department to include  
238 reports to the State Board of Community Colleges;  
239 amending s. 1009.971, F.S.; conforming provisions to  
240 changes made by the act; amending s. 1010.01, F.S.;  
241 requiring the financial records and accounts of  
242 Florida Community College System institutions to  
243 follow rules of the State Board of Community Colleges,  
244 instead of the State Board of Education; requiring  
245 each Florida Community College System institution to  
246 annually file specified financial statements with the  
247 State Board of Community Colleges; amending ss.  
248 1010.02 and 1010.04, F.S.; requiring the funds  
249 accruing to and purchases and leases by Florida  
250 Community College System institutions to follow rules  
251 of the State Board of Community Colleges, instead of  
252 the State Board of Education; amending s. 1010.07,  
253 F.S.; requiring certain contractors to give bonds in  
254 an amount set by the State Board of Community  
255 Colleges; amending s. 1010.08, F.S.; authorizing  
256 Florida Community College System board of trustees to  
257 budget for promotion and public relations from certain  
258 funds; amending ss. 1010.09, 1010.22, 1010.30, and  
259 1010.58, F.S.; conforming provisions to changes made  
260 by the act; amending s. 1011.01, F.S.; requiring each  
261 Florida Community College System institution board of

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262 trustees to submit an annual operating budget  
263 according to rules of the State Board of Community  
264 Colleges; amending s. 1011.011, F.S.; requiring the  
265 State Board of Education to collaborate with the State  
266 Board of Community Colleges for legislative budget  
267 requests relating to Florida Community College System  
268 institutions; amending ss. 1011.30 and 1011.32, F.S.;  
269 conforming provisions to changes made by the act;  
270 amending s. 1011.80, F.S.; conforming provisions to  
271 changes made by the act; authorizing the State Board  
272 of Community Colleges to adopt rules; amending s.  
273 1011.801, F.S.; specifying duties of the State Board  
274 of Community Colleges regarding funds for the  
275 operation of workforce education programs and the  
276 Workforce Development Capitalization Incentive Grant  
277 Program; amending ss. 1011.81, 1011.82, 1011.83,  
278 1011.84, and 1011.85, F.S.; conforming provisions to  
279 changes made by the act; amending s. 1012.01, F.S.;  
280 redefining the term "school officers"; amending ss.  
281 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,  
282 F.S.; conforming provisions to changes made by the  
283 act; amending s. 1013.01, F.S.; providing that the  
284 term "board" does not include the State Board of  
285 Community Colleges when used in the context of certain  
286 educational facilities provisions; amending ss.  
287 1013.02 and 1013.03, F.S.; requiring the State Board  
288 of Community Colleges to adopt rules for and provide  
289 functions relating to educational facilities; amending  
290 s. 1013.28, F.S.; authorizing Florida Community

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291 College System institution boards of trustees to  
292 dispose of land or real property subject to rules of  
293 the State Board of Community Colleges; creating s.  
294 1013.29, F.S.; authorizing certain high schools to be  
295 located on a public or private postsecondary  
296 institution campus under certain circumstances;  
297 amending s. 1013.31, F.S.; specifying the role of the  
298 State Board of Community Colleges in educational plant  
299 surveys for Florida Community College System  
300 institutions; amending ss. 1013.36, 1013.37, and  
301 1013.40, F.S.; conforming provisions to changes made  
302 by the act; amending s. 1013.47, F.S.; providing that  
303 certain contractors are subject to rules of the State  
304 Board of Community Colleges; amending s. 1013.52,  
305 F.S.; specifying duties of the State Board of  
306 Community Colleges with regard to the cooperative  
307 development and joint use of facilities; amending s.  
308 1013.65, F.S.; requiring the State Board of Community  
309 Colleges to be provided with copies of authorized  
310 allocations or reallocations for the Public Education  
311 Capital Outlay and Debt Service Trust Fund; requiring  
312 the Board of Governors and the State Board of  
313 Community Colleges to submit a report to the Governor  
314 and the Legislature by a specified date; providing a  
315 directive to the Division of Law Revision and  
316 Information; providing effective dates.

317

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

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320           Section 1. This act may be cited as the "College  
321 Competitiveness Act of 2017."

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

324           1001.6001 Florida Community College System governance.—

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

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

333           (3) The Division of Florida Colleges shall provide  
334 administrative support to the State Board of Community Colleges  
335 until September 30, 2017.

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

344           (5) The State Board of Community Colleges shall appoint a  
345 Chancellor of the Florida Community College System by November  
346 1, 2017, to aid the board in the implementation of its  
347 responsibilities.

348           (6) Any State Board of Education approval, policy,

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349 guidance, and appointment in effect on October 1, 2017, remain  
 350 effective unless acted upon by the State Board of Community  
 351 Colleges.

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

354 20.15 Department of Education.—There is created a  
 355 Department of Education.

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

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

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

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

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

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

363 (e) ~~(f)~~ Division of Accountability, Research, and  
 364 Measurement.

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

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

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

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

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

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378 (8) SUPPORT SERVICES.—The Department of Education shall  
379 continue to provide support to the Board of Governors of the  
380 State University System and to the State Board of Community  
381 Colleges of the Florida Community College System. At a minimum,  
382 support services provided to the Board of Governors and the  
383 State Board of Community Colleges shall include accounting,  
384 printing, computer and Internet support, personnel and human  
385 resources support, support for accountability initiatives, and  
386 administrative support as needed for trust funds under the  
387 jurisdiction of the Board of Governors and the State Board of  
388 Community Colleges.

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

391 20.156 State Board of Community Colleges.—

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

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

405 (3) PERSONNEL.—The state board shall appoint a Chancellor  
406 of the Florida Community College System by November 1, 2017, to

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407 aid in carrying out the state board's duties. The chancellor is  
408 the chief executive officer and secretary to the state board and  
409 directs the activities of the staff of the state board. The  
410 Chancellor of the Division of Florida Colleges shall serve as  
411 the Chancellor of the Florida Community College System until the  
412 state board selects a chancellor.

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

416 (5) ORGANIZATION.—The state board shall, by September 30,  
417 2017, conduct an organizational meeting to adopt bylaws, elect a  
418 chair and vice chair from the membership, and fix dates and  
419 places for regular meetings.

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

422 112.313 Standards of conduct for public officers, employees  
423 of agencies, and local government attorneys.—

424 (18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF  
425 TRUSTEES.—A citizen member of the State Board of Community  
426 Colleges or a citizen member of a Florida Community College  
427 System institution board of trustees may not have or hold an  
428 employment or contractual relationship as a legislative lobbyist  
429 requiring annual registration and reporting pursuant to s.  
430 11.045.

431 Section 6. Paragraph (c) of subsection (1) of section  
432 112.3145, Florida Statutes, is amended to read:

433 112.3145 Disclosure of financial interests and clients  
434 represented before agencies.—

435 (1) For purposes of this section, unless the context

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436 otherwise requires, the term:

437 (c) "State officer" means:

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

443 2. An appointed member of each board, commission,  
444 authority, or council having statewide jurisdiction, excluding a  
445 member of an advisory body.

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

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

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

456 1000.03 Function, mission, and goals of the Florida K-20  
457 education system.—

458 (2) (a) The Legislature shall establish education policy,  
459 enact education laws, and appropriate and allocate education  
460 resources.

461 (b) With the exception of matters relating to the State  
462 University System and the Florida Community College System, the  
463 State Board of Education shall oversee the enforcement of all  
464 laws and rules, and the timely provision of direction,



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465 resources, assistance, intervention when needed, and strong  
466 incentives and disincentives to force accountability for  
467 results.

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

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

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

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

492 1000.05 Discrimination against students and employees in  
493 the Florida K-20 public education system prohibited; equality of

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494 access required.—

495 (3)

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

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

502 2. The Commissioner of Education, for school districts, and  
503 the Chancellor of the Florida Community College System, for  
504 Florida Community College System institutions, shall determine  
505 whether equal opportunities are available in school districts  
506 and Florida Community College System institutions. In  
507 determining whether equal opportunities are available in school  
508 districts and Florida Community College System institutions, the  
509 Commissioner of Education and the Chancellor of the Florida  
510 Community College System shall consider, among other factors:

511 a. Whether the selection of sports and levels of  
512 competition effectively accommodate the interests and abilities  
513 of members of both genders.

514 b. The provision of equipment and supplies.

515 c. Scheduling of games and practice times.

516 d. Travel and per diem allowances.

517 e. Opportunities to receive coaching and academic tutoring.

518 f. Assignment and compensation of coaches and tutors.

519 g. Provision of locker room, practice, and competitive  
520 facilities.

521 h. Provision of medical and training facilities and  
522 services.

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- 523 i. Provision of housing and dining facilities and services.  
524 j. Publicity.

525

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

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

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

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

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

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

550 (b) Conducting periodic reviews of school districts and  
551 Florida Community College System institutions to determine

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

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

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

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

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581 report, the State Board of Education shall impose monetary  
582 sanctions.

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

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

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

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610           2. Notwithstanding the provisions of s. 216.192, direct the  
611 Chief Financial Officer to withhold general revenue funds  
612 sufficient to obtain compliance from the school district or  
613 Florida Community College System institution.

614

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

620           Section 9. Section 1001.02, Florida Statutes, is amended to  
621 read:

622           1001.02 General powers of State Board of Education.—

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

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

636           (a) To adopt comprehensive educational objectives for  
637 public education except for the State University System and the  
638 Florida Community College System.

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639 (b) To adopt comprehensive long-range plans and short-range  
640 programs for the development of the state system of public  
641 education except for the State University System and the Florida  
642 Community College System.

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

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

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

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668 of Community Colleges, as provided in s. 1001.602, or the State  
669 Board of Education for the ensuing fiscal year. The State Board  
670 of Education may not amend the budget request submitted by the  
671 Board of Governors or the State Board of Community Colleges. Any  
672 program recommended by the Board of Governors, the State Board  
673 of Community Colleges, or the State Board of Education which  
674 will require increases in state funding for more than 1 year  
675 must be presented in a multiyear budget plan.

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

680 (g) To approve plans for cooperating with the Federal  
681 Government.

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

686 (i) To review plans for cooperating with appropriate  
687 nonpublic agencies for the improvement of conditions relating to  
688 the welfare of schools.

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

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

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



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697 industry.

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

701 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and  
702 120.54, within statutory authority.

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

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

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

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

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

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

724 (u) To adopt criteria and implementation plans for future  
725 growth issues, ~~such as new Florida College System institutions~~

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726 ~~and Florida College System institution campus mergers,~~ and to  
727 provide for cooperative agreements between and within public and  
728 private education sectors.

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

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

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

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

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

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784 aid programs or establishing new programs. A long-range plan  
785 shall be submitted by January 1, 2004, and every 5 years  
786 thereafter. An annual report shall be submitted on January 1,  
787 2004, and in each successive year that a long-range plan is not  
788 submitted, to the President of the Senate and the Speaker of the  
789 House of Representatives.

790 (4) The State Board of Education shall:

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

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

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

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

811 ~~(e) Establish criteria for making recommendations~~  
812 ~~concerning all proposals for the establishment of additional~~

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813 ~~centers or campuses for Florida College System institutions.~~

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

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

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

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

834 ~~(a) Personnel.~~

835 ~~(b) Contracting.~~

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

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842 ~~necessary competencies for that level.~~

843 ~~(d) Provisions for curriculum development, graduation~~  
844 ~~requirements, college calendars, and program service areas.~~

845 ~~These provisions must include rules that:~~

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

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

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

856

857 ~~The rules should encourage Florida College System institutions~~  
858 ~~to enter into agreements with state universities that allow~~  
859 ~~Florida College System institution students to complete upper-~~  
860 ~~division-level courses at a Florida College System institution.~~  
861 ~~An agreement may provide for concurrent enrollment at the~~  
862 ~~Florida College System institution and the state university and~~  
863 ~~may authorize the Florida College System institution to offer an~~  
864 ~~upper division-level course or distance learning.~~

865 ~~(e) Student admissions, conduct and discipline,~~  
866 ~~nonclassroom activities, and fees.~~

867 ~~(f) Budgeting.~~

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

869 ~~(h) Student services.~~

870 ~~(i) Reports, surveys, and information systems, including~~

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871 ~~forms and dates of submission.~~

872 Section 10. Subsections (7) through (17) of section  
873 1001.03, Florida Statutes, are amended to read:

874 1001.03 Specific powers of State Board of Education.—

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

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

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

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

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

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

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

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

928       ~~(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE~~



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

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

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

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

955 ~~(12)(17) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,~~  
956 ~~ENGINEERING, AND MATHEMATICS (STEM).—The State Board of~~  
957 ~~Education, in consultation with the Board of Governors, the~~

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958 State Board of Community Colleges, and the Department of  
959 Economic Opportunity, shall adopt a unified state plan to  
960 improve K-20 STEM education and prepare students for high-skill,  
961 high-wage, and high-demand employment in STEM and STEM-related  
962 fields.

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

966 1001.10 Commissioner of Education; general powers and  
967 duties.—

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

975 (6) Additionally, the commissioner has the following  
976 general powers and duties:

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

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987 of Education that will require increases in state funding for  
988 more than 1 year must be presented in a multiyear budget plan.

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

995 1. The district school board is responsible for school and  
996 student performance.

997 2. The individual school is the unit for education  
998 accountability.

999 ~~3. The Florida College System institution board of trustees~~  
1000 ~~is responsible for Florida College System institution~~  
1001 ~~performance and student performance.~~

1002 ~~(7) The commissioner, or the commissioner's designee, may~~  
1003 ~~conduct a review or investigation of practices, procedures, or~~  
1004 ~~actions at any Florida College System institution which appear~~  
1005 ~~to be inconsistent with sound financial, management, or academic~~  
1006 ~~practice.~~

1007 Section 12. Paragraphs (c) through (f) of subsection (1)  
1008 and subsection (3) of section 1001.11, Florida Statutes, are  
1009 amended to read:

1010 1001.11 Commissioner of Education; other duties.—

1011 (1) The Commissioner of Education must independently  
1012 perform the following duties:

1013 (c) In cooperation with the Board of Governors and the  
1014 State Board of Community Colleges, develop and implement a  
1015 process for receiving and processing requests, in conjunction

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1016 with the Legislature, for the allocation of PECO funds for  
1017 qualified postsecondary education projects.

1018 ~~(d) Integrally work with the boards of trustees of the~~  
1019 ~~Florida College System institutions.~~

1020 (d) ~~(e)~~ Monitor the activities of the State Board of  
1021 Education and provide information related to current and pending  
1022 policies to the members of the boards of trustees of the Florida  
1023 Community College System institutions and state universities.

1024 (e) ~~(f)~~ Ensure the timely provision of information requested  
1025 by the Legislature from the State Board of Education, the  
1026 commissioner's office, and the Department of Education.

1027 (3) Notwithstanding any other provision of law to the  
1028 contrary, the Commissioner of Education, in conjunction with the  
1029 Legislature, and the Board of Governors regarding the State  
1030 University System, and the State Board of Community Colleges  
1031 regarding the Florida Community College System, must recommend  
1032 funding priorities for the distribution of capital outlay funds  
1033 for public postsecondary educational institutions, based on  
1034 priorities that include, but are not limited to, the following  
1035 criteria:

1036 (a) Growth at the institutions.

1037 (b) Need for specific skills statewide.

1038 (c) Need for maintaining and repairing existing facilities.

1039 Section 13. Paragraph (e) of subsection (4) of section  
1040 1001.20, Florida Statutes, is amended to read:

1041 1001.20 Department under direction of state board.—

1042 (4) The Department of Education shall establish the  
1043 following offices within the Office of the Commissioner of  
1044 Education which shall coordinate their activities with all other

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1045 divisions and offices:

1046 (e) *Office of Inspector General.*—Organized using existing  
1047 resources and funds and responsible for promoting  
1048 accountability, efficiency, and effectiveness and detecting  
1049 fraud and abuse within school districts and, the Florida School  
1050 for the Deaf and the Blind, ~~and Florida College System~~  
1051 ~~institutions in Florida~~. If the Commissioner of Education  
1052 determines that a district school board or, the Board of  
1053 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~  
1054 ~~Florida College System institution board of trustees~~ is  
1055 unwilling or unable to address substantiated allegations made by  
1056 any person relating to waste, fraud, or financial mismanagement  
1057 within the school district or, the Florida School for the Deaf  
1058 and the Blind, ~~or the Florida College System institution~~, the  
1059 office shall conduct, coordinate, or request investigations into  
1060 such substantiated allegations. The office shall have access to  
1061 all information and personnel necessary to perform its duties  
1062 and shall have all of its current powers, duties, and  
1063 responsibilities authorized in s. 20.055.

1064 Section 14. Section 1001.28, Florida Statutes, is amended  
1065 to read:

1066 1001.28 Distance learning duties.—The duties of the  
1067 Department of Education concerning distance learning include,  
1068 but are not limited to, the duty to:

1069 (1) Facilitate the implementation of a statewide  
1070 coordinated system and resource system for cost-efficient  
1071 advanced telecommunications services and distance education  
1072 which will increase overall student access to education.

1073 (2) Coordinate the use of existing resources, including,

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1074 but not limited to, the state's satellite transponders, the  
1075 Florida Information Resource Network (FIRN), and distance  
1076 learning initiatives.

1077 (3) Assist in the coordination of the utilization of the  
1078 production and uplink capabilities available through Florida's  
1079 public television stations, eligible facilities, independent  
1080 colleges and universities, private firms, and others as needed.

1081 (4) Seek the assistance and cooperation of Florida's cable  
1082 television providers in the implementation of the statewide  
1083 advanced telecommunications services and distance learning  
1084 network.

1085 (5) Seek the assistance and cooperation of Florida's  
1086 telecommunications carriers to provide affordable student access  
1087 to advanced telecommunications services and to distance  
1088 learning.

1089 (6) Coordinate partnerships for development, acquisition,  
1090 use, and distribution of distance learning.

1091 (7) Secure and administer funding for programs and  
1092 activities for distance learning from federal, state, local, and  
1093 private sources and from fees derived from services and  
1094 materials.

1095 (8) Hire appropriate staff which may include a position  
1096 that shall be exempt from part II of chapter 110 and is included  
1097 in the Senior Management Service in accordance with s. 110.205.

1098  
1099 Nothing in this section shall be construed to abrogate,  
1100 supersede, alter, or amend the powers and duties of any state  
1101 agency, district school board, Florida Community College System  
1102 institution board of trustees, university board of trustees, the

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1103 Board of Governors, the State Board of Community Colleges, or  
1104 the State Board of Education.

1105 Section 15. Effective July 1, 2017, subsection (26) of  
1106 section 1001.42, Florida Statutes, is amended to read:

1107 1001.42 Powers and duties of district school board.—The  
1108 district school board, acting as a board, shall exercise all  
1109 powers and perform all duties listed below:

1110 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a  
1111 governing board for a school district technical center or a  
1112 system of technical centers for the purpose of aligning the  
1113 educational programs of the technical center with the needs of  
1114 local businesses and responding quickly to the needs of local  
1115 businesses for employees holding industry certifications. A  
1116 technical center governing board shall be comprised of seven  
1117 members, three of whom must be members of the district school  
1118 board or their designees and four of whom must be local business  
1119 leaders. The district school board shall delegate to the  
1120 technical center governing board decisions regarding entrance  
1121 requirements for students, curriculum, program development,  
1122 budget and funding allocations, and the development with local  
1123 businesses of partnership agreements and appropriate industry  
1124 certifications in order to meet local and regional economic  
1125 needs. A technical center governing board may approve only  
1126 courses and programs that contain industry certifications. A  
1127 course may be continued if at least 25 percent of the students  
1128 enrolled in the course attain an industry certification. If  
1129 fewer than 25 percent of the students enrolled in a course  
1130 attain an industry certification, the course must be  
1131 discontinued the following year. However, notwithstanding the

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1132 authority to approve courses and programs under this subsection,  
1133 a technical center governing board may not approve a college  
1134 credit course or a college credit certificate or an associate  
1135 degree or baccalaureate degree program.

1136 Section 16. Effective July 1, 2017, section 1001.44,  
1137 Florida Statutes, is amended to read:

1138 1001.44 Career centers; governance, mission, and  
1139 responsibilities.-

1140 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER  
1141 CENTERS.-Any district school board, after first obtaining the  
1142 approval of the Department of Education, may, as a part of the  
1143 district school system, organize, establish and operate a career  
1144 center, or acquire and operate a career center previously  
1145 established.

1146 (a) The primary mission of a career center that is operated  
1147 by a district school board is to promote advances and  
1148 innovations in workforce preparation and economic development. A  
1149 career center may provide a learning environment that serves the  
1150 needs of a specific population group or group of occupations,  
1151 thus promoting diversity and choices within the public technical  
1152 education community in this state.

1153 (b) A career center that is operated by a district school  
1154 board may not offer a college credit course or a college credit  
1155 certificate or an associate degree or baccalaureate degree  
1156 program.

1157 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY  
1158 ESTABLISH OR ACQUIRE CAREER CENTERS.-The district school boards  
1159 of any two or more contiguous districts may, upon first  
1160 obtaining the approval of the department, enter into an



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1161 agreement to organize, establish and operate, or acquire and  
1162 operate, a career center under this section.

1163 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED  
1164 BY A DIRECTOR.—

1165 (a) A career center established or acquired under  
1166 provisions of law and minimum standards prescribed by the  
1167 commissioner shall comprise a part of the district school system  
1168 and shall mean an educational institution offering terminal  
1169 courses of a technical nature which are not for college credit,  
1170 and courses for out-of-school youth and adults; shall be subject  
1171 to all applicable provisions of this code; shall be under the  
1172 control of the district school board of the school district in  
1173 which it is located; and shall be directed by a director  
1174 responsible through the district school superintendent to the  
1175 district school board of the school district in which the center  
1176 is located.

1177 (b) Each career center shall maintain an academic  
1178 transcript for each student enrolled in the center. Such  
1179 transcript shall delineate each course completed by the student.  
1180 Courses shall be delineated by the course prefix and title  
1181 assigned pursuant to s. 1007.24. The center shall make a copy of  
1182 a student's transcript available to any student who requests it.

1183 Section 17. Effective July 1, 2017, section 1001.60,  
1184 Florida Statutes, is amended to read:

1185 1001.60 Florida Community College System.—

1186 (1) PURPOSES.—In order to maximize open access for  
1187 students, respond to community needs for postsecondary academic  
1188 education and career degree education, and provide associate and  
1189 baccalaureate degrees that will best meet the state's employment

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1190 needs, the Legislature establishes a system of governance for  
1191 the Florida Community College System.

1192 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a  
1193 single Florida Community College System comprised of the Florida  
1194 Community College System institutions identified in s.  
1195 1000.21(3). A Florida Community College System institution may  
1196 not offer graduate degree programs.

1197 (a) The programs and services offered by Florida Community  
1198 College System institutions in providing associate and  
1199 baccalaureate degrees shall be delivered in a cost-effective  
1200 manner that demonstrates substantial savings to the student and  
1201 to the state over the cost of providing the degree at a state  
1202 university.

1203 (b)1. With the approval of its district board of trustees,  
1204 a Florida Community College System institution may change the  
1205 institution's name set forth in s. 1000.21(3) and use the  
1206 designation "college" or "state college" if it has been  
1207 authorized to grant baccalaureate degrees pursuant to s. 1007.33  
1208 and has been accredited as a baccalaureate-degree-granting  
1209 institution by the Commission on Colleges of the Southern  
1210 Association of Colleges and Schools.

1211 2. With the approval of its district board of trustees, a  
1212 Florida Community College System institution that does not meet  
1213 the criteria in subparagraph 1. may request approval from the  
1214 State Board of Education to change the institution's name set  
1215 forth in s. 1000.21(3) and use the designation "college." The  
1216 State Board of Community Colleges ~~Education~~ may approve the  
1217 request if the Florida Community College System institution  
1218 enters into an agreement with the State Board of Community

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1219 Colleges Education to do the following:

1220 a. Maintain as its primary mission responsibility for  
1221 responding to community needs for postsecondary academic  
1222 education and career degree education as prescribed in s.  
1223 1004.65(5).

1224 b. Maintain an open-door admissions policy for associate-  
1225 level degree programs and workforce education programs.

1226 c. Continue to provide outreach to underserved populations.

1227 d. Continue to provide remedial education.

1228 e. Comply with all provisions of the statewide articulation  
1229 agreement that relate to 2-year and 4-year public degree-  
1230 granting institutions as adopted by the State Board of Community  
1231 Colleges Education pursuant to s. 1007.23.

1232 (c) A district board of trustees that approves a change to  
1233 the name of an institution under paragraph (b) must seek  
1234 statutory codification of such name change in s. 1000.21(3)  
1235 during the next regular legislative session.

1236 (d) A Florida Community College System institution may not  
1237 use the designation "university."

1238 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the  
1239 Florida Community College System shall be governed by a local  
1240 board of trustees as provided in s. 1001.64. The membership of  
1241 each local board of trustees shall be as provided in s. 1001.61.

1242 Section 18. Effective July 1, 2017, section 1001.601,  
1243 Florida Statutes, is created to read:

1244 1001.601 State Board of Community Colleges of the Florida  
1245 Community College System.—

1246 (1) The State Board of Community Colleges is established as  
1247 a body corporate consisting of 13 members, which shall consist

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1248 of the Commissioner of Education and 12 citizen members who are  
1249 appointed by the Governor in a manner that provides equitable  
1250 geographical representation.

1251 (a) The 12 appointed citizen members must include a student  
1252 enrolled in a Florida Community College System institution and a  
1253 faculty member employed at a Florida Community College System  
1254 institution.

1255 (b) Except for the student member, each citizen member must  
1256 be confirmed by the Senate and must reside and be registered to  
1257 vote in this state.

1258 (c) Except for the student member, who shall serve a 1-year  
1259 term, appointed citizen members shall serve staggered 4-year  
1260 terms. In order to achieve staggered terms, beginning September  
1261 1, 2017, of the initial appointments, 3 members shall serve 2-  
1262 year terms, 4 members shall serve 3-year terms, and 4 members  
1263 shall serve 4-year terms.

1264 (2) Members of the State Board of Community Colleges may  
1265 not receive compensation but may be reimbursed for travel and  
1266 per diem expenses as provided in s. 112.061.

1267 Section 19. Section 1001.602, Florida Statutes, is created  
1268 to read:

1269 1001.602 Powers and duties of the State Board of Community  
1270 Colleges.—

1271 (1) RESPONSIBILITIES.—The State Board of Community Colleges  
1272 is responsible for the efficient and effective operation and  
1273 maintenance of the Florida Community College System, as defined  
1274 in s. 1001.60. The State Board of Community Colleges may adopt  
1275 rules pursuant to ss. 120.536(1) and 120.54 to implement  
1276 provisions of law for the Florida Community College System. For

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1277 the purposes of this section, the State Board of Community  
1278 Colleges is referred to as the "state board."

1279 (2) DUTIES.—The state board has the following duties:

1280 (a) Ensure Florida Community College System institutions  
1281 operate consistent with the mission of the system, pursuant to  
1282 s. 1004.65.

1283 (b) Oversee the Florida Community College System and  
1284 coordinate with the Board of Governors and the State Board of  
1285 Education to avoid wasteful duplication of facilities or  
1286 programs.

1287 (c) Provide for each Florida Community College System  
1288 institution to offer educational training and service programs  
1289 designed to meet the needs of both students and the communities  
1290 served.

1291 (d) Hold meetings, transact business, keep records, and,  
1292 except as otherwise provided by law, perform such other duties  
1293 as may be necessary for the enforcement of laws and rules  
1294 relating to the Florida Community College System.

1295 (e) Provide for the coordination of educational plans and  
1296 programs to resolve controversies, minimize problems of  
1297 articulation and student transfers, ensure that students moving  
1298 from one level of education to the next have acquired  
1299 competencies necessary for satisfactory performance at that  
1300 level, and ensure maximum utilization of facilities.

1301 (f) Establish and review, in consultation with the State  
1302 Board of Education and the Board of Governors, minimum and  
1303 uniform standards of college-level communication and computation  
1304 skills generally associated with successful performance and  
1305 progression through the baccalaureate level, to identify

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1306 college-preparatory high school coursework and postsecondary-  
1307 level coursework that prepares students with the academic skills  
1308 necessary to succeed in postsecondary education.

1309 (g) Approve plans for cooperating with the Federal  
1310 Government.

1311 (h) Approve plans for cooperating with other public  
1312 agencies in the development of rules and in the enforcement of  
1313 laws for which the state board and the agencies are jointly  
1314 responsible.

1315 (i) Create subordinate advisory bodies if required by law  
1316 or as necessary for the improvement of the Florida Community  
1317 College System.

1318 (j) Coordinate with the State Board of Education to collect  
1319 and maintain data for the Florida Community College System.

1320 (k) Establish, in conjunction with the State Board of  
1321 Education and the Board of Governors, an effective information  
1322 system that will provide composite data concerning the Florida  
1323 Community College System institutions and state universities and  
1324 that will ensure that special analyses and studies concerning  
1325 the institutions are conducted, as necessary, for provision of  
1326 accurate and cost-effective information concerning the  
1327 institutions.

1328 (l) Establish accountability standards for existing  
1329 legislative performance goals, standards, and measures, and  
1330 order the development of mechanisms to implement new legislative  
1331 goals, standards, and measures.

1332 (m) Require each Florida Community College System  
1333 institution, before registration, to provide each enrolled  
1334 student electronic access to the economic security report of

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1335 employment and earning outcomes prepared by the Department of  
1336 Economic Opportunity pursuant to s. 445.07.

1337 (n) Specify, by rule, procedures to be used by Florida  
1338 Community College System institution boards of trustees in the  
1339 annual evaluation of presidents, and review the evaluations of  
1340 presidents by the boards of trustees, including the extent to  
1341 which presidents serve both institutional and system goals.

1342 (o) Establish, subject to existing law, the tuition and  
1343 out-of-state fees for developmental education and for credit  
1344 instruction that may be counted toward an associate in arts  
1345 degree, an associate in applied science degree, or an associate  
1346 in science degree.

1347 (p) Develop, in conjunction with the Board of Governors and  
1348 the State Board of Education, and implement a common placement  
1349 test to assess the basic computation and communication skills of  
1350 students who intend to enter a degree program at a Florida  
1351 Community College System institution or state university.

1352 (q) May direct the Chancellor of the Florida Community  
1353 College System to conduct investigations of practices,  
1354 procedures, or actions at a Florida Community College System  
1355 institution which appear to be inconsistent with sound  
1356 financial, management, or academic practice.

1357 (r) Examine the annual administrative review of each  
1358 Florida Community College System institution.

1359 (s) Through the Chancellor of the Florida Community College  
1360 System, integrally work with the boards of trustees of the  
1361 Florida Community College System institutions.

1362 (t) Establish criteria for making recommendations  
1363 concerning all proposals to establish additional centers or

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1364 campuses for a Florida Community College System institution.

1365 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with  
1366 the requirements under subsection (4) and the performance  
1367 metrics and standards adopted under ss. 1001.66 and 1001.67, the  
1368 state board shall identify performance metrics for the Florida  
1369 Community College System and develop a plan that specifies goals  
1370 and objectives for each Florida Community College System  
1371 institution. The plan must include:

1372 (a) Performance metrics and standards common for all  
1373 institutions and metrics and standards unique to institutions  
1374 depending on institutional core missions, including, but not  
1375 limited to, remediation success, retention, graduation,  
1376 employment, transfer rates, licensure passage, excess hours,  
1377 student loan burden and default rates, job placement, faculty  
1378 awards, and highly respected rankings for institution and  
1379 program achievements.

1380 (b) Student enrollment and performance data delineated by  
1381 method of instruction, including, but not limited to,  
1382 traditional, online, and distance learning instruction.

1383 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1384 (a) The state board shall adopt a strategic plan that  
1385 specifies goals and objectives for the Florida Community College  
1386 System. The plan must be formulated in conjunction with plans of  
1387 the State Board of Education and the Board of Governors in order  
1388 to coordinate the roles of the school districts and universities  
1389 to best meet state needs and reflect cost-effective use of state  
1390 resources. The strategic plan must clarify the mission  
1391 statements of the Florida Community College System and each  
1392 Florida Community College System institution and identify degree



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1393 programs, including baccalaureate degree programs, to be offered  
1394 at each Florida Community College System institution in  
1395 accordance with the objectives provided in this subsection and  
1396 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The  
1397 strategic plan must cover a period of 5 years, with modification  
1398 of the program lists after 2 years. Development of each 5-year  
1399 plan must be coordinated with and initiated after completion of  
1400 the master plan. The strategic plan must consider reports and  
1401 recommendations of the Higher Education Coordinating Council  
1402 pursuant to s. 1004.015 and the Articulation Coordinating  
1403 Committee pursuant to s. 1007.01. Upon modification of the plan,  
1404 the state board shall submit a report to the President of the  
1405 Senate and the Speaker of the House of Representatives as part  
1406 of its legislative budget request.

1407 (b) The state board, the State Board of Education, and the  
1408 Board of Governors shall jointly develop long-range plans and  
1409 annual reports for financial aid in this state. The long-range  
1410 plans must establish goals and objectives for a comprehensive  
1411 program of financial aid for students and shall be updated every  
1412 5 years. The annual report must include programs administered by  
1413 the department as well as awards made from financial aid fee  
1414 revenues, other funds appropriated by the Legislature for  
1415 financial assistance, and the value of tuition and fees waived  
1416 for students enrolled in a dual enrollment course at a public  
1417 postsecondary educational institution. The annual report must  
1418 include an assessment of the progress made in achieving goals  
1419 and objectives established in the long-range plans and must  
1420 include recommendations for repealing or modifying existing  
1421 financial aid programs or establishing new programs. The state

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1422 board, the State Board of Education, and the Board of Governors  
1423 shall submit their long-range plans by July 1, 2018, and every 5  
1424 years thereafter and shall submit their annual reports on July  
1425 1, 2018, and in each successive year that a long-range plan is  
1426 not submitted, to the President of the Senate and the Speaker of  
1427 the House of Representatives.

1428 (c) The state board shall also:

1429 1. Adopt comprehensive long-range plans and short-range  
1430 programs for the development of the Florida Community College  
1431 System.

1432 2. Assist in the economic development of the state by  
1433 developing a state-level planning process to identify future  
1434 training needs for industry, especially high-technology  
1435 industry.

1436 3. Adopt criteria and implementation plans for future  
1437 growth issues, such as new Florida Community College System  
1438 institutions and Florida Community College System institution  
1439 campus mergers, and provide for cooperative agreements between  
1440 and within public and private education sectors.

1441 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall  
1442 prescribe minimum standards, definitions, and guidelines for  
1443 Florida Community College System institutions which will ensure  
1444 the quality of education, coordination among the Florida  
1445 Community College System institutions and state universities,  
1446 and efficient progress toward accomplishing the Florida  
1447 Community College System institution's mission. At a minimum,  
1448 these rules must address all of the following:

1449 (a) Personnel.

1450 (b) Contracting.

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1451 (c) Program offerings and classification, including  
1452 college-level communication and computation skills associated  
1453 with successful performance in college and with tests and other  
1454 assessment procedures that measure student achievement of those  
1455 skills. The performance measures must provide that students  
1456 moving from one level of education to the next acquire the  
1457 necessary competencies for that level.

1458 (d) Provisions for curriculum development, graduation  
1459 requirements, college calendars, and program service areas.  
1460 These provisions must include rules that:

1461 1. Provide for the award of an associate in arts degree to  
1462 a student who successfully completes 60 semester credit hours at  
1463 the Florida Community College System institution.

1464 2. Require all of the credits accepted for the associate in  
1465 arts degree to be in the statewide course numbering system as  
1466 credits toward a baccalaureate degree offered by a state  
1467 university or a Florida Community College System institution.

1468 3. Require no more than 36 semester credit hours in general  
1469 education courses in the subject areas of communication,  
1470 mathematics, social sciences, humanities, and natural sciences.

1471  
1472 The rules under this paragraph should encourage Florida  
1473 Community College System institutions to enter into agreements  
1474 with state universities which allow a Florida Community College  
1475 System institution student to complete upper-division-level  
1476 courses at a Florida Community College System institution. An  
1477 agreement may provide for concurrent enrollment at the Florida  
1478 Community College System institution and the state university  
1479 and may authorize the Florida Community College System

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1480 institution to offer an upper-division-level course or distance  
1481 learning.

1482 (e) Student admissions, conduct and discipline;  
1483 nonclassroom activities; and fees.

1484 (f) Budgeting.

1485 (g) Business and financial matters.

1486 (h) Student services.

1487 (i) Reports, surveys, and information systems, including  
1488 forms and dates of submission.

1489 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board  
1490 shall provide for the cyclic review of all academic programs in  
1491 Florida Community College System institutions at least every 7  
1492 years. Program reviews must document how individual academic  
1493 programs are achieving stated student learning and program  
1494 objectives within the context of the institution's mission. The  
1495 results of the program reviews must inform strategic planning,  
1496 program development, and budgeting decisions at the  
1497 institutional level.

1498 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION  
1499 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for  
1500 the review and approval of proposals by Florida Community  
1501 College System institutions to offer baccalaureate degree  
1502 programs pursuant to s. 1007.33. A Florida Community College  
1503 System institution, as defined in s. 1000.21, which is approved  
1504 to offer baccalaureate degrees pursuant to s. 1007.33 remains  
1505 under the authority of the state board and the Florida Community  
1506 College System institution's board of trustees.

1507 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall  
1508 establish criteria for making recommendations for modifying

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1509 district boundary lines for a Florida Community College System  
1510 institution, including criteria for service delivery areas of a  
1511 Florida Community College System institution authorized to grant  
1512 baccalaureate degrees.

1513 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee  
1514 the performance of Florida Community College System institution  
1515 boards of trustees in enforcement of all laws and rules. Florida  
1516 Community College System institution boards of trustees are  
1517 primarily responsible for compliance with law and state board  
1518 rule.

1519 (a) In order to ensure compliance with law or state board  
1520 rule, the state board has the authority to request and receive  
1521 information, data, and reports from Florida Community College  
1522 System institutions. The Florida Community College System  
1523 institution president is responsible for the accuracy of the  
1524 information and data reported to the state board.

1525 (b) The Chancellor of the Florida Community College System  
1526 may investigate allegations of noncompliance with law or state  
1527 board rule and determine probable cause. The Chancellor shall  
1528 report determinations of probable cause to the State Board of  
1529 Community Colleges who shall require the Florida Community  
1530 College System institution board of trustees to document  
1531 compliance with law or state board rule.

1532 (c) If the Florida Community College System institution  
1533 board of trustees cannot satisfactorily document compliance, the  
1534 state board may order compliance within a specified timeframe.

1535 (d) If the state board determines that a Florida Community  
1536 College System institution board of trustees is unwilling or  
1537 unable to comply with law or state board rule within the

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1538 specified time, the state board has the authority to initiate  
1539 any of the following actions:

1540 1. Report to the Legislature that the Florida Community  
1541 College System institution is unwilling or unable to comply with  
1542 law or state board rule and recommend that the Legislature take  
1543 action against the institution;

1544 2. Withhold the transfer of state funds, discretionary  
1545 grant funds, discretionary lottery funds, or any other funds  
1546 specified as eligible for this purpose by the Legislature until  
1547 the Florida Community College System institution complies with  
1548 the law or state board rule;

1549 3. Declare the Florida Community College System institution  
1550 ineligible for competitive grants; or

1551 4. Require monthly or periodic reporting on the situation  
1552 related to noncompliance until it is remedied.

1553 (e) This section may not be construed to create a private  
1554 cause of action or create any rights for individuals or entities  
1555 in addition to those provided elsewhere in law or rule.

1556 (10) INSPECTOR GENERAL.—The inspector general is  
1557 responsible for promoting accountability, efficiency, and  
1558 effectiveness and detecting fraud and abuse within Florida  
1559 Community College System institutions. If the Chancellor of the  
1560 Florida Community College System determines that a Florida  
1561 Community College System institution board of trustees is  
1562 unwilling or unable to address substantiated allegations made by  
1563 any person relating to waste, fraud, or financial mismanagement  
1564 within the Florida Community College System institution, the  
1565 inspector general shall conduct, coordinate, or request  
1566 investigations into such substantiated allegations. The

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1567 inspector general shall have access to all information and  
1568 personnel necessary to perform its duties and shall have all of  
1569 his or her current powers, duties, and responsibilities  
1570 authorized in s. 20.055.

1571 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The  
1572 state board shall coordinate with the State Board of Education:

1573 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20  
1574 education budget.

1575 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to  
1576 the Legislature a 3-year list of priorities for fixed-capital-  
1577 outlay projects.

1578 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in  
1579 collaboration with the State Board of Education, by rule,  
1580 definitions for associate in science degrees and for  
1581 certificates offered by Florida Community College System  
1582 institutions.

1583 Section 20. Section 1001.61, Florida Statutes, is amended  
1584 to read:

1585 1001.61 Florida Community College System institution boards  
1586 of trustees; membership.—

1587 (1) Florida Community College System institution boards of  
1588 trustees shall be comprised of five members when a Florida  
1589 Community College System institution district is confined to one  
1590 school board district; seven members when a Florida Community  
1591 College System institution district is confined to one school  
1592 board district and the board of trustees so elects; and not more  
1593 than nine members when the district contains two or more school  
1594 board districts, as provided by rules of the State Board of  
1595 Community Colleges ~~Education~~. However, Florida State College at

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1596 Jacksonville shall have an odd number of trustees, and St. Johns  
1597 River State College shall have seven trustees from the three-  
1598 county area that the college serves.

1599 (2) Trustees shall be appointed by the Governor to  
1600 staggered 4-year terms, subject to confirmation by the Senate in  
1601 regular session.

1602 (3) Members of the board of trustees shall receive no  
1603 compensation but may receive reimbursement for expenses as  
1604 provided in s. 112.061.

1605 (4) At its first regular meeting after July 1 of each year,  
1606 each Florida Community College System institution board of  
1607 trustees shall organize by electing a chair, whose duty as such  
1608 is to preside at all meetings of the board, to call special  
1609 meetings thereof, and to attest to actions of the board, and a  
1610 vice chair, whose duty as such is to act as chair during the  
1611 absence or disability of the elected chair. It is the further  
1612 duty of the chair of each board of trustees to notify the  
1613 Governor, in writing, whenever a board member fails to attend  
1614 three consecutive regular board meetings in any one fiscal year,  
1615 which absences may be grounds for removal.

1616 (5) A Florida Community College System institution  
1617 president shall serve as the executive officer and corporate  
1618 secretary of the board of trustees and shall be responsible to  
1619 the board of trustees for setting the agenda for meetings of the  
1620 board of trustees in consultation with the chair. The president  
1621 also serves as the chief administrative officer of the Florida  
1622 Community College System institution, and all the components of  
1623 the institution and all aspects of its operation are responsible  
1624 to the board of trustees through the president.



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1625 Section 21. Section 1001.64, Florida Statutes, is amended  
1626 to read:

1627 1001.64 Florida Community College System institution  
1628 boards of trustees; powers and duties.—

1629 (1) The boards of trustees shall be responsible for cost-  
1630 effective policy decisions appropriate to the Florida Community  
1631 College System institution's mission, the implementation and  
1632 maintenance of high-quality education programs within law and  
1633 rules of the State Board of Community Colleges ~~Education~~, the  
1634 measurement of performance, the reporting of information, and  
1635 the provision of input regarding state policy, budgeting, and  
1636 education standards.

1637 (2) Each board of trustees is vested with the  
1638 responsibility to govern its respective Florida Community  
1639 College System institution and with such necessary authority as  
1640 is needed for the proper operation and improvement thereof in  
1641 accordance with rules of the State Board of Community Colleges  
1642 ~~Education~~.

1643 (3) A board of trustees shall have the power to take action  
1644 without a recommendation from the president and shall have the  
1645 power to require the president to deliver to the board of  
1646 trustees all data and information required by the board of  
1647 trustees in the performance of its duties. A board of trustees  
1648 shall ask the Chancellor of the Florida Community College System  
1649 ~~Commissioner of Education~~ to authorize an investigation of the  
1650 president's actions by the State Board of Community College's  
1651 ~~department's~~ inspector general if the board considers such  
1652 investigation necessary. The inspector general shall provide a  
1653 report detailing each issue under investigation and shall

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1654 recommend corrective action. If the inspector general identifies  
1655 potential legal violations, he or she shall refer the potential  
1656 legal violations to the Commission on Ethics, the Department of  
1657 Law Enforcement, the Attorney General, or another appropriate  
1658 authority.

1659 (4) (a) The board of trustees, after considering  
1660 recommendations submitted by the Florida Community College  
1661 System institution president, may adopt rules pursuant to ss.  
1662 120.536(1) and 120.54 to implement the provisions of law  
1663 conferring duties upon it. These rules may supplement those  
1664 prescribed by the State Board of Community Colleges ~~Education~~ if  
1665 they will contribute to the more orderly and efficient operation  
1666 of Florida Community College System institutions.

1667 (b) Each board of trustees is specifically authorized to  
1668 adopt rules, procedures, and policies, consistent with law and  
1669 rules of the State Board of Community Colleges ~~Education~~,  
1670 related to its mission and responsibilities as set forth in s.  
1671 1004.65, its governance, personnel, budget and finance,  
1672 administration, programs, curriculum and instruction, buildings  
1673 and grounds, travel and purchasing, technology, students,  
1674 contracts and grants, or college property.

1675 (5) Each board of trustees shall have responsibility for  
1676 the use, maintenance, protection, and control of Florida  
1677 Community College System institution owned or Florida Community  
1678 College System institution controlled buildings and grounds,  
1679 property and equipment, name, trademarks and other proprietary  
1680 marks, and the financial and other resources of the Florida  
1681 Community College System institution. Such authority may include  
1682 placing restrictions on activities and on access to facilities,

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1683 firearms, food, tobacco, alcoholic beverages, distribution of  
1684 printed materials, commercial solicitation, animals, and sound.

1685 (6) Each board of trustees has responsibility for the  
1686 establishment and discontinuance of program and course offerings  
1687 in accordance with law and rule; provision for instructional and  
1688 noninstructional community services, location of classes, and  
1689 services provided; and dissemination of information concerning  
1690 such programs and services. New programs must be approved  
1691 pursuant to s. 1004.03.

1692 (7) Each board of trustees has responsibility for~~÷~~ ensuring  
1693 that students have access to general education courses as  
1694 identified in rule; requiring no more than 60 semester hours of  
1695 degree program coursework, including 36 semester hours of  
1696 general education coursework, for an associate in arts degree;  
1697 notifying students that earned hours in excess of 60 semester  
1698 hours may not be accepted by state universities; notifying  
1699 students of unique program prerequisites; and ensuring that  
1700 degree program coursework beyond general education coursework is  
1701 consistent with degree program prerequisite requirements adopted  
1702 pursuant to s. 1007.25(5).

1703 (8) Each board of trustees has authority for policies  
1704 related to students, enrollment of students, student records,  
1705 student activities, financial assistance, and other student  
1706 services.

1707 (a) Each board of trustees shall govern admission of  
1708 students pursuant to s. 1007.263 and rules of the State Board of  
1709 Community Colleges Education. A board of trustees may establish  
1710 additional admissions criteria, which shall be included in the  
1711 dual enrollment articulation agreement developed according to s.

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1712 1007.271(21), to ensure student readiness for postsecondary  
1713 instruction. Each board of trustees may consider the past  
1714 actions of any person applying for admission or enrollment and  
1715 may deny admission or enrollment to an applicant because of  
1716 misconduct if determined to be in the best interest of the  
1717 Florida Community College System institution.

1718 (b) Each board of trustees shall adopt rules establishing  
1719 student performance standards for the award of degrees and  
1720 certificates pursuant to s. 1004.68.

1721 (c) Boards of trustees are authorized to establish  
1722 intrainstitutional and interinstitutional programs to maximize  
1723 articulation pursuant to s. 1007.22.

1724 (d) Boards of trustees shall identify their general  
1725 education curricula pursuant to s. 1007.25(6).

1726 (e) Each board of trustees must adopt a written antihazing  
1727 policy, provide a program for the enforcement of such rules, and  
1728 adopt appropriate penalties for violations of such rules  
1729 pursuant to the provisions of s. 1006.63.

1730 (f) Each board of trustees may establish a uniform code of  
1731 conduct and appropriate penalties for violation of its rules by  
1732 students and student organizations, including rules governing  
1733 student academic honesty. Such penalties, unless otherwise  
1734 provided by law, may include fines, the withholding of diplomas  
1735 or transcripts pending compliance with rules or payment of  
1736 fines, and the imposition of probation, suspension, or  
1737 dismissal.

1738 (g) Each board of trustees pursuant to s. 1006.53 shall  
1739 adopt a policy in accordance with rules of the State Board of  
1740 Community Colleges Education ~~Education~~ that reasonably accommodates the

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1741 religious observance, practice, and belief of individual  
1742 students in regard to admissions, class attendance, and the  
1743 scheduling of examinations and work assignments.

1744 (9) A board of trustees may contract with the board of  
1745 trustees of a state university for the Florida Community College  
1746 System institution to provide developmental education on the  
1747 state university campus.

1748 (10) Each board of trustees shall establish fees pursuant  
1749 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1750 (11) Each board of trustees shall submit an institutional  
1751 budget request, including a request for fixed capital outlay,  
1752 and an operating budget to the State Board of Community Colleges  
1753 ~~Education~~ for review in accordance with guidelines established  
1754 by the State Board of Community Colleges ~~Education~~.

1755 (12) Each board of trustees shall account for expenditures  
1756 of all state, local, federal, and other funds in the manner  
1757 described by the State Board of Community Colleges ~~Department of~~  
1758 ~~Education~~.

1759 (13) Each board of trustees is responsible for the uses for  
1760 the proceeds of academic improvement trust funds pursuant to s.  
1761 1011.85.

1762 (14) Each board of trustees shall develop a strategic plan  
1763 specifying institutional goals and objectives for the Florida  
1764 Community College System institution for recommendation to the  
1765 State Board of Community Colleges ~~Education~~.

1766 (15) Each board of trustees shall develop an accountability  
1767 plan pursuant to s. 1008.45.

1768 (16) Each board of trustees must expend performance funds  
1769 provided for workforce education pursuant to the provisions of

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1770 s. 1011.80.

1771 (17) Each board of trustees is accountable for performance  
1772 in certificate career education and diploma programs pursuant to  
1773 s. 1008.43.

1774 (18) Each board of trustees shall establish the personnel  
1775 program for all employees of the Florida Community College  
1776 System institution, including the president, pursuant to the  
1777 provisions of chapter 1012 and rules and guidelines of the State  
1778 Board of Community Colleges ~~Education~~, including: compensation  
1779 and other conditions of employment; recruitment and selection;  
1780 nonreappointment; standards for performance and conduct;  
1781 evaluation; benefits and hours of work; leave policies;  
1782 recognition; inventions and work products; travel; learning  
1783 opportunities; exchange programs; academic freedom and  
1784 responsibility; promotion; assignment; demotion; transfer;  
1785 ethical obligations and conflict of interest; restrictive  
1786 covenants; disciplinary actions; complaints; appeals and  
1787 grievance procedures; and separation and termination from  
1788 employment.

1789 (19) Each board of trustees shall appoint, suspend, or  
1790 remove the president of the Florida Community College System  
1791 institution. The board of trustees may appoint a search  
1792 committee. The board of trustees shall conduct annual  
1793 evaluations of the president in accordance with rules of the  
1794 State Board of Community Colleges ~~Education~~ and submit such  
1795 evaluations to the State Board of Community Colleges ~~Education~~  
1796 for review. The evaluation must address the achievement of the  
1797 performance goals established by the accountability process  
1798 implemented pursuant to s. 1008.45 and the performance of the

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1799 president in achieving the annual and long-term goals and  
1800 objectives established in the Florida Community College System  
1801 institution's employment accountability program implemented  
1802 pursuant to s. 1012.86.

1803 (20) Each board of trustees is authorized to enter into  
1804 contracts to provide a State Community College System Optional  
1805 Retirement Program pursuant to s. 1012.875 and to enter into  
1806 consortia with other boards of trustees for this purpose.

1807 (21) Each board of trustees is authorized to purchase  
1808 annuities for its Florida Community College System institution  
1809 personnel who have 25 or more years of creditable service and  
1810 who have reached age 55 and have applied for retirement under  
1811 the Florida Retirement System pursuant to the provisions of s.  
1812 1012.87.

1813 (22) A board of trustees may defray all costs of defending  
1814 civil actions against officers, employees, or agents of the  
1815 board of trustees pursuant to s. 1012.85.

1816 (23) Each board of trustees has authority for risk  
1817 management, safety, security, and law enforcement operations.  
1818 Each board of trustees is authorized to employ personnel,  
1819 including police officers pursuant to s. 1012.88, to carry out  
1820 the duties imposed by this subsection.

1821 (24) Each board of trustees shall provide rules governing  
1822 parking and the direction and flow of traffic within campus  
1823 boundaries. Except for sworn law enforcement personnel, persons  
1824 employed to enforce campus parking rules have no authority to  
1825 arrest or issue citations for moving traffic violations. The  
1826 board of trustees may adopt a uniform code of appropriate  
1827 penalties for violations. Such penalties, unless otherwise

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1828 provided by law, may include the levying of fines, the  
1829 withholding of diplomas or transcripts pending compliance with  
1830 rules or payment of fines, and the imposition of probation,  
1831 suspension, or dismissal. Moneys collected from parking rule  
1832 infractions shall be deposited in appropriate funds at each  
1833 Florida Community College System institution for student  
1834 financial aid purposes.

1835 (25) Each board of trustees constitutes the contracting  
1836 agent of the Florida Community College System institution. It  
1837 may when acting as a body make contracts, sue, and be sued in  
1838 the name of the board of trustees. In any suit, a change in  
1839 personnel of the board of trustees shall not abate the suit,  
1840 which shall proceed as if such change had not taken place.

1841 (26) Each board of trustees is authorized to contract for  
1842 the purchase, sale, lease, license, or acquisition in any  
1843 manner, including purchase by installment or lease-purchase  
1844 contract which may provide for the payment of interest on the  
1845 unpaid portion of the purchase price and for the granting of a  
1846 security interest in the items purchased, subject to the  
1847 provisions of subsection (38) and ss. 1009.22 and 1009.23, of  
1848 goods, materials, equipment, and services required by the  
1849 Florida Community College System institution. The board of  
1850 trustees may choose to consolidate equipment contracts under  
1851 master equipment financing agreements made pursuant to s.  
1852 287.064.

1853 (27) Each board of trustees shall be responsible for  
1854 managing and protecting real and personal property acquired or  
1855 held in trust for use by and for the benefit of such Florida  
1856 Community College System institution. To that end, any board of



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1857 trustees is authorized to be self-insured, to enter into risk  
1858 management programs, or to purchase insurance for whatever  
1859 coverage it may choose, or to have any combination thereof, in  
1860 anticipation of any loss, damage, or destruction. A board of  
1861 trustees may contract for self-insurance services pursuant to s.  
1862 1004.725.

1863 (28) Each board of trustees is authorized to enter into  
1864 agreements for, and accept, credit card, charge card, and debit  
1865 card payments as compensation for goods, services, tuition, and  
1866 fees. Each Florida Community College System institution is  
1867 further authorized to establish accounts in credit card, charge  
1868 card, and debit card banks for the deposit of sales invoices.

1869 (29) Each board of trustees may provide incubator  
1870 facilities to eligible small business concerns pursuant to s.  
1871 1004.79.

1872 (30) Each board of trustees may establish a technology  
1873 transfer center for the purpose of providing institutional  
1874 support to local business and industry and governmental agencies  
1875 in the application of new research in technology pursuant to the  
1876 provisions of s. 1004.78.

1877 (31) Each board of trustees may establish economic  
1878 development centers for the purpose of serving as liaisons  
1879 between Florida Community College System institutions and the  
1880 business sector pursuant to the provisions of s. 1004.80.

1881 (32) Each board of trustees may establish a child  
1882 development training center pursuant to s. 1004.81.

1883 (33) Each board of trustees is authorized to develop and  
1884 produce work products relating to educational endeavors that are  
1885 subject to trademark, copyright, or patent statutes pursuant to

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1886 chapter 1004.

1887 (34) Each board of trustees shall administer the facilities  
1888 program pursuant to chapter 1013, including but not limited to:  
1889 the construction of public educational and ancillary plants; the  
1890 acquisition and disposal of property; compliance with building  
1891 and life safety codes; submission of data and information  
1892 relating to facilities and construction; use of buildings and  
1893 grounds; establishment of safety and sanitation programs for the  
1894 protection of building occupants; and site planning and  
1895 selection.

1896 (35) Each board of trustees may exercise the right of  
1897 eminent domain pursuant to the provisions of chapter 1013.

1898 (36) Each board of trustees may enter into lease-purchase  
1899 arrangements with private individuals or corporations for  
1900 necessary grounds and buildings for Florida Community College  
1901 System institution purposes, other than dormitories, or for  
1902 buildings other than dormitories to be erected for Florida  
1903 Community College System institution purposes. Such arrangements  
1904 shall be paid from capital outlay and debt service funds as  
1905 provided by s. 1011.84(2), with terms not to exceed 30 years at  
1906 a stipulated rate. The provisions of such contracts, including  
1907 building plans, are subject to approval by the Department of  
1908 Education, and no such contract may be entered into without such  
1909 approval.

1910 (37) Each board of trustees may purchase, acquire, receive,  
1911 hold, own, manage, lease, sell, dispose of, and convey title to  
1912 real property, in the best interests of the Florida Community  
1913 College System institution.

1914 (38) Each board of trustees is authorized to enter into

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1915 short-term loans and installment, lease-purchase, and other  
1916 financing contracts for a term of not more than 5 years,  
1917 including renewals, extensions, and refundings. Payments on  
1918 short-term loans and installment, lease-purchase, and other  
1919 financing contracts pursuant to this subsection shall be subject  
1920 to annual appropriation by the board of trustees. Each board of  
1921 trustees is authorized to borrow funds and incur long-term debt,  
1922 including promissory notes, installment sales agreements, lease-  
1923 purchase agreements, certificates of participation, and other  
1924 similar long-term financing arrangements, only as specifically  
1925 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At  
1926 the option of the board of trustees, bonds issued pursuant to  
1927 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured  
1928 by a combination of revenues authorized to be pledged to bonds  
1929 pursuant to such subsections. Revenue bonds may not be secured  
1930 by or paid from, directly or indirectly, tuition, financial aid  
1931 fees, the Florida Community College System Program Fund, or any  
1932 other operating revenues of a Florida Community College System  
1933 institution. Lease-purchase agreements may be secured by a  
1934 combination of revenues as specifically authorized pursuant to  
1935 ss. 1009.22(7) and 1009.23(10).

1936 (39) Each board of trustees shall prescribe conditions for  
1937 direct-support organizations to be certified and to use Florida  
1938 Community College System institution property and services.  
1939 Conditions relating to certification must provide for audit  
1940 review and oversight by the board of trustees.

1941 (40) Each board of trustees may adopt policies pursuant to  
1942 s. 1010.02 that provide procedures for transferring to the  
1943 direct-support organization of that Florida Community College

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1944 System institution for administration by such organization  
1945 contributions made to the Florida Community College System  
1946 institution.

1947 (41) The board of trustees shall exert every effort to  
1948 collect all delinquent accounts pursuant to s. 1010.03.

1949 (42) Each board of trustees shall implement a plan, in  
1950 accordance with guidelines of the State Board of Community  
1951 Colleges Education, for working on a regular basis with the  
1952 other Florida Community College System institution boards of  
1953 trustees, representatives of the university boards of trustees,  
1954 and representatives of the district school boards to achieve the  
1955 goals of the seamless education system.

1956 (43) Each board of trustees has responsibility for  
1957 compliance with state and federal laws, rules, regulations, and  
1958 requirements.

1959 (44) Each board of trustees may adopt rules, procedures,  
1960 and policies related to institutional governance,  
1961 administration, and management in order to promote orderly and  
1962 efficient operation, including, but not limited to, financial  
1963 management, budget management, physical plant management, and  
1964 property management.

1965 (45) Each board of trustees may adopt rules and procedures  
1966 related to data or technology, including, but not limited to,  
1967 information systems, communications systems, computer hardware  
1968 and software, and networks.

1969 (46) Each board of trustees may consider the past actions  
1970 of any person applying for employment and may deny employment to  
1971 a person because of misconduct if determined to be in the best  
1972 interest of the Florida Community College System institution.

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1973 (47) Each contract or employment agreement, or renewal or  
1974 renegotiation of an existing contract or employment agreement,  
1975 containing a provision for severance pay with an officer, agent,  
1976 employee, or contractor must include the provisions required in  
1977 s. 215.425.

1978 (48) Each board of trustees shall use purchasing agreements  
1979 and state term contracts pursuant to s. 287.056 or enter into  
1980 consortia and cooperative agreements to maximize the purchasing  
1981 power for goods and services. A consortium or cooperative  
1982 agreement may be statewide, regional, or a combination of  
1983 institutions, as appropriate to achieve the lowest cost, with  
1984 the goal of achieving a 5-percent savings on existing contract  
1985 prices through the use of new cooperative arrangements or new  
1986 consortium contracts.

1987 Section 22. Section 1001.65, Florida Statutes, is amended  
1988 to read:

1989 1001.65 Florida Community College System institution  
1990 presidents; powers and duties.—The president is the chief  
1991 executive officer of the Florida Community College System  
1992 institution, shall be corporate secretary of the Florida  
1993 Community College System institution board of trustees, and is  
1994 responsible for the operation and administration of the Florida  
1995 Community College System institution. Each Florida Community  
1996 College System institution president shall:

1997 (1) Recommend the adoption of rules, as appropriate, to the  
1998 Florida Community College System institution board of trustees  
1999 to implement provisions of law governing the operation and  
2000 administration of the Florida Community College System  
2001 institution, which shall include the specific powers and duties

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2002 enumerated in this section. Such rules shall be consistent with  
2003 law, the mission of the Florida Community College System  
2004 institution, and the rules and policies of the State Board of  
2005 Community Colleges ~~Education~~.

2006 (2) Prepare a budget request and an operating budget  
2007 pursuant to s. 1011.30 for approval by the Florida Community  
2008 College System institution board of trustees at such time and in  
2009 such format as the State Board of Community Colleges ~~Education~~  
2010 may prescribe.

2011 (3) Establish and implement policies and procedures to  
2012 recruit, appoint, transfer, promote, compensate, evaluate,  
2013 reward, demote, discipline, and remove personnel, within law and  
2014 rules of the State Board of Community College ~~Education~~ and in  
2015 accordance with rules or policies approved by the Florida  
2016 Community College System institution board of trustees.

2017 (4) Govern admissions, subject to law and rules or policies  
2018 of the Florida Community College System institution board of  
2019 trustees and the State Board of Community Colleges ~~Education~~.

2020 (5) Approve, execute, and administer contracts for and on  
2021 behalf of the Florida Community College System institution board  
2022 of trustees for licenses; the acquisition or provision of  
2023 commodities, goods, equipment, and services; leases of real and  
2024 personal property; and planning and construction to be rendered  
2025 to or by the Florida Community College System institution,  
2026 provided such contracts are within law and guidelines of the  
2027 State Board of Community Colleges ~~Education~~ and in conformance  
2028 with policies of the Florida Community College System  
2029 institution board of trustees, and are for the implementation of  
2030 approved programs of the Florida Community College System

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2031 institution.

2032 (6) Act for the Florida Community College System  
2033 institution board of trustees as custodian of all Florida  
2034 Community College System institution property and financial  
2035 resources. The authority vested in the Florida Community College  
2036 System institution president under this subsection includes the  
2037 authority to prioritize the use of Florida Community College  
2038 System institution space, property, equipment, and resources and  
2039 the authority to impose charges for the use of those items.

2040 (7) Establish the internal academic calendar of the Florida  
2041 Community College System institution within general guidelines  
2042 of the State Board of Community Colleges ~~Education~~.

2043 (8) Administer the Florida Community College System  
2044 institution's program of intercollegiate athletics.

2045 (9) Recommend to the board of trustees the establishment  
2046 and termination of programs within the approved role and scope  
2047 of the Florida Community College System institution.

2048 (10) Award degrees.

2049 (11) Recommend to the board of trustees a schedule of  
2050 tuition and fees to be charged by the Florida Community College  
2051 System institution, within law and rules of the State Board of  
2052 Community Colleges ~~Education~~.

2053 (12) Organize the Florida Community College System  
2054 institution to efficiently and effectively achieve the goals of  
2055 the Florida Community College System institution.

2056 (13) Review periodically the operations of the Florida  
2057 Community College System institution in order to determine how  
2058 effectively and efficiently the Florida Community College System  
2059 institution is being administered and whether it is meeting the

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2060 goals of its strategic plan adopted by the State Board of  
2061 Community Colleges ~~Education~~.

2062 (14) Enter into agreements for student exchange programs  
2063 that involve students at the Florida Community College System  
2064 institution and students in other institutions of higher  
2065 learning.

2066 (15) Approve the internal procedures of student government  
2067 organizations and provide purchasing, contracting, and budgetary  
2068 review processes for these organizations.

2069 (16) Ensure compliance with federal and state laws, rules,  
2070 regulations, and other requirements that are applicable to the  
2071 Florida Community College System institution.

2072 (17) Maintain all data and information pertaining to the  
2073 operation of the Florida Community College System institution,  
2074 and report on the attainment by the Florida Community College  
2075 System institution of institutional and statewide performance  
2076 accountability goals.

2077 (18) Certify to the department a project's compliance with  
2078 the requirements for expenditure of PECO funds prior to release  
2079 of funds pursuant to ~~the provisions of~~ chapter 1013.

2080 (19) Provide to the law enforcement agency and fire  
2081 department that has jurisdiction over the Florida Community  
2082 College System institution a copy of the floor plans and other  
2083 relevant documents for each educational facility as defined in  
2084 s. 1013.01(6). After the initial submission of the floor plans  
2085 and other relevant documents, the Florida Community College  
2086 System institution president shall submit, by October 1 of each  
2087 year, revised floor plans and other relevant documents for each  
2088 educational facility that was modified during the preceding



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2089 year.

2090 (20) Develop and implement jointly with school  
2091 superintendents a comprehensive dual enrollment articulation  
2092 agreement for the students enrolled in their respective school  
2093 districts and service areas pursuant to s. 1007.271(21).

2094 (21) Have authority, after notice to the student of the  
2095 charges and after a hearing thereon, to expel, suspend, or  
2096 otherwise discipline any student who is found to have violated  
2097 any law, ordinance, or rule or regulation of the State Board of  
2098 Community Colleges ~~Education~~ or of the board of trustees of the  
2099 Florida Community College System institution pursuant to the  
2100 provisions of s. 1006.62.

2101 (22) Submit an annual employment accountability plan to the  
2102 State Board of Community Colleges ~~Department of Education~~  
2103 pursuant to the provisions of s. 1012.86.

2104 (23) Annually evaluate, or have a designee annually  
2105 evaluate, each department chairperson, dean, provost, and vice  
2106 president in achieving the annual and long-term goals and  
2107 objectives of the Florida Community College System institution's  
2108 employment accountability plan.

2109 (24) Have vested with the president or the president's  
2110 designee the authority that is vested with the Florida Community  
2111 College System institution.

2112 Section 23. Section 1001.66, Florida Statutes, is amended  
2113 to read:

2114 1001.66 Florida Community College System Performance-Based  
2115 Incentive.—

2116 (1) A Florida Community College System Performance-Based  
2117 Incentive shall be awarded to Florida Community College System

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2118 institutions using performance-based metrics adopted by the  
2119 State Board of Community Colleges ~~Education~~. The performance-  
2120 based metrics must include retention rates; program completion  
2121 and graduation rates; postgraduation employment, salaries, and  
2122 continuing education for workforce education and baccalaureate  
2123 programs, with wage thresholds that reflect the added value of  
2124 the certificate or degree; and outcome measures appropriate for  
2125 associate of arts degree recipients. The state board shall adopt  
2126 benchmarks to evaluate each institution's performance on the  
2127 metrics to measure the institution's achievement of  
2128 institutional excellence or need for improvement and the minimum  
2129 requirements for eligibility to receive performance funding.

2130 (2) Each fiscal year, the amount of funds available for  
2131 allocation to the Florida Community College System institutions  
2132 based on the performance-based funding model shall consist of  
2133 the state's investment in performance funding plus institutional  
2134 investments consisting of funds to be redistributed from the  
2135 base funding of the Florida Community College System Program  
2136 Fund as determined in the General Appropriations Act. The State  
2137 Board of Community Colleges ~~Education~~ shall establish minimum  
2138 performance funding eligibility thresholds for the state's  
2139 investment and the institutional investments. An institution  
2140 that meets the minimum institutional investment eligibility  
2141 threshold, but fails to meet the minimum state investment  
2142 eligibility threshold, shall have its institutional investment  
2143 restored but is ineligible for a share of the state's investment  
2144 in performance funding. The institutional investment shall be  
2145 restored for all institutions eligible for the state's  
2146 investment under the performance-based funding model.

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2147 (3) (a) Each Florida Community College System institution's  
2148 share of the performance funding shall be calculated based on  
2149 its relative performance on the established metrics in  
2150 conjunction with the institutional size and scope.

2151 (b) A Florida Community College System institution that  
2152 fails to meet the State Board of Community Colleges' ~~Education's~~  
2153 minimum institutional investment performance funding eligibility  
2154 threshold shall have a portion of its institutional investment  
2155 withheld by the state board and must submit an improvement plan  
2156 to the state board which specifies the activities and strategies  
2157 for improving the institution's performance. The state board  
2158 must review and approve the improvement plan and, if the plan is  
2159 approved, must monitor the institution's progress in  
2160 implementing the activities and strategies specified in the  
2161 improvement plan. The institution shall submit monitoring  
2162 reports to the state board by December 31 and May 31 of each  
2163 year in which an improvement plan is in place. Beginning in the  
2164 2017-2018 fiscal year, the ability of an institution to submit  
2165 an improvement plan to the state board is limited to 1 fiscal  
2166 year.

2167 (c) The Chancellor of the Florida Community College System  
2168 ~~Commissioner of Education~~ shall withhold disbursement of the  
2169 institutional investment until the monitoring report is approved  
2170 by the State Board of Community Colleges ~~Education~~. A Florida  
2171 Community College System institution determined by the state  
2172 board to be making satisfactory progress on implementing the  
2173 improvement plan shall receive no more than one-half of the  
2174 withheld institutional investment in January and the balance of  
2175 the withheld institutional investment in June. An institution

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2176 that fails to make satisfactory progress may not have its full  
2177 institutional investment restored. Any institutional investment  
2178 funds that are not restored shall be redistributed in accordance  
2179 with the state board's performance-based metrics.

2180 (4) Distributions of performance funding, as provided in  
2181 this section, shall be made to each of the Florida Community  
2182 College System institutions listed in the Florida Community  
2183 Colleges category in the General Appropriations Act.

2184 (5) By October 1 of each year, the State Board of Community  
2185 Colleges ~~Education~~ shall submit to the Governor, the President  
2186 of the Senate, and the Speaker of the House of Representatives a  
2187 report on the previous fiscal year's performance funding  
2188 allocation, which must reflect the rankings and award  
2189 distributions.

2190 (6) The State Board of Community Colleges ~~Education~~ shall  
2191 adopt rules to administer this section.

2192 Section 24. Section 1001.67, Florida Statutes, is amended  
2193 to read:

2194 1001.67 Distinguished Florida Community College System  
2195 Institution Program.—A collaborative partnership is established  
2196 between the State Board of Community Colleges ~~Education~~ and the  
2197 Legislature to recognize the excellence of Florida's highest-  
2198 performing Florida Community College System institutions.

2199 (1) EXCELLENCE STANDARDS.—The following excellence  
2200 standards are established for the program:

2201 (a) A 150 percent-of-normal-time completion rate of 50  
2202 percent or higher, as calculated by the Division of Florida  
2203 Colleges.

2204 (b) A 150 percent-of-normal-time completion rate for Pell

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2205 Grant recipients of 40 percent or higher, as calculated by the  
2206 State Board of Community ~~Division of Florida~~ Colleges.

2207 (c) A retention rate of 70 percent or higher, as calculated  
2208 by the State Board of Community ~~Division of Florida~~ Colleges.

2209 (d) A continuing education, or transfer, rate of 72 percent  
2210 or higher for students graduating with an associate of arts  
2211 degree, as reported by the Florida Education and Training  
2212 Placement Information Program (FETPIP).

2213 (e) A licensure passage rate on the National Council  
2214 Licensure Examination for Registered Nurses (NCLEX-RN) of 90  
2215 percent or higher for first-time exam takers, as reported by the  
2216 Board of Nursing.

2217 (f) A job placement or continuing education rate of 88  
2218 percent or higher for workforce programs, as reported by FETPIP.

2219 (g) A time-to-degree for students graduating with an  
2220 associate of arts degree of 2.25 years or less for first-time-  
2221 in-college students with accelerated college credits, as  
2222 reported by the Southern Regional Education Board.

2223 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of  
2224 Community Colleges ~~Education~~ shall designate each Florida  
2225 Community College System institution that meets five of the  
2226 seven standards identified in subsection (1) as a distinguished  
2227 college.

2228 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community  
2229 College System institution designated as a distinguished college  
2230 by the State Board of Community Colleges ~~Education~~ is eligible  
2231 for funding as specified in the General Appropriations Act.

2232 Section 25. Subsection (9) of section 1001.706, Florida  
2233 Statutes, is amended to read:

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2234 1001.706 Powers and duties of the Board of Governors.—

2235 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors  
2236 shall implement a plan for working on a regular basis with the  
2237 State Board of Education, the State Board of Community Colleges,  
2238 the Commission for Independent Education, the Higher Education  
2239 Coordinating Council, the Articulation Coordinating Committee,  
2240 the university boards of trustees, representatives of the  
2241 Florida Community College System institution boards of trustees,  
2242 representatives of the private colleges and universities, and  
2243 representatives of the district school boards to achieve a  
2244 seamless education system.

2245 Section 26. Subsections (1) and (18) of section 1002.34,  
2246 Florida Statutes, are amended to read:

2247 1002.34 Charter technical career centers; governance,  
2248 mission, and responsibilities.—

2249 (1) MISSION AND AUTHORIZATION.—

2250 (a) The primary mission of a charter technical career  
2251 center is to promote ~~The Legislature finds that the~~  
2252 ~~establishment of charter technical career centers can assist in~~  
2253 ~~promoting~~ advances and innovations in workforce preparation and  
2254 economic development. A charter technical career center may  
2255 provide a learning environment that ~~better~~ serves the needs of a  
2256 specific population group or a group of occupations, thus  
2257 promoting diversity and choices within the public education and  
2258 public postsecondary technical education community in this  
2259 state. Therefore, the creation of such centers is authorized as  
2260 part of the state's program of public education. A charter  
2261 technical career center may be formed by creating a new school  
2262 or converting an existing school district or Florida Community

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2263 College System institution program to charter technical status.

2264 (b) A charter technical career center that is operated by a  
2265 district school board may not offer a college credit course or a  
2266 college credit certificate or an associate degree or  
2267 baccalaureate degree program.

2268 (18) RULES.—The State Board of Education, for technical  
2269 centers operated by school districts, and the State Board of  
2270 Community Colleges, for technical centers operated by Florida  
2271 Community College System institutions, shall adopt rules,  
2272 pursuant to ss. 120.536(1) and 120.54, relating to the  
2273 implementation of charter technical career centers, including  
2274 rules to implement a charter model application form and an  
2275 evaluation instrument in accordance with this section.

2276 Section 27. Paragraph (b) of subsection (4) of section  
2277 1003.491, Florida Statutes, is amended to read:

2278 1003.491 Florida Career and Professional Education Act.—The  
2279 Florida Career and Professional Education Act is created to  
2280 provide a statewide planning partnership between the business  
2281 and education communities in order to attract, expand, and  
2282 retain targeted, high-value industry and to sustain a strong,  
2283 knowledge-based economy.

2284 (4) The State Board of Education shall establish a process  
2285 for the continual and uninterrupted review of newly proposed  
2286 core secondary courses and existing courses requested to be  
2287 considered as core courses to ensure that sufficient rigor and  
2288 relevance is provided for workforce skills and postsecondary  
2289 education and aligned to state curriculum standards.

2290 (b) The curriculum review committee shall review newly  
2291 proposed core courses electronically. Each proposed core course

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2292 shall be approved or denied within 30 days after submission by a  
2293 district school board or local workforce development board. All  
2294 courses approved as core courses for purposes of middle school  
2295 promotion and high school graduation shall be immediately added  
2296 to the Course Code Directory. Approved core courses shall also  
2297 be reviewed and considered for approval for dual enrollment  
2298 credit. The Board of Governors, the State Board of Community  
2299 Colleges, and the Commissioner of Education shall jointly  
2300 recommend an annual deadline for approval of new core courses to  
2301 be included for purposes of postsecondary admissions and dual  
2302 enrollment credit the following academic year. The State Board  
2303 of Education shall establish an appeals process in the event  
2304 that a proposed course is denied which shall require a consensus  
2305 ruling by the Department of Economic Opportunity and the  
2306 Commissioner of Education within 15 days.

2307 Section 28. Paragraph (b) of subsection (4) of section  
2308 1003.493, Florida Statutes, is amended to read:

2309 1003.493 Career and professional academies and career-  
2310 themed courses.—

2311 (4) Each career and professional academy and secondary  
2312 school providing a career-themed course must:

2313 (b) Include one or more partnerships with postsecondary  
2314 institutions, businesses, industry, employers, economic  
2315 development organizations, or other appropriate partners from  
2316 the local community. Such partnerships with postsecondary  
2317 institutions shall be delineated in articulation agreements and  
2318 include any career and professional academy courses or career-  
2319 themed courses that earn postsecondary credit. Such agreements  
2320 may include articulation between the secondary school and public



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2321 or private 2-year and 4-year postsecondary institutions and  
2322 technical centers. The Department of Education, in consultation  
2323 with the Board of Governors and the State Board of Community  
2324 Colleges, shall establish a mechanism to ensure articulation and  
2325 transfer of credits to postsecondary institutions in this state.  
2326 Such partnerships must provide opportunities for:

2327 1. Instruction from highly skilled professionals who  
2328 possess industry-certification credentials for courses they are  
2329 teaching.

2330 2. Internships, externships, and on-the-job training.

2331 3. A postsecondary degree, diploma, or certificate.

2332 4. The highest available level of industry certification.

2333 5. Maximum articulation of credits pursuant to s. 1007.23  
2334 upon program completion.

2335 Section 29. Subsections (4), (5), and (6) of section  
2336 1004.015, Florida Statutes, are amended to read:

2337 1004.015 Higher Education Coordinating Council.—

2338 (4) The council shall serve as an advisory board to the  
2339 Legislature, the State Board of Education, ~~and~~ the Board of  
2340 Governors, and the State Board of Community Colleges.

2341 Recommendations of the council shall be consistent with the  
2342 following guiding principles:

2343 (a) To achieve within existing resources a seamless  
2344 academic educational system that fosters an integrated continuum  
2345 of kindergarten through graduate school education for Florida's  
2346 students.

2347 (b) To promote consistent education policy across all  
2348 educational delivery systems, focusing on students.

2349 (c) To promote substantially improved articulation across

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2350 all educational delivery systems.

2351 (d) To promote a system that maximizes educational access  
2352 and allows the opportunity for a high-quality education for all  
2353 Floridians.

2354 (e) To promote a system of coordinated and consistent  
2355 transfer of credit and data collection for improved  
2356 accountability purposes between the educational delivery  
2357 systems.

2358 (5) The council shall annually by December 31 submit to the  
2359 Governor, the President of the Senate, the Speaker of the House  
2360 of Representatives, the Board of Governors, the State Board of  
2361 Community Colleges, and the State Board of Education a report  
2362 outlining its recommendations relating to:

2363 (a) The primary core mission of public and nonpublic  
2364 postsecondary education institutions in the context of state  
2365 access demands and economic development goals.

2366 (b) Performance outputs and outcomes designed to meet  
2367 annual and long-term state goals, including, but not limited to,  
2368 increased student access, preparedness, retention, transfer, and  
2369 completion. Performance measures must be consistent across  
2370 sectors and allow for a comparison of the state's performance to  
2371 that of other states.

2372 (c) The state's articulation policies and practices to  
2373 ensure that cost benefits to the state are maximized without  
2374 jeopardizing quality. The recommendations shall consider return  
2375 on investment for both the state and students and propose  
2376 systems to facilitate and ensure institutional compliance with  
2377 state articulation policies.

2378 (d) Workforce development education, specifically

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2379 recommending improvements to the consistency of workforce  
2380 education data collected and reported by Florida Community  
2381 College System institutions and school districts, including the  
2382 establishment of common elements and definitions for any data  
2383 that is used for state and federal funding and program  
2384 accountability.

2385 (6) The Office of K-20 Articulation, in collaboration with  
2386 the Board of Governors and the State Board of Community Division  
2387 ~~of Florida~~ Colleges, shall provide administrative support for  
2388 the council.

2389 Section 30. Subsection (7) of section 1004.02, Florida  
2390 Statutes, is amended to read:

2391 1004.02 Definitions.—As used in this chapter:

2392 (7) "Applied technology diploma program" means a course of  
2393 study that is part of a technical degree program, is less than  
2394 60 credit hours, and leads to employment in a specific  
2395 occupation. An applied technology diploma program may consist of  
2396 either technical credit or college credit. A public school  
2397 district may offer an applied technology diploma program only as  
2398 technical credit, with college credit awarded to a student upon  
2399 articulation to a Florida Community College System institution.  
2400 Statewide articulation among public schools and Florida  
2401 Community College System institutions is guaranteed by s.  
2402 1007.23, and is subject to guidelines and standards adopted by  
2403 the State Board of Community Colleges Education pursuant to ss.  
2404 1007.24 and 1007.25.

2405 Section 31. Subsection (2) of section 1004.03, Florida  
2406 Statutes, is amended to read:

2407 1004.03 Program approval.—

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2408 (2) The State Board of Community Colleges ~~Education~~ shall  
2409 establish criteria for the approval of new programs at Florida  
2410 Community College System institutions, which criteria include,  
2411 but are not limited to, the following:

2412 (a) New programs may not be approved unless the same  
2413 objectives cannot be met through use of educational technology.

2414 (b) Unnecessary duplication of programs offered by  
2415 independent institutions shall be avoided.

2416 (c) Cooperative programs, particularly within regions,  
2417 should be encouraged.

2418 (d) New programs may be approved only if they are  
2419 consistent with the ~~state master~~ plan adopted by the State Board  
2420 of Community Colleges ~~Education~~.

2421 Section 32. Paragraph (f) of subsection (4) of section  
2422 1004.04, Florida Statutes, is amended to read:

2423 1004.04 Public accountability and state approval for  
2424 teacher preparation programs.—

2425 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a  
2426 teacher preparation program shall be based upon evidence that  
2427 the program continues to implement the requirements for initial  
2428 approval and upon significant, objective, and quantifiable  
2429 measures of the program and the performance of the program  
2430 completers.

2431 (f) By January 1 of each year, the Department of Education  
2432 shall report the results of each approved program's annual  
2433 progress on the performance measures in paragraph (a) as well as  
2434 the current approval status of each program to:

- 2435 1. The Governor.
- 2436 2. The President of the Senate.

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- 2437 3. The Speaker of the House of Representatives.
- 2438 4. The State Board of Education.
- 2439 5. The Board of Governors.
- 2440 6. The State Board of Community Colleges.
- 2441 7. The Commissioner of Education.
- 2442 ~~8.7.~~ Each Florida postsecondary teacher preparation
- 2443 program.
- 2444 ~~9.8.~~ Each district school superintendent.
- 2445 ~~10.9.~~ The public.

2446

2447 This report may include the results of other continued approval

2448 requirements provided by State Board of Education rule and

2449 recommendations for improving teacher preparation programs in

2450 the state.

2451 Section 33. Section 1004.07, Florida Statutes, is amended

2452 to read:

2453 1004.07 Student withdrawal from courses due to military

2454 service; effect.—

2455 (1) Each district school board, Florida Community College

2456 System institution board of trustees, and state university board

2457 of trustees shall establish policies regarding currently

2458 enrolled students who are called to, or enlist in, active

2459 military service.

2460 (2) Such policies must ~~shall~~ provide that any student

2461 enrolled in a postsecondary course or courses at a career

2462 center, a Florida Community College System institution, or a

2463 state university may ~~shall~~ not incur academic or financial

2464 penalties by virtue of performing military service on behalf of

2465 our country. Such student shall be permitted the option of

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2466 either completing the course or courses at a later date without  
2467 penalty or withdrawing from the course or courses with a full  
2468 refund of fees paid. If the student chooses to withdraw, the  
2469 student's record shall reflect that the withdrawal is due to  
2470 active military service.

2471 (3) Policies of district school boards must ~~and Florida~~  
2472 ~~College System institution boards of trustees~~ shall be  
2473 established by rule and pursuant to guidelines of the State  
2474 Board of Education.

2475 (4) Policies of state university boards of trustees must  
2476 ~~shall~~ be established by regulation and pursuant to guidelines of  
2477 the Board of Governors.

2478 (5) Policies of Florida Community College System  
2479 institution boards of trustees must be established by rule and  
2480 pursuant to guidelines of the State Board of Community Colleges.

2481 Section 34. Section 1004.084, Florida Statutes, is amended  
2482 to read:

2483 1004.084 College affordability.—

2484 (1) The Board of Governors and the State Board of Community  
2485 Colleges ~~Education~~ shall annually identify strategies to promote  
2486 college affordability for all Floridians by evaluating, at a  
2487 minimum, the impact of:

2488 (a) Tuition and fees on undergraduate, graduate, and  
2489 professional students at public colleges and universities and  
2490 graduate assistants employed by public universities.

2491 (b) Federal, state, and institutional financial aid  
2492 policies on the actual cost of attendance for students and their  
2493 families.

2494 (c) The costs of textbooks and instructional materials.

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2495 (2) By December 31 of each year, ~~beginning in 2016,~~ the  
2496 Board of Governors and the State Board of Community Colleges  
2497 ~~Education~~ shall submit a report on their respective college  
2498 affordability initiatives to the Governor, the President of the  
2499 Senate, and the Speaker of the House of Representatives.

2500 Section 35. Paragraph (d) of subsection (3) and subsections  
2501 (6), (7), and (8) of section 1004.085, Florida Statutes, are  
2502 amended to read:

2503 1004.085 Textbook and instructional materials  
2504 affordability.—

2505 (3) An employee may receive:

2506 (d) Fees associated with activities such as reviewing,  
2507 critiquing, or preparing support materials for textbooks or  
2508 instructional materials pursuant to guidelines adopted by the  
2509 State Board of Community Colleges ~~Education~~ or the Board of  
2510 Governors.

2511 (6) Each Florida Community College System institution and  
2512 state university shall post prominently in the course  
2513 registration system and on its website, as early as is feasible,  
2514 but at least 45 days before the first day of class for each  
2515 term, a hyperlink to lists of required and recommended textbooks  
2516 and instructional materials for at least 95 percent of all  
2517 courses and course sections offered at the institution during  
2518 the upcoming term. The lists must include the International  
2519 Standard Book Number (ISBN) for each required and recommended  
2520 textbook and instructional material or other identifying  
2521 information, which must include, at a minimum, all of the  
2522 following: the title, all authors listed, publishers, edition  
2523 number, copyright date, published date, and other relevant

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2524 information necessary to identify the specific textbooks or  
2525 instructional materials required and recommended for each  
2526 course. The State Board of Community Colleges ~~Education~~ and the  
2527 Board of Governors shall include in the policies, procedures,  
2528 and guidelines adopted under subsection (7) certain limited  
2529 exceptions to this notification requirement for classes added  
2530 after the notification deadline.

2531 (7) After receiving input from students, faculty,  
2532 bookstores, and publishers, the State Board of Community  
2533 Colleges ~~Education~~ and the Board of Governors each shall adopt  
2534 textbook and instructional materials affordability policies,  
2535 procedures, and guidelines for implementation by Florida  
2536 Community College System institutions and state universities,  
2537 respectively, that further efforts to minimize the cost of  
2538 textbooks and instructional materials for students attending  
2539 such institutions while maintaining the quality of education and  
2540 academic freedom. The policies, procedures, and guidelines shall  
2541 address:

2542 (a) The establishment of deadlines for an instructor or  
2543 department to notify the bookstore of required and recommended  
2544 textbooks and instructional materials so that the bookstore may  
2545 verify availability, source lower cost options when practicable,  
2546 explore alternatives with faculty when academically appropriate,  
2547 and maximize the availability of used textbooks and  
2548 instructional materials.

2549 (b) Confirmation by the course instructor or academic  
2550 department offering the course, before the textbook or  
2551 instructional materials adoption is finalized, of the intent to  
2552 use all items ordered, particularly each individual item sold as



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2553 part of a bundled package.

2554 (c) Determination by a course instructor or the academic  
2555 department offering the course, before a textbook or  
2556 instructional material is adopted, of the extent to which a new  
2557 edition differs significantly and substantively from earlier  
2558 versions and the value to the student of changing to a new  
2559 edition or the extent to which an open-access textbook or  
2560 instructional material is available.

2561 (d) The availability of required and recommended textbooks  
2562 and instructional materials to students otherwise unable to  
2563 afford the cost, including consideration of the extent to which  
2564 an open-access textbook or instructional material may be used.

2565 (e) Participation by course instructors and academic  
2566 departments in the development, adaptation, and review of open-  
2567 access textbooks and instructional materials and, in particular,  
2568 open-access textbooks and instructional materials for high-  
2569 demand general education courses.

2570 (f) Consultation with school districts to identify  
2571 practices that impact the cost of dual enrollment textbooks and  
2572 instructional materials to school districts, including, but not  
2573 limited to, the length of time that textbooks and instructional  
2574 materials remain in use.

2575 (g) Selection of textbooks and instructional materials  
2576 through cost-benefit analyses that enable students to obtain the  
2577 highest-quality product at the lowest available price, by  
2578 considering:

- 2579 1. Purchasing digital textbooks in bulk.
- 2580 2. Expanding the use of open-access textbooks and  
2581 instructional materials.

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2582 3. Providing rental options for textbooks and instructional  
2583 materials.

2584 4. Increasing the availability and use of affordable  
2585 digital textbooks and learning objects.

2586 5. Developing mechanisms to assist in buying, renting,  
2587 selling, and sharing textbooks and instructional materials.

2588 6. The length of time that textbooks and instructional  
2589 materials remain in use.

2590 7. An evaluation of cost savings for textbooks and  
2591 instructional materials which a student may realize if  
2592 individual students are able to exercise opt-in provisions for  
2593 the purchase of the materials.

2594 (8) The board of trustees of each Florida Community College  
2595 System institution and state university shall report, by  
2596 September 30 of each year, beginning in 2016, to the Chancellor  
2597 of the Florida Community College System or the Chancellor of the  
2598 State University System, as applicable, the textbook and  
2599 instructional materials selection process for general education  
2600 courses with a wide cost variance identified pursuant to  
2601 subsection (4) and high-enrollment courses; specific initiatives  
2602 of the institution designed to reduce the costs of textbooks and  
2603 instructional materials; policies implemented in accordance with  
2604 subsection (6); the number of courses and course sections that  
2605 were not able to meet the textbook and instructional materials  
2606 posting deadline for the previous academic year; and any  
2607 additional information determined by the chancellors. By  
2608 November 1 of each year, ~~beginning in 2016,~~ each chancellor  
2609 shall provide a summary of the information provided by  
2610 institutions to the State Board of Community Colleges ~~Education~~

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2611 and the Board of Governors, as applicable.

2612 Section 36. Section 1004.096, Florida Statutes, is amended  
2613 to read:

2614 1004.096 College credit for military training and education  
2615 courses.—The Board of Governors shall adopt regulations and the  
2616 State Board of Community Colleges ~~Education~~ shall adopt rules  
2617 that enable eligible servicemembers or veterans of the United  
2618 States Armed Forces to earn academic college credit at public  
2619 postsecondary educational institutions for college-level  
2620 training and education acquired in the military. The regulations  
2621 and rules shall include procedures for credential evaluation and  
2622 the award of academic college credit, including, but not limited  
2623 to, equivalency and alignment of military coursework with  
2624 appropriate college courses, course descriptions, type and  
2625 amount of college credit that may be awarded, and transfer of  
2626 credit.

2627 Section 37. Section 1004.0961, Florida Statutes, is amended  
2628 to read:

2629 1004.0961 Credit for online courses. ~~Beginning in the 2015-~~  
2630 ~~2016 school year,~~ The State Board of Community Colleges  
2631 ~~Education~~ shall adopt rules and the Board of Governors shall  
2632 adopt regulations that enable students to earn academic credit  
2633 for online courses, including massive open online courses,  
2634 before initial enrollment at a postsecondary institution. The  
2635 rules of the State Board of Community Colleges ~~Education~~ and  
2636 regulations of the Board of Governors must include procedures  
2637 for credential evaluation and the award of credit, including,  
2638 but not limited to, recommendations for credit by the American  
2639 Council on Education; equivalency and alignment of coursework

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2640 with appropriate courses; course descriptions; type and amount  
2641 of credit that may be awarded; and transfer of credit.

2642 Section 38. Section 1004.35, Florida Statutes, is amended  
2643 to read:

2644 1004.35 Broward County campuses of Florida Atlantic  
2645 University; coordination with other institutions.—The State  
2646 Board of Community Colleges Education, the Board of Governors,  
2647 and Florida Atlantic University shall consult with Broward  
2648 College and Florida International University in coordinating  
2649 course offerings at the postsecondary level in Broward County.  
2650 Florida Atlantic University may contract with the Board of  
2651 Trustees of Broward College and with Florida International  
2652 University to provide instruction in courses offered at the  
2653 Southeast Campus. Florida Atlantic University shall increase  
2654 course offerings at the Southeast Campus as facilities become  
2655 available.

2656 Section 39. Paragraphs (c) and (d) of subsection (5) and  
2657 subsections (8) and (9) of section 1004.6495, Florida Statutes,  
2658 are amended to read:

2659 1004.6495 Florida Postsecondary Comprehensive Transition  
2660 Program and Florida Center for Students with Unique Abilities.—

2661 (5) CENTER RESPONSIBILITIES.—The Florida Center for  
2662 Students with Unique Abilities is established within the  
2663 University of Central Florida. At a minimum, the center shall:

2664 (c) Create the application for the initial approval and  
2665 renewal of approval as an FPCTP for use by an eligible  
2666 institution which, at a minimum, must align with the federal  
2667 comprehensive transition and postsecondary program application  
2668 requirements. Notwithstanding the program approval requirements

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2669 of s. 1004.03, the director shall review applications for the  
2670 initial approval of an application for, or renewal of approval  
2671 of, an FPCTP.

2672 1. Within 30 days after receipt of an application, the  
2673 director shall issue his or her recommendation regarding  
2674 approval to the Chancellor of the State University System, ~~or~~  
2675 the Chancellor of the Florida Community College System, or the  
2676 Commissioner of Education, as applicable, or shall give written  
2677 notice to the applicant of any deficiencies in the application,  
2678 which the eligible institution must be given an opportunity to  
2679 correct. Within 15 days after receipt of a notice of  
2680 deficiencies, an eligible institution that chooses to continue  
2681 to seek program approval shall correct the application  
2682 deficiencies and return the application to the center. Within 30  
2683 days after receipt of a revised application, the director shall  
2684 recommend approval or disapproval of the revised application to  
2685 the applicable chancellor ~~or the commissioner, as applicable.~~  
2686 Within 15 days after receipt of the director's recommendation,  
2687 the applicable chancellor ~~or the commissioner~~ shall approve or  
2688 disapprove the recommendation. If the applicable chancellor ~~or~~  
2689 ~~the commissioner~~ does not act on the director's recommendation  
2690 within 15 days after receipt of such recommendation, the  
2691 comprehensive transition program proposed by the institution  
2692 shall be considered approved.

2693 2. Initial approval of an application for an FPCTP that  
2694 meets the requirements of this section is valid for the 3  
2695 academic years immediately following the academic year during  
2696 which the approval is granted. An eligible institution may  
2697 submit an application to the center requesting that the initial

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2698 approval be renewed. If the approval is granted and the FPCTP  
2699 continues to meet the requirements of this section, including,  
2700 but not limited to, program and student performance outcomes,  
2701 and federal requirements, a renewal is valid for the 5 academic  
2702 years immediately following the academic year during which the  
2703 renewal is granted.

2704 3. An application must, at a minimum:

2705 a. Identify a credential associated with the proposed  
2706 program which will be awarded to eligible students upon  
2707 completion of the FPCTP.

2708 b. Outline the program length and design, including, at a  
2709 minimum, inclusive and successful experiential education  
2710 practices relating to curricular, assessment, and advising  
2711 structure and internship and employment opportunities, which  
2712 must support students with intellectual disabilities who are  
2713 seeking to continue academic, career and technical, and  
2714 independent living instruction at an eligible institution,  
2715 including, but not limited to, opportunities to earn industry  
2716 certifications, to prepare students for gainful employment. If  
2717 an eligible institution offers a credit-bearing degree program,  
2718 the institution is responsible for maintaining the rigor and  
2719 effectiveness of a comprehensive transition degree program at  
2720 the same level as other comparable degree programs offered by  
2721 the institution pursuant to applicable accreditation standards.

2722 c. Outline a plan for students with intellectual  
2723 disabilities to be integrated socially and academically with  
2724 nondisabled students, to the maximum extent possible, and to  
2725 participate on not less than a half-time basis, as determined by  
2726 the eligible institution, with such participation focusing on

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2727 academic components and occurring through one or more of the  
2728 following activities with nondisabled students:

2729 (I) Regular enrollment in credit-bearing courses offered by  
2730 the institution.

2731 (II) Auditing or participating in courses offered by the  
2732 institution for which the student does not receive academic  
2733 credit.

2734 (III) Enrollment in noncredit-bearing, nondegree courses.

2735 (IV) Participation in internships or work-based training.

2736 d. Outline a plan for partnerships with businesses to  
2737 promote experiential training and employment opportunities for  
2738 students with intellectual disabilities.

2739 e. Identify performance indicators pursuant to subsection  
2740 (8) and other requirements identified by the center.

2741 f. Outline a 5-year plan incorporating enrollment and  
2742 operational expectations for the program.

2743 (d) Provide technical assistance regarding programs and  
2744 services for students with intellectual disabilities to  
2745 administrators, instructors, staff, and others, as applicable,  
2746 at eligible institutions by:

2747 1. Holding meetings and annual workshops to share  
2748 successful practices and to address issues or concerns.

2749 2. Facilitating collaboration between eligible institutions  
2750 and school districts, private schools operating pursuant to s.  
2751 1002.42, and parents of students enrolled in home education  
2752 programs operating pursuant to s. 1002.41 in assisting students  
2753 with intellectual disabilities and their parents to plan for the  
2754 transition of such students into an FPCTP or another program at  
2755 an eligible institution.

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2756 3. Assisting eligible institutions with FPCTP and federal  
2757 comprehensive transition and postsecondary program applications.

2758 4. Assisting eligible institutions with the identification  
2759 of funding sources for an FPCTP and for student financial  
2760 assistance for students enrolled in an FPCTP.

2761 5. Monitoring federal and state law relating to the  
2762 comprehensive transition program and notifying the Legislature,  
2763 the Governor, the Board of Governors, the State Board of  
2764 Community Colleges, and the State Board of Education of any  
2765 change in law which may impact the implementation of this  
2766 section.

2767 (8) ACCOUNTABILITY.—

2768 (a) The center, in collaboration with the Board of  
2769 Governors and the State Board of Community Colleges ~~Education~~,  
2770 shall identify indicators for the satisfactory progress of a  
2771 student in an FPCTP and for the performance of such programs.  
2772 Each eligible institution must address the indicators identified  
2773 by the center in its application for the approval of a proposed  
2774 program and for the renewal of an FPCTP and in the annual report  
2775 that the institution submits to the center.

2776 (b) By October 1 of each year, the center shall provide to  
2777 the Governor, the President of the Senate, the Speaker of the  
2778 House of Representatives, the Chancellor of the State University  
2779 System, and the Chancellor of the Florida Community College  
2780 System ~~Commissioner of Education~~ a report summarizing  
2781 information including, but not limited to:

2782 1. The status of the statewide coordination of FPCTPs and  
2783 the implementation of FPCTPs at eligible institutions including,  
2784 but not limited to:



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2785 a. The number of applications approved and disapproved and  
2786 the reasons for each disapproval and no action taken by the  
2787 chancellor or the commissioner.

2788 b. The number and value of all scholarships awarded to  
2789 students and undisbursed advances remitted to the center  
2790 pursuant to subsection (7).

2791 2. Indicators identified by the center pursuant to  
2792 paragraph (a) and the performance of each eligible institution  
2793 based on the indicators identified in paragraph (6)(c).

2794 3. The projected number of students with intellectual  
2795 disabilities who may be eligible to enroll in the FPCTPs within  
2796 the next academic year.

2797 4. Education programs and services for students with  
2798 intellectual disabilities which are available at eligible  
2799 institutions.

2800 (c) Beginning in the 2016-2017 fiscal year, the center, in  
2801 collaboration with the Board of Governors, State Board of  
2802 Community Colleges Education, Higher Education Coordinating  
2803 Council, and other stakeholders, by December 1 of each year,  
2804 shall submit to the Governor, the President of the Senate, and  
2805 the Speaker of the House of Representatives statutory and budget  
2806 recommendations for improving the implementation and delivery of  
2807 FPCTPs and other education programs and services for students  
2808 with disabilities.

2809 (9) RULES.—The Board of Governors and the State Board of  
2810 Community Colleges Education, in consultation with the center,  
2811 shall expeditiously adopt any necessary regulations and rules,  
2812 as applicable, to allow the center to perform its  
2813 responsibilities pursuant to this section beginning in the 2016-

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2814 2017 fiscal year.

2815 Section 40. Section 1004.65, Florida Statutes, is amended  
2816 to read:

2817 1004.65 Florida Community College System institutions;  
2818 governance, mission, and responsibilities.—

2819 (1) Each Florida Community College System institution shall  
2820 be governed by a district board of trustees under statutory  
2821 authority and rules of the State Board of Community Colleges  
2822 ~~Education~~.

2823 (2) Each Florida Community College System institution  
2824 district shall:

2825 (a) Consist of the county or counties served by the Florida  
2826 Community College System institution pursuant to s. 1000.21(3).

2827 (b) Be an independent, separate, legal entity created for  
2828 the operation of a Florida Community College System institution.

2829 (3) Florida Community College System institutions are  
2830 locally based and governed entities with statutory and funding  
2831 ties to state government. As such, the mission for Florida  
2832 Community College System institutions reflects a commitment to  
2833 be responsive to local educational needs and challenges. In  
2834 achieving this mission, Florida Community College System  
2835 institutions strive to maintain sufficient local authority and  
2836 flexibility while preserving appropriate legal accountability to  
2837 the state.

2838 (4) As comprehensive institutions, Florida Community  
2839 College System institutions shall provide high-quality,  
2840 affordable education and training opportunities, shall foster a  
2841 climate of excellence, and shall provide opportunities to all  
2842 while combining high standards with an open-door admission

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2843 policy for lower-division programs. Florida Community College  
2844 System institutions shall, as open-access institutions, serve  
2845 all who can benefit, without regard to age, race, gender, creed,  
2846 or ethnic or economic background, while emphasizing the  
2847 achievement of social and educational equity so that all can be  
2848 prepared for full participation in society.

2849 (5) The primary mission and responsibility of Florida  
2850 Community College System institutions is responding to community  
2851 needs for postsecondary academic education and career degree  
2852 education. This mission and responsibility includes being  
2853 responsible for:

2854 (a) Providing lower-level ~~lower-level~~ undergraduate  
2855 instruction and awarding associate degrees.

2856 (b) Preparing students directly for careers requiring less  
2857 than baccalaureate degrees. This may include preparing for job  
2858 entry, supplementing of skills and knowledge, and responding to  
2859 needs in new areas of technology. Career education in a Florida  
2860 Community College System institution consists ~~shall consist~~ of  
2861 career certificates, nationally recognized industry  
2862 certifications, credit courses leading to associate in science  
2863 degrees and associate in applied science degrees, and other  
2864 programs in fields requiring substantial academic work,  
2865 background, or qualifications. A Florida Community College  
2866 System institution may offer career education programs in fields  
2867 having lesser academic or technical requirements.

2868 (c) Providing student development services, including  
2869 assessment, student tracking, support for disabled students,  
2870 advisement, counseling, financial aid, career development, and  
2871 remedial and tutorial services, to ensure student success.

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2872 (d) Promoting economic development for the state within  
2873 each Florida Community College System institution district  
2874 through the provision of special programs, including, but not  
2875 limited to, the:

- 2876 1. Enterprise Florida-related programs.
- 2877 2. Technology transfer centers.
- 2878 3. Economic development centers.
- 2879 4. Workforce literacy programs.

2880 (e) Providing dual enrollment instruction.

2881 ~~(f) Providing upper level instruction and awarding~~  
2882 ~~baccalaureate degrees as specifically authorized by law.~~

2883 (6) A separate and secondary role for Florida Community  
2884 College System institutions includes ~~the offering of programs~~  
2885 ~~in:~~

2886 (a) Programs in community services that are not directly  
2887 related to academic or occupational advancement.

2888 (b) Programs in adult education services, including adult  
2889 basic education, adult general education, adult secondary  
2890 education, and high school equivalency examination instruction.

2891 (c) Programs in recreational and leisure services.

2892 (d) Upper-level instruction and awarding baccalaureate  
2893 degrees as specifically authorized by law.

2894 (7) Funding for Florida Community College System  
2895 institutions must ~~shall~~ reflect their mission as follows:

2896 (a) Postsecondary academic and career education programs  
2897 and adult general education programs must ~~shall~~ have first  
2898 priority in Florida Community College System institution  
2899 funding.

2900 (b) Community service programs shall be presented to the

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2901 Legislature with rationale for state funding. The Legislature  
2902 may identify priority areas for use of these funds.

2903 (c) The resources of a Florida Community College System  
2904 institution, including staff, faculty, land, and facilities, may  
2905 ~~shall~~ not be used to support the establishment of a new  
2906 independent nonpublic educational institution. If any  
2907 institution uses resources for such purpose, the State Board of  
2908 Community ~~Division of Florida~~ Colleges shall notify the  
2909 President of the Senate and the Speaker of the House of  
2910 Representatives.

2911 (8) Florida Community College System institutions are  
2912 authorized to:

2913 (a) Offer such programs and courses as are necessary to  
2914 fulfill their mission.

2915 (b) Grant associate in arts degrees, associate in science  
2916 degrees, associate in applied science degrees, certificates,  
2917 awards, and diplomas.

2918 (c) Make provisions for the high school equivalency  
2919 examination.

2920 (d) Provide access to and award baccalaureate degrees in  
2921 accordance with law.

2922

2923 Authority to offer one or more baccalaureate degree programs  
2924 does not alter the governance relationship of the Florida  
2925 Community College System institution with its district board of  
2926 trustees or the State Board of Community Colleges ~~Education~~.

2927 Section 41. Section 1004.67, Florida Statutes, is amended  
2928 to read:

2929 1004.67 Florida Community College System institutions;

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2930 legislative intent.—It is The legislative intent that Florida  
2931 Community College System institutions, constituted as political  
2932 subdivisions of the state, continue to be operated by Florida  
2933 Community College System institution boards of trustees as  
2934 provided in s. 1001.63 and that no department, bureau, division,  
2935 agency, or subdivision of the state exercise any responsibility  
2936 and authority to operate any Florida Community College System  
2937 institution of the state except as specifically provided by law  
2938 or rules of the State Board of Community Colleges Education.

2939 Section 42. Section 1004.70, Florida Statutes, is amended  
2940 to read:

2941 1004.70 Florida Community College System institution  
2942 direct-support organizations.—

2943 (1) DEFINITIONS.—For the purposes of this section:

2944 (a) "Florida Community College System institution direct-  
2945 support organization" means an organization that is:

2946 1. A Florida corporation not for profit, incorporated under  
2947 the provisions of chapter 617 and approved by the Department of  
2948 State.

2949 2. Organized and operated exclusively to receive, hold,  
2950 invest, and administer property and to make expenditures to, or  
2951 for the benefit of, a Florida Community College System  
2952 institution in this state.

2953 3. An organization that the Florida Community College  
2954 System institution board of trustees, after review, has  
2955 certified to be operating in a manner consistent with the goals  
2956 of the Florida Community College System institution and in the  
2957 best interest of the state. Any organization that is denied  
2958 certification by the board of trustees may not use the name of

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2959 the Florida Community College System institution that it serves.

2960 (b) "Personal services" includes full-time or part-time  
2961 personnel as well as payroll processing.

2962 (2) BOARD OF DIRECTORS.—The chair of the board of trustees  
2963 shall appoint a representative to the board of directors and the  
2964 executive committee of each direct-support organization  
2965 established under this section, including those established  
2966 before July 1, 1998. The president of the Florida Community  
2967 College System institution for which the direct-support  
2968 organization is established, or the president's designee, shall  
2969 also serve on the board of directors and the executive committee  
2970 of the direct-support organization, including any direct-support  
2971 organization established before July 1, 1998.

2972 (3) USE OF PROPERTY.—

2973 (a) The board of trustees is authorized to permit the use  
2974 of property, facilities, and personal services at any Florida  
2975 Community College System institution by any Florida Community  
2976 College System institution direct-support organization, subject  
2977 to the provisions of this section.

2978 (b) The board of trustees is authorized to prescribe by  
2979 rule any condition with which a Florida Community College System  
2980 institution direct-support organization must comply in order to  
2981 use property, facilities, or personal services at any Florida  
2982 Community College System institution.

2983 (c) The board of trustees may not permit the use of  
2984 property, facilities, or personal services at any Florida  
2985 Community College System institution by any Florida Community  
2986 College System institution direct-support organization that does  
2987 not provide equal employment opportunities to all persons

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2988 regardless of race, color, national origin, gender, age, or  
2989 religion.

2990 (4) ACTIVITIES; RESTRICTIONS.—

2991 (a) A direct-support organization may, at the request of  
2992 the board of trustees, provide residency opportunities on or  
2993 near campus for students.

2994 (b) A direct-support organization that constructs  
2995 facilities for use by a Florida Community College System  
2996 institution or its students must comply with all requirements of  
2997 law relating to the construction of facilities by a Florida  
2998 Community College System institution, including requirements for  
2999 competitive bidding.

3000 (c) Any transaction or agreement between one direct-support  
3001 organization and another direct-support organization must be  
3002 approved by the board of trustees.

3003 (d) A Florida Community College System institution direct-  
3004 support organization is prohibited from giving, either directly  
3005 or indirectly, any gift to a political committee as defined in  
3006 s. 106.011 for any purpose other than those certified by a  
3007 majority roll call vote of the governing board of the direct-  
3008 support organization at a regularly scheduled meeting as being  
3009 directly related to the educational mission of the Florida  
3010 Community College System institution.

3011 (e) A Florida Community College System institution board of  
3012 trustees must authorize all debt, including lease-purchase  
3013 agreements, incurred by a direct-support organization.  
3014 Authorization for approval of short-term loans and lease-  
3015 purchase agreements for a term of not more than 5 years,  
3016 including renewals, extensions, and refundings, for goods,



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3017 materials, equipment, and services may be delegated by the board  
3018 of trustees to the board of directors of the direct-support  
3019 organization. Trustees shall evaluate proposals for debt  
3020 according to guidelines issued by the State Board of Community  
3021 ~~Division of Florida~~ Colleges. Revenues of the Florida Community  
3022 College System institution may not be pledged to debt issued by  
3023 direct-support organizations.

3024 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support  
3025 organization shall submit to the board of trustees its federal  
3026 Internal Revenue Service Application for Recognition of  
3027 Exemption form (Form 1023) and its federal Internal Revenue  
3028 Service Return of Organization Exempt from Income Tax form (Form  
3029 990).

3030 (6) ANNUAL AUDIT.—Each direct-support organization shall  
3031 provide for an annual financial audit in accordance with rules  
3032 adopted by the Auditor General pursuant to s. 11.45(8). The  
3033 annual audit report must be submitted, within 9 months after the  
3034 end of the fiscal year, to the Auditor General, the State Board  
3035 of Community Colleges Education, and the board of trustees for  
3036 review. The board of trustees, the Auditor General, and the  
3037 Office of Program Policy Analysis and Government Accountability  
3038 may require and receive from the organization or from its  
3039 independent auditor any detail or supplemental data relative to  
3040 the operation of the organization. The identity of donors who  
3041 desire to remain anonymous shall be protected, and that  
3042 anonymity shall be maintained in the auditor's report. All  
3043 records of the organization, other than the auditor's report,  
3044 any information necessary for the auditor's report, any  
3045 information related to the expenditure of funds, and any

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3046 supplemental data requested by the board of trustees, the  
3047 Auditor General, and the Office of Program Policy Analysis and  
3048 Government Accountability, shall be confidential and exempt from  
3049 the provisions of s. 119.07(1).

3050 Section 43. Section 1004.71, Florida Statutes, is amended  
3051 to read:

3052 1004.71 Statewide Florida Community College System  
3053 institution direct-support organizations.—

3054 (1) DEFINITIONS.—For the purposes of this section:

3055 (a) "Statewide Florida Community College System institution  
3056 direct-support organization" means an organization that is:

3057 1. A Florida corporation not for profit, incorporated under  
3058 the provisions of chapter 617 and approved by the Department of  
3059 State.

3060 2. Organized and operated exclusively to receive, hold,  
3061 invest, and administer property and to make expenditures to, or  
3062 for the benefit of, the Florida Community College System  
3063 institutions in this state.

3064 3. An organization that the State Board of Community  
3065 Colleges ~~Education~~, after review, has certified to be operating  
3066 in a manner consistent with the goals of the Florida Community  
3067 College System institutions and in the best interest of the  
3068 state.

3069 (b) "Personal services" includes full-time or part-time  
3070 personnel as well as payroll processing.

3071 (2) BOARD OF DIRECTORS.—The chair of the State Board of  
3072 Community Colleges ~~Education~~ may appoint a representative to the  
3073 board of directors and the executive committee of any statewide,  
3074 direct-support organization established under this section or s.

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3075 1004.70. The chair of the State Board of Community Colleges  
3076 ~~Education~~, or the chair's designee, shall also serve on the  
3077 board of directors and the executive committee of any direct-  
3078 support organization established to benefit Florida Community  
3079 College System institutions.

3080 (3) USE OF PROPERTY.—

3081 (a) The State Board of Education may permit the use of  
3082 property, facilities, and personal services of the Department of  
3083 Education by any statewide Florida Community College System  
3084 institution direct-support organization, subject to the  
3085 provisions of this section.

3086 (b) The State Board of Education may prescribe by rule any  
3087 condition with which a statewide Florida Community College  
3088 System institution direct-support organization must comply in  
3089 order to use property, facilities, or personal services of the  
3090 Department of Education.

3091 (c) The State Board of Education may not permit the use of  
3092 property, facilities, or personal services of the Department of  
3093 Education by any statewide Florida Community College System  
3094 institution direct-support organization that does not provide  
3095 equal employment opportunities to all persons regardless of  
3096 race, color, national origin, gender, age, or religion.

3097 (4) RESTRICTIONS.—

3098 (a) A statewide, direct-support organization may not use  
3099 public funds to acquire, construct, maintain, or operate any  
3100 facilities.

3101 (b) Any transaction or agreement between a statewide,  
3102 direct-support organization and any other direct-support  
3103 organization must be approved by the State Board of Community

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3104 Colleges ~~Education~~.

3105 (c) A statewide Florida Community College System  
3106 institution direct-support organization is prohibited from  
3107 giving, either directly or indirectly, any gift to a political  
3108 committee as defined in s. 106.011 for any purpose other than  
3109 those certified by a majority roll call vote of the governing  
3110 board of the direct-support organization at a regularly  
3111 scheduled meeting as being directly related to the educational  
3112 mission of the State Board of Community Colleges ~~Education~~.

3113 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support  
3114 organization shall submit to the State Board of Community  
3115 Colleges ~~Education~~ its federal Internal Revenue Service  
3116 Application for Recognition of Exemption form (Form 1023) and  
3117 its federal Internal Revenue Service Return of Organization  
3118 Exempt from Income Tax form (Form 990).

3119 (6) ANNUAL AUDIT.—A statewide Florida Community College  
3120 System institution direct-support organization shall provide for  
3121 an annual financial audit in accordance with s. 1004.70. The  
3122 identity of a donor or prospective donor who desires to remain  
3123 anonymous and all information identifying such donor or  
3124 prospective donor are confidential and exempt from the  
3125 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
3126 Constitution. Such anonymity shall be maintained in the  
3127 auditor's report.

3128 Section 44. Subsection (4) of section 1004.74, Florida  
3129 Statutes, is amended to read:

3130 1004.74 Florida School of the Arts.—

3131 (4) The Council for the Florida School of the Arts shall be  
3132 established to advise the Florida Community College System

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3133 institution district board of trustees on matters pertaining to  
3134 the operation of the school. The council shall consist of nine  
3135 members, appointed jointly by the Chancellor of the Florida  
3136 Community College System and the Commissioner of Education for  
3137 4-year terms. A member may serve three terms and may serve until  
3138 replaced.

3139 Section 45. Section 1004.78, Florida Statutes, is amended  
3140 to read:

3141 1004.78 Technology transfer centers at Florida Community  
3142 College System institutions.—

3143 (1) Each Florida Community College System institution may  
3144 establish a technology transfer center for the purpose of  
3145 providing institutional support to local business and industry  
3146 and governmental agencies in the application of new research in  
3147 technology. The primary responsibilities of such centers may  
3148 include: identifying technology research developed by  
3149 universities, research institutions, businesses, industries, the  
3150 United States Armed Forces, and other state or federal  
3151 governmental agencies; determining and demonstrating the  
3152 application of technologies; training workers to integrate  
3153 advanced equipment and production processes; and determining for  
3154 business and industry the feasibility and efficiency of  
3155 accommodating advanced technologies.

3156 (2) The Florida Community College System institution board  
3157 of trustees shall set such policies to regulate the activities  
3158 of the technology transfer center as it may consider necessary  
3159 to effectuate the purposes of this section and to administer the  
3160 programs of the center in a manner which assures efficiency and  
3161 effectiveness, producing the maximum benefit for the educational

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3162 programs and maximum service to the state. To this end,  
3163 materials that relate to methods of manufacture or production,  
3164 potential trade secrets, potentially patentable material, actual  
3165 trade secrets, business transactions, or proprietary information  
3166 received, generated, ascertained, or discovered during the  
3167 course of activities conducted within the Florida Community  
3168 College System institutions shall be confidential and exempt  
3169 from the provisions of s. 119.07(1), except that a Florida  
3170 Community College System institution shall make available upon  
3171 request the title and description of a project, the name of the  
3172 investigator, and the amount and source of funding provided for  
3173 such project.

3174 (3) A technology transfer center created under the  
3175 provisions of this section shall be under the supervision of the  
3176 board of trustees of that Florida Community College System  
3177 institution, which is authorized to appoint a director; to  
3178 employ full-time and part-time staff, research personnel, and  
3179 professional services; to employ on a part-time basis personnel  
3180 of the Florida Community College System institution; and to  
3181 employ temporary employees whose salaries are paid entirely from  
3182 the permanent technology transfer fund or from that fund in  
3183 combination with other nonstate sources, with such positions  
3184 being exempt from the requirements of the Florida Statutes  
3185 relating to salaries, except that no such appointment shall be  
3186 made for a total period of longer than 1 year.

3187 (4) The board of trustees of the Florida Community College  
3188 System institution in which a technology transfer center is  
3189 created, or its designee, may negotiate, enter into, and execute  
3190 contracts; solicit and accept grants and donations; and fix and

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3191 collect fees, other payments, and donations that may accrue by  
3192 reason thereof for technology transfer activities. The board of  
3193 trustees or its designee may negotiate, enter into, and execute  
3194 contracts on a cost-reimbursement basis and may provide  
3195 temporary financing of such costs prior to reimbursement from  
3196 moneys on deposit in the technology transfer fund, except as may  
3197 be prohibited elsewhere by law.

3198 (5) A technology transfer center shall be financed from the  
3199 Academic Improvement Program or from moneys of a Florida  
3200 Community College System institution which are on deposit or  
3201 received for use in the activities conducted in the center. Such  
3202 moneys shall be deposited by the Florida Community College  
3203 System institution in a permanent technology transfer fund in a  
3204 depository or depositories approved for the deposit of state  
3205 funds and shall be accounted for and disbursed subject to audit  
3206 by the Auditor General.

3207 (6) The fund balance in any existing research trust fund of  
3208 a Florida Community College System institution at the time a  
3209 technology transfer center is created shall be transferred to a  
3210 permanent technology transfer fund established for the Florida  
3211 Community College System institution, and thereafter the fund  
3212 balance of the technology transfer fund at the end of any fiscal  
3213 period may be used during any succeeding period pursuant to this  
3214 section.

3215 (7) Moneys deposited in the permanent technology transfer  
3216 fund of a Florida Community College System institution shall be  
3217 disbursed in accordance with the terms of the contract, grant,  
3218 or donation under which they are received. Moneys received for  
3219 overhead or indirect costs and other moneys not required for the

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3220 payment of direct costs shall be applied to the cost of  
3221 operating the technology transfer center.

3222 (8) All purchases of a technology transfer center shall be  
3223 made in accordance with the policies and procedures of the  
3224 Florida Community College System institution.

3225 (9) The Florida Community College System institution board  
3226 of trustees may authorize the construction, alteration, or  
3227 remodeling of buildings when the funds used are derived entirely  
3228 from the technology transfer fund of a Florida Community College  
3229 System institution or from that fund in combination with other  
3230 nonstate sources, provided that such construction, alteration,  
3231 or remodeling is for use exclusively by the center. It also may  
3232 authorize the acquisition of real property when the cost is  
3233 entirely from said funds. Title to all real property shall vest  
3234 in the board of trustees.

3235 (10) The State Board of Community Colleges ~~Education~~ may  
3236 award grants to Florida Community College System institutions,  
3237 or consortia of public and private colleges and universities and  
3238 other public and private entities, for the purpose of supporting  
3239 the objectives of this section. Grants awarded pursuant to this  
3240 subsection shall be in accordance with rules of the State Board  
3241 of Community Colleges ~~Education~~. Such rules shall include the  
3242 following provisions:

3243 (a) The number of centers established with state funds  
3244 provided expressly for the purpose of technology transfer shall  
3245 be limited, but shall be geographically located to maximize  
3246 public access to center resources and services.

3247 (b) Grants to centers funded with state revenues  
3248 appropriated specifically for technology transfer activities



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3249 shall be reviewed and approved by the State Board of Community  
3250 Colleges Education using proposal solicitation, evaluation, and  
3251 selection procedures established by the state board in  
3252 consultation with Enterprise Florida, Inc. Such procedures may  
3253 include designation of specific areas or applications of  
3254 technology as priorities for the receipt of funding.

3255 (c) Priority for the receipt of state funds appropriated  
3256 specifically for the purpose of technology transfer shall be  
3257 given to grant proposals developed jointly by Florida Community  
3258 College System institutions and public and private colleges and  
3259 universities.

3260 (11) Each technology transfer center established under the  
3261 provisions of this section shall establish a technology transfer  
3262 center advisory committee. Each committee shall include  
3263 representatives of a university or universities conducting  
3264 research in the area of specialty of the center. Other members  
3265 shall be determined by the Florida Community College System  
3266 institution board of trustees.

3267 Section 46. Subsection (4) of section 1004.80, Florida  
3268 Statutes, is amended to read:

3269 1004.80 Economic development centers.—

3270 (4) The State Board of Community Colleges Education may  
3271 award grants to economic development centers for the purposes of  
3272 this section. Grants awarded pursuant to this subsection shall  
3273 be in accordance with rules established by the State Board of  
3274 Community Colleges Education.

3275 Section 47. Section 1004.91, Florida Statutes, is amended  
3276 to read:

3277 1004.91 Requirements for career education program basic

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3278 skills.-

3279 (1) The State Board of Education, for career centers  
3280 operated by district school boards, and the State Board of  
3281 Community Colleges, for charter technical career centers  
3282 operated by Florida Community College System institutions, shall  
3283 collaborate to adopt, by rule, standards of basic skill mastery  
3284 for completion of certificate career education programs. Each  
3285 school district and Florida Community College System institution  
3286 that conducts programs that confer career and technical  
3287 certificates shall provide applied academics instruction through  
3288 which students receive the basic skills instruction required  
3289 pursuant to this section.

3290 (2) Students who enroll in a program offered for career  
3291 credit of 450 hours or more shall complete an entry-level  
3292 examination within the first 6 weeks after admission into the  
3293 program. The State Board of Education and the State Board of  
3294 Community Colleges shall collaborate to designate examinations  
3295 that are currently in existence, the results of which are  
3296 comparable across institutions, to assess student mastery of  
3297 basic skills. Any student found to lack the required level of  
3298 basic skills for such program shall be referred to applied  
3299 academics instruction or another adult general education program  
3300 for a structured program of basic skills instruction. Such  
3301 instruction may include English for speakers of other languages.  
3302 A student may not receive a career or technical certificate of  
3303 completion without first demonstrating the basic skills required  
3304 in the state curriculum frameworks for the career education  
3305 program.

3306 (3) (a) An adult student with a disability may be exempted

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3307 from this section.

3308 (b) The following students are exempt from this section:

3309 1. A student who possesses a college degree at the  
3310 associate in applied science level or higher.

3311 2. A student who demonstrates readiness for public  
3312 postsecondary education pursuant to s. 1008.30 and applicable  
3313 rules adopted by the State Board of Education and State Board of  
3314 Community Colleges.

3315 3. A student who passes a state or national industry  
3316 certification or licensure examination that is identified in  
3317 State Board of Education or State Board of Community Colleges  
3318 rules and aligned to the career education program in which the  
3319 student is enrolled.

3320 4. An adult student who is enrolled in an apprenticeship  
3321 program that is registered with the Department of Education in  
3322 accordance with chapter 446.

3323 Section 48. Paragraph (b) of subsection (2) of section  
3324 1004.92, Florida Statutes, is amended, and subsection (4) is  
3325 added to that section, to read:

3326 1004.92 Purpose and responsibilities for career education.-

3327 (2)

3328 (b) Department of Education, for school districts, and the  
3329 State Board of Community Colleges, for Florida Community College  
3330 System institutions, have the following responsibilities related  
3331 to accountability for career education ~~includes, but is not~~  
3332 ~~limited to:~~

3333 1. The provision of timely, accurate technical assistance  
3334 to school districts and Florida Community College System  
3335 institutions.

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3336 2. The provision of timely, accurate information to the  
3337 State Board of Education, the Legislature, and the public.

3338 3. The development of policies, rules, and procedures that  
3339 facilitate institutional attainment of the accountability  
3340 standards and coordinate the efforts of all divisions within the  
3341 department.

3342 4. The development of program standards and industry-driven  
3343 benchmarks for career, adult, and community education programs,  
3344 which must be updated every 3 years. The standards must include  
3345 career, academic, and workplace skills; viability of distance  
3346 learning for instruction; ~~and~~ work/learn cycles that are  
3347 responsive to business and industry; and provisions that reflect  
3348 the quality components of career and technical education  
3349 programs. The Department of Education and the State Board of  
3350 Community Colleges shall collaborate to develop a common set of  
3351 standards and benchmarks as specified under this subparagraph  
3352 for the programs that are offered by both the school districts  
3353 and Florida Community College System institutions.

3354 5. Overseeing school district and Florida Community College  
3355 System institution compliance with ~~the provisions of~~ this  
3356 chapter.

3357 6. Ensuring that the educational outcomes for the technical  
3358 component of career programs are uniform and designed to provide  
3359 a graduate who is capable of entering the workforce on an  
3360 equally competitive basis regardless of the institution of  
3361 choice.

3362 (4) The State Board of Education, for career education  
3363 provided by school districts, and the State Board of Community  
3364 Colleges, for career education provided by Florida Community

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3365 College System institutions, shall collaborate to adopt rules to  
3366 administer this section.

3367 Section 49. Subsection (1) of section 1004.925, Florida  
3368 Statutes, is amended to read:

3369 1004.925 Automotive service technology education programs;  
3370 certification.—

3371 (1) All automotive service technology education programs  
3372 shall be industry certified in accordance with rules adopted by  
3373 the State Board of Education and the State Board of Community  
3374 Colleges.

3375 Section 50. Paragraphs (c) and (d) of subsection (4) and  
3376 subsections (6) and (9) of section 1004.93, Florida Statutes,  
3377 are amended to read:

3378 1004.93 Adult general education.—

3379 (4)

3380 (c) The State Board of Community Colleges ~~Education~~ shall  
3381 define, by rule, the levels and courses of instruction to be  
3382 funded through the developmental education program. The State  
3383 Board of Community Colleges shall coordinate the establishment  
3384 of costs for developmental education courses, the establishment  
3385 of statewide standards that define required levels of  
3386 competence, acceptable rates of student progress, and the  
3387 maximum amount of time to be allowed for completion of  
3388 developmental education. Developmental education is part of an  
3389 associate in arts degree program and may not be funded as an  
3390 adult career education program.

3391 (d) Expenditures for developmental education and lifelong  
3392 learning students shall be reported separately. Allocations for  
3393 developmental education shall be based on proportional full-time

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3394 equivalent enrollment. Program review results shall be included  
3395 in the determination of subsequent allocations. A student shall  
3396 be funded to enroll in the same developmental education class  
3397 within a skill area only twice, after which time the student  
3398 shall pay 100 percent of the full cost of instruction to support  
3399 the continuous enrollment of that student in the same class;  
3400 however, students who withdraw or fail a class due to  
3401 extenuating circumstances may be granted an exception only once  
3402 for each class, provided approval is granted according to policy  
3403 established by the board of trustees. Each Florida Community  
3404 College System institution shall have the authority to review  
3405 and reduce payment for increased fees due to continued  
3406 enrollment in a developmental education class on an individual  
3407 basis contingent upon the student's financial hardship, pursuant  
3408 to definitions and fee levels established by the State Board of  
3409 Community Colleges Education. Developmental education and  
3410 lifelong learning courses do not generate credit toward an  
3411 associate or baccalaureate degree.

3412 (6) The commissioner, for school districts, and the  
3413 Chancellor of the Florida Community College System, for Florida  
3414 Community College System institutions, shall recommend the level  
3415 of funding for public school and Florida Community College  
3416 System institution adult education within the legislative budget  
3417 request and make other recommendations and reports considered  
3418 necessary or required by rules of the State Board of Education.

3419 (9) The State Board of Education and the State Board of  
3420 Community Colleges may adopt rules necessary for the  
3421 implementation of this section.

3422 Section 51. Subsection (3) of section 1006.60, Florida

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3423 Statutes, is amended to read:

3424 1006.60 Codes of conduct; disciplinary measures; authority  
3425 to adopt rules or regulations.—

3426 (3) Sanctions authorized by such codes of conduct may be  
3427 imposed only for acts or omissions in violation of rules or  
3428 regulations adopted by the institution, including rules or  
3429 regulations adopted under this section, rules of the State Board  
3430 of Community Colleges regarding the Florida Community College  
3431 System Education, rules or regulations of the Board of Governors  
3432 regarding the State University System, county and municipal  
3433 ordinances, and the laws of this state, the United States, or  
3434 any other state.

3435 Section 52. Subsection (1) of section 1006.61, Florida  
3436 Statutes, is amended to read:

3437 1006.61 Participation by students in disruptive activities  
3438 at public postsecondary educational institution; penalties.—

3439 (1) Any person who accepts the privilege extended by the  
3440 laws of this state of attendance at any public postsecondary  
3441 educational institution shall, by attending such institution, be  
3442 deemed to have given his or her consent to the policies of that  
3443 institution, the State Board of Community Colleges regarding the  
3444 Florida Community College System Education, and the Board of  
3445 Governors regarding the State University System, and the laws of  
3446 this state. Such policies shall include prohibition against  
3447 disruptive activities at public postsecondary educational  
3448 institutions.

3449 Section 53. Section 1006.62, Florida Statutes, is amended  
3450 to read:

3451 1006.62 Expulsion and discipline of students of Florida

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3452 Community College System institutions and state universities.-

3453 (1) Each student in a Florida Community College System  
3454 institution or state university is subject to federal and state  
3455 law, respective county and municipal ordinances, and all rules  
3456 and regulations of the State Board of Community Colleges  
3457 regarding the Florida Community College System Education, the  
3458 Board of Governors regarding the State University System, or the  
3459 board of trustees of the institution.

3460 (2) Violation of these published laws, ordinances, or rules  
3461 and regulations may subject the violator to appropriate action  
3462 by the institution's authorities.

3463 (3) Each president of a Florida Community College System  
3464 institution or state university may, after notice to the student  
3465 of the charges and after a hearing thereon, expel, suspend, or  
3466 otherwise discipline any student who is found to have violated  
3467 any law, ordinance, or rule or regulation of the State Board of  
3468 Community Colleges regarding the Florida Community College  
3469 System Education, the Board of Governors regarding the State  
3470 University System, or the board of trustees of the institution.  
3471 A student may be entitled to waiver of expulsion:

3472 (a) If the student provides substantial assistance in the  
3473 identification, arrest, or conviction of any of his or her  
3474 accomplices, accessories, coconspirators, or principals or of  
3475 any other person engaged in violations of chapter 893 within a  
3476 state university or Florida Community College System  
3477 institution;

3478 (b) If the student voluntarily discloses his or her  
3479 violations of chapter 893 prior to his or her arrest; or

3480 (c) If the student commits himself or herself, or is



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3481 referred by the court in lieu of sentence, to a state-licensed  
3482 drug abuse program and successfully completes the program.

3483 Section 54. Paragraphs (c) and (g) of subsection (1),  
3484 paragraph (b) of subsection (2), and subsection (3) of section  
3485 1006.71, Florida Statutes, are amended to read:

3486 1006.71 Gender equity in intercollegiate athletics.—

3487 (1) GENDER EQUITY PLAN.—

3488 (c) The Chancellor of the Florida Community College System  
3489 ~~Commissioner of Education~~ shall annually assess the progress of  
3490 each Florida Community College System institution's plan and  
3491 advise the State Board of Community Colleges Education and the  
3492 Legislature regarding compliance.

3493 (g)1. If a Florida Community College System institution is  
3494 not in compliance with Title IX of the Education Amendments of  
3495 1972 and the Florida Educational Equity Act, the State Board of  
3496 Community Colleges Education shall:

3497 a. Declare the Florida Community College System institution  
3498 ineligible for competitive state grants.

3499 b. Withhold funds sufficient to obtain compliance.

3500

3501 The Florida Community College System institution shall remain  
3502 ineligible and the funds may shall not be paid until the Florida  
3503 Community College System institution comes into compliance or  
3504 the Chancellor of the Florida Community College System  
3505 ~~Commissioner of Education~~ approves a plan for compliance.

3506 2. If a state university is not in compliance with Title IX  
3507 of the Education Amendments of 1972 and the Florida Educational  
3508 Equity Act, the Board of Governors shall:

3509 a. Declare the state university ineligible for competitive

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3510 state grants.

3511 b. Withhold funds sufficient to obtain compliance.

3512  
3513 The state university shall remain ineligible and the funds may  
3514 ~~shall~~ not be paid until the state university comes into  
3515 compliance or the Board of Governors approves a plan for  
3516 compliance.

3517 (2) FUNDING.—

3518 (b) The level of funding and percentage share of support  
3519 for women's intercollegiate athletics for Florida Community  
3520 College System institutions shall be determined by the State  
3521 Board of Community Colleges ~~Education~~. The level of funding and  
3522 percentage share of support for women's intercollegiate  
3523 athletics for state universities shall be determined by the  
3524 Board of Governors. The level of funding and percentage share  
3525 attained in the 1980-1981 fiscal year shall be the minimum level  
3526 and percentage maintained by each institution, except as the  
3527 State Board of Community Colleges ~~Education~~ or the Board of  
3528 Governors otherwise directs its respective institutions for the  
3529 purpose of assuring equity. Consideration shall be given by the  
3530 State Board of Community Colleges ~~Education~~ or the Board of  
3531 Governors to emerging athletic programs at institutions which  
3532 may not have the resources to secure external funds to provide  
3533 athletic opportunities for women. It is the intent that the  
3534 effect of any redistribution of funds among institutions may  
3535 ~~shall~~ not negate the requirements as set forth in this section.

3536 (3) STATE BOARD OF COMMUNITY COLLEGES ~~EDUCATION~~.—The State  
3537 Board of Community Colleges ~~Education~~ shall assure equal  
3538 opportunity for female athletes at Florida Community College

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3539 System institutions and establish:

3540 (a) In conjunction with the State Board of Education,  
3541 guidelines for reporting of intercollegiate athletics data  
3542 concerning financial, program, and facilities information for  
3543 review by the State Board of Community Colleges ~~Education~~  
3544 annually.

3545 (b) Systematic audits for the evaluation of such data.

3546 (c) Criteria for determining and assuring equity.

3547 Section 55. Section 1007.01, Florida Statutes, is amended  
3548 to read:

3549 1007.01 Articulation; legislative intent; purpose; role of  
3550 the State Board of Education, the State Board of Community  
3551 Colleges, and the Board of Governors; Articulation Coordinating  
3552 Committee.—

3553 (1) It is the intent of the Legislature to facilitate  
3554 articulation and seamless integration of the K-20 education  
3555 system by building, sustaining, and strengthening relationships  
3556 among K-20 public organizations, between public and private  
3557 organizations, and between the education system as a whole and  
3558 Florida's communities. The purpose of building, sustaining, and  
3559 strengthening these relationships is to provide for the  
3560 efficient and effective progression and transfer of students  
3561 within the education system and to allow students to proceed  
3562 toward their educational objectives as rapidly as their  
3563 circumstances permit. The Legislature further intends that  
3564 articulation policies and budget actions be implemented  
3565 consistently in the practices of the Department of Education and  
3566 postsecondary educational institutions and expressed in the  
3567 collaborative policy efforts of the State Board of Education,

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3568 ~~and~~ the Board of Governors, and the State Board of Community  
3569 Colleges.

3570 (2) To preserve Florida's "2+2" system of articulation and  
3571 improve and facilitate articulation systemwide, the State Board  
3572 of Education, ~~and~~ the Board of Governors, and the State Board of  
3573 Community Colleges shall collaboratively establish and adopt  
3574 policies with input from statewide K-20 advisory groups  
3575 established by the Commissioner of Education, the Chancellor of  
3576 the Florida Community College System, and the Chancellor of the  
3577 State University System and shall recommend the policies to the  
3578 Legislature. The policies shall relate to:

3579 (a) The alignment between the exit requirements of one  
3580 education system and the admissions requirements of another  
3581 education system into which students typically transfer.

3582 (b) The identification of common courses, the level of  
3583 courses, institutional participation in a statewide course  
3584 numbering system, and the transferability of credits among such  
3585 institutions.

3586 (c) Identification of courses that meet general education  
3587 or common degree program prerequisite requirements at public  
3588 postsecondary educational institutions.

3589 (d) Dual enrollment course equivalencies.

3590 (e) Articulation agreements.

3591 (3) The Commissioner of Education, in consultation with the  
3592 Chancellor of the Florida Community College System and the  
3593 Chancellor of the State University System, shall establish the  
3594 Articulation Coordinating Committee, which shall make  
3595 recommendations related to statewide articulation policies and  
3596 issues regarding access, quality, and reporting of data

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3597 maintained by the K-20 data warehouse, established pursuant to  
3598 ss. 1001.10 and 1008.31, to the Higher Education Coordination  
3599 Council, the State Board of Education, ~~and~~ the Board of  
3600 Governors, and the State Board of Community Colleges. The  
3601 committee shall consist of two members each representing the  
3602 State University System, the Florida Community College System,  
3603 public career and technical education, K-12 education, and  
3604 nonpublic postsecondary education and one member representing  
3605 students. The chair shall be elected from the membership. The  
3606 Office of K-20 Articulation shall provide administrative support  
3607 for the committee. The committee shall:

3608 (a) Monitor the alignment between the exit requirements of  
3609 one education system and the admissions requirements of another  
3610 education system into which students typically transfer and make  
3611 recommendations for improvement.

3612 (b) Propose guidelines for interinstitutional agreements  
3613 between and among public schools, career and technical education  
3614 centers, Florida Community College System institutions, state  
3615 universities, and nonpublic postsecondary institutions.

3616 (c) Annually recommend dual enrollment course and high  
3617 school subject area equivalencies for approval by the State  
3618 Board of Education, ~~and~~ the Board of Governors, and the State  
3619 Board of Community Colleges.

3620 (d) Annually review the statewide articulation agreement  
3621 pursuant to s. 1007.23 and make recommendations for revisions.

3622 (e) Annually review the statewide course numbering system,  
3623 the levels of courses, and the application of transfer credit  
3624 requirements among public and nonpublic institutions  
3625 participating in the statewide course numbering system and

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3626 identify instances of student transfer and admissions  
3627 difficulties.

3628 (f) Annually publish a list of courses that meet common  
3629 general education and common degree program prerequisite  
3630 requirements at public postsecondary institutions identified  
3631 pursuant to s. 1007.25.

3632 (g) Foster timely collection and reporting of statewide  
3633 education data to improve the K-20 education performance  
3634 accountability system pursuant to ss. 1001.10 and 1008.31,  
3635 including, but not limited to, data quality, accessibility, and  
3636 protection of student records.

3637 (h) Recommend roles and responsibilities of public  
3638 education entities in interfacing with the single, statewide  
3639 computer-assisted student advising system established pursuant  
3640 to s. 1006.735.

3641 (i) Make recommendations regarding the cost and  
3642 requirements to develop and implement an online system for  
3643 collecting and analyzing data regarding requests for transfer of  
3644 credit by postsecondary education students. The online system,  
3645 at a minimum, must collect information regarding the total  
3646 number of credit transfer requests denied and the reason for  
3647 each denial. Recommendations shall be reported to the President  
3648 of the Senate and the Speaker of the House of Representatives on  
3649 or before January 31, 2015.

3650 Section 56. Subsections (1) and (6) of section 1007.23,  
3651 Florida Statutes, are amended, and subsection (7) is added to  
3652 that section, to read:

3653 1007.23 Statewide articulation agreement.—

3654 (1) The State Board of Education, ~~and~~ and the Board of

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3655 Governors, and the State Board of Community Colleges shall enter  
3656 into a statewide articulation agreement which the State Board of  
3657 Education and the State Board of Community Colleges shall adopt  
3658 by rule. The agreement must preserve Florida's "2+2" system of  
3659 articulation, facilitate the seamless articulation of student  
3660 credit across and among Florida's educational entities, and  
3661 reinforce the provisions of this chapter by governing:

3662 (a) Articulation between secondary and postsecondary  
3663 education;

3664 (b) Admission of associate in arts degree graduates from  
3665 Florida Community College System institutions and state  
3666 universities;

3667 (c) Admission of applied technology diploma program  
3668 graduates from Florida Community College System institutions or  
3669 career centers;

3670 (d) Admission of associate in science degree and associate  
3671 in applied science degree graduates from Florida Community  
3672 College System institutions;

3673 (e) The use of acceleration mechanisms, including  
3674 nationally standardized examinations through which students may  
3675 earn credit;

3676 (f) General education requirements and statewide course  
3677 numbers as provided for in ss. 1007.24 and 1007.25; and

3678 (g) Articulation among programs in nursing.

3679 (6) The articulation agreement must guarantee the  
3680 articulation of 9 credit hours toward a postsecondary degree in  
3681 early childhood education for programs approved by the State  
3682 Board of Community Colleges ~~Education~~ and the Board of Governors  
3683 which:

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3684 (a) Award a child development associate credential issued  
3685 by the National Credentialing Program of the Council for  
3686 Professional Recognition or award a credential approved under s.  
3687 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the  
3688 child development associate credential; and

3689 (b) Include training in emergent literacy which meets or  
3690 exceeds the minimum standards for training courses for  
3691 prekindergarten instructors of the Voluntary Prekindergarten  
3692 Education Program in s. 1002.59.

3693 (7) To strengthen Florida's "2+2" system of articulation  
3694 and improve student retention and on-time graduation, by the  
3695 2018-2019 academic year, each Florida Community College System  
3696 institution shall execute at least one "2+2" targeted pathway  
3697 articulation agreement with one or more state universities to  
3698 establish "2+2" targeted pathway programs. The agreement must  
3699 provide students who graduate with an associate in arts degree  
3700 and who meet specified requirements guaranteed access to the  
3701 state university and a degree program at that university, in  
3702 accordance with the terms of the "2+2" targeted pathway  
3703 articulation agreement.

3704 (a) To participate in a "2+2" targeted pathway program, a  
3705 student must:

3706 1. Enroll in the program before completing 30 credit hours,  
3707 including, but not limited to, college credits earned through  
3708 articulated acceleration mechanisms pursuant to s. 1007.27;

3709 2. Complete an associate in arts degree; and

3710 3. Meet the university's transfer requirements.

3711 (b) A state university that executes a "2+2" targeted  
3712 pathway articulation agreement must meet the following



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3713 requirements in order to implement a "2+2" targeted pathway  
3714 program in collaboration with its partner Florida Community  
3715 College System institution:

3716 1. Establish a 4-year on-time graduation plan for a  
3717 baccalaureate degree program, including, but not limited to, a  
3718 plan for students to complete associate in arts degree programs,  
3719 general education courses, common prerequisite courses, and  
3720 elective courses;

3721 2. Advise students enrolled in the program about the  
3722 university's transfer and degree program requirements; and

3723 3. Provide students who meet the requirements under this  
3724 paragraph with access to academic advisors and campus events and  
3725 with guaranteed admittance to the state university and a degree  
3726 program of the state university, in accordance with the terms of  
3727 the agreement.

3728 (c) To assist the state universities and Florida Community  
3729 College System institutions with implementing the "2+2" targeted  
3730 pathway programs effectively, the State Board of Community  
3731 Colleges and the Board of Governors shall collaborate to  
3732 eliminate barriers in executing "2+2" targeted pathway  
3733 articulation agreements.

3734 Section 57. Subsections (1), (2), and (3) of section  
3735 1007.24, Florida Statutes, are amended to read:

3736 1007.24 Statewide course numbering system.—

3737 (1) The Department of Education, in conjunction with the  
3738 Board of Governors and the State Board of Community Colleges,  
3739 shall develop, coordinate, and maintain a statewide course  
3740 numbering system for postsecondary and dual enrollment education  
3741 in school districts, public postsecondary educational

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3742 institutions, and participating nonpublic postsecondary  
3743 educational institutions that will improve program planning,  
3744 increase communication among all delivery systems, and  
3745 facilitate student acceleration and the transfer of students and  
3746 credits between public school districts, public postsecondary  
3747 educational institutions, and participating nonpublic  
3748 educational institutions. The continuing maintenance of the  
3749 system shall be accomplished with the assistance of appropriate  
3750 faculty committees representing public and participating  
3751 nonpublic educational institutions.

3752 (2) The Commissioner of Education, in conjunction with the  
3753 Chancellor of the Florida Community College System and the  
3754 Chancellor of the State University System, shall appoint faculty  
3755 committees representing faculties of participating institutions  
3756 to recommend a single level for each course, including  
3757 postsecondary career education courses, included in the  
3758 statewide course numbering system.

3759 (a) Any course designated as an upper-division-level course  
3760 must be characterized by a need for advanced academic  
3761 preparation and skills that a student would be unlikely to  
3762 achieve without significant prior coursework.

3763 (b) A course that is offered as part of an associate in  
3764 science degree program and as an upper-division course for a  
3765 baccalaureate degree shall be designated for both the lower and  
3766 upper division.

3767 (c) A course designated as lower-division may be offered by  
3768 any Florida Community College System institution.

3769 (3) The Commissioner of Education shall recommend to the  
3770 State Board of Education the levels for the courses. The State

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3771 Board of Education, with input from the Board of Governors and  
3772 the State Board of Community Colleges, shall approve the levels  
3773 for the courses.

3774 Section 58. Subsections (3), (5), and (8) through (11) of  
3775 section 1007.25, Florida Statutes, are amended to read:

3776 1007.25 General education courses; common prerequisites;  
3777 other degree requirements.-

3778 (3) The chair of the State Board of Community Colleges  
3779 ~~Education~~ and the chair of the Board of Governors, or their  
3780 designees, shall jointly appoint faculty committees to identify  
3781 statewide general education core course options. General  
3782 education core course options shall consist of a maximum of five  
3783 courses within each of the subject areas of communication,  
3784 mathematics, social sciences, humanities, and natural sciences.  
3785 The core courses may be revised, or the five-course maximum  
3786 within each subject area may be exceeded, if approved by the  
3787 State Board of Community Colleges ~~Education~~ and the Board of  
3788 Governors, as recommended by the subject area faculty committee  
3789 and approved by the Articulation Coordinating Committee as  
3790 necessary for a subject area. Each general education core course  
3791 option must contain high-level academic and critical thinking  
3792 skills and common competencies that students must demonstrate to  
3793 successfully complete the course. Beginning with students  
3794 initially entering a Florida Community College System  
3795 institution or state university in 2015-2016 and thereafter,  
3796 each student must complete at least one identified core course  
3797 in each subject area as part of the general education course  
3798 requirements. All public postsecondary educational institutions  
3799 shall accept these courses as meeting general education core

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3800 course requirements. The remaining general education course  
3801 requirements shall be identified by each institution and  
3802 reported to the department by their statewide course number. The  
3803 general education core course options shall be adopted in rule  
3804 by the State Board of Community Colleges ~~Education~~ and in  
3805 regulation by the Board of Governors.

3806 (5) The department shall identify common prerequisite  
3807 courses and course substitutions for degree programs across all  
3808 institutions. Common degree program prerequisites shall be  
3809 offered and accepted by all state universities and Florida  
3810 Community College System institutions, except in cases approved  
3811 by the State Board of Community Colleges, ~~Education~~ for Florida  
3812 Community College System institutions, and the Board of  
3813 Governors, for state universities. The department shall develop  
3814 a centralized database containing the list of courses and course  
3815 substitutions that meet the prerequisite requirements for each  
3816 baccalaureate degree program.

3817 (8) A baccalaureate degree program shall require no more  
3818 than 120 semester hours of college credit and include 36  
3819 semester hours of general education coursework, unless prior  
3820 approval has been granted by the Board of Governors for  
3821 baccalaureate degree programs offered by state universities and  
3822 by the State Board of Community Colleges ~~Education~~ for  
3823 baccalaureate degree programs offered by Florida Community  
3824 College System institutions.

3825 (9) A student who received an associate in arts degree for  
3826 successfully completing 60 semester credit hours may continue to  
3827 earn ~~additional~~ credits at a Florida Community College System  
3828 institution. The university must provide credit toward the

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3829 student's baccalaureate degree for a ~~an additional~~ Florida  
3830 Community College System institution course if, according to the  
3831 statewide course numbering, the Florida Community College System  
3832 institution course is a course listed in the university catalog  
3833 as required for the degree or as prerequisite to a course  
3834 required for the degree. Of the courses required for the degree,  
3835 at least half of the credit hours required for the degree shall  
3836 be achievable through courses designated as lower division,  
3837 except in degree programs approved by the State Board of  
3838 Community Colleges Education for programs offered by Florida  
3839 Community College System institutions and by the Board of  
3840 Governors for programs offered by state universities.

3841 (10) Students at state universities may request associate  
3842 in arts certificates if they have successfully completed the  
3843 minimum requirements for the degree of associate in arts (A.A.).  
3844 The university must grant the student an associate in arts  
3845 degree if the student has successfully completed minimum  
3846 requirements for college-level communication and computation  
3847 skills adopted by the State Board of Community Colleges  
3848 ~~Education~~ and 60 academic semester hours or the equivalent  
3849 within a degree program area, including 36 semester hours in  
3850 general education courses in the subject areas of communication,  
3851 mathematics, social sciences, humanities, and natural sciences,  
3852 consistent with the general education requirements specified in  
3853 the articulation agreement pursuant to s. 1007.23.

3854 (11) The Commissioner of Education and the Chancellor of  
3855 the Florida Community College System shall jointly appoint  
3856 faculty committees representing both Florida Community College  
3857 System institution and public school faculties to recommend to

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3858 the commissioner, or the Chancellor of the Florida Community  
3859 College System, as applicable, for approval by the State Board  
3860 of Education and the State Board of Community Colleges, as  
3861 applicable, a standard program length and appropriate  
3862 occupational completion points for each postsecondary career  
3863 certificate program, diploma, and degree offered by a school  
3864 district or a Florida Community College System institution.

3865 Section 59. Section 1007.262, Florida Statutes, is amended  
3866 to read:

3867 1007.262 Foreign language competence; equivalence  
3868 determinations.—The Department of Education shall identify the  
3869 competencies demonstrated by students upon the successful  
3870 completion of 2 credits of sequential high school foreign  
3871 language instruction. For the purpose of determining  
3872 postsecondary equivalence, the State Board of Community Colleges  
3873 ~~department~~ shall develop rules through which Florida Community  
3874 College System institutions correlate such competencies to the  
3875 competencies required of students in the colleges' respective  
3876 courses. Based on this correlation, each Florida Community  
3877 College System institution shall identify the minimum number of  
3878 postsecondary credits that students must earn in order to  
3879 demonstrate a level of competence in a foreign language at least  
3880 equivalent to that of students who have completed 2 credits of  
3881 such instruction in high school. The department may also specify  
3882 alternative means by which students can demonstrate equivalent  
3883 foreign language competence, including means by which a student  
3884 whose native language is not English may demonstrate proficiency  
3885 in the native language. A student who demonstrates proficiency  
3886 in a native language other than English is exempt from a

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3887 requirement of completing foreign language courses at the  
3888 secondary or Florida Community College System level.

3889 Section 60. Section 1007.263, Florida Statutes, is amended  
3890 to read:

3891 1007.263 Florida Community College System institutions;  
3892 admissions of students.—Each Florida Community College System  
3893 institution board of trustees is authorized to adopt rules  
3894 governing admissions of students subject to this section and  
3895 rules of the State Board of Community Colleges ~~Education~~. These  
3896 rules shall include the following:

3897 (1) Admissions counseling shall be provided to all students  
3898 entering college or career credit programs. For students who are  
3899 not otherwise exempt from testing under s. 1008.30, counseling  
3900 must use tests to measure achievement of college-level  
3901 communication and computation competencies by students entering  
3902 college credit programs or tests to measure achievement of basic  
3903 skills for career education programs as prescribed in s.  
3904 1004.91. Counseling includes providing developmental education  
3905 options for students whose assessment results, determined under  
3906 s. 1008.30, indicate that they need to improve communication or  
3907 computation skills that are essential to perform college-level  
3908 work.

3909 (2) Admission to associate degree programs is subject to  
3910 minimum standards adopted by the State Board of Community  
3911 Colleges ~~Education~~ and shall require:

3912 (a) A standard high school diploma, a high school  
3913 equivalency diploma as prescribed in s. 1003.435, previously  
3914 demonstrated competency in college credit postsecondary  
3915 coursework, or, in the case of a student who is home educated, a

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3916 signed affidavit submitted by the student's parent or legal  
3917 guardian attesting that the student has completed a home  
3918 education program pursuant to the requirements of s. 1002.41.  
3919 Students who are enrolled in a dual enrollment or early  
3920 admission program pursuant to s. 1007.271 are exempt from this  
3921 requirement.

3922 (b) A demonstrated level of achievement of college-level  
3923 communication and computation skills.

3924 (c) Any other requirements established by the board of  
3925 trustees.

3926 (3) Admission to other programs within the Florida  
3927 Community College System institution shall include education  
3928 requirements as established by the board of trustees.

3929 (4) A student who has been awarded a certificate of  
3930 completion under s. 1003.4282 is eligible to enroll in  
3931 certificate career education programs.

3932 (5) A student with a documented disability may be eligible  
3933 for reasonable substitutions, as prescribed in ss. 1007.264 and  
3934 1007.265.

3935  
3936 Each board of trustees shall establish policies that notify  
3937 students about developmental education options for improving  
3938 their communication or computation skills that are essential to  
3939 performing college-level work, including tutoring, extended time  
3940 in gateway courses, free online courses, adult basic education,  
3941 adult secondary education, or private provider instruction.

3942 Section 61. Subsection (2) of section 1007.264, Florida  
3943 Statutes, is amended to read:

3944 1007.264 Persons with disabilities; admission to



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3945 postsecondary educational institutions; substitute requirements;  
3946 rules and regulations.—

3947 (2) The State Board of Community Colleges ~~Education~~, in  
3948 consultation with the Board of Governors, shall adopt rules to  
3949 implement this section for Florida Community College System  
3950 institutions and shall develop substitute admission requirements  
3951 where appropriate.

3952 Section 62. Subsections (2) and (3) of section 1007.265,  
3953 Florida Statutes, are amended to read:

3954 1007.265 Persons with disabilities; graduation, study  
3955 program admission, and upper-division entry; substitute  
3956 requirements; rules and regulations.—

3957 (2) The State Board of Community Colleges ~~Education~~, in  
3958 consultation with the Board of Governors, shall adopt rules to  
3959 implement this section for Florida Community College System  
3960 institutions and shall develop substitute requirements where  
3961 appropriate.

3962 (3) The Board of Governors, in consultation with the State  
3963 Board of Community Colleges ~~Education~~, shall adopt regulations  
3964 to implement this section for state universities and shall  
3965 develop substitute requirements where appropriate.

3966 Section 63. Subsections (6), (7), and (8) of section  
3967 1007.27, Florida Statutes, are amended to read:

3968 1007.27 Articulated acceleration mechanisms.—

3969 (6) Credit by examination shall be the program through  
3970 which secondary and postsecondary students generate  
3971 postsecondary credit based on the receipt of a specified minimum  
3972 score on nationally standardized general or subject-area  
3973 examinations. For the purpose of statewide application, such

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3974 examinations and the corresponding minimum scores required for  
3975 an award of credit shall be delineated by the State Board of  
3976 Education, ~~and~~ the Board of Governors, and the State Board of  
3977 Community Colleges in the statewide articulation agreement  
3978 required by s. 1007.23(1). The maximum credit generated by a  
3979 student pursuant to this subsection shall be mitigated by any  
3980 related postsecondary credit earned by the student prior to the  
3981 administration of the examination. This subsection shall not  
3982 preclude Florida Community College System institutions and  
3983 universities from awarding credit by examination based on  
3984 student performance on examinations developed within and  
3985 recognized by the individual postsecondary institutions.

3986 (7) The International Baccalaureate Program shall be the  
3987 curriculum in which eligible secondary students are enrolled in  
3988 a program of studies offered through the International  
3989 Baccalaureate Program administered by the International  
3990 Baccalaureate Office. The State Board of Community Colleges  
3991 ~~Education~~ and the Board of Governors shall specify in the  
3992 statewide articulation agreement required by s. 1007.23(1) the  
3993 cutoff scores and International Baccalaureate Examinations which  
3994 will be used to grant postsecondary credit at Florida Community  
3995 College System institutions and universities. Any changes to the  
3996 articulation agreement, ~~7~~ which have the effect of raising the  
3997 required cutoff score or of changing the International  
3998 Baccalaureate Examinations which will be used to grant  
3999 postsecondary credit, ~~7~~ shall only apply to students taking  
4000 International Baccalaureate Examinations after such changes are  
4001 adopted by the State Board of Community Colleges ~~Education~~ and  
4002 the Board of Governors. Students shall be awarded a maximum of

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4003 30 semester credit hours pursuant to this subsection. The  
4004 specific course for which a student may receive such credit  
4005 shall be specified in the statewide articulation agreement  
4006 required by s. 1007.23(1). Students enrolled pursuant to this  
4007 subsection shall be exempt from the payment of any fees for  
4008 administration of the examinations regardless of whether or not  
4009 the student achieves a passing score on the examination.

4010 (8) The Advanced International Certificate of Education  
4011 Program and the International General Certificate of Secondary  
4012 Education (pre-AICE) Program shall be the curricula in which  
4013 eligible secondary students are enrolled in programs of study  
4014 offered through the Advanced International Certificate of  
4015 Education Program or the International General Certificate of  
4016 Secondary Education (pre-AICE) Program administered by the  
4017 University of Cambridge Local Examinations Syndicate. The State  
4018 Board of Community Colleges Education and the Board of Governors  
4019 shall specify in the statewide articulation agreement required  
4020 by s. 1007.23(1) the cutoff scores and Advanced International  
4021 Certificate of Education examinations which will be used to  
4022 grant postsecondary credit at Florida Community College System  
4023 institutions and universities. Any changes to the cutoff scores,  
4024 which changes have the effect of raising the required cutoff  
4025 score or of changing the Advanced International Certification of  
4026 Education examinations which will be used to grant postsecondary  
4027 credit, shall apply to students taking Advanced International  
4028 Certificate of Education examinations after such changes are  
4029 adopted by the State Board of Community Colleges Education and  
4030 the Board of Governors. Students shall be awarded a maximum of  
4031 30 semester credit hours pursuant to this subsection. The

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4032 specific course for which a student may receive such credit  
4033 shall be determined by the Florida Community College System  
4034 institution or university that accepts the student for  
4035 admission. Students enrolled in either program of study pursuant  
4036 to this subsection shall be exempt from the payment of any fees  
4037 for administration of the examinations regardless of whether the  
4038 student achieves a passing score on the examination.

4039 Section 64. Subsections (3) and (22) of section 1007.271,  
4040 Florida Statutes, are amended to read:

4041 1007.271 Dual enrollment programs.—

4042 (3) Student eligibility requirements for initial enrollment  
4043 in college credit dual enrollment courses must include a 3.0  
4044 unweighted high school grade point average and the minimum score  
4045 on a common placement test adopted by the State Board of  
4046 Education which indicates that the student is ready for college-  
4047 level coursework. Student eligibility requirements for continued  
4048 enrollment in college credit dual enrollment courses must  
4049 include the maintenance of a 3.0 unweighted high school grade  
4050 point average and the minimum postsecondary grade point average  
4051 established by the postsecondary institution. Regardless of  
4052 meeting student eligibility requirements for continued  
4053 enrollment, a student may lose the opportunity to participate in  
4054 a dual enrollment course if the student is disruptive to the  
4055 learning process such that the progress of other students or the  
4056 efficient administration of the course is hindered. Student  
4057 eligibility requirements for initial and continued enrollment in  
4058 career certificate dual enrollment courses must include a 2.0  
4059 unweighted high school grade point average. Exceptions to the  
4060 required grade point averages may be granted on an individual

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4061 student basis if the educational entities agree and the terms of  
4062 the agreement are contained within the dual enrollment  
4063 articulation agreement established pursuant to subsection (21).  
4064 Florida Community College System institution boards of trustees  
4065 may establish additional initial student eligibility  
4066 requirements, which shall be included in the dual enrollment  
4067 articulation agreement, to ensure student readiness for  
4068 postsecondary instruction. Additional requirements included in  
4069 the agreement may not arbitrarily prohibit students who have  
4070 demonstrated the ability to master advanced courses from  
4071 participating in dual enrollment courses.

4072 (22) The Department of Education shall develop an  
4073 electronic submission system for dual enrollment articulation  
4074 agreements and shall review, for compliance, each dual  
4075 enrollment articulation agreement submitted pursuant to  
4076 subsections (13), (21), and (24). The Commissioner of Education  
4077 shall notify the district school superintendent and the Florida  
4078 Community College System institution president if the dual  
4079 enrollment articulation agreement does not comply with statutory  
4080 requirements and shall submit any dual enrollment articulation  
4081 agreement with unresolved issues of noncompliance to the State  
4082 Board of Education. The State Board of Education shall  
4083 collaborate with the State Board of Community Colleges to  
4084 resolve unresolved issues of noncompliance.

4085 Section 65. Subsection (6) of section 1007.273, Florida  
4086 Statutes, is amended to read:

4087 1007.273 Collegiate high school program.—

4088 (6) The collegiate high school program shall be funded  
4089 pursuant to ss. 1007.271 and 1011.62. The State Board of

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4090 Education shall enforce compliance with this section by  
4091 withholding the transfer of funds for the school districts ~~and~~  
4092 ~~the Florida College System institutions~~ in accordance with s.  
4093 1008.32. Annually by December 31, the State Board of Community  
4094 Colleges shall enforce compliance with this section by  
4095 withholding the transfer of funds for the Florida Community  
4096 College System institutions in accordance with s. 1001.602.

4097 Section 66. Section 1007.33, Florida Statutes, is amended  
4098 to read:

4099 1007.33 Site-determined baccalaureate degree access.—

4100 (1) (a) The Legislature recognizes that public and private  
4101 postsecondary educational institutions play an essential role in  
4102 improving the quality of life and economic well-being of the  
4103 state and its residents. The Legislature also recognizes that  
4104 economic development needs and the educational needs of place-  
4105 bound, nontraditional students have increased the demand for  
4106 local access to baccalaureate degree programs. It is therefore  
4107 the intent of the Legislature to further expand access to  
4108 baccalaureate degree programs through the use of Florida  
4109 Community College System institutions.

4110 (b) For purposes of this section, the term "district"  
4111 refers to the county or counties served by a Florida Community  
4112 College System institution pursuant to s. 1000.21(3).

4113 (2) Any Florida Community College System institution that  
4114 offers one or more baccalaureate degree programs must:

4115 (a) Maintain as its primary mission:

4116 1. Responsibility for responding to community needs for  
4117 postsecondary academic education and career degree education as  
4118 prescribed in s. 1004.65(5).

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4119           2. The provision of associate degrees that provide access  
4120 to a university.

4121           (b) Maintain an open-door admission policy for associate-  
4122 level degree programs and workforce education programs.

4123           (c) Continue to provide outreach to underserved  
4124 populations.

4125           (d) Continue to provide remedial education pursuant to s.  
4126 1008.30.

4127           (e) Comply with all provisions of the statewide  
4128 articulation agreement which relate to 2-year and 4-year public  
4129 degree-granting institutions as adopted by the State Board of  
4130 Education or the State Board of Community Colleges, as  
4131 applicable, pursuant to s. 1007.23.

4132           (f) Not award graduate credit.

4133           (g) Not participate in intercollegiate athletics beyond the  
4134 2-year level.

4135           (3) A Florida Community College System institution may not  
4136 terminate its associate in arts or associate in science degree  
4137 programs as a result of being authorized to offer one or more  
4138 baccalaureate degree programs. The Legislature intends that the  
4139 primary responsibility of a Florida Community College System  
4140 institution, including a Florida Community College System  
4141 institution that offers baccalaureate degree programs, continues  
4142 to be the provision of associate degrees that provide access to  
4143 a university.

4144           (4) A Florida Community College System institution may:

4145           (a) Offer specified baccalaureate degree programs through  
4146 formal agreements between the Florida Community College System  
4147 institution and other regionally accredited postsecondary

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4148 educational institutions pursuant to s. 1007.22.

4149 (b) Offer baccalaureate degree programs that are ~~were~~  
4150 authorized by law ~~prior to July 1, 2009.~~

4151 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~  
4152 ~~baccalaureate degree program~~ for purposes of meeting district,  
4153 regional, or statewide workforce needs if approved by the State  
4154 Board of Community Colleges ~~Education~~ under this section.  
4155 However, a Florida Community College System institution may not  
4156 offer a bachelor of arts degree program.

4157  
4158 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~  
4159 ~~College is authorized to establish one or more bachelor of~~  
4160 ~~applied science degree programs based on an analysis of~~  
4161 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~  
4162 ~~other counties approved by the Department of Education. For each~~  
4163 ~~program selected, St. Petersburg College must offer a related~~  
4164 ~~associate in science or associate in applied science degree~~  
4165 ~~program, and the baccalaureate degree level program must be~~  
4166 ~~designed to articulate fully with at least one associate in~~  
4167 ~~science degree program. The college is encouraged to develop~~  
4168 ~~articulation agreements for enrollment of graduates of related~~  
4169 ~~associate in applied science degree programs. The Board of~~  
4170 ~~Trustees of St. Petersburg College is authorized to establish~~  
4171 ~~additional baccalaureate degree programs if it determines a~~  
4172 ~~program is warranted and feasible based on each of the factors~~  
4173 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~  
4174 ~~Petersburg College may not establish any new baccalaureate~~  
4175 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~  
4176 ~~to developing or proposing a new baccalaureate degree program,~~



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4177 ~~St. Petersburg College shall engage in need, demand, and impact~~  
4178 ~~discussions with the state university in its service district~~  
4179 ~~and other local and regional, accredited postsecondary providers~~  
4180 ~~in its region. Documentation, data, and other information from~~  
4181 ~~inter-institutional discussions regarding program need, demand,~~  
4182 ~~and impact shall be provided to the college's board of trustees~~  
4183 ~~to inform the program approval process. Employment at St.~~  
4184 ~~Petersburg College is governed by the same laws that govern~~  
4185 ~~Florida College System institutions, except that upper division~~  
4186 ~~faculty are eligible for continuing contracts upon the~~  
4187 ~~completion of the fifth year of teaching. Employee records for~~  
4188 ~~all personnel shall be maintained as required by s. 1012.81.~~

4189 (5) The approval process for baccalaureate degree programs  
4190 requires ~~shall require~~:

4191 (a) Each Florida Community College System institution to  
4192 submit a notice of interest at least 180 days before submitting  
4193 a notice of its intent to propose a baccalaureate degree program  
4194 to the Division of Florida Colleges at least 100 days before the  
4195 submission of its proposal under paragraph (d). The notice of  
4196 interest must be submitted into a shared postsecondary database  
4197 that allows other postsecondary institutions to preview and  
4198 provide feedback on the notice of interest. A written notice of  
4199 intent must be submitted to the Chancellor of the Florida  
4200 Community College System at least 100 days before the submission  
4201 of a baccalaureate degree program proposal under paragraph (c).  
4202 The notice of intent must include a brief description of the  
4203 program, the workforce demand and unmet need for graduates of  
4204 the program to include evidence from entities independent of the  
4205 institution, the geographic region to be served, and an

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4206 estimated timeframe for implementation. Notices of interest and  
4207 intent may be submitted by a Florida Community College System  
4208 institution at any time throughout the year. The notice of  
4209 intent must also include evidence that the Florida Community  
4210 College System institution engaged in need, demand, and impact  
4211 discussions with the state university and other regionally  
4212 accredited postsecondary education providers in its service  
4213 district.

4214 (b) The Chancellor of the Florida Community College System  
4215 ~~Division of Florida Colleges~~ to forward the notice of intent  
4216 submitted pursuant to paragraph (a) and the justification for  
4217 the proposed baccalaureate degree program required under  
4218 paragraph (c) within 10 business days after receiving such  
4219 notice and justification to the Chancellor of the State  
4220 University System, the president of the Independent Colleges and  
4221 Universities of Florida, and the Executive Director of the  
4222 Commission for Independent Education. State universities ~~shall~~  
4223 have 60 days following receipt of the notice of intent and  
4224 justification by the Chancellor of the State University System  
4225 to submit an objection and a reason for the objection to the  
4226 proposed baccalaureate degree program, which may include  
4227 ~~objections to the proposed new program or submit~~ an alternative  
4228 proposal to offer the baccalaureate degree program. The  
4229 Chancellor of the State University System shall review the  
4230 objection raised by a state university and inform the Board of  
4231 Governors of the objection before a state university submits its  
4232 objection to the Chancellor of the Florida Community College  
4233 System. The Chancellor of the Florida Community College System  
4234 must consult with the Chancellor of the State University System

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4235 to consider the objection raised by the state university before  
4236 the State Board of Community Colleges approves or denies a  
4237 Florida Community College System institution's proposal  
4238 submitted pursuant to paragraph (c). ~~If a proposal from a state~~  
4239 ~~university is not received within the 60-day period,~~ The  
4240 Chancellor of the Florida Community College System State Board  
4241 ~~of Education~~ shall also provide regionally accredited private  
4242 colleges and universities 60 30 days to submit an objection and  
4243 a reason for the objection to the proposed baccalaureate degree  
4244 program, which may include an alternative proposal to offer a  
4245 baccalaureate degree program objections to the proposed new  
4246 ~~program or submit an alternative proposal.~~ Objections by a  
4247 regionally accredited private college or university or  
4248 ~~alternative proposals~~ shall be submitted to the Chancellor of  
4249 the Florida Community College System, and the state board must  
4250 consider such objections before ~~Division of Florida Colleges and~~  
4251 ~~must be considered by the State Board of Education in~~ making its  
4252 decision to approve or deny a Florida Community College System  
4253 institution's proposal submitted pursuant to paragraph (c).

4254 ~~(c) An alternative proposal submitted by a state university~~  
4255 ~~or private college or university to adequately address:~~

4256 ~~1. The extent to which the workforce demand and unmet need~~  
4257 ~~described in the notice of intent will be met.~~

4258 ~~2. The extent to which students will be able to complete~~  
4259 ~~the degree in the geographic region proposed to be served by the~~  
4260 ~~Florida College System institution.~~

4261 ~~3. The level of financial commitment of the college or~~  
4262 ~~university to the development, implementation, and maintenance~~  
4263 ~~of the specified degree program, including timelines.~~

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4264 ~~4. The extent to which faculty at both the Florida College~~  
4265 ~~System institution and the college or university will~~  
4266 ~~collaborate in the development and offering of the curriculum.~~

4267 ~~5. The ability of the Florida College System institution~~  
4268 ~~and the college or university to develop and approve the~~  
4269 ~~curriculum for the specified degree program within 6 months~~  
4270 ~~after an agreement between the Florida College System~~  
4271 ~~institution and the college or university is signed.~~

4272 ~~6. The extent to which the student may incur additional~~  
4273 ~~costs above what the student would expect to incur if the~~  
4274 ~~program were offered by the Florida College System institution.~~

4275 (c) ~~(d)~~ Each Florida Community College System institution to  
4276 submit a baccalaureate degree program proposal at least 100 days  
4277 after submitting the notice of intent. Each proposal must  
4278 submitted by a Florida College System institution to, at a  
4279 minimum, include:

4280 1. A description of the planning process and timeline for  
4281 implementation.

4282 2. A justification for the proposed baccalaureate degree  
4283 program, including, at a minimum, a data-driven An analysis of  
4284 workforce demand and unmet need for graduates of the program on  
4285 a district, regional, or statewide basis, as appropriate, and  
4286 the extent to which the proposed program will meet the workforce  
4287 demand and unmet need. The analysis must include workforce and  
4288 employment data for the most recent years and projections by the  
4289 Department of Economic Opportunity for future years, and a  
4290 summary of degree programs similar to the proposed degree  
4291 program which are currently offered by state universities or by  
4292 independent nonprofit colleges or universities that are eligible

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4293 to participate in a grant program pursuant to s. 1009.89 and  
4294 which are located in the Florida Community College System  
4295 institution's regional service area. The analysis and evidence  
4296 must be verified by the Chancellor of the Florida Community  
4297 College System ~~including evidence from entities independent of~~  
4298 ~~the institution.~~

4299         3. Identification of the facilities, equipment, and library  
4300 and academic resources that will be used to deliver the program.

4301         4. The program cost analysis of creating a new  
4302 baccalaureate degree when compared to ~~alternative proposals and~~  
4303 other program delivery options.

4304         5. The program's admission requirements, academic content,  
4305 curriculum, faculty credentials, student-to-teacher ratios, and  
4306 accreditation plan.

4307         6. The program's student enrollment ~~projections~~ and funding  
4308 requirements, including:

4309             a. The impact of the program's enrollment projections on  
4310 compliance with the upper-level enrollment provisions under  
4311 subsection (6); and

4312             b. The institution's efforts to sustain the program at the  
4313 cost of tuition and fees for students who are classified as  
4314 residents for tuition purposes under s. 1009.21, not to exceed  
4315 \$10,000 for the entire degree program, including flexible  
4316 tuition and fee rates, and the use of waivers pursuant to s.  
4317 1009.26(11).

4318         7. A plan of action if the program is terminated.

4319             ~~(d)(e)~~ The State Board of Community ~~Division of Florida~~  
4320 Colleges to review the proposal, notify the Florida Community  
4321 College System institution of any deficiencies in writing within

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4322 30 days following receipt of the proposal, and provide the  
4323 Florida Community College System institution with an opportunity  
4324 to correct the deficiencies. Within 45 days following receipt of  
4325 a completed proposal by the State Board of Community ~~Division of~~  
4326 ~~Florida~~ Colleges, the Chancellor of the Florida Community  
4327 College System ~~Commissioner of Education~~ shall recommend  
4328 approval or disapproval of the proposal to the State Board of  
4329 Community Colleges ~~Education~~. The State Board of Community  
4330 Colleges ~~Education~~ shall consider such recommendation, the  
4331 proposal, input from the Chancellor of the State University  
4332 System and the president of the Independent Colleges and  
4333 Universities of Florida, and any objections or alternative  
4334 proposals at its next meeting. If the State Board of Community  
4335 Colleges ~~Education~~ disapproves the Florida Community College  
4336 System institution's proposal, it shall provide the Florida  
4337 Community College System institution with written reasons for  
4338 that determination.

4339 ~~(e)-(f)~~ The Florida Community College System institution to  
4340 obtain from the Commission on Colleges of the Southern  
4341 Association of Colleges and Schools accreditation as a  
4342 baccalaureate-degree-granting institution if approved by the  
4343 State Board of Community Colleges ~~Education~~ to offer its first  
4344 baccalaureate degree program.

4345 ~~(f)-(g)~~ The Florida Community College System institution to  
4346 notify the Commission on Colleges of the Southern Association of  
4347 Colleges and Schools of subsequent degree programs that are  
4348 approved by the State Board of Community Colleges ~~Education~~ and  
4349 to comply with the association's required substantive change  
4350 protocols for accreditation purposes.

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4351        (g) ~~(h)~~ The Florida Community College System institution to  
4352 annually report to the State Board of Community Colleges, the  
4353 Chancellor of the State University System, and ~~upon request of~~  
4354 ~~the State Board of Education, the Commissioner of Education, the~~  
4355 ~~Chancellor of the Florida College System, or the Legislature,~~  
4356 ~~report~~ its status using the following performance and compliance  
4357 indicators:

- 4358            1. Obtaining and maintaining appropriate Southern  
4359 Association of Colleges and Schools accreditation;
- 4360            2. Maintaining qualified faculty and institutional  
4361 resources;
- 4362            3. Maintaining student enrollment in previously approved  
4363 programs;
- 4364            4. Managing fiscal resources appropriately;
- 4365            5. Complying with the primary mission and responsibility  
4366 requirements in subsections (2) and (3); ~~and~~
- 4367            6. Other indicators of success, including program  
4368 completions, employment and earnings outcomes, student  
4369 acceptance into and performance in graduate programs placements,  
4370 and surveys of graduates and employers; ~~and-~~
- 4371            7. Continuing to meet workforce demand, as provided in  
4372 subparagraph (c)2., as demonstrated through a data-driven needs  
4373 assessment by the Florida Community College System institution  
4374 which is verified by more than one third-party professional  
4375 entity that is independent of the institution.
- 4376            8. Complying with the upper-level enrollment provisions  
4377 under subsection (6).

4378  
4379 The State Board of Community Colleges ~~Education,~~ upon annual

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4380 review of the baccalaureate degree program performance and  
4381 compliance indicators and needs assessment, may require a  
4382 Florida Community College System institution's board of trustees  
4383 to modify or terminate a baccalaureate degree program authorized  
4384 under this section. If the annual review indicates negative  
4385 program performance and compliance results, and if the needs  
4386 assessment fails to demonstrate a need for the program, the  
4387 State Board of Community Colleges must require a Florida  
4388 Community College System institution's board of trustees to  
4389 terminate that baccalaureate degree program.

4390 (6) (a) If the 2015-2016 total upper-level, undergraduate  
4391 full-time equivalent enrollment at a Florida Community College  
4392 System institution is at or above 10 percent of the 2015-2016  
4393 combined total lower-level and upper-level full-time equivalent  
4394 enrollment at that institution, the total upper-level  
4395 enrollment, as a percentage of the combined enrollment, may not  
4396 increase by more than 4 percentage points unless the institution  
4397 obtains prior legislative approval.

4398 (b) If the 2015-2016 total upper-level, undergraduate full-  
4399 time equivalent enrollment at a Florida Community College System  
4400 institution is below 10 percent of the 2015-2016 combined total  
4401 lower-level and upper-level full-time equivalent enrollment at  
4402 that institution, the total upper-level enrollment, as a  
4403 percentage of the combined enrollment, may not increase by more  
4404 than 8 percentage points unless the institution obtains prior  
4405 legislative approval.

4406 (c) Notwithstanding enrollment provisions in paragraphs (a)  
4407 and (b), the upper-level, undergraduate full-time equivalent  
4408 enrollment at a Florida Community College System institution may



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4409 not exceed 15 percent of the combined total lower-level and  
4410 upper-level full-time equivalent enrollment at that institution.

4411 (d) Within the 4 percent or 8 percent growth authorized  
4412 under paragraph (a) or paragraph (b), for any planned and  
4413 purposeful expansion of existing baccalaureate degree programs  
4414 or creation of a new baccalaureate program, a community college  
4415 must demonstrate satisfactory performance in fulfilling its  
4416 primary mission pursuant to s. 1004.65, executing at least one  
4417 "2+2" targeted pathway articulation agreement pursuant to s.  
4418 1007.23, and meeting or exceeding the performance standards  
4419 related to on-time completion and graduation rates under s.  
4420 1001.66 for students earning associate of arts or baccalaureate  
4421 degrees. The State Board of Community Colleges may not approve a  
4422 new baccalaureate degree program proposal for a community  
4423 college that does not meet the conditions specified in this  
4424 subsection in addition to the other requirements for approval  
4425 under this section. Each community college that offers a  
4426 baccalaureate degree must annually review each baccalaureate  
4427 degree program and annually report to the State Board of  
4428 Community Colleges, in a format prescribed by the state board,  
4429 current and projected student enrollment for such program,  
4430 justification for continuation of each baccalaureate degree  
4431 program, and a plan to comply with the upper-level enrollment  
4432 provisions of this subsection. A Florida Community College  
4433 System institution that does not comply with the requirements of  
4434 this section is subject to s. 1001.602(9) and may not report for  
4435 funding, the upper-level, undergraduate full-time equivalent  
4436 enrollment that exceeds the upper-level enrollment percent  
4437 provision of this subsection.

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4438        (7)~~(6)~~ The State Board of Community Colleges ~~Education~~  
4439 shall adopt rules to prescribe format and content requirements  
4440 and submission procedures for notices of interest and intent,  
4441 baccalaureate degree program proposals, objections, ~~proposals,~~  
4442 ~~alternative proposals,~~ and compliance reviews under subsection  
4443 (5).

4444        Section 67. Subsections (1), (3), (4), and (5) of section  
4445 1008.30, Florida Statutes, are amended to read:

4446        1008.30 Common placement testing for public postsecondary  
4447 education.—

4448        (1) The State Board of Community Colleges ~~Education~~, in  
4449 conjunction with the Board of Governors and the State Board of  
4450 Education, shall develop and implement a common placement test  
4451 for the purpose of assessing the basic computation and  
4452 communication skills of students who intend to enter a degree  
4453 program at any public postsecondary educational institution.  
4454 Alternative assessments that may be accepted in lieu of the  
4455 common placement test shall also be identified in rule. Public  
4456 postsecondary educational institutions shall provide appropriate  
4457 modifications of the test instruments or test procedures for  
4458 students with disabilities.

4459        (3) ~~By October 31, 2013,~~ The State Board of Community  
4460 Colleges, in conjunction with the Board of Governors and the  
4461 State Board of Education, ~~Education~~ shall establish by rule the  
4462 test scores a student must achieve to demonstrate readiness to  
4463 perform college-level work, and the rules must specify the  
4464 following:

4465        (a) A student who entered 9th grade in a Florida public  
4466 school in the 2003-2004 school year, or any year thereafter, and

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4467 earned a Florida standard high school diploma or a student who  
4468 is serving as an active duty member of any branch of the United  
4469 States Armed Services shall not be required to take the common  
4470 placement test and shall not be required to enroll in  
4471 developmental education instruction in a Florida Community  
4472 College System institution. However, a student who is not  
4473 required to take the common placement test and is not required  
4474 to enroll in developmental education under this paragraph may  
4475 opt to be assessed and to enroll in developmental education  
4476 instruction, and the college shall provide such assessment and  
4477 instruction upon the student's request.

4478 (b) A student who takes the common placement test and whose  
4479 score on the test indicates a need for developmental education  
4480 must be advised of all the developmental education options  
4481 offered at the institution and, after advisement, shall be  
4482 allowed to enroll in the developmental education option of his  
4483 or her choice.

4484 (c) A student who demonstrates readiness by achieving or  
4485 exceeding the test scores established by the state board and  
4486 enrolls in a Florida Community College System institution within  
4487 2 years after achieving such scores shall not be required to  
4488 retest or complete developmental education when admitted to any  
4489 Florida Community College System institution.

4490 (4) ~~By December 31, 2013,~~ The State Board of Community  
4491 Colleges Education, in consultation with the Board of Governors,  
4492 shall approve a series of meta-majors and the academic pathways  
4493 that identify the gateway courses associated with each meta-  
4494 major. Florida Community College System institutions shall use  
4495 placement test results to determine the extent to which each

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4496 student demonstrates sufficient communication and computation  
4497 skills to indicate readiness for his or her chosen meta-major.  
4498 Florida Community College System institutions shall counsel  
4499 students into college credit courses as quickly as possible,  
4500 with developmental education limited to that content needed for  
4501 success in the meta-major.

4502 (5) (a) Each Florida Community College System institution  
4503 board of trustees shall develop a plan to implement the  
4504 developmental education strategies defined in s. 1008.02 and  
4505 rules established by the State Board of Community Colleges  
4506 ~~Education~~. The plan must be submitted to the Chancellor of the  
4507 Florida Community College System for approval no later than  
4508 March 1, 2014, for implementation no later than the fall  
4509 semester 2014. Each plan must include, at a minimum, local  
4510 policies that outline:

4511 1. Documented student achievements such as grade point  
4512 averages, work history, military experience, participation in  
4513 juried competitions, career interests, degree major declaration,  
4514 or any combination of such achievements that the institution may  
4515 consider, in addition to common placement test scores, for  
4516 advising students regarding enrollment options.

4517 2. Developmental education strategies available to  
4518 students.

4519 3. A description of student costs and financial aid  
4520 opportunities associated with each option.

4521 4. Provisions for the collection of student success data.

4522 5. A comprehensive plan for advising students into  
4523 appropriate developmental education strategies based on student  
4524 success data.

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4525 (b) Beginning October 31, 2015, each Florida Community  
4526 College System institution shall annually prepare an  
4527 accountability report that includes student success data  
4528 relating to each developmental education strategy implemented by  
4529 the institution. The report shall be submitted to the State  
4530 Board of Community ~~Division of Florida~~ Colleges by October 31 in  
4531 a format determined by the Chancellor of the Florida Community  
4532 College System. By December 31, the chancellor shall compile and  
4533 submit the institutional reports to the Governor, the President  
4534 of the Senate, the Speaker of the House of Representatives, and  
4535 the State Board of Community Colleges ~~and the State Board of~~  
4536 ~~Education.~~

4537 (c) A university board of trustees may contract with a  
4538 Florida Community College System institution board of trustees  
4539 for the Florida Community College System institution to provide  
4540 developmental education on the state university campus. Any  
4541 state university in which the percentage of incoming students  
4542 requiring developmental education equals or exceeds the average  
4543 percentage of such students for the Florida Community College  
4544 System may offer developmental education without contracting  
4545 with a Florida Community College System institution; however,  
4546 any state university offering college-preparatory instruction as  
4547 of January 1, 1996, may continue to provide such services.

4548 Section 68. Paragraphs (d) and (e) of subsection (1) and  
4549 paragraphs (a) and (c) of subsection (3) of section 1008.31,  
4550 Florida Statutes, are amended to read:

4551 1008.31 Florida's K-20 education performance accountability  
4552 system; legislative intent; mission, goals, and systemwide  
4553 measures; data quality improvements.-

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4554 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature  
4555 that:

4556 (d) The State Board of Education, ~~and~~ and the Board of  
4557 Governors of the State University System, and the State Board of  
4558 Community Colleges of the Florida Community College System  
4559 recommend to the Legislature systemwide performance standards;  
4560 the Legislature establish systemwide performance measures and  
4561 standards; and the systemwide measures and standards provide  
4562 Floridians with information on what the public is receiving in  
4563 return for the funds it invests in education and how well the K-  
4564 20 system educates its students.

4565 (e)1. The State Board of Education establish performance  
4566 measures and set performance standards for individual public  
4567 schools ~~and Florida College System institutions~~, with measures  
4568 and standards based primarily on student achievement.

4569 2. The Board of Governors of the State University System  
4570 establish performance measures and set performance standards for  
4571 individual state universities, including actual completion  
4572 rates.

4573 3. The State Board of Community Colleges establish  
4574 performance measures and set performance standards for  
4575 individual Florida Community College System institutions.

4576 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide  
4577 data required to implement education performance accountability  
4578 measures in state and federal law, the Commissioner of Education  
4579 shall initiate and maintain strategies to improve data quality  
4580 and timeliness. The Board of Governors shall make available to  
4581 the department all data within the State University Database  
4582 System to be integrated into the K-20 data warehouse. The

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4583 commissioner shall have unlimited access to such data for the  
4584 purposes of conducting studies, reporting annual and  
4585 longitudinal student outcomes, and improving college readiness  
4586 and articulation. All public educational institutions shall  
4587 annually provide data from the prior year to the K-20 data  
4588 warehouse in a format based on data elements identified by the  
4589 commissioner.

4590 (a) School districts and public postsecondary educational  
4591 institutions shall maintain information systems that will  
4592 provide the State Board of Education, the Board of Governors of  
4593 the State University System, the State Board of Community  
4594 Colleges of the Florida Community College System, and the  
4595 Legislature with information and reports necessary to address  
4596 the specifications of the accountability system. The level of  
4597 comprehensiveness and quality must be no less than that which  
4598 was available as of June 30, 2001.

4599 (c) The Commissioner of Education shall determine the  
4600 standards for the required data, monitor data quality, and  
4601 measure improvements. The commissioner shall report annually to  
4602 the State Board of Education, the Board of Governors of the  
4603 State University System, the State Board of Community Colleges  
4604 of the Florida Community College System, the President of the  
4605 Senate, and the Speaker of the House of Representatives data  
4606 quality indicators and ratings for all school districts and  
4607 public postsecondary educational institutions.

4608 Section 69. Section 1008.32, Florida Statutes, is amended  
4609 to read:

4610 1008.32 State Board of Education oversight enforcement  
4611 authority.—The State Board of Education shall oversee the

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4612 performance of district school boards ~~and Florida College System~~  
4613 ~~institution boards of trustees~~ in enforcement of all laws and  
4614 rules. District school boards ~~and Florida College System~~  
4615 ~~institution boards of trustees~~ shall be primarily responsible  
4616 for compliance with law and state board rule.

4617 (1) In order to ensure compliance with law or state board  
4618 rule, the State Board of Education shall have the authority to  
4619 request and receive information, data, and reports from school  
4620 districts ~~and Florida College System institutions~~. District  
4621 school superintendents ~~and Florida College System institution~~  
4622 ~~presidents~~ are responsible for the accuracy of the information  
4623 and data reported to the state board.

4624 (2) The Commissioner of Education may investigate  
4625 allegations of noncompliance with law or state board rule and  
4626 determine probable cause. The commissioner shall report  
4627 determinations of probable cause to the State Board of Education  
4628 which shall require the district school board ~~or Florida College~~  
4629 ~~System institution board of trustees~~ to document compliance with  
4630 law or state board rule.

4631 (3) If the district school board ~~or Florida College System~~  
4632 ~~institution board of trustees~~ cannot satisfactorily document  
4633 compliance, the State Board of Education may order compliance  
4634 within a specified timeframe.

4635 (4) If the State Board of Education determines that a  
4636 district school board ~~or Florida College System institution~~  
4637 ~~board of trustees~~ is unwilling or unable to comply with law or  
4638 state board rule within the specified time, the state board  
4639 shall have the authority to initiate any of the following  
4640 actions:



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4641 (a) Report to the Legislature that the school district ~~or~~  
4642 ~~Florida College System institution~~ is unwilling or unable to  
4643 comply with law or state board rule and recommend action to be  
4644 taken by the Legislature.

4645 (b) Withhold the transfer of state funds, discretionary  
4646 grant funds, discretionary lottery funds, or any other funds  
4647 specified as eligible for this purpose by the Legislature until  
4648 the school district ~~or Florida College System institution~~  
4649 complies with the law or state board rule.

4650 (c) Declare the school district ~~or Florida College System~~  
4651 ~~institution~~ ineligible for competitive grants.

4652 (d) Require monthly or periodic reporting on the situation  
4653 related to noncompliance until it is remedied.

4654 (5) Nothing in this section shall be construed to create a  
4655 private cause of action or create any rights for individuals or  
4656 entities in addition to those provided elsewhere in law or rule.

4657 Section 70. Paragraphs (e) and (f) of subsection (7) of  
4658 section 1008.345, Florida Statutes, are amended to read:

4659 1008.345 Implementation of state system of school  
4660 improvement and education accountability.—

4661 (7) As a part of the system of educational accountability,  
4662 the Department of Education shall:

4663 (e) Maintain a listing of college-level communication and  
4664 mathematics skills associated with successful student  
4665 performance through the baccalaureate level and submit it to the  
4666 State Board of Education, and the Board of Governors, and the  
4667 State Board of Community Colleges for approval.

4668 (f) Perform any other functions that may be involved in  
4669 educational planning, research, and evaluation or that may be

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4670 required by the commissioner, the State Board of Education, the  
4671 State Board of Community Colleges, the Board of Governors, or  
4672 law.

4673 Section 71. Subsections (1) and (2) of section 1008.37,  
4674 Florida Statutes, are amended to read:

4675 1008.37 Postsecondary feedback of information to high  
4676 schools.—

4677 (1) The Commissioner of Education shall report to the State  
4678 Board of Education, the Board of Governors, the State Board of  
4679 Community Colleges, the Legislature, and the district school  
4680 boards on the performance of each first-time-in-postsecondary  
4681 education student from each public high school in this state who  
4682 is enrolled in a public postsecondary institution or public  
4683 career center. Such reports must be based on information  
4684 databases maintained by the Department of Education. In  
4685 addition, the public postsecondary educational institutions and  
4686 career centers shall provide district school boards access to  
4687 information on student performance in regular and preparatory  
4688 courses and shall indicate students referred for remediation  
4689 pursuant to s. 1004.91 or s. 1008.30.

4690 (2) The Commissioner of Education shall report, by high  
4691 school, to the State Board of Education, the Board of Governors,  
4692 the State Board of Community Colleges, and the Legislature, no  
4693 later than November 30 of each year, on the number of prior year  
4694 Florida high school graduates who enrolled for the first time in  
4695 public postsecondary education in this state during the previous  
4696 summer, fall, or spring term, indicating the number of students  
4697 whose scores on the common placement test indicated the need for  
4698 developmental education under s. 1008.30 or for applied

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4699 academics for adult education under s. 1004.91.

4700 Section 72. Section 1008.38, Florida Statutes, is amended  
4701 to read:

4702 1008.38 Articulation accountability process.—The State  
4703 Board of Education, in conjunction with the Board of Governors  
4704 and the State Board of Community Colleges, shall develop  
4705 articulation accountability measures which assess the status of  
4706 systemwide articulation processes authorized under s. 1007.23  
4707 and establish an articulation accountability process which at a  
4708 minimum shall address:

4709 (1) The impact of articulation processes on ensuring  
4710 educational continuity and the orderly and unobstructed  
4711 transition of students between public secondary and  
4712 postsecondary education systems and facilitating the transition  
4713 of students between the public and private sectors.

4714 (2) The adequacy of preparation of public secondary  
4715 students to smoothly articulate to a public postsecondary  
4716 institution.

4717 (3) The effectiveness of articulated acceleration  
4718 mechanisms available to secondary students.

4719 (4) The smooth transfer of Florida Community College System  
4720 associate degree graduates to a Florida Community College System  
4721 institution or a state university.

4722 (5) An examination of degree requirements that exceed the  
4723 parameters of 60 credit hours for an associate degree and 120  
4724 hours for a baccalaureate degree in public postsecondary  
4725 programs.

4726 (6) The relationship between student attainment of college-  
4727 level academic skills and articulation to the upper division in

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4728 public postsecondary institutions.

4729 Section 73. Section 1008.405, Florida Statutes, is amended  
4730 to read:

4731 1008.405 Adult student information.—Each school district  
4732 and Florida Community College System institution shall maintain  
4733 sufficient information for each student enrolled in workforce  
4734 education to allow local and state administrators to locate such  
4735 student upon the termination of instruction and to determine the  
4736 appropriateness of student placement in specific instructional  
4737 programs. The State Board of Education and the State Board of  
4738 Community Colleges shall adopt, by rule, specific information  
4739 that must be maintained and acceptable means of maintaining that  
4740 information.

4741 Section 74. Subsection (2) of section 1008.44, Florida  
4742 Statutes, is amended to read:

4743 1008.44 CAPE Industry Certification Funding List and CAPE  
4744 Postsecondary Industry Certification Funding List.—

4745 (2) The State Board of Education, for school districts, and  
4746 the State Board of Community Colleges, for Florida Community  
4747 College System institutions, shall collaborate to approve, at  
4748 least annually, the CAPE Postsecondary Industry Certification  
4749 Funding List pursuant to this section. The Commissioner of  
4750 Education and the Chancellor of the Florida Community College  
4751 System shall recommend, at least annually, the CAPE  
4752 Postsecondary Industry Certification Funding List to the State  
4753 Board of Education and the State Board of Community Colleges,  
4754 respectively, and may at any time recommend adding  
4755 certifications. The Chancellor of the State University System,  
4756 the Chancellor of the Florida Community College System, and the

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4757 Chancellor of Career and Adult Education shall work with local  
4758 workforce boards, other postsecondary institutions, businesses,  
4759 and industry to identify, create, and recommend to the  
4760 Commissioner of Education industry certifications to be placed  
4761 on the funding list. The list shall be used to determine annual  
4762 performance funding distributions to school districts or Florida  
4763 Community College System institutions as specified in ss.  
4764 1011.80 and 1011.81, respectively. The chancellors shall review  
4765 results of the economic security report of employment and  
4766 earning outcomes produced annually pursuant to s. 445.07 when  
4767 determining recommended certifications for the list, as well as  
4768 other reports and indicators available regarding certification  
4769 needs.

4770 Section 75. Section 1008.45, Florida Statutes, is amended  
4771 to read:

4772 1008.45 Florida Community College System institution  
4773 accountability process.—

4774 (1) It is the intent of the Legislature that a management  
4775 and accountability process be implemented which provides for the  
4776 systematic, ongoing improvement and assessment of the  
4777 improvement of the quality and efficiency of the Florida  
4778 Community College System institutions. Accordingly, the State  
4779 Board of Community Colleges ~~Education~~ and the Florida Community  
4780 College System institution boards of trustees shall develop and  
4781 implement an accountability plan to improve and evaluate the  
4782 instructional and administrative efficiency and effectiveness of  
4783 the Florida Community College System. This plan shall be  
4784 designed in consultation with staff of the Governor and the  
4785 Legislature and must address the following issues:

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- 4786 (a) Graduation rates of A.A. and A.S. degree-seeking  
4787 students compared to first-time-enrolled students seeking the  
4788 associate degree.
- 4789 (b) Minority student enrollment and retention rates.
- 4790 (c) Student performance, including student performance in  
4791 college-level academic skills, mean grade point averages for  
4792 Florida Community College System institution A.A. transfer  
4793 students, and Florida Community College System institution  
4794 student performance on state licensure examinations.
- 4795 (d) Job placement rates of Florida Community College System  
4796 institution career students.
- 4797 (e) Student progression by admission status and program.
- 4798 (f) Career accountability standards identified in s.  
4799 1008.42.
- 4800 (g) Institutional assessment efforts related to the  
4801 requirements of s. III in the Criteria for Accreditation of the  
4802 Commission on Colleges of the Southern Association of Colleges  
4803 and Schools.
- 4804 (h) Other measures approved by the State Board of Community  
4805 Colleges Education.
- 4806 (2) The State Board of Community Colleges Education shall  
4807 submit an annual report, to coincide with the submission of the  
4808 state board's agency strategic plan required by law, providing  
4809 the results of initiatives taken during the prior year and the  
4810 initiatives and related objective performance measures proposed  
4811 for the next year.
- 4812 (3) The State Board of Community Colleges Education shall  
4813 address within the annual evaluation of the performance of the  
4814 chancellor executive director, and the Florida Community College

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4815 System institution boards of trustees shall address within the  
4816 annual evaluation of the presidents, the achievement of the  
4817 performance goals established by the accountability process.

4818 Section 76. Section 1009.21, Florida Statutes, is amended  
4819 to read:

4820 1009.21 Determination of resident status for tuition  
4821 purposes.—Students shall be classified as residents or  
4822 nonresidents for the purpose of assessing tuition in  
4823 postsecondary educational programs offered by charter technical  
4824 career centers or career centers operated by school districts,  
4825 in Florida Community College System institutions, and in state  
4826 universities.

4827 (1) As used in this section, the term:

4828 (a) "Dependent child" means any person, whether or not  
4829 living with his or her parent, who is eligible to be claimed by  
4830 his or her parent as a dependent under the federal income tax  
4831 code.

4832 (b) "Initial enrollment" means the first day of class at an  
4833 institution of higher education.

4834 (c) "Institution of higher education" means any charter  
4835 technical career center as defined in s. 1002.34, career center  
4836 operated by a school district as defined in s. 1001.44, Florida  
4837 Community College System institution as defined in s.  
4838 1000.21(3), or state university as defined in s. 1000.21(6).

4839 (d) "Legal resident" or "resident" means a person who has  
4840 maintained his or her residence in this state for the preceding  
4841 year, has purchased a home which is occupied by him or her as  
4842 his or her residence, or has established a domicile in this  
4843 state pursuant to s. 222.17.

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4844 (e) "Nonresident for tuition purposes" means a person who  
4845 does not qualify for the in-state tuition rate.

4846 (f) "Parent" means either or both parents of a student, any  
4847 guardian of a student, or any person in a parental relationship  
4848 to a student.

4849 (g) "Resident for tuition purposes" means a person who  
4850 qualifies as provided in this section for the in-state tuition  
4851 rate.

4852 (2) (a) To qualify as a resident for tuition purposes:

4853 1. A person or, if that person is a dependent child, his or  
4854 her parent or parents must have established legal residence in  
4855 this state and must have maintained legal residence in this  
4856 state for at least 12 consecutive months immediately prior to  
4857 his or her initial enrollment in an institution of higher  
4858 education.

4859 2. Every applicant for admission to an institution of  
4860 higher education shall be required to make a statement as to his  
4861 or her length of residence in the state and, further, shall  
4862 establish that his or her presence or, if the applicant is a  
4863 dependent child, the presence of his or her parent or parents in  
4864 the state currently is, and during the requisite 12-month  
4865 qualifying period was, for the purpose of maintaining a bona  
4866 fide domicile, rather than for the purpose of maintaining a mere  
4867 temporary residence or abode incident to enrollment in an  
4868 institution of higher education.

4869 (b) However, with respect to a dependent child living with  
4870 an adult relative other than the child's parent, such child may  
4871 qualify as a resident for tuition purposes if the adult relative  
4872 is a legal resident who has maintained legal residence in this



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4873 state for at least 12 consecutive months immediately before the  
4874 child's initial enrollment in an institution of higher  
4875 education, provided the child has resided continuously with such  
4876 relative for the 3 years immediately before the child's initial  
4877 enrollment in an institution of higher education, during which  
4878 time the adult relative has exercised day-to-day care,  
4879 supervision, and control of the child.

4880 (c) The legal residence of a dependent child whose parents  
4881 are divorced, separated, or otherwise living apart will be  
4882 deemed to be this state if either parent is a legal resident of  
4883 this state, regardless of which parent is entitled to claim, and  
4884 does in fact claim, the minor as a dependent pursuant to federal  
4885 individual income tax provisions.

4886 (d) A dependent child who is a United States citizen may  
4887 not be denied classification as a resident for tuition purposes  
4888 based solely upon the immigration status of his or her parent.

4889 (3) (a) An individual shall not be classified as a resident  
4890 for tuition purposes and, thus, shall not be eligible to receive  
4891 the in-state tuition rate until he or she has provided such  
4892 evidence related to legal residence and its duration or, if that  
4893 individual is a dependent child, evidence of his or her parent's  
4894 legal residence and its duration, as may be required by law and  
4895 by officials of the institution of higher education from which  
4896 he or she seeks the in-state tuition rate.

4897 (b) Except as otherwise provided in this section, evidence  
4898 of legal residence and its duration shall include clear and  
4899 convincing documentation that residency in this state was for a  
4900 minimum of 12 consecutive months prior to a student's initial  
4901 enrollment in an institution of higher education.

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4902 (c) Each institution of higher education shall  
4903 affirmatively determine that an applicant who has been granted  
4904 admission to that institution as a Florida resident meets the  
4905 residency requirements of this section at the time of initial  
4906 enrollment. The residency determination must be documented by  
4907 the submission of written or electronic verification that  
4908 includes two or more of the documents identified in this  
4909 paragraph. No single piece of evidence shall be conclusive.

4910 1. The documents must include at least one of the  
4911 following:

4912 a. A Florida voter's registration card.

4913 b. A Florida driver license.

4914 c. A State of Florida identification card.

4915 d. A Florida vehicle registration.

4916 e. Proof of a permanent home in Florida which is occupied  
4917 as a primary residence by the individual or by the individual's  
4918 parent if the individual is a dependent child.

4919 f. Proof of a homestead exemption in Florida.

4920 g. Transcripts from a Florida high school for multiple  
4921 years if the Florida high school diploma or high school  
4922 equivalency diploma was earned within the last 12 months.

4923 h. Proof of permanent full-time employment in Florida for  
4924 at least 30 hours per week for a 12-month period.

4925 2. The documents may include one or more of the following:

4926 a. A declaration of domicile in Florida.

4927 b. A Florida professional or occupational license.

4928 c. Florida incorporation.

4929 d. A document evidencing family ties in Florida.

4930 e. Proof of membership in a Florida-based charitable or

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4931 professional organization.

4932 f. Any other documentation that supports the student's  
4933 request for resident status, including, but not limited to,  
4934 utility bills and proof of 12 consecutive months of payments; a  
4935 lease agreement and proof of 12 consecutive months of payments;  
4936 or an official state, federal, or court document evidencing  
4937 legal ties to Florida.

4938 (4) With respect to a dependent child, the legal residence  
4939 of the dependent child's parent or parents is prima facie  
4940 evidence of the dependent child's legal residence, which  
4941 evidence may be reinforced or rebutted, relative to the age and  
4942 general circumstances of the dependent child, by the other  
4943 evidence of legal residence required of or presented by the  
4944 dependent child. However, the legal residence of a dependent  
4945 child's parent or parents who are domiciled outside this state  
4946 is not prima facie evidence of the dependent child's legal  
4947 residence if that dependent child has lived in this state for 5  
4948 consecutive years prior to enrolling or reregistering at the  
4949 institution of higher education at which resident status for  
4950 tuition purposes is sought.

4951 (5) A person who physically resides in this state may be  
4952 classified as a resident for tuition purposes if he or she  
4953 marries a person who meets the 12-month residency requirement  
4954 under subsection (2) and who is a legal resident of this state.

4955 (6) (a) Except as otherwise provided in this section, a  
4956 person who is classified as a nonresident for tuition purposes  
4957 may become eligible for reclassification as a resident for  
4958 tuition purposes if that person or, if that person is a  
4959 dependent child, his or her parent presents clear and convincing

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4960 documentation that supports permanent legal residency in this  
4961 state for at least 12 consecutive months rather than temporary  
4962 residency for the purpose of pursuing an education, such as  
4963 documentation of full-time permanent employment for the prior 12  
4964 months or the purchase of a home in this state and residence  
4965 therein for the prior 12 months while not enrolled in an  
4966 institution of higher education.

4967 (b) If a person who is a dependent child and his or her  
4968 parent move to this state while such child is a high school  
4969 student and the child graduates from a high school in this  
4970 state, the child may become eligible for reclassification as a  
4971 resident for tuition purposes when the parent submits evidence  
4972 that the parent qualifies for permanent residency.

4973 (c) If a person who is a dependent child and his or her  
4974 parent move to this state after such child graduates from high  
4975 school, the child may become eligible for reclassification as a  
4976 resident for tuition purposes after the parent submits evidence  
4977 that he or she has established legal residence in the state and  
4978 has maintained legal residence in the state for at least 12  
4979 consecutive months.

4980 (d) A person who is classified as a nonresident for tuition  
4981 purposes and who marries a legal resident of the state or  
4982 marries a person who becomes a legal resident of the state may,  
4983 upon becoming a legal resident of the state, become eligible for  
4984 reclassification as a resident for tuition purposes upon  
4985 submitting evidence of his or her own legal residency in the  
4986 state, evidence of his or her marriage to a person who is a  
4987 legal resident of the state, and evidence of the spouse's legal  
4988 residence in the state for at least 12 consecutive months

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4989 immediately preceding the application for reclassification.

4990 (7) A person shall not lose his or her resident status for  
4991 tuition purposes solely by reason of serving, or, if such person  
4992 is a dependent child, by reason of his or her parent's or  
4993 parents' serving, in the Armed Forces outside this state.

4994 (8) A person who has been properly classified as a resident  
4995 for tuition purposes but who, while enrolled in an institution  
4996 of higher education in this state, loses his or her resident  
4997 tuition status because the person or, if he or she is a  
4998 dependent child, the person's parent or parents establish  
4999 domicile or legal residence elsewhere shall continue to enjoy  
5000 the in-state tuition rate for a statutory grace period, which  
5001 period shall be measured from the date on which the  
5002 circumstances arose that culminated in the loss of resident  
5003 tuition status and shall continue for 12 months. However, if the  
5004 12-month grace period ends during a semester or academic term  
5005 for which such former resident is enrolled, such grace period  
5006 shall be extended to the end of that semester or academic term.

5007 (9) Any person who ceases to be enrolled at or who  
5008 graduates from an institution of higher education while  
5009 classified as a resident for tuition purposes and who  
5010 subsequently abandons his or her domicile in this state shall be  
5011 permitted to reenroll at an institution of higher education in  
5012 this state as a resident for tuition purposes without the  
5013 necessity of meeting the 12-month durational requirement of this  
5014 section if that person has reestablished his or her domicile in  
5015 this state within 12 months of such abandonment and continuously  
5016 maintains the reestablished domicile during the period of  
5017 enrollment. The benefit of this subsection shall not be accorded

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5018 more than once to any one person.

5019 (10) The following persons shall be classified as residents  
5020 for tuition purposes:

5021 (a) Active duty members of the Armed Services of the United  
5022 States residing or stationed in this state, their spouses, and  
5023 dependent children, and active drilling members of the Florida  
5024 National Guard.

5025 (b) Active duty members of the Armed Services of the United  
5026 States and their spouses and dependents attending a Florida  
5027 Community College System institution or state university within  
5028 50 miles of the military establishment where they are stationed,  
5029 if such military establishment is within a county contiguous to  
5030 Florida.

5031 (c) United States citizens living on the Isthmus of Panama,  
5032 who have completed 12 consecutive months of college work at the  
5033 Florida State University Panama Canal Branch, and their spouses  
5034 and dependent children.

5035 (d) Full-time instructional and administrative personnel  
5036 employed by state public schools and institutions of higher  
5037 education and their spouses and dependent children.

5038 (e) Students from Latin America and the Caribbean who  
5039 receive scholarships from the federal or state government. Any  
5040 student classified pursuant to this paragraph shall attend, on a  
5041 full-time basis, a Florida institution of higher education.

5042 (f) Southern Regional Education Board's Academic Common  
5043 Market graduate students attending Florida's state universities.

5044 (g) Full-time employees of state agencies or political  
5045 subdivisions of the state when the student fees are paid by the  
5046 state agency or political subdivision for the purpose of job-

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5047 related law enforcement or corrections training.

5048 (h) McKnight Doctoral Fellows and Finalists who are United  
5049 States citizens.

5050 (i) United States citizens living outside the United States  
5051 who are teaching at a Department of Defense Dependent School or  
5052 in an American International School and who enroll in a graduate  
5053 level education program which leads to a Florida teaching  
5054 certificate.

5055 (j) Active duty members of the Canadian military residing  
5056 or stationed in this state under the North American Air Defense  
5057 (NORAD) agreement, and their spouses and dependent children,  
5058 attending a Florida Community College System institution or  
5059 state university within 50 miles of the military establishment  
5060 where they are stationed.

5061 (k) Active duty members of a foreign nation's military who  
5062 are serving as liaison officers and are residing or stationed in  
5063 this state, and their spouses and dependent children, attending  
5064 a Florida Community College System institution or state  
5065 university within 50 miles of the military establishment where  
5066 the foreign liaison officer is stationed.

5067 (11) Once a student has been classified as a resident for  
5068 tuition purposes, an institution of higher education to which  
5069 the student transfers is not required to reevaluate the  
5070 classification unless inconsistent information suggests that an  
5071 erroneous classification was made or the student's situation has  
5072 changed. However, the student must have attended the institution  
5073 making the initial classification within the prior 12 months,  
5074 and the residency classification must be noted on the student's  
5075 transcript. The Higher Education Coordinating Council shall

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5076 consider issues related to residency determinations and make  
5077 recommendations relating to efficiency and effectiveness of  
5078 current law.

5079 (12) Each institution of higher education shall establish a  
5080 residency appeal committee comprised of at least three members  
5081 to consider student appeals of residency determinations, in  
5082 accordance with the institution's official appeal process. The  
5083 residency appeal committee must render to the student the final  
5084 residency determination in writing. The institution must advise  
5085 the student of the reasons for the determination.

5086 (13) The State Board of Education, ~~and~~ and the Board of  
5087 Governors, and the State Board of Community Colleges shall adopt  
5088 rules to implement this section.

5089 Section 77. Paragraph (e) of subsection (3) of section  
5090 1009.22, Florida Statutes, is amended to read:

5091 1009.22 Workforce education postsecondary student fees.—  
5092 (3)

5093 (e) The State Board of Education and the State Board of  
5094 Community Colleges may adopt, by rule, the definitions and  
5095 procedures that district school boards and Florida Community  
5096 College System institution boards of trustees shall use in the  
5097 calculation of cost borne by students.

5098 Section 78. Section 1009.23, Florida Statutes, is amended  
5099 to read:

5100 1009.23 Florida Community College System institution  
5101 student fees.—

5102 (1) Unless otherwise provided, this section applies only to  
5103 fees charged for college credit instruction leading to an  
5104 associate in arts degree, an associate in applied science



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5105 degree, an associate in science degree, or a baccalaureate  
5106 degree authorized pursuant to s. 1007.33, for noncollege credit  
5107 developmental education defined in s. 1004.02, and for educator  
5108 preparation institute programs defined in s. 1004.85.

5109 (2) (a) All students shall be charged fees except students  
5110 who are exempt from fees or students whose fees are waived.

5111 (b) Tuition and out-of-state fees for upper-division  
5112 courses must reflect the fact that the Florida Community College  
5113 System institution has a less expensive cost structure than that  
5114 of a state university. Therefore, the board of trustees shall  
5115 establish tuition and out-of-state fees for upper-division  
5116 courses in baccalaureate degree programs approved pursuant to s.  
5117 1007.33 consistent with law and proviso language in the General  
5118 Appropriations Act. However, the board of trustees may vary  
5119 tuition and out-of-state fees only as provided in subsection (6)  
5120 and s. 1009.26(11).

5121 (3) (a) Effective July 1, 2014, for advanced and  
5122 professional, postsecondary vocational, developmental education,  
5123 and educator preparation institute programs, the standard  
5124 tuition shall be \$71.98 per credit hour for residents and  
5125 nonresidents, and the out-of-state fee shall be \$215.94 per  
5126 credit hour.

5127 (b) Effective July 1, 2014, for baccalaureate degree  
5128 programs, the following tuition and fee rates shall apply:

5129 1. The tuition shall be \$91.79 per credit hour for students  
5130 who are residents for tuition purposes.

5131 2. The sum of the tuition and the out-of-state fee per  
5132 credit hour for students who are nonresidents for tuition  
5133 purposes shall be no more than 85 percent of the sum of the

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5134 tuition and the out-of-state fee at the state university nearest  
5135 the Florida Community College System institution.

5136 (4) Each Florida Community College System institution board  
5137 of trustees shall establish tuition and out-of-state fees, which  
5138 may vary no more than 10 percent below and 15 percent above the  
5139 combined total of the standard tuition and fees established in  
5140 subsection (3).

5141 (5) Except as otherwise provided in law, the sum of  
5142 nonresident student tuition and out-of-state fees must be  
5143 sufficient to defray the full cost of each program.

5144 (6) (a) A Florida Community College System institution board  
5145 of trustees that has a service area that borders another state  
5146 may implement a plan for a differential out-of-state fee.

5147 (b) A Florida Community College System institution board of  
5148 trustees may establish a differential out-of-state fee for a  
5149 student who has been determined to be a nonresident for tuition  
5150 purposes pursuant to s. 1009.21 and is enrolled in a distance  
5151 learning course offered by the institution. A differential out-  
5152 of-state fee established pursuant to this paragraph shall be  
5153 applicable only to distance learning courses and must be  
5154 established such that the sum of tuition and the differential  
5155 out-of-state fee is sufficient to defray the full cost of  
5156 instruction.

5157 (7) Each Florida Community College System institution board  
5158 of trustees may establish a separate activity and service fee  
5159 not to exceed 10 percent of the tuition fee, according to rules  
5160 of the State Board of Community Colleges ~~Education~~. The student  
5161 activity and service fee shall be collected as a component part  
5162 of the tuition and fees. The student activity and service fees

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5163 shall be paid into a student activity and service fund at the  
5164 Florida Community College System institution and shall be  
5165 expended for lawful purposes to benefit the student body in  
5166 general. These purposes include, but are not limited to, student  
5167 publications and grants to duly recognized student  
5168 organizations, the membership of which is open to all students  
5169 at the Florida Community College System institution without  
5170 regard to race, sex, or religion. No Florida Community College  
5171 System institution shall be required to lower any activity and  
5172 service fee approved by the board of trustees of the Florida  
5173 Community College System institution and in effect prior to  
5174 October 26, 2007, in order to comply with the provisions of this  
5175 subsection.

5176 (8) (a) Each Florida Community College System institution  
5177 board of trustees is authorized to establish a separate fee for  
5178 financial aid purposes in an additional amount up to, but not to  
5179 exceed, 5 percent of the total student tuition or out-of-state  
5180 fees collected. Each Florida Community College System  
5181 institution board of trustees may collect up to an additional 2  
5182 percent if the amount generated by the total financial aid fee  
5183 is less than \$500,000. If the amount generated is less than  
5184 \$500,000, a Florida Community College System institution that  
5185 charges tuition and out-of-state fees at least equal to the  
5186 average fees established by rule may transfer from the general  
5187 current fund to the scholarship fund an amount equal to the  
5188 difference between \$500,000 and the amount generated by the  
5189 total financial aid fee assessment. No other transfer from the  
5190 general current fund to the loan, endowment, or scholarship  
5191 fund, by whatever name known, is authorized.

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5192 (b) All funds collected under this program shall be placed  
5193 in the loan and endowment fund or scholarship fund of the  
5194 college, by whatever name known. Such funds shall be disbursed  
5195 to students as quickly as possible. An amount not greater than  
5196 40 percent of the fees collected in a fiscal year may be carried  
5197 forward unexpended to the following fiscal year. However, funds  
5198 collected prior to July 1, 1989, and placed in an endowment fund  
5199 may not be considered part of the balance of funds carried  
5200 forward unexpended to the following fiscal year.

5201 (c) Up to 25 percent or \$600,000, whichever is greater, of  
5202 the financial aid fees collected may be used to assist students  
5203 who demonstrate academic merit; who participate in athletics,  
5204 public service, cultural arts, and other extracurricular  
5205 programs as determined by the institution; or who are identified  
5206 as members of a targeted gender or ethnic minority population.  
5207 The financial aid fee revenues allocated for athletic  
5208 scholarships and any fee exemptions provided to athletes  
5209 pursuant to s. 1009.25(2) must be distributed equitably as  
5210 required by s. 1000.05(3)(d). A minimum of 75 percent of the  
5211 balance of these funds for new awards shall be used to provide  
5212 financial aid based on absolute need, and the remainder of the  
5213 funds shall be used for academic merit purposes and other  
5214 purposes approved by the boards of trustees. Such other purposes  
5215 shall include the payment of child care fees for students with  
5216 financial need. The State Board of Education shall develop  
5217 criteria for making financial aid awards. Each college shall  
5218 report annually to the Department of Education on the revenue  
5219 collected pursuant to this paragraph, the amount carried  
5220 forward, the criteria used to make awards, the amount and number

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5221 of awards for each criterion, and a delineation of the  
5222 distribution of such awards. The report shall include an  
5223 assessment by category of the financial need of every student  
5224 who receives an award, regardless of the purpose for which the  
5225 award is received. Awards that are based on financial need shall  
5226 be distributed in accordance with a nationally recognized system  
5227 of need analysis approved by the State Board of Education. An  
5228 award for academic merit requires a minimum overall grade point  
5229 average of 3.0 on a 4.0 scale or the equivalent for both initial  
5230 receipt of the award and renewal of the award.

5231 (d) These funds may not be used for direct or indirect  
5232 administrative purposes or salaries.

5233 (9) Any Florida Community College System institution that  
5234 reports students who have not paid fees in an approved manner in  
5235 calculations of full-time equivalent enrollments for state  
5236 funding purposes shall be penalized at a rate equal to two times  
5237 the value of such enrollments. Such penalty shall be charged  
5238 against the following year's allocation from the Florida  
5239 Community College System Program Fund and shall revert to the  
5240 General Revenue Fund.

5241 (10) Each Florida Community College System institution  
5242 board of trustees is authorized to establish a separate fee for  
5243 technology, which may not exceed 5 percent of tuition per credit  
5244 hour or credit-hour equivalent for resident students and may not  
5245 exceed 5 percent of tuition and the out-of-state fee per credit  
5246 hour or credit-hour equivalent for nonresident students.  
5247 Revenues generated from the technology fee shall be used to  
5248 enhance instructional technology resources for students and  
5249 faculty. The technology fee may apply to both college credit and

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5250 developmental education and shall not be included in any award  
5251 under the Florida Bright Futures Scholarship Program. Fifty  
5252 percent of technology fee revenues may be pledged by a Florida  
5253 Community College System institution board of trustees as a  
5254 dedicated revenue source for the repayment of debt, including  
5255 lease-purchase agreements, not to exceed the useful life of the  
5256 asset being financed. Revenues generated from the technology fee  
5257 may not be bonded.

5258 (11) (a) Each Florida Community College System institution  
5259 board of trustees may establish a separate fee for capital  
5260 improvements, technology enhancements, equipping student  
5261 buildings, or the acquisition of improved real property which  
5262 may not exceed 20 percent of tuition for resident students or 20  
5263 percent of the sum of tuition and out-of-state fees for  
5264 nonresident students. The fee for resident students shall be  
5265 limited to an increase of \$2 per credit hour over the prior  
5266 year. Funds collected by Florida Community College System  
5267 institutions through the fee may be bonded only as provided in  
5268 this subsection for the purpose of financing or refinancing new  
5269 construction and equipment, renovation, remodeling of  
5270 educational facilities, or the acquisition and renovation or  
5271 remodeling of improved real property for use as educational  
5272 facilities. The fee shall be collected as a component part of  
5273 the tuition and fees, paid into a separate account, and expended  
5274 only to acquire improved real property or construct and equip,  
5275 maintain, improve, or enhance the educational facilities of the  
5276 Florida Community College System institution. Projects and  
5277 acquisitions of improved real property funded through the use of  
5278 the capital improvement fee shall meet the survey and

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5279 construction requirements of chapter 1013. Pursuant to s.  
5280 216.0158, each Florida Community College System institution  
5281 shall identify each project, including maintenance projects,  
5282 proposed to be funded in whole or in part by such fee.

5283 (b) Capital improvement fee revenues may be pledged by a  
5284 board of trustees as a dedicated revenue source to the repayment  
5285 of debt, including lease-purchase agreements, with an overall  
5286 term of not more than 7 years, including renewals, extensions,  
5287 and refundings, and revenue bonds with a term not exceeding 20  
5288 annual maturities and not exceeding the useful life of the asset  
5289 being financed, only for financing or refinancing of the new  
5290 construction and equipment, renovation, or remodeling of  
5291 educational facilities. Bonds authorized pursuant to this  
5292 subsection shall be requested by the Florida Community College  
5293 System institution board of trustees and shall be issued by the  
5294 Division of Bond Finance in compliance with s. 11(d), Art. VII  
5295 of the State Constitution and the State Bond Act. The Division  
5296 of Bond Finance may pledge fees collected by one or more Florida  
5297 Community College System institutions to secure such bonds. Any  
5298 project included in the approved educational plant survey  
5299 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.  
5300 VII of the State Constitution.

5301 (c) Bonds issued pursuant to this subsection may be  
5302 validated in the manner provided by chapter 75. Only the initial  
5303 series of bonds is required to be validated. The complaint for  
5304 such validation shall be filed in the circuit court of the  
5305 county where the seat of state government is situated, the  
5306 notice required to be published by s. 75.06 shall be published  
5307 only in the county where the complaint is filed, and the

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5308 complaint and order of the circuit court shall be served only on  
5309 the state attorney of the circuit in which the action is  
5310 pending.

5311 (d) A maximum of 15 percent may be allocated from the  
5312 capital improvement fee for child care centers conducted by the  
5313 Florida Community College System institution. The use of capital  
5314 improvement fees for such purpose shall be subordinate to the  
5315 payment of any bonds secured by the fees.

5316 (e) The state does hereby covenant with the holders of the  
5317 bonds issued under this subsection that it will not take any  
5318 action that will materially and adversely affect the rights of  
5319 such holders so long as the bonds authorized by this subsection  
5320 are outstanding.

5321 (12) (a) In addition to tuition, out-of-state, financial  
5322 aid, capital improvement, student activity and service, and  
5323 technology fees authorized in this section, each Florida  
5324 Community College System institution board of trustees is  
5325 authorized to establish fee schedules for the following user  
5326 fees and fines: laboratory fees, which do not apply to a  
5327 distance learning course; parking fees and fines; library fees  
5328 and fines; fees and fines relating to facilities and equipment  
5329 use or damage; access or identification card fees; duplicating,  
5330 photocopying, binding, or microfilming fees; standardized  
5331 testing fees; diploma replacement fees; transcript fees;  
5332 application fees; graduation fees; and late fees related to  
5333 registration and payment. Such user fees and fines shall not  
5334 exceed the cost of the services provided and shall only be  
5335 charged to persons receiving the service. A Florida Community  
5336 College System institution may not charge any fee except as



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5337 authorized by law. Parking fee revenues may be pledged by a  
5338 Florida Community College System institution board of trustees  
5339 as a dedicated revenue source for the repayment of debt,  
5340 including lease-purchase agreements, with an overall term of not  
5341 more than 7 years, including renewals, extensions, and  
5342 refundings, and revenue bonds with a term not exceeding 20 years  
5343 and not exceeding the useful life of the asset being financed.  
5344 Florida Community College System institutions shall use the  
5345 services of the Division of Bond Finance of the State Board of  
5346 Administration to issue any revenue bonds authorized by this  
5347 subsection. Any such bonds issued by the Division of Bond  
5348 Finance shall be in compliance with the provisions of the State  
5349 Bond Act. Bonds issued pursuant to the State Bond Act may be  
5350 validated in the manner established in chapter 75. The complaint  
5351 for such validation shall be filed in the circuit court of the  
5352 county where the seat of state government is situated, the  
5353 notice required to be published by s. 75.06 shall be published  
5354 only in the county where the complaint is filed, and the  
5355 complaint and order of the circuit court shall be served only on  
5356 the state attorney of the circuit in which the action is  
5357 pending.

5358 (b) The State Board of Community Colleges ~~Education~~ may  
5359 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer  
5360 this subsection.

5361 (13) The State Board of Community Colleges ~~Education~~ shall  
5362 specify, as necessary, by rule, approved methods of student fee  
5363 payment. Such methods shall include, but not be limited to,  
5364 student fee payment; payment through federal, state, or  
5365 institutional financial aid; and employer fee payments.

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5366 (14) Each Florida Community College System institution  
5367 board of trustees shall report only those students who have  
5368 actually enrolled in instruction provided or supervised by  
5369 instructional personnel under contract with the Florida  
5370 Community College System institution in calculations of actual  
5371 full-time equivalent enrollments for state funding purposes. No  
5372 student who has been exempted from taking a course or who has  
5373 been granted academic or career credit through means other than  
5374 actual coursework completed at the granting institution shall be  
5375 calculated for enrollment in the course from which he or she has  
5376 been exempted or granted credit. Florida Community College  
5377 System institutions that report enrollments in violation of this  
5378 subsection shall be penalized at a rate equal to two times the  
5379 value of such enrollments. Such penalty shall be charged against  
5380 the following year's allocation from the Florida Community  
5381 College System Program Fund and shall revert to the General  
5382 Revenue Fund.

5383 (15) Each Florida Community College System institution may  
5384 assess a service charge for the payment of tuition and fees in  
5385 installments and a convenience fee for the processing of  
5386 automated or online credit card payments. However, the amount of  
5387 the convenience fee may not exceed the total cost charged by the  
5388 credit card company to the Florida Community College System  
5389 institution. Such service charge or convenience fee must be  
5390 approved by the Florida Community College System institution  
5391 board of trustees.

5392 (16) (a) Each Florida Community College System institution  
5393 may assess a student who enrolls in a course listed in the  
5394 distance learning catalog, established pursuant to s. 1006.735,

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5395 a per-credit-hour distance learning course user fee. For  
5396 purposes of assessing this fee, a distance learning course is a  
5397 course in which at least 80 percent of the direct instruction of  
5398 the course is delivered using some form of technology when the  
5399 student and instructor are separated by time or space, or both.

5400 (b) The amount of the distance learning course user fee may  
5401 not exceed the additional costs of the services provided which  
5402 are attributable to the development and delivery of the distance  
5403 learning course. If a Florida Community College System  
5404 institution assesses the distance learning course user fee, the  
5405 institution may not assess any other fees to cover the  
5406 additional costs. By September 1 of each year, each board of  
5407 trustees shall report to the State Board of Community Colleges  
5408 ~~Division of Florida Colleges~~ the total amount of revenue  
5409 generated by the distance learning course user fee for the prior  
5410 fiscal year and how the revenue was expended.

5411 (c) If an institution assesses the distance learning fee,  
5412 the institution must provide a link to the catalog within the  
5413 advising and distance learning sections of the institution's  
5414 website, using a graphic and description provided by the  
5415 Complete Florida Plus Program, to inform students of the  
5416 catalog.

5417 (17) Each Florida Community College System institution that  
5418 accepts transient students, pursuant to s. 1006.735, may  
5419 establish a transient student fee not to exceed \$5 per course  
5420 for processing the transient student admissions application.

5421 (18) (a) The Board of Trustees of Santa Fe College may  
5422 establish a transportation access fee. Revenue from the fee may  
5423 be used only to provide or improve access to transportation

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5424 services for students enrolled at Santa Fe College. The fee may  
5425 not exceed \$6 per credit hour. An increase in the transportation  
5426 access fee may occur only once each fiscal year and must be  
5427 implemented beginning with the fall term. A referendum must be  
5428 held by the student government to approve the application of the  
5429 fee.

5430 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,  
5431 the transportation access fee authorized under paragraph (a) may  
5432 not be included in calculating the amount a student receives for  
5433 a Florida Academic Scholars award, a Florida Medallion Scholars  
5434 award, or a Florida Gold Seal Vocational Scholars award.

5435 (19) The State Board of Community Colleges ~~Education~~ shall  
5436 adopt a rule specifying the definitions and procedures to be  
5437 used in the calculation of the percentage of cost paid by  
5438 students. The rule must provide for the calculation of the full  
5439 cost of educational programs based on the allocation of all  
5440 funds provided through the general current fund to programs of  
5441 instruction, and other activities as provided in the annual  
5442 expenditure analysis. The rule shall be developed in  
5443 consultation with the Legislature.

5444 (20) Each Florida Community College System institution  
5445 shall publicly notice and notify all enrolled students of any  
5446 proposal to increase tuition or fees at least 28 days before its  
5447 consideration at a board of trustees meeting. The notice must:

5448 (a) Include the date and time of the meeting at which the  
5449 proposal will be considered.

5450 (b) Specifically outline the details of existing tuition  
5451 and fees, the rationale for the proposed increase, and how the  
5452 funds from the proposed increase will be used.

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5453 (c) Be posted on the institution's website and issued in a  
5454 press release.

5455 Section 79. Subsection (2) of section 1009.25, Florida  
5456 Statutes, is amended to read:

5457 1009.25 Fee exemptions.—

5458 (2) Each Florida Community College System institution is  
5459 authorized to grant student fee exemptions from all fees adopted  
5460 by the State Board of Community Colleges ~~Education~~ and the  
5461 Florida Community College System institution board of trustees  
5462 for up to 54 full-time equivalent students or 1 percent of the  
5463 institution's total full-time equivalent enrollment, whichever  
5464 is greater, at each institution.

5465 Section 80. Paragraph (b) of subsection (12), paragraphs  
5466 (c) and (d) of subsection (13), and paragraph (d) of subsection  
5467 (14) of section 1009.26, Florida Statutes, are amended, to read:

5468 1009.26 Fee waivers.—

5469 (12)

5470 (b) Tuition and fees charged to a student who qualifies for  
5471 the out-of-state fee waiver under this subsection may not exceed  
5472 the tuition and fees charged to a resident student. The waiver  
5473 is applicable for 110 percent of the required credit hours of  
5474 the degree or certificate program for which the student is  
5475 enrolled. Each state university, Florida Community College  
5476 System institution, career center operated by a school district  
5477 under s. 1001.44, and charter technical career center shall  
5478 report to the Board of Governors, the State Board of Community  
5479 Colleges, and the State Board of Education, respectively, the  
5480 number and value of all fee waivers granted annually under this  
5481 subsection. By October 1 of each year, the Board of Governors,

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5482 for the state universities; ~~and~~ the State Board of Community  
5483 Colleges, Education for Florida Community College System  
5484 institutions; ~~and~~ career centers operated by a school district  
5485 under s. 1001.44; ~~and~~ and charter technical career centers shall  
5486 annually report for the previous academic year the percentage of  
5487 resident and nonresident students enrolled systemwide.

5488 (13)

5489 (c) Each state university, Florida Community College System  
5490 institution, career center operated by a school district under  
5491 s. 1001.44, and charter technical career center shall report to  
5492 the Board of Governors, the State Board of Community, and the  
5493 State Board of Education, respectively, the number and value of  
5494 all fee waivers granted annually under this subsection.

5495 (d) The Board of Governors, the State Board of Community  
5496 Colleges, and the State Board of Education shall respectively  
5497 adopt regulations and rules to administer this subsection.

5498 (14)

5499 (d) The Board of Governors, the State Board of Community  
5500 Colleges, and the State Board of Education shall respectively  
5501 adopt regulations and rules to administer this subsection.

5502 Section 81. Section 1009.28, Florida Statutes, is amended  
5503 to read:

5504 1009.28 Fees for repeated enrollment in developmental  
5505 education classes.—A student enrolled in the same developmental  
5506 education class more than twice shall pay 100 percent of the  
5507 full cost of instruction to support continuous enrollment of  
5508 that student in the same class, and the student shall not be  
5509 included in calculations of full-time equivalent enrollments for  
5510 state funding purposes; however, students who withdraw or fail a

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5511 class due to extenuating circumstances may be granted an  
5512 exception only once for each class, provided approval is granted  
5513 according to policy established by the board of trustees. Each  
5514 Florida Community College System institution may review and  
5515 reduce fees paid by students due to continued enrollment in a  
5516 developmental education class on an individual basis contingent  
5517 upon the student's financial hardship, pursuant to definitions  
5518 and fee levels established by the State Board of Community  
5519 Colleges Education.

5520 Section 82. Subsections (9) and (12) of section 1009.90,  
5521 Florida Statutes, are amended to read:

5522 1009.90 Duties of the Department of Education.—The duties  
5523 of the department shall include:

5524 (9) Development and submission of a report, annually, to  
5525 the State Board of Education, the Board of Governors, the State  
5526 Board of Community Colleges, the President of the Senate, and  
5527 the Speaker of the House of Representatives, which shall  
5528 include, but not be limited to, recommendations for the  
5529 distribution of state financial aid funds.

5530 (12) Calculation of the amount of need-based student  
5531 financial aid required to offset fee increases recommended by  
5532 the State Board of Education, ~~and~~ the Board of Governors, and  
5533 the State Board of Community Colleges, and inclusion of such  
5534 amount within the legislative budget request for student  
5535 assistance grant programs.

5536 Section 83. Subsection (4) of section 1009.91, Florida  
5537 Statutes, is amended to read:

5538 1009.91 Assistance programs and activities of the  
5539 department.—

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5540 (4) The department shall maintain records on the student  
5541 loan default rate of each Florida postsecondary institution and  
5542 report that information annually to both the institution and the  
5543 State Board of Education. Information relating to state  
5544 universities shall also be reported annually to the Board of  
5545 Governors. Information relating to Florida Community College  
5546 System institutions shall be reported annually to the State  
5547 Board of Community Colleges.

5548 Section 84. Subsection (2) of section 1009.971, Florida  
5549 Statutes, is amended to read:

5550 1009.971 Florida Prepaid College Board.—

5551 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board  
5552 shall consist of seven members to be composed of the Attorney  
5553 General, the Chief Financial Officer, the Chancellor of the  
5554 State University System, the Chancellor of the Florida Community  
5555 College System ~~Division of Florida Colleges~~, and three members  
5556 appointed by the Governor and subject to confirmation by the  
5557 Senate. Each member appointed by the Governor shall possess  
5558 knowledge, skill, and experience in the areas of accounting,  
5559 actuary, risk management, or investment management. Each member  
5560 of the board not appointed by the Governor may name a designee  
5561 to serve on the board on behalf of the member; however, any  
5562 designee so named shall meet the qualifications required of  
5563 gubernatorial appointees to the board. Members appointed by the  
5564 Governor shall serve terms of 3 years. Any person appointed to  
5565 fill a vacancy on the board shall be appointed in a like manner  
5566 and shall serve for only the unexpired term. Any member shall be  
5567 eligible for reappointment and shall serve until a successor  
5568 qualifies. Members of the board shall serve without compensation



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5569 but shall be reimbursed for per diem and travel in accordance  
5570 with s. 112.061. Each member of the board shall file a full and  
5571 public disclosure of his or her financial interests pursuant to  
5572 s. 8, Art. II of the State Constitution and corresponding  
5573 statute.

5574 Section 85. Section 1010.01, Florida Statutes, is amended  
5575 to read:

5576 1010.01 Uniform records and accounts.—

5577 (1) (a) The financial records and accounts of each school  
5578 district, ~~Florida College System institution,~~ and other  
5579 institution or agency under the supervision of the State Board  
5580 of Education shall be prepared and maintained as prescribed by  
5581 law and rules of the State Board of Education.

5582 (b) The financial records and accounts of each state  
5583 university under the supervision of the Board of Governors shall  
5584 be prepared and maintained as prescribed by law and rules of the  
5585 Board of Governors.

5586 (c) The financial records and accounts of each Florida  
5587 Community College System institution under the supervision of  
5588 the State Board of Community Colleges shall be prepared and  
5589 maintained as prescribed by law and rules of the State Board of  
5590 Community Colleges.

5591 (2) Rules of the State Board of Education, ~~and rules of the~~  
5592 Board of Governors, and the State Board of Community Colleges  
5593 shall incorporate the requirements of law and accounting  
5594 principles generally accepted in the United States. Such rules  
5595 shall include a uniform classification of accounts.

5596 (3) Each state university shall annually file with the  
5597 Board of Governors financial statements prepared in conformity

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5598 with accounting principles generally accepted by the United  
5599 States and the uniform classification of accounts prescribed by  
5600 the Board of Governors. The Board of Governors' rules shall  
5601 prescribe the filing deadline for the financial statements.

5602 (4) Required financial accounts and reports shall include  
5603 provisions that are unique to each of the following: K-12 school  
5604 districts, Florida Community College System institutions, and  
5605 state universities, and shall provide for the data to be  
5606 reported to the National Center of Educational Statistics and  
5607 other governmental and professional educational data information  
5608 services as appropriate.

5609 (5) Each Florida Community College System institution shall  
5610 annually file with the State Board of Community Colleges  
5611 financial statements prepared in conformity with accounting  
5612 principles generally accepted by the United States and the  
5613 uniform classification of accounts prescribed by the State Board  
5614 of Community Colleges. The State Board of Community Colleges'  
5615 rules shall prescribe the filing deadline for the financial  
5616 statements.

5617 Section 86. Subsection (1) of section 1010.02, Florida  
5618 Statutes, is amended, and subsection (3) is added to that  
5619 section, to read:

5620 1010.02 Financial accounting and expenditures.—

5621 (1) All funds accruing to a school district ~~or a Florida~~  
5622 ~~College System institution~~ must be received, accounted for, and  
5623 expended in accordance with law and rules of the State Board of  
5624 Education.

5625 (3) All funds accruing to a Florida Community College  
5626 System institution must be received, accounted for, and expended

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5627 in accordance with law and rules of the State Board of Community  
5628 Colleges.

5629 Section 87. Section 1010.04, Florida Statutes, is amended  
5630 to read:

5631 1010.04 Purchasing.—

5632 (1) (a) Purchases and leases by school districts must ~~and~~  
5633 ~~Florida College System institutions shall~~ comply with the  
5634 requirements of law and rules of the State Board of Education.

5635 (b) Before purchasing nonacademic commodities and  
5636 contractual services, each district school board and Florida  
5637 Community College System institution board of trustees shall  
5638 review the purchasing agreements and state term contracts  
5639 available under s. 287.056 to determine whether it is in the  
5640 school board's or the board of trustees' economic advantage to  
5641 use the agreements and contracts. Each bid specification for  
5642 nonacademic commodities and contractual services must include a  
5643 statement indicating that the purchasing agreements and state  
5644 term contracts available under s. 287.056 have been reviewed.  
5645 Each district school board may also use the cooperative state  
5646 purchasing programs managed through the regional consortium  
5647 service organizations pursuant to their authority under s.  
5648 1001.451(3). This paragraph does not apply to services that are  
5649 eligible for reimbursement under the federal E-rate program  
5650 administered by the Universal Service Administrative Company.

5651 (c) Purchases and leases by state universities must ~~shall~~  
5652 comply with the requirements of law and regulations of the Board  
5653 of Governors.

5654 (d) Purchases and leases by Florida Community College  
5655 System institutions must comply with the requirements of law and

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5656 rules of the State Board of Community Colleges.

5657 (2) Each district school board and Florida Community  
5658 College System institution board of trustees shall adopt rules,  
5659 and each university board of trustees shall adopt regulations,  
5660 to be followed in making purchases. Purchases may be made  
5661 through an online procurement system, an electronic auction  
5662 service, or other efficient procurement tool.

5663 (3) In districts in which the county purchasing agent is  
5664 authorized by law to make purchases for the benefit of other  
5665 governmental agencies within the county, the district school  
5666 board and Florida Community College System institution board of  
5667 trustees shall have the option to purchase from the current  
5668 county contracts at the unit price stated therein if such  
5669 purchase is to the economic advantage of the district school  
5670 board or the Florida Community College System institution board  
5671 of trustees; subject to confirmation of the items of purchase to  
5672 the standards and specifications prescribed by the school  
5673 district or Florida Community College System institution.

5674 (4) (a) The State Board of Education may, by rule, provide  
5675 for alternative procedures for school districts ~~and Florida~~  
5676 ~~College System institutions~~ for bidding or purchasing in cases  
5677 in which the character of the item requested renders competitive  
5678 bidding impractical.

5679 (b) The Board of Governors may, by regulation, provide for  
5680 alternative procedures for state universities for bidding or  
5681 purchasing in cases in which the character of the item requested  
5682 renders competitive bidding impractical.

5683 (c) The State Board of Community Colleges may, by rule,  
5684 provide for alternative procedures for Florida Community College

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5685 System institutions for bidding or purchasing in cases in which  
5686 the character of the item requested renders competitive bidding  
5687 impractical.

5688 Section 88. Section 1010.07, Florida Statutes, is amended  
5689 to read:

5690 1010.07 Bonds or insurance required.—

5691 (1) Each district school board, Florida Community College  
5692 System institution board of trustees, and university board of  
5693 trustees shall ensure that each official and employee  
5694 responsible for handling, expending, or authorizing the  
5695 expenditure of funds shall be appropriately bonded or insured to  
5696 protect the board and the funds involved.

5697 (2) (a) Contractors paid from school district ~~or Florida~~  
5698 ~~College System institution~~ funds shall give bond for the  
5699 faithful performance of their contracts in such amount and for  
5700 such purposes as prescribed by s. 255.05 or by rules of the  
5701 State Board of Education relating to the type of contract  
5702 involved. It shall be the duty of the district school board ~~or~~  
5703 ~~Florida College System institution board of trustees~~ to require  
5704 from construction contractors a bond adequate to protect the  
5705 board and the board's funds involved.

5706 (b) Contractors paid from university funds shall give bond  
5707 for the faithful performance of their contracts in such amount  
5708 and for such purposes as prescribed by s. 255.05 or by  
5709 regulations of the Board of Governors relating to the type of  
5710 contract involved. It shall be the duty of the university board  
5711 of trustees to require from construction contractors a bond  
5712 adequate to protect the board and the board's funds involved.

5713 (c) Contractors paid from Florida Community College System

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5714 institution funds shall give bonds for the faithful performance  
5715 of their contracts in such amount and for such purposes as  
5716 prescribed by s. 255.05 or by rules of the State Board of  
5717 Community Colleges relating to the type of contract involved. It  
5718 is the duty of the Florida Community College System institution  
5719 board of trustees to require construction contractors to provide  
5720 a bond adequate to protect the board and the board's funds  
5721 involved.

5722 Section 89. Section 1010.08, Florida Statutes, is amended  
5723 to read:

5724 1010.08 Promotion and public relations; funding.—

5725 (1) Each district school board ~~and Florida College System~~  
5726 ~~institution board of trustees~~ may budget and use a portion of  
5727 the funds accruing to it from auxiliary enterprises and  
5728 undesignated gifts for promotion and public relations as  
5729 prescribed by rules of the State Board of Education. Such funds  
5730 may be used to provide hospitality to business guests in the  
5731 district or elsewhere. However, such hospitality expenses may  
5732 not exceed the amount authorized for such contingency funds as  
5733 prescribed by rules of the State Board of Education.

5734 (2) Each Florida Community College System institution board  
5735 of trustees may budget and use a portion of the funds accruing  
5736 to it from auxiliary enterprises and undesignated gifts for  
5737 promotion and public relations as prescribed by rules of the  
5738 State Board of Community Colleges. Such funds may be used to  
5739 provide hospitality to business guests in the district or  
5740 elsewhere. However, such hospitality expenses may not exceed the  
5741 amount authorized for such contingency funds as prescribed by  
5742 rules of the State Board of Community Colleges.

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5743 Section 90. Subsection (1) of section 1010.09, Florida  
5744 Statutes, is amended and subsection (3) is added to that  
5745 section, to read:

5746 1010.09 Direct-support organizations.—

5747 (1) School district ~~and Florida College System institution~~  
5748 direct-support organizations shall be organized and conducted  
5749 under the provisions of ss. 1001.453 and 1004.70 and rules of  
5750 the State Board of Education, as applicable.

5751 (3) Florida Community College System institution direct-  
5752 support organizations shall be organized and conducted under the  
5753 provisions of s. 1004.70 and rules of the State Board of  
5754 Community Colleges.

5755 Section 91. Section 1010.22, Florida Statutes, is amended  
5756 to read:

5757 1010.22 Cost accounting and reporting for workforce  
5758 education.—

5759 (1) (a) Each school district ~~and each Florida College System~~  
5760 ~~institution~~ shall account for expenditures of all state, local,  
5761 federal, and other funds in the manner prescribed by the State  
5762 Board of Education.

5763 (b) Each Florida Community College System institution shall  
5764 account for expenditures of all state, local, federal, and other  
5765 funds in the manner prescribed by the State Board of Community  
5766 Colleges.

5767 (2) (a) Each school district ~~and each Florida College System~~  
5768 ~~institution~~ shall report expenditures for workforce education in  
5769 accordance with requirements prescribed by the State Board of  
5770 Education.

5771 (b) Each Florida Community College System institution shall

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5772 report expenditures for workforce education in accordance with  
5773 requirements prescribed by the State Board of Community  
5774 Colleges.

5775 (3) The Department of Education, in cooperation with school  
5776 districts and Florida Community College System institutions,  
5777 shall develop and maintain a database of valid comparable  
5778 information on workforce education which will meet both state  
5779 and local needs.

5780 Section 92. Subsection (1) of section 1010.30, Florida  
5781 Statutes, is amended to read:

5782 1010.30 Audits required.—

5783 (1) School districts, ~~Florida College System institutions,~~  
5784 and other institutions and agencies under the supervision of the  
5785 State Board of Education, Florida Community College System  
5786 institutions under the supervision of the State Board of  
5787 Community Colleges, and state universities under the supervision  
5788 of the Board of Governors are subject to the audit provisions of  
5789 ss. 11.45 and 218.39.

5790 Section 93. Section 1010.58, Florida Statutes, is amended  
5791 to read:

5792 1010.58 Procedure for determining number of instruction  
5793 units for Florida Community College System institutions.—The  
5794 number of instruction units for Florida Community College System  
5795 institutions shall be determined from the full-time equivalent  
5796 students in the Florida Community College System institution,  
5797 provided that full-time equivalent students may not be counted  
5798 more than once in determining instruction units. Instruction  
5799 units for Florida Community College System institutions shall be  
5800 computed as follows:



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5801 (1) One unit for each 12 full-time equivalent students at a  
5802 Florida Community College System institution for the first 420  
5803 students and one unit for each 15 full-time equivalent students  
5804 for all over 420 students, in other than career education  
5805 programs as defined by rules of the State Board of Community  
5806 Colleges Education, and one unit for each 10 full-time  
5807 equivalent students in career education programs and  
5808 compensatory education programs as defined by rules of the State  
5809 Board of Community Colleges Education. Full-time equivalent  
5810 students enrolled in a Florida Community College System  
5811 institution shall be defined by rules of the State Board of  
5812 Community Colleges Education.

5813 (2) For each 8 instruction units in a Florida Community  
5814 College System institution, 1 instruction unit or proportionate  
5815 fraction of a unit shall be allowed for administrative and  
5816 special instructional services, and for each 20 instruction  
5817 units, 1 instruction unit or proportionate fraction of a unit  
5818 shall be allowed for student personnel services.

5819 Section 94. Section 1011.01, Florida Statutes, is amended  
5820 to read:

5821 1011.01 Budget system established.—

5822 (1) The State Board of Education shall prepare and submit a  
5823 coordinated K-20 education annual legislative budget request to  
5824 the Governor and the Legislature on or before the date provided  
5825 by the Governor and the Legislature. The board's legislative  
5826 budget request must clearly define the needs of school  
5827 districts, Florida Community College System institutions,  
5828 universities, other institutions, organizations, programs, and  
5829 activities under the supervision of the board and that are

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5830 assigned by law or the General Appropriations Act to the  
5831 Department of Education.

5832 (2) (a) There is ~~shall be~~ established in each school  
5833 district ~~and Florida College System institution~~ a budget system  
5834 as prescribed by law and rules of the State Board of Education.

5835 (b) There is ~~shall be~~ established in each state university  
5836 a budget system as prescribed by law and rules of the Board of  
5837 Governors.

5838 (c) There is established in each Florida Community College  
5839 System institution a budget system as prescribed by law and  
5840 rules of the State Board of Community Colleges.

5841 (3) (a) Each district school board ~~and each Florida College~~  
5842 ~~System institution board of trustees~~ shall prepare, adopt, and  
5843 submit to the Commissioner of Education an annual operating  
5844 budget. Operating budgets must ~~shall~~ be prepared and submitted  
5845 in accordance with the provisions of law, rules of the State  
5846 Board of Education, the General Appropriations Act, and for  
5847 district school boards in accordance with the provisions of ss.  
5848 200.065 and 1011.64.

5849 (b) Each state university board of trustees shall prepare,  
5850 adopt, and submit to the Chancellor of the State University  
5851 System for review an annual operating budget in accordance with  
5852 provisions of law, rules of the Board of Governors, and the  
5853 General Appropriations Act.

5854 (c) Each Florida Community College System institution board  
5855 of trustees shall prepare, adopt, and submit to the State Board  
5856 of Community Colleges an annual operating budget in accordance  
5857 with provisions of law, rules of the State Board of Community  
5858 Colleges, and the General Appropriations Act.

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5859 (4) The State Board of Education shall coordinate with the  
5860 Board of Governors and the State Board of Community Colleges to  
5861 facilitate the budget system requirements of this section. The  
5862 State Board of Community College exclusively retains the review  
5863 and approval powers of this section for Florida Community  
5864 College System institutions. The Board of Governors exclusively  
5865 retains the review and approval powers of this section for state  
5866 universities.

5867 Section 95. Section 1011.011, Florida Statutes, is amended  
5868 to read:

5869 1011.011 Legislative capital outlay budget request.—The  
5870 State Board of Education shall submit an integrated,  
5871 comprehensive budget request for educational facilities  
5872 construction and fixed capital outlay needs for school  
5873 districts, and, in conjunction with the State Board of Community  
5874 Colleges for Florida Community College System institutions, ~~and,~~  
5875 ~~in conjunction~~ with the Board of Governors for state,  
5876 universities, pursuant to this section and s. 1013.46 and  
5877 applicable provisions of chapter 216.

5878 Section 96. Section 1011.30, Florida Statutes, is amended  
5879 to read:

5880 1011.30 Budgets for Florida Community College System  
5881 institutions.—Each Florida Community College System institution  
5882 president shall recommend to the Florida Community College  
5883 System institution board of trustees a budget of income and  
5884 expenditures at such time and in such form as the State Board of  
5885 Community Colleges Education may prescribe. Upon approval of a  
5886 budget by the Florida Community College System institution board  
5887 of trustees, such budget must ~~shall~~ be transmitted to the State

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5888 Board of Community Colleges ~~Department of Education~~ for review.  
5889 Rules of the State Board of Community Colleges must ~~Education~~  
5890 ~~shall~~ prescribe procedures for effecting budget amendments  
5891 subsequent to the final approval of a budget for a given year.

5892 Section 97. Section 1011.32, Florida Statutes, is amended  
5893 to read:

5894 1011.32 Florida Community College System Institution  
5895 Facility Enhancement Challenge Grant Program.—

5896 (1) The Legislature recognizes that ~~the~~ Florida Community  
5897 College System institutions do not have sufficient physical  
5898 facilities to meet the current demands of their instructional  
5899 and community programs. It further recognizes that, to  
5900 strengthen and enhance Florida Community College System  
5901 institutions, it is necessary to provide facilities in addition  
5902 to those currently available from existing revenue sources. It  
5903 further recognizes that there are sources of private support  
5904 that, if matched with state support, can assist in constructing  
5905 much needed facilities and strengthen the commitment of citizens  
5906 and organizations in promoting excellence at each Florida  
5907 Community College System institution. Therefore, it is the  
5908 intent of the Legislature to establish a program to provide the  
5909 opportunity for each Florida Community College System  
5910 institution through its direct-support organization to receive  
5911 and match challenge grants for instructional and community-  
5912 related capital facilities within the Florida Community College  
5913 System institution.

5914 (2) There is established the Florida Community College  
5915 System Institution Facility Enhancement Challenge Grant Program  
5916 for the purpose of assisting the Florida Community College

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5917 System institutions in building high priority instructional and  
5918 community-related capital facilities consistent with s. 1004.65,  
5919 including common areas connecting such facilities. The direct-  
5920 support organizations that serve the Florida Community College  
5921 System institutions shall solicit gifts from private sources to  
5922 provide matching funds for capital facilities. For the purposes  
5923 of this section, private sources of funds shall not include any  
5924 federal or state government funds that a Florida Community  
5925 College System institution may receive.

5926 (3) The Florida Community College System Institution  
5927 Capital Facilities Matching Program shall provide funds to match  
5928 private contributions for the development of high priority  
5929 instructional and community-related capital facilities,  
5930 including common areas connecting such facilities, within the  
5931 Florida Community College System institutions.

5932 (4) Within the direct-support organization of each Florida  
5933 Community College System institution there must be established a  
5934 separate capital facilities matching account for the purpose of  
5935 providing matching funds from the direct-support organization's  
5936 unrestricted donations or other private contributions for the  
5937 development of high priority instructional and community-related  
5938 capital facilities, including common areas connecting such  
5939 facilities. The Legislature shall appropriate funds for  
5940 distribution to a Florida Community College System institution  
5941 after matching funds are certified by the direct-support  
5942 organization and Florida Community College System institution.  
5943 The Public Education Capital Outlay and Debt Service Trust Fund  
5944 shall not be used as the source of the state match for private  
5945 contributions.

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5946 (5) A project may not be initiated unless all private funds  
5947 for planning, construction, and equipping the facility have been  
5948 received and deposited in the direct-support organization's  
5949 matching account for this purpose. However, this requirement  
5950 does not preclude the Florida Community College System  
5951 institution or direct-support organization from expending  
5952 available funds from private sources to develop a prospectus,  
5953 including preliminary architectural schematics or models, for  
5954 use in its efforts to raise private funds for a facility and for  
5955 site preparation, planning, and construction. The Legislature  
5956 may appropriate the state's matching funds in one or more fiscal  
5957 years for the planning, construction, and equipping of an  
5958 eligible facility. Each Florida Community College System  
5959 institution shall notify all donors of private funds of a  
5960 substantial delay in the availability of state matching funds  
5961 for this program.

5962 (6) To be eligible to participate in the Florida Community  
5963 College System Institution Facility Enhancement Challenge Grant  
5964 Program, a Florida Community College System institution, through  
5965 its direct-support organization, shall raise a contribution  
5966 equal to one-half of the total cost of a facilities construction  
5967 project from private sources which shall be matched by a state  
5968 appropriation equal to the amount raised for a facilities  
5969 construction project, subject to the General Appropriations Act.

5970 (7) If the state's share of the required match is  
5971 insufficient to meet the requirements of subsection (6), the  
5972 Florida Community College System institution shall renegotiate  
5973 the terms of the contribution with the donors. If the project is  
5974 terminated, each private donation, plus accrued interest,

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5975 reverts to the direct-support organization for remittance to the  
5976 donor.

5977 (8) By October 15 of each year, the State Board of  
5978 Community Colleges Education shall transmit to the Governor and  
5979 the Legislature a list of projects that meet all eligibility  
5980 requirements to participate in the Florida Community College  
5981 System Institution Facility Enhancement Challenge Grant Program  
5982 and a budget request that includes the recommended schedule  
5983 necessary to complete each project.

5984 (9) In order for a project to be eligible under this  
5985 program, it must be survey recommended under the provisions of  
5986 s. 1013.31 and included in the Florida Community College System  
5987 institution's 5-year capital improvement plan, and it must  
5988 receive approval from the State Board of Community Colleges  
5989 ~~Education~~ or the Legislature.

5990 (10) A Florida Community College System institution project  
5991 may not be removed from the approved 3-year PECO priority list  
5992 because of its successful participation in this program until  
5993 approved by the Legislature and provided for in the General  
5994 Appropriations Act. When such a project is completed and removed  
5995 from the list, all other projects shall move up on the 3-year  
5996 PECO priority list.

5997 (11) Any private matching funds for a project which are  
5998 unexpended after the project is completed shall revert to the  
5999 Florida Community College System institution's direct-support  
6000 organization capital facilities matching account. The balance of  
6001 any unexpended state matching funds shall be returned to the  
6002 fund from which those funds were appropriated.

6003 (12) The surveys, architectural plans, facility, and

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6004 equipment shall be the property of the participating Florida  
6005 Community College System institution. A facility constructed  
6006 under this section may be named in honor of a donor at the  
6007 option of the Florida Community College System institution  
6008 district board of trustees. A facility may not be named after a  
6009 living person without prior approval by the State Board of  
6010 Community Colleges Education.

6011 (13) Effective July 1, 2011, state matching funds are  
6012 temporarily suspended for donations received for the program on  
6013 or after June 30, 2011. Existing eligible donations remain  
6014 eligible for future matching funds. The program may be restarted  
6015 after \$200 million of the backlog for programs under this  
6016 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

6017 Section 98. Subsection (2), paragraph (b) of subsection  
6018 (5), and subsections (8), (9), and (11) of section 1011.80,  
6019 Florida Statutes, are amended to read:

6020 1011.80 Funds for operation of workforce education  
6021 programs.—

6022 (2) Any workforce education program may be conducted by a  
6023 Florida Community College System institution or a school  
6024 district, except that college credit in an associate in applied  
6025 science or an associate in science degree may be awarded only by  
6026 a Florida Community College System institution. However, if an  
6027 associate in applied science or an associate in science degree  
6028 program contains within it an occupational completion point that  
6029 confers a certificate or an applied technology diploma, that  
6030 portion of the program may be conducted by a school district  
6031 career center. Any instruction designed to articulate to a  
6032 degree program is subject to guidelines and standards adopted by



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6033 the State Board of Community Colleges ~~Education~~ pursuant to s.  
6034 1007.25.

6035 (5) State funding and student fees for workforce education  
6036 instruction shall be established as follows:

6037 (b) For all other workforce education programs, state  
6038 funding shall equal 75 percent of the average cost of  
6039 instruction with the remaining 25 percent made up from student  
6040 fees. Fees for courses within a program shall not vary according  
6041 to the cost of the individual program, but instead shall be  
6042 based on a uniform fee calculated and set at the state level, as  
6043 adopted by the State Board of Education, for school districts  
6044 and the State Board of Community Colleges, for Florida Community  
6045 College System institutions, unless otherwise specified in the  
6046 General Appropriations Act.

6047 (8) The State Board of Education, the State Board of  
6048 Community Colleges, and CareerSource Florida, Inc., shall  
6049 provide the Legislature with recommended formulas, criteria,  
6050 timeframes, and mechanisms for distributing performance funds.  
6051 The commissioner shall consolidate the recommendations and  
6052 develop a consensus proposal for funding. The Legislature shall  
6053 adopt a formula and distribute the performance funds to the  
6054 State Board of Community Colleges ~~Education~~ for Florida  
6055 Community College System institutions and to the State Board of  
6056 Education for school districts through the General  
6057 Appropriations Act. These recommendations shall be based on  
6058 formulas that would discourage low-performing or low-demand  
6059 programs and encourage through performance-funding awards:

6060 (a) Programs that prepare people to enter high-wage  
6061 occupations identified by the Workforce Estimating Conference

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6062 created by s. 216.136 and other programs as approved by  
6063 CareerSource Florida, Inc. At a minimum, performance incentives  
6064 shall be calculated for adults who reach completion points or  
6065 complete programs that lead to specified high-wage employment  
6066 and to their placement in that employment.

6067 (b) Programs that successfully prepare adults who are  
6068 eligible for public assistance, economically disadvantaged,  
6069 disabled, not proficient in English, or dislocated workers for  
6070 high-wage occupations. At a minimum, performance incentives  
6071 shall be calculated at an enhanced value for the completion of  
6072 adults identified in this paragraph and job placement of such  
6073 adults upon completion. In addition, adjustments may be made in  
6074 payments for job placements for areas of high unemployment.

6075 (c) Programs that are specifically designed to be  
6076 consistent with the workforce needs of private enterprise and  
6077 regional economic development strategies, as defined in  
6078 guidelines set by CareerSource Florida, Inc. CareerSource  
6079 Florida, Inc., shall develop guidelines to identify such needs  
6080 and strategies based on localized research of private employers  
6081 and economic development practitioners.

6082 (d) Programs identified by CareerSource Florida, Inc., as  
6083 increasing the effectiveness and cost efficiency of education.

6084 (9) School districts shall report full-time equivalent  
6085 students by discipline category for the programs specified in  
6086 subsection (1). There shall be an annual cost analysis for the  
6087 school district workforce education programs that reports cost  
6088 by discipline category consistent with the reporting for full-  
6089 time equivalent students. The annual financial reports submitted  
6090 by the school districts must accurately report on the student

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6091 fee revenues by fee type according to the programs specified in  
6092 subsection (1). The Department of Education and the State Board  
6093 of Community Colleges shall develop a plan for comparable  
6094 reporting of program, student, facility, personnel, and  
6095 financial data between the Florida Community College System  
6096 institutions and the school district workforce education  
6097 programs.

6098 (11) The State Board of Education and the State Board of  
6099 Community Colleges may adopt rules to administer this section.

6100 Section 99. Section 1011.801, Florida Statutes, is amended  
6101 to read:

6102 1011.801 Workforce Development Capitalization Incentive  
6103 Grant Program.—The Legislature recognizes that the need for  
6104 school districts and Florida Community College System  
6105 institutions to be able to respond to emerging local or  
6106 statewide economic development needs is critical to the  
6107 workforce development system. The Workforce Development  
6108 Capitalization Incentive Grant Program is created to provide  
6109 grants to school districts and Florida Community College System  
6110 institutions on a competitive basis to fund some or all of the  
6111 costs associated with the creation or expansion of workforce  
6112 development programs that serve specific employment workforce  
6113 needs.

6114 (1) Funds awarded for a workforce development  
6115 capitalization incentive grant may be used for instructional  
6116 equipment, laboratory equipment, supplies, personnel, student  
6117 services, or other expenses associated with the creation or  
6118 expansion of a workforce development program. Expansion of a  
6119 program may include either the expansion of enrollments in a

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6120 program or expansion into new areas of specialization within a  
6121 program. No grant funds may be used for recurring instructional  
6122 costs or for institutions' indirect costs.

6123 (2) The State Board of Education shall accept applications  
6124 from school districts, and the State Board of Community Colleges  
6125 shall accept applications from ~~or~~ Florida Community College  
6126 System institutions, for workforce development capitalization  
6127 incentive grants. Applications from school districts or Florida  
6128 Community College System institutions must ~~shall~~ contain  
6129 projected enrollments and projected costs for the new or  
6130 expanded workforce development program. The State Board of  
6131 Education or the State Board of Community Colleges, as  
6132 appropriate, in consultation with CareerSource Florida, Inc.,  
6133 shall review and rank each application for a grant according to  
6134 subsection (3) and shall submit to the Legislature a list in  
6135 priority order of applications recommended for a grant award.

6136 (3) The State Board of Education or the State Board of  
6137 Community Colleges, as appropriate, shall give highest priority  
6138 to programs that train people to enter high-skill, high-wage  
6139 occupations identified by the Workforce Estimating Conference  
6140 and other programs approved by CareerSource Florida, Inc. ;  
6141 programs that train people to enter occupations under the  
6142 welfare transition program; or programs that train for the  
6143 workforce adults who are eligible for public assistance,  
6144 economically disadvantaged, disabled, not proficient in English,  
6145 or dislocated workers. The State Board of Education or the State  
6146 Board of Community Colleges, as appropriate, shall consider the  
6147 statewide geographic dispersion of grant funds in ranking the  
6148 applications and shall give priority to applications from

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6149 education agencies that are making maximum use of their  
6150 workforce development funding by offering high-performing, high-  
6151 demand programs.

6152 Section 100. Section 1011.81, Florida Statutes, is amended  
6153 to read:

6154 1011.81 Florida Community College System Program Fund.—

6155 (1) There is established a Florida Community College System  
6156 Program Fund. This fund shall comprise all appropriations made  
6157 by the Legislature for the support of the current operating  
6158 program and shall be apportioned and distributed to the Florida  
6159 Community College System institution districts of the state on  
6160 the basis of procedures established by law and rules of the  
6161 State Board of Education. The annual apportionment for each  
6162 Florida Community College System institution district shall be  
6163 distributed monthly in payments as nearly equal as possible.

6164 (2) Performance funding for industry certifications for  
6165 Florida Community College System institutions is contingent upon  
6166 specific appropriation in the General Appropriations Act and  
6167 shall be determined as follows:

6168 (a) Occupational areas for which industry certifications  
6169 may be earned, as established in the General Appropriations Act,  
6170 are eligible for performance funding. Priority shall be given to  
6171 the occupational areas emphasized in state, national, or  
6172 corporate grants provided to Florida educational institutions.

6173 (b) The Chancellor of the Florida Community College System,  
6174 for the Florida Community College System institutions, shall  
6175 identify the industry certifications eligible for funding on the  
6176 CAPE Postsecondary Industry Certification Funding List approved  
6177 by the State Board of Community Colleges ~~Education~~ pursuant to

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6178 s. 1008.44, based on the occupational areas specified in the  
6179 General Appropriations Act.

6180 (c) Each Florida Community College System institution shall  
6181 be provided \$1,000 for each industry certification earned by a  
6182 student. The maximum amount of funding appropriated for  
6183 performance funding pursuant to this subsection shall be limited  
6184 to \$15 million annually. If funds are insufficient to fully fund  
6185 the calculated total award, such funds shall be prorated.

6186 (3) None of the funds made available in the Florida  
6187 Community College System Program Fund, or funds made available  
6188 to Florida Community College System institutions outside the  
6189 Florida Community College System Program Fund, may be used to  
6190 implement, organize, direct, coordinate, or administer, or to  
6191 support the implementation, organization, direction,  
6192 coordination, or administration of, activities related to, or  
6193 involving, travel to a terrorist state. For purposes of this  
6194 section, "terrorist state" is defined as any state, country, or  
6195 nation designated by the United States Department of State as a  
6196 state sponsor of terrorism.

6197 (4) State funds provided for the Florida Community College  
6198 System Program Fund may not be expended for the education of  
6199 state or federal inmates.

6200 Section 101. Section 1011.82, Florida Statutes, is amended  
6201 to read:

6202 1011.82 Requirements for participation in Florida Community  
6203 College System Program Fund.—Each Florida Community College  
6204 System institution district which participates in the state  
6205 appropriations for the Florida Community College System Program  
6206 Fund shall provide evidence of its effort to maintain an

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6207 adequate Florida Community College System institution program  
6208 which shall:

6209 (1) Meet the minimum standards prescribed by the State  
6210 Board of Community Colleges ~~Education~~ in accordance with s.  
6211 1001.602(5) ~~s. 1001.02(6)~~.

6212 (2) Effectively fulfill the mission of the Florida  
6213 Community College System institutions in accordance with s.  
6214 1004.65.

6215 Section 102. Section 1011.83, Florida Statutes, is amended  
6216 to read:

6217 1011.83 Financial support of Florida Community College  
6218 System institutions.—

6219 (1) Each Florida Community College System institution that  
6220 ~~has been approved by the Department of Education and~~ meets the  
6221 requirements of law and rules of the State Board of Community  
6222 Colleges ~~Education~~ shall participate in the Florida Community  
6223 College System Program Fund. However, funds to support workforce  
6224 education programs conducted by Florida Community College System  
6225 institutions shall be provided pursuant to s. 1011.80.

6226 (2) A student in a baccalaureate degree program approved  
6227 pursuant to s. 1007.33 who is not classified as a resident for  
6228 tuition purposes pursuant to s. 1009.21 may not be included in  
6229 calculations of full-time equivalent enrollments for state  
6230 funding purposes.

6231 Section 103. Section 1011.84, Florida Statutes, is amended  
6232 to read:

6233 1011.84 Procedure for determining state financial support  
6234 and annual apportionment of state funds to each Florida  
6235 Community College System institution district.—The procedure for

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6236 determining state financial support and the annual apportionment  
6237 to each Florida Community College System institution district  
6238 authorized to operate a Florida Community College System  
6239 institution under the provisions of s. 1001.61 shall be as  
6240 follows:

6241 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA  
6242 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING  
6243 PROGRAM.—

6244 (a) The State Board of Community Colleges ~~Department of~~  
6245 ~~Education~~ shall determine annually, from an analysis of  
6246 operating costs, prepared in the manner prescribed by rules of  
6247 ~~the State Board of Education,~~ the costs per full-time equivalent  
6248 student served in courses and fields of study offered in Florida  
6249 Community College System institutions. This information and  
6250 current college operating budgets shall be submitted to the  
6251 Executive Office of the Governor with the legislative budget  
6252 request prior to each regular session of the Legislature.

6253 (b) The allocation of funds for Florida Community College  
6254 System institutions must ~~shall~~ be based on advanced and  
6255 professional disciplines, developmental education, and other  
6256 programs for adults funded pursuant to s. 1011.80.

6257 (c) The category of lifelong learning is for students  
6258 enrolled pursuant to s. 1004.93. A student shall also be  
6259 reported as a lifelong learning student for his or her  
6260 enrollment in any course that he or she has previously taken,  
6261 unless it is a credit course in which the student earned a grade  
6262 of D or F.

6263 (d) If an adult student has been determined to be a  
6264 disabled student eligible for an approved educational program



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6265 for disabled adults provided pursuant to s. 1004.93 and rules of  
6266 the State Board of Community Colleges ~~Education~~ and is enrolled  
6267 in a class with curriculum frameworks developed for the program,  
6268 state funding for that student shall be provided at a level  
6269 double that of a student enrolled in a special adult general  
6270 education program provided by a Florida Community College System  
6271 institution.

6272 (e) All state inmate education provided by Florida  
6273 Community College System institutions shall be reported by  
6274 program, FTE expenditure, and revenue source. These enrollments,  
6275 expenditures, and revenues shall be reported and projected  
6276 separately. Instruction of state inmates may ~~shall~~ not be  
6277 included in the full-time equivalent student enrollment for  
6278 funding through the Florida Community College System Program  
6279 Fund.

6280 (f) When a public educational institution has been fully  
6281 funded by an external agency for direct instructional costs of  
6282 any course or program, the FTE generated may ~~shall~~ not be  
6283 reported for state funding.

6284 (g) The State Board of Education shall adopt rules to  
6285 implement s. 9(d)(8)f., Art. XII of the State Constitution.  
6286 These rules shall provide for the use of the funds available  
6287 under s. 9(d)(8)f., Art. XII by an individual Florida Community  
6288 College System institution for operating expense in any fiscal  
6289 year during which the State Board of Education has determined  
6290 that all major capital outlay needs have been met. Highest  
6291 priority for the use of these funds for purposes other than  
6292 financing approved capital outlay projects shall be for the  
6293 proper maintenance and repair of existing facilities for

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6294 projects approved by the State Board of Education. However, in  
6295 any fiscal year in which funds from this source are authorized  
6296 for operating expense other than approved maintenance and repair  
6297 projects, the allocation of Florida Community College System  
6298 institution program funds shall be reduced by an amount equal to  
6299 the sum used for such operating expense for that Florida  
6300 Community College System institution that year, and that amount  
6301 shall not be released or allocated among the other Florida  
6302 Community College System institutions that year.

6303 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL  
6304 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay  
6305 and debt service shall be as determined and provided in s. 18,  
6306 Art. XII of the State Constitution of 1885, as adopted by s.  
6307 9(d), Art. XII of the 1968 revised State Constitution and State  
6308 Board of Education rules.

6309 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6310 (a) By December 15 of each year, the State Board of  
6311 Community Colleges ~~Department of Education~~ shall estimate the  
6312 annual enrollment of each Florida Community College System  
6313 institution for the current fiscal year and for the 3 subsequent  
6314 fiscal years. These estimates shall be based upon prior years'  
6315 enrollments, upon the initial fall term enrollments for the  
6316 current fiscal year for each college, and upon each college's  
6317 estimated current enrollment and demographic changes in the  
6318 respective Florida Community College System institution  
6319 districts. Upper-division enrollment shall be estimated  
6320 separately from lower-division enrollment.

6321 (b) The apportionment to each Florida Community College  
6322 System institution from the Florida Community College System

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6323 Program Fund shall be determined annually in the General  
6324 Appropriations Act. In determining each college's apportionment,  
6325 the Legislature shall consider the following components:

6326 1. Base budget, which includes the state appropriation to  
6327 the Florida Community College System Program Fund in the current  
6328 year plus the related student tuition and out-of-state fees  
6329 assigned in the current General Appropriations Act.

6330 2. The cost-to-continue allocation, which consists of  
6331 incremental changes to the base budget, including salaries,  
6332 price levels, and other related costs allocated through a  
6333 funding model approved by the Legislature which may recognize  
6334 differing economic factors arising from the individual  
6335 educational approaches of the various Florida Community College  
6336 System institutions, including, but not limited to:

6337 a. Direct Instructional Funding, including class size,  
6338 faculty productivity factors, average faculty salary, ratio of  
6339 full-time to part-time faculty, costs of programs, and  
6340 enrollment factors.

6341 b. Academic Support, including small colleges factor,  
6342 multicampus factor, and enrollment factor.

6343 c. Student Services Support, including headcount of  
6344 students as well as FTE count and enrollment factors.

6345 d. Library Support, including volume and other  
6346 materials/audiovisual requirements.

6347 e. Special Projects.

6348 f. Operations and Maintenance of Plant, including square  
6349 footage and utilization factors.

6350 g. District Cost Differential.

6351 3. Students enrolled in a recreation and leisure program

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6352 and students enrolled in a lifelong learning program who may not  
6353 be counted as full-time equivalent enrollments for purposes of  
6354 enrollment workload adjustments.

6355 4. Operating costs of new facilities adjustments, which  
6356 shall be provided, from funds available, for each new facility  
6357 that is owned by the college and is recommended in accordance  
6358 with s. 1013.31.

6359 5. New and improved program enhancements, which shall be  
6360 determined by the Legislature.

6361

6362 Student fees in the base budget plus student fee revenues  
6363 generated by increases in fee rates shall be deducted from the  
6364 sum of the components determined in subparagraphs 1.-5. The  
6365 amount remaining shall be the net annual state apportionment to  
6366 each college.

6367 (c) A ~~No~~ Florida Community College System institution may  
6368 not shall commit funds for the employment of personnel or  
6369 resources in excess of those required to continue the same level  
6370 of support for either the previously approved enrollment or the  
6371 revised enrollment, whichever is lower.

6372 (d) The apportionment to each Florida Community College  
6373 System institution district for capital outlay and debt service  
6374 shall be the amount determined in accordance with subsection  
6375 (2). This amount, less any amount determined as necessary for  
6376 administrative expense by the State Board of Education and any  
6377 amount necessary for debt service on bonds issued by the State  
6378 Board of Education, shall be transmitted to the Florida  
6379 Community College System institution board of trustees to be  
6380 expended in a manner prescribed by rules of the State Board of

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6381 Education.

6382 (e) If at any time the unencumbered balance in the general  
6383 fund of the Florida Community College System institution board  
6384 of trustees approved operating budget goes below 5 percent, the  
6385 president shall provide written notification to the State Board  
6386 of Education.

6387 (f) Expenditures for apprenticeship programs must ~~shall~~ be  
6388 reported separately.

6389 (g) Expenditures for upper-division enrollment in a Florida  
6390 Community College System institution that grants baccalaureate  
6391 degrees must ~~shall~~ be reported separately from expenditures for  
6392 lower-division enrollment, in accordance with law and State  
6393 Board of Education rule.

6394 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated  
6395 herein to any Florida Community College System institution must  
6396 ~~shall~~ be expended only for the purpose of supporting that  
6397 Florida Community College System institution.

6398 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida  
6399 Community College System institution board of trustees shall  
6400 report, as a separate item in its annual cost accounting system,  
6401 the volume and cost of developmental education options provided  
6402 to help students attain the communication and computation skills  
6403 that are essential for college-level work pursuant to s.  
6404 1008.30.

6405 Section 104. Section 1011.85, Florida Statutes, is amended  
6406 to read:

6407 1011.85 Dr. Philip Benjamin Matching Grant Program for  
6408 Florida Community College System Institutions.—

6409 (1) There is created the Dr. Philip Benjamin Matching Grant

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6410 Program for Florida Community College System Institutions as a  
6411 single matching gifts program that encompasses the goals  
6412 originally set out in the Academic Improvement Program, the  
6413 Scholarship Matching Program, and the Health Care Education  
6414 Quality Enhancement Challenge Grant. The program shall be  
6415 administered according to rules of the State Board of Community  
6416 Colleges ~~Education~~ and used to encourage private support in  
6417 enhancing Florida Community College System institutions by  
6418 providing the Florida Community College System with the  
6419 opportunity to receive and match challenge grants. Funds  
6420 received prior to the effective date of this act for each of the  
6421 three programs shall be retained in the separate account for  
6422 which it was designated.

6423 (2) Each Florida Community College System institution board  
6424 of trustees receiving state appropriations under this program  
6425 shall approve each gift to ensure alignment with the unique  
6426 mission of the Florida Community College System institution. The  
6427 board of trustees must link all requests for a state match to  
6428 the goals and mission statement. The Florida Community College  
6429 System Institution Foundation Board receiving state  
6430 appropriations under this program shall approve each gift to  
6431 ensure alignment with its goals and mission statement. Funds  
6432 received from community events and festivals are not eligible  
6433 for state matching funds under this program.

6434 (3) Upon approval by the Florida Community College System  
6435 institution board of trustees and the State Board of Community  
6436 Colleges ~~Education~~, the ordering of donations for priority  
6437 listing of unmatched gifts should be determined by the  
6438 submitting Florida Community College System institution.

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6439 (4) Each year, eligible contributions received by a Florida  
6440 Community College System institution's foundation or the State  
6441 Board of Community Colleges ~~Education~~ by February 1 shall be  
6442 eligible for state matching funds.

6443 (a) Each Florida Community College System institution board  
6444 of trustees and, when applicable, the Florida Community College  
6445 System Institution Foundation Board, receiving state  
6446 appropriations under this program shall also certify in an  
6447 annual report to the State Board of Community Colleges ~~Education~~  
6448 the receipt of eligible cash contributions that were previously  
6449 unmatched by the state. The State Board of Education shall adopt  
6450 rules providing all Florida Community College System  
6451 institutions with an opportunity to apply for excess funds  
6452 before the awarding of such funds.

6453 (b) Florida Community College System institutions must  
6454 submit to the State Board of Community Colleges ~~Education~~ an  
6455 annual expenditure report tracking the use of all matching  
6456 funds.

6457 (c) The audit of each foundation receiving state funds from  
6458 this program must include a certification of accuracy in the  
6459 amount reported for matching funds.

6460 (5) The matching ratio for donations that are specifically  
6461 designated to support scholarships, including scholarships for  
6462 first-generation-in-college students, student loans, or need-  
6463 based grants shall be \$1 of state funds to \$1 of local private  
6464 funds.

6465 (6) Otherwise, funds must ~~shall~~ be proportionately  
6466 allocated to the Florida Community College System institutions  
6467 on the basis of matching each \$6 of local or private funds with

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6468 \$4 of state funds. To be eligible, a minimum of \$4,500 must be  
6469 raised from private sources.

6470 (7) The Florida Community College System institution board  
6471 of trustees, in conjunction with the donor, shall determine ~~make~~  
6472 ~~the determination of~~ whether scholarships established pursuant  
6473 to this program are endowed.

6474 (8) (a) Funds sufficient to provide the match shall be  
6475 transferred from the state appropriations to the local Florida  
6476 Community College System institution foundation or the statewide  
6477 Florida Community College System institution foundation upon  
6478 notification that a proportionate amount has been received and  
6479 deposited by a Florida Community College System institution in  
6480 its own trust fund.

6481 (b) If state funds appropriated for the program are  
6482 insufficient to match contributions, the amount allocated must  
6483 ~~shall~~ be reduced in proportion to its share of the total  
6484 eligible contributions. However, in making proportional  
6485 reductions, every Florida Community College System institution  
6486 shall receive a minimum of \$75,000 in state matching funds if  
6487 its eligible contributions would have generated an amount at  
6488 least equal to \$75,000. All unmet contributions must ~~shall~~ be  
6489 eligible for state matching funds in subsequent fiscal years.

6490 (9) Each Florida Community College System institution  
6491 entity shall establish its own matching grant program fund as a  
6492 depository for the private contributions and matching state  
6493 funds provided under this section. Florida Community College  
6494 System institution foundations are responsible for the  
6495 maintenance, investment, and administration of their matching  
6496 grant program funds.



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6497 (10) The State Board of Community Colleges ~~Education~~ may  
6498 receive submissions of requests for matching funds and  
6499 documentation relating to those requests, may approve requests  
6500 for matching funds, and may allocate such funds to the Florida  
6501 Community College System institutions.

6502 (11) The board of trustees of the Florida Community College  
6503 System institution and the State Board of Community Colleges  
6504 ~~Education~~ are responsible for determining the uses for the  
6505 proceeds of their respective trust funds. Such use of the  
6506 proceeds shall include, but not be limited to, expenditure of  
6507 the funds for:

6508 (a) Scientific and technical equipment.

6509 (b) Scholarships, loans, or need-based grants.

6510 (c) Other activities that will benefit future students as  
6511 well as students currently enrolled at the Florida Community  
6512 College System institution, will improve the quality of  
6513 education at the Florida Community College System institution,  
6514 or will enhance economic development in the community.

6515 (12) Each Florida Community College System institution  
6516 shall notify all donors of private funds of a substantial delay  
6517 in the availability of state matching funds for this program.

6518 (13) Effective July 1, 2011, state matching funds are  
6519 temporarily suspended for donations received for this program on  
6520 or after June 30, 2011. Existing eligible donations remain  
6521 eligible for future matching funds. The program may be restarted  
6522 after \$200 million of the backlog for programs under this  
6523 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6524 Section 105. Subsection (1) of section 1012.01, Florida  
6525 Statutes, is amended to read:

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6526 1012.01 Definitions.—As used in this chapter, the following  
6527 terms have the following meanings:

6528 (1) SCHOOL OFFICERS.—The officers of the state system of  
6529 public K-12 ~~and Florida College System institution~~ education  
6530 shall be the Commissioner of Education and the members of the  
6531 State Board of Education; for the Florida Community College  
6532 System, the officers shall be the Chancellor of the Florida  
6533 Community College System and the members of the State Board of  
6534 Community Colleges; for each district school system, the  
6535 officers shall be the district school superintendent and members  
6536 of the district school board; and for each Florida Community  
6537 College System institution, the officers shall be the Florida  
6538 Community College System institution president and members of  
6539 the Florida Community College System institution board of  
6540 trustees.

6541 Section 106. Paragraph (a) of subsection (1) of section  
6542 1012.80, Florida Statutes, is amended to read:

6543 1012.80 Participation by employees in disruptive activities  
6544 at public postsecondary educational institutions; penalties.—

6545 (1) (a) Any person who accepts the privilege extended by the  
6546 laws of this state of employment at any Florida Community  
6547 College System institution shall, by working at such  
6548 institution, be deemed to have given his or her consent to the  
6549 policies of that institution, the policies of the State Board of  
6550 Community Colleges Education, and the laws of this state. Such  
6551 policies shall include prohibition against disruptive activities  
6552 at Florida Community College System institutions.

6553 Section 107. Subsection (1) of section 1012.81, Florida  
6554 Statutes, is amended to read:

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6555 1012.81 Personnel records.—

6556 (1) The State Board of Community Colleges ~~Education~~ shall  
6557 adopt rules prescribing the content and custody of limited-  
6558 access records that a Florida Community College System  
6559 institution may maintain on its employees. Limited-access  
6560 employee records are confidential and exempt from ~~the provisions~~  
6561 ~~of~~ s. 119.07(1). Limited-access records include only the  
6562 following:

6563 (a) Records containing information reflecting academic  
6564 evaluations of employee performance; however, the employee and  
6565 officials of the institution responsible for supervision of the  
6566 employee shall have access to such records.

6567 (b) Records maintained for the purposes of any  
6568 investigation of employee misconduct, including, but not limited  
6569 to, a complaint against an employee and all information obtained  
6570 pursuant to the investigation of such complaint; however, these  
6571 records become public after the investigation ceases to be  
6572 active or when the institution provides written notice to the  
6573 employee who is the subject of the complaint that the  
6574 institution has either:

6575 1. Concluded the investigation with a finding not to  
6576 proceed with disciplinary action;

6577 2. Concluded the investigation with a finding to proceed  
6578 with disciplinary action; or

6579 3. Issued a letter of discipline.

6580

6581 For the purpose of this paragraph, an investigation shall be  
6582 considered active as long as it is continuing with a reasonable,  
6583 good faith anticipation that a finding will be made in the

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6584 foreseeable future. An investigation shall be presumed to be  
6585 inactive if no finding is made within 90 days after the  
6586 complaint is filed.

6587 Section 108. Subsection (1) of section 1012.83, Florida  
6588 Statutes, is amended to read:

6589 1012.83 Contracts with administrative and instructional  
6590 staff.—

6591 (1) Each person employed in an administrative or  
6592 instructional capacity in a Florida Community College System  
6593 institution shall be entitled to a contract as provided by rules  
6594 of the State Board of Community Colleges ~~Education~~.

6595 Section 109. Section 1012.855, Florida Statutes, is amended  
6596 to read:

6597 1012.855 Employment of Florida Community College System  
6598 institution personnel; discrimination in granting salary  
6599 prohibited.—

6600 (1) (a) Employment of all personnel in each Florida  
6601 Community College System institution shall be upon  
6602 recommendation of the president, subject to rejection for cause  
6603 by the Florida Community College System institution board of  
6604 trustees; to the rules of the State Board of Community Colleges  
6605 ~~Education~~ relative to certification, tenure, leaves of absence  
6606 of all types, including sabbaticals, remuneration, and such  
6607 other conditions of employment as the State Board of Community  
6608 Colleges ~~Education~~ deems necessary and proper; and to policies  
6609 of the Florida Community College System institution board of  
6610 trustees not inconsistent with law.

6611 (b) Any internal auditor employed by a Florida Community  
6612 College System institution shall be hired by the Florida

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6613 Community College System institution board of trustees and shall  
6614 report directly to the board.

6615 (2) Each Florida Community College System institution board  
6616 of trustees shall undertake a program to eradicate any  
6617 discrimination on the basis of gender, race, or physical  
6618 handicap in the granting of salaries to employees.

6619 Section 110. Section 1012.86, Florida Statutes, is amended  
6620 to read:

6621 1012.86 Florida Community College System institution  
6622 employment equity accountability program.-

6623 (1) Each Florida Community College System institution shall  
6624 include in its annual equity update a plan for increasing the  
6625 representation of women and minorities in senior-level  
6626 administrative positions and in full-time faculty positions, and  
6627 for increasing the representation of women and minorities who  
6628 have attained continuing-contract status. Positions shall be  
6629 defined in the personnel data element directory of the  
6630 Department of Education. The plan must include specific  
6631 measurable goals and objectives, specific strategies and  
6632 timelines for accomplishing these goals and objectives, and  
6633 comparable national standards as provided by the Department of  
6634 Education. The goals and objectives shall be based on meeting or  
6635 exceeding comparable national standards and shall be reviewed  
6636 and recommended by the State Board of Community Colleges  
6637 ~~Education~~ as appropriate. Such plans shall be maintained until  
6638 appropriate representation has been achieved and maintained for  
6639 at least 3 consecutive reporting years.

6640 (2) (a) On or before May 1 of each year, each Florida  
6641 Community College System institution president shall submit an

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6642 annual employment accountability plan to the Chancellor of the  
6643 Florida Community College System and the State Board of  
6644 Community Colleges ~~Commissioner of Education and the State Board~~  
6645 ~~of Education~~. The accountability plan must show faculty and  
6646 administrator employment data according to requirements  
6647 specified on the federal Equal Employment Opportunity (EEO-6)  
6648 report.

6649 (b) The plan must show the following information for those  
6650 positions including, but not limited to:

6651 1. Job classification title.

6652 2. Gender.

6653 3. Ethnicity.

6654 4. Appointment status.

6655 5. Salary information. At each Florida Community College  
6656 System institution, salary information shall also include the  
6657 salary ranges in which new hires were employed compared to the  
6658 salary ranges for employees with comparable experience and  
6659 qualifications.

6660 6. Other comparative information including, but not limited  
6661 to, composite information regarding the total number of  
6662 positions within the particular job title classification for the  
6663 Florida Community College System institution by race, gender,  
6664 and salary range compared to the number of new hires.

6665 7. A statement certifying diversity and balance in the  
6666 gender and ethnic composition of the selection committee for  
6667 each vacancy, including a brief description of guidelines used  
6668 for ensuring balanced and diverse membership on selection and  
6669 review committees.

6670 (c) The annual employment accountability plan shall also

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6671 include an analysis and an assessment of the Florida Community  
6672 College System institution's attainment of annual goals and of  
6673 long-range goals for increasing the number of women and  
6674 minorities in faculty and senior-level administrative positions,  
6675 and a corrective action plan for addressing underrepresentation.

6676 (d) Each Florida Community College System institution's  
6677 employment accountability plan must also include:

6678 1. The requirements for receiving a continuing contract.

6679 2. A brief description of the process used to grant  
6680 continuing-contract status.

6681 3. A brief description of the process used to annually  
6682 apprise each eligible faculty member of progress toward  
6683 attainment of continuing-contract status.

6684 (3) Florida Community College System institution presidents  
6685 and the heads of each major administrative division shall be  
6686 evaluated annually on the progress made toward meeting the goals  
6687 and objectives of the Florida Community College System  
6688 institution's employment accountability plan.

6689 (a) The Florida Community College System institution  
6690 presidents, or the presidents' designees, shall annually  
6691 evaluate each department chairperson, dean, provost, and vice  
6692 president in achieving the annual and long-term goals and  
6693 objectives. A summary of the results of such evaluations shall  
6694 be reported annually by the Florida Community College System  
6695 institution president to the Florida Community College System  
6696 institution board of trustees. Annual budget allocations by the  
6697 Florida Community College System institution board of trustees  
6698 for positions and funding must take into consideration these  
6699 evaluations.

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6700 (b) Florida Community College System institution boards of  
6701 trustees shall annually evaluate the performance of the Florida  
6702 Community College System institution presidents in achieving the  
6703 annual and long-term goals and objectives. A summary of the  
6704 results of such evaluations shall be reported to the State Board  
6705 of Community Colleges ~~Commissioner of Education and the State~~  
6706 ~~Board of Education~~ as part of the Florida Community College  
6707 System institution's annual employment accountability plan, and  
6708 to the Legislature as part of the annual equity progress report  
6709 submitted by the State Board of Community Colleges ~~Education~~.

6710 (4) The State Board of Community Colleges ~~Education~~ shall  
6711 submit an annual equity progress report to the President of the  
6712 Senate and the Speaker of the House of Representatives on or  
6713 before January 1 of each year.

6714 (5) Each Florida Community College System institution shall  
6715 develop a budgetary incentive plan to support and ensure  
6716 attainment of the goals developed pursuant to this section. The  
6717 plan shall specify, at a minimum, how resources shall be  
6718 allocated to support the achievement of goals and the  
6719 implementation of strategies in a timely manner. After prior  
6720 review and approval by the Florida Community College System  
6721 institution president and the Florida Community College System  
6722 institution board of trustees, the plan shall be submitted as  
6723 part of the annual employment accountability plan submitted by  
6724 each Florida Community College System institution to the State  
6725 Board of Community Colleges ~~Education~~.

6726 (6) Subject to available funding, the Legislature shall  
6727 provide an annual appropriation to the State Board of Community  
6728 Colleges ~~Education~~ to be allocated to Florida Community College



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6729 System institution presidents, faculty, and administrative  
6730 personnel to further enhance equity initiatives and related  
6731 priorities that support the mission of colleges and departments  
6732 in recognition of the attainment of the equity goals and  
6733 objectives.

6734 Section 111. Subsection (3) of section 1013.01, Florida  
6735 Statutes, is amended to read:

6736 1013.01 Definitions.—The following terms shall be defined  
6737 as follows for the purpose of this chapter:

6738 (3) "Board," unless otherwise specified, means a district  
6739 school board, a Florida Community College System institution  
6740 board of trustees, a university board of trustees, and the Board  
6741 of Trustees for the Florida School for the Deaf and the Blind.  
6742 The term "board" does not include the State Board of Education,  
6743 ~~or~~ the Board of Governors, or the State Board of Community  
6744 Colleges.

6745 Section 112. Subsection (2) of section 1013.02, Florida  
6746 Statutes, is amended to read:

6747 1013.02 Purpose; rules and regulations.—

6748 (2) (a) The State Board of Education shall adopt rules  
6749 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~  
6750 ~~provisions of this chapter for school districts and Florida~~  
6751 ~~College System institutions.~~

6752 (b) The Board of Governors shall adopt regulations pursuant  
6753 to its regulation development procedure to implement ~~the~~  
6754 ~~provisions of this chapter for state universities.~~

6755 (c) The State Board of Community Colleges shall adopt rules  
6756 pursuant to ss. 120.536(1) and 120.54 to implement this chapter  
6757 for Florida Community College System institutions.

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6758 Section 113. Section 1013.03, Florida Statutes, is amended  
6759 to read:

6760 1013.03 Functions of the department, the State Board of  
6761 Community Colleges, and the Board of Governors.—The functions of  
6762 the Department of Education as it pertains to educational  
6763 facilities of school districts, of the State Board of Community  
6764 Colleges as it pertains to educational facilities of ~~and~~ Florida  
6765 Community College System institutions, and of the Board of  
6766 Governors as it pertains to educational facilities of state  
6767 universities shall include, but not be limited to, the  
6768 following:

6769 (1) Establish recommended minimum and maximum square  
6770 footage standards for different functions and areas and  
6771 procedures for determining the gross square footage for each  
6772 educational facility to be funded in whole or in part by the  
6773 state, including public broadcasting stations but excluding  
6774 postsecondary special purpose laboratory space. The gross square  
6775 footage determination standards may be exceeded when the core  
6776 facility space of an educational facility is constructed or  
6777 renovated to accommodate the future addition of classrooms to  
6778 meet projected increases in student enrollment. The department,   
6779 the State Board of Community Colleges, and the Board of  
6780 Governors shall encourage multiple use of facilities and spaces  
6781 in educational plants.

6782 (2) Establish, for the purpose of determining need,  
6783 equitably uniform utilization standards for all types of like  
6784 space, regardless of the level of education. These standards  
6785 shall also establish, for postsecondary education classrooms, a  
6786 minimum room utilization rate of 40 hours per week and a minimum

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6787 station utilization rate of 60 percent. These rates shall be  
6788 subject to increase based on national norms for utilization of  
6789 postsecondary education classrooms.

6790 (3) Require boards to submit other educational plant  
6791 inventories data and statistical data or information relevant to  
6792 construction, capital improvements, and related costs.

6793 (4) Require each board and other appropriate agencies to  
6794 submit complete and accurate financial data as to the amounts of  
6795 funds from all sources that are available and spent for  
6796 construction and capital improvements. The commissioner shall  
6797 prescribe the format and the date for the submission of this  
6798 data and any other educational facilities data. If any district  
6799 does not submit the required educational facilities fiscal data  
6800 by the prescribed date, the Commissioner of Education shall  
6801 notify the district school board of this fact and, if  
6802 appropriate action is not taken to immediately submit the  
6803 required report, the district school board shall be directed to  
6804 proceed pursuant to s. 1001.42(13)(b). If any Florida Community  
6805 College System institution or university does not submit the  
6806 required educational facilities fiscal data by the prescribed  
6807 date, the same policy prescribed in this subsection for school  
6808 districts shall be implemented.

6809 (5) Administer, under the supervision of the Commissioner  
6810 of Education, the Public Education Capital Outlay and Debt  
6811 Service Trust Fund and the School District and Community College  
6812 District Capital Outlay and Debt Service Trust Fund.

6813 (6) Develop, review, update, revise, and recommend a  
6814 mandatory portion of the Florida Building Code for educational  
6815 facilities construction and capital improvement by Florida

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6816 Community College System institution boards and district school  
6817 boards.

6818 (7) Provide training, technical assistance, and building  
6819 code interpretation for requirements of the mandatory Florida  
6820 Building Code for the educational facilities construction and  
6821 capital improvement programs of ~~the Florida College System~~  
6822 ~~institution boards and~~ district school boards and, upon request,  
6823 approve phase III construction documents for remodeling,  
6824 renovation, or new construction of educational plants or  
6825 ancillary facilities, except that Florida Community College  
6826 System institutions and university boards of trustees shall  
6827 approve specifications and construction documents for their  
6828 respective institutions pursuant to guidelines of the Board of  
6829 Governors or State Board of Community Colleges, as applicable.  
6830 The Department of Management Services may, upon request, provide  
6831 similar services for the Florida School for the Deaf and the  
6832 Blind and shall use the Florida Building Code and the Florida  
6833 Fire Prevention Code.

6834 (8) Provide minimum criteria, procedures, and training to  
6835 boards to conduct educational plant surveys and document the  
6836 determination of future needs.

6837 (9) Make available to boards technical assistance,  
6838 awareness training, and research and technical publications  
6839 relating to lifesafety, casualty, sanitation, environmental,  
6840 maintenance, and custodial issues; and, as needed, technical  
6841 assistance for survey, planning, design, construction,  
6842 operation, and evaluation of educational and ancillary  
6843 facilities and plants, facilities administrative procedures  
6844 review, and training for new administrators.

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6845 (10) (a) Review and validate surveys proposed or amended by  
6846 the boards and recommend to the Commissioner of Education, the  
6847 Chancellor of the Florida Community College System, or the  
6848 Chancellor of the State University System, as appropriate, for  
6849 approval, surveys that meet the requirements of this chapter.

6850 1. The term "validate" as applied to surveys by school  
6851 districts means to review inventory data as submitted to the  
6852 department by district school boards; provide for review and  
6853 inspection, where required, of student stations and aggregate  
6854 square feet of inventory changed from satisfactory to  
6855 unsatisfactory or changed from unsatisfactory to satisfactory;  
6856 compare new school inventory to allocation limits provided by  
6857 this chapter; review cost projections for conformity with cost  
6858 limits set by s. 1013.64(6); compare total capital outlay full-  
6859 time equivalent enrollment projections in the survey with the  
6860 department's projections; review facilities lists to verify that  
6861 student station and auxiliary facility space allocations do not  
6862 exceed the limits provided by this chapter and related rules;  
6863 review and confirm the application of uniform facility  
6864 utilization factors, where provided by this chapter or related  
6865 rules; use ~~utilize~~ the documentation of programs offered per  
6866 site, as submitted by the board, to analyze facility needs;  
6867 confirm that need projections for career and adult educational  
6868 programs comply with needs documented by the Department of  
6869 Education; and confirm the assignment of full-time student  
6870 stations to all space except auxiliary facilities, which, for  
6871 purposes of exemption from student station assignment, include  
6872 the following:

6873 a. Cafeterias.

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- 6874           b. Multipurpose dining areas.
- 6875           c. Media centers.
- 6876           d. Auditoriums.
- 6877           e. Administration.
- 6878           f. Elementary, middle, and high school resource rooms, up
- 6879 to the number of such rooms recommended for the applicable
- 6880 occupant and space design capacity of the educational plant in
- 6881 the State Requirements for Educational Facilities, beyond which
- 6882 student stations must be assigned.
- 6883           g. Elementary school skills labs, up to the number of such
- 6884 rooms recommended for the applicable occupant and space design
- 6885 capacity of the educational plant in the State Requirements for
- 6886 Educational Facilities, beyond which student stations must be
- 6887 assigned.
- 6888           h. Elementary school art and music rooms.

6889

6890 The Commissioner of Education may grant a waiver from the

6891 requirements of this subparagraph if a district school board

6892 determines that such waiver will make possible a substantial

6893 savings of funds or will be advantageous to the welfare of the

6894 educational system. The district school board shall present a

6895 full statement to the commissioner which sets forth the facts

6896 that warrant the waiver. If the commissioner denies a request

6897 for a waiver, the district school board may appeal such decision

6898 to the State Board of Education.

6899           2. The term "validate" as applied to surveys by Florida

6900 Community College System institutions and universities means to

6901 review and document the approval of each new site and official

6902 designation, where applicable; review the inventory database as

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6903 submitted by each board to the department, including noncareer,  
6904 and total capital outlay full-time equivalent enrollment  
6905 projections per site and per college; provide for the review and  
6906 inspection, where required, of student stations and aggregate  
6907 square feet of space changed from satisfactory to  
6908 unsatisfactory; use ~~utilize~~ and review the documentation of  
6909 programs offered per site submitted by the boards as accurate  
6910 for analysis of space requirements and needs; confirm that needs  
6911 projected for career and adult educational programs comply with  
6912 needs documented by the Department of Education; compare new  
6913 facility inventory to allocations limits as provided in this  
6914 chapter; review cost projections for conformity with state  
6915 averages or limits designated by this chapter; compare student  
6916 enrollment projections in the survey to the department's  
6917 projections; review facilities lists to verify that area  
6918 allocations and space factors for generating space needs do not  
6919 exceed the limits as provided by this chapter and related rules;  
6920 confirm the application of facility utilization factors as  
6921 provided by this chapter and related rules; and review, as  
6922 submitted, documentation of how survey recommendations will  
6923 implement the detail of current campus master plans and  
6924 integrate with local comprehensive plans and development  
6925 regulations.

6926 (b) Recommend priority of projects to be funded.

6927 (11) Prepare the commissioner's comprehensive fixed capital  
6928 outlay legislative budget request and provide annually an  
6929 estimate of the funds available for developing required 3-year  
6930 priority lists. This amount shall be based upon the average  
6931 percentage for the 5 prior years of funds appropriated by the

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6932 Legislature for fixed capital outlay to each level of public  
6933 education: public schools, Florida Community College System  
6934 institutions, and universities.

6935 (12) Perform any other functions that may be involved in  
6936 educational facilities construction and capital improvement  
6937 which shall ensure that the intent of the Legislature is  
6938 implemented.

6939 Section 114. Section 1013.28, Florida Statutes, is amended  
6940 to read:

6941 1013.28 Disposal of property.—

6942 (1) REAL PROPERTY.—

6943 (a) Subject to rules of the State Board of Education, a  
6944 district school board or the Board of Trustees for the Florida  
6945 School for the Deaf and the Blind, ~~or a Florida College System~~  
6946 ~~institution board of trustees~~ may dispose of any land or real  
6947 property to which the board holds title which is, by resolution  
6948 of the board, determined to be unnecessary for educational  
6949 purposes as recommended in an educational plant survey. A  
6950 district school board or the Board of Trustees for the Florida  
6951 School for the Deaf and the Blind, ~~or a Florida College System~~  
6952 ~~institution board of trustees~~ shall take diligent measures to  
6953 dispose of educational property only in the best interests of  
6954 the public. However, appraisals may be obtained by the district  
6955 school board or the Board of Trustees for the Florida School  
6956 for the Deaf and the Blind before, ~~or the Florida College System~~  
6957 ~~institution board of trustees prior to~~ or simultaneously with  
6958 the receipt of bids.

6959 (b) Subject to regulations of the Board of Governors, a  
6960 state university board of trustees may dispose of any land or



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6961 real property to which it holds valid title which is, by  
6962 resolution of the state university board of trustees, determined  
6963 to be unnecessary for educational purposes as recommended in an  
6964 educational plant survey. A state university board of trustees  
6965 shall take diligent measures to dispose of educational property  
6966 only in the best interests of the public. However, appraisals  
6967 may be obtained by the state university board of trustees prior  
6968 to or simultaneously with the receipt of bids.

6969 (c) Subject to rules of the State Board of Community  
6970 Colleges, a Florida Community College System institution board  
6971 of trustees may dispose of any land or real property to which it  
6972 holds valid title which is, by resolution of the Florida  
6973 Community College System institution board of trustees,  
6974 determined to be unnecessary for educational purposes as  
6975 recommended in an educational plant survey. A Florida Community  
6976 College System institution board of trustees shall take diligent  
6977 measures to dispose of educational property only in the best  
6978 interests of the public. However, appraisals may be obtained by  
6979 the Florida Community College System institution board of  
6980 trustees prior to or simultaneously with the receipt of bids.

6981 (2) TANGIBLE PERSONAL PROPERTY.—

6982 (a) Tangible personal property that has been properly  
6983 classified as surplus by a district school board ~~or Florida~~  
6984 ~~College System institution board of trustees~~ shall be disposed  
6985 of in accordance with the procedure established by chapter 274.  
6986 However, the provisions of chapter 274 shall not be applicable  
6987 to a motor vehicle used in driver education to which title is  
6988 obtained for a token amount from an automobile dealer or  
6989 manufacturer. In such cases, the disposal of the vehicle shall

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6990 be as prescribed in the contractual agreement between the  
6991 automotive agency or manufacturer and the board.

6992 (b) Tangible personal property that has been properly  
6993 classified as surplus by a state university board of trustees  
6994 shall be disposed of in accordance with the procedure  
6995 established by chapter 273.

6996 (c) Tangible personal property that has been properly  
6997 classified as surplus by a Florida Community College System  
6998 institution board of trustees shall be disposed of in accordance  
6999 with the procedure established by chapter 274.

7000 Section 115. Section 1013.29, Florida Statutes, is created  
7001 to read:

7002 1013.29 High school educational facilities on a public or  
7003 private postsecondary institution campus.—A district school  
7004 board may authorize a public high school within the district,  
7005 including, but not limited to, a charter school authorized to  
7006 operate under s. 1002.33, which meets the requirements of this  
7007 chapter, to be located on a postsecondary institution's campus.

7008 Section 116. Subsection (1) of section 1013.31, Florida  
7009 Statutes, is amended to read:

7010 1013.31 Educational plant survey; localized need  
7011 assessment; PECO project funding.—

7012 (1) At least every 5 years, each board shall arrange for an  
7013 educational plant survey, to aid in formulating plans for  
7014 housing the educational program and student population, faculty,  
7015 administrators, staff, and auxiliary and ancillary services of  
7016 the district or campus, including consideration of the local  
7017 comprehensive plan. The Department of Education, for school  
7018 districts, and the State Board of Community Colleges, for the

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7019 Florida Community College System, shall document the need for  
7020 additional career and adult education programs and the  
7021 continuation of existing programs before facility construction  
7022 or renovation related to career or adult education may be  
7023 included in the educational plant survey of a school district or  
7024 Florida Community College System institution that delivers  
7025 career or adult education programs. Information used by the  
7026 Department of Education or State Board of Community Colleges to  
7027 establish facility needs must include, but need not be limited  
7028 to, labor market data, needs analysis, and information submitted  
7029 by the school district or Florida Community College System  
7030 institution.

7031 (a) *Survey preparation and required data.*—Each survey shall  
7032 be conducted by the board or an agency employed by the board.  
7033 Surveys shall be reviewed and approved by the board, and a file  
7034 copy shall be submitted to the Department of Education, the  
7035 Chancellor of the Florida Community College System, or the  
7036 Chancellor of the State University System, as appropriate. The  
7037 survey report shall include at least an inventory of existing  
7038 educational and ancillary plants, including safe access  
7039 facilities; recommendations for existing educational and  
7040 ancillary plants; recommendations for new educational or  
7041 ancillary plants, including the general location of each in  
7042 coordination with the land use plan and safe access facilities;  
7043 campus master plan update and detail for Florida Community  
7044 College System institutions; the use ~~utilization~~ of school  
7045 plants based on an extended school day or year-round operation;  
7046 and such other information as may be required by the Department  
7047 of Education. This report may be amended, if conditions warrant,

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7048 at the request of the department or commissioner.

7049 (b) *Required need assessment criteria for district, Florida*  
7050 *Community College System institution, state university, and*  
7051 *Florida School for the Deaf and the Blind plant surveys.-*  
7052 Educational plant surveys must use uniform data sources and  
7053 criteria specified in this paragraph. Each revised educational  
7054 plant survey and each new educational plant survey supersedes  
7055 previous surveys.

7056 1. The school district's survey must be submitted as a part  
7057 of the district educational facilities plan defined in s.  
7058 1013.35. To ensure that the data reported to the Department of  
7059 Education as required by this section is correct, the department  
7060 shall annually conduct an onsite review of 5 percent of the  
7061 facilities reported for each school district completing a new  
7062 survey that year. If the department's review finds the data  
7063 reported by a district is less than 95 percent accurate, within  
7064 1 year from the time of notification by the department the  
7065 district must submit revised reports correcting its data. If a  
7066 district fails to correct its reports, the commissioner may  
7067 direct that future fixed capital outlay funds be withheld until  
7068 such time as the district has corrected its reports so that they  
7069 are not less than 95 percent accurate.

7070 2. Each survey of a special facility, joint-use facility,  
7071 or cooperative career education facility must be based on  
7072 capital outlay full-time equivalent student enrollment data  
7073 prepared by the department for school districts and Florida  
7074 Community College System institutions and by the Chancellor of  
7075 the State University System for universities. A survey of space  
7076 needs of a joint-use facility shall be based upon the respective

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7077 space needs of the school districts, Florida Community College  
7078 System institutions, and universities, as appropriate.  
7079 Projections of a school district's facility space needs may not  
7080 exceed the norm space and occupant design criteria established  
7081 by the State Requirements for Educational Facilities.

7082 3. Each Florida Community College System institution's  
7083 survey must reflect the capacity of existing facilities as  
7084 specified in the inventory maintained and validated by the  
7085 Chancellor of the Florida Community College System ~~by the~~  
7086 ~~Department of Education~~. Projections of facility space needs  
7087 must comply with standards for determining space needs as  
7088 specified by rule of the State Board of Community Colleges  
7089 ~~Education~~. The 5-year projection of capital outlay student  
7090 enrollment must be consistent with the annual report of capital  
7091 outlay full-time student enrollment prepared by the Department  
7092 of Education.

7093 4. Each state university's survey must reflect the capacity  
7094 of existing facilities as specified in the inventory maintained  
7095 and validated by the Chancellor of the State University System.  
7096 Projections of facility space needs must be consistent with  
7097 standards for determining space needs as specified by regulation  
7098 of the Board of Governors. The projected capital outlay full-  
7099 time equivalent student enrollment must be consistent with the  
7100 5-year planned enrollment cycle for the State University System  
7101 approved by the Board of Governors.

7102 5. The district educational facilities plan of a school  
7103 district and the educational plant survey of a Florida Community  
7104 College System institution, state university, or the Florida  
7105 School for the Deaf and the Blind may include space needs that

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7106 deviate from approved standards for determining space needs if  
7107 the deviation is justified by the district or institution and  
7108 approved by the department, the State Board of Community  
7109 Colleges, or the Board of Governors, as appropriate, as  
7110 necessary for the delivery of an approved educational program.

7111 (c) *Review and validation.*—The Department of Education  
7112 shall review and validate the surveys of school districts, the  
7113 Chancellor of the Florida Community College System shall review  
7114 and validate the surveys of ~~and~~ Florida Community College System  
7115 institutions, and the Chancellor of the State University System  
7116 shall review and validate the surveys of universities, and any  
7117 amendments thereto for compliance with the requirements of this  
7118 chapter and shall recommend those in compliance for approval by  
7119 the State Board of Education, the State Board of Community  
7120 Colleges, or the Board of Governors, as appropriate. Annually,  
7121 the department shall perform an in-depth analysis of a  
7122 representative sample of each survey of recommended needs for  
7123 five districts selected by the commissioner from among districts  
7124 with the largest need-to-revenue ratio. For the purpose of this  
7125 subsection, the need-to-revenue ratio is determined by dividing  
7126 the total 5-year cost of projects listed on the district survey  
7127 by the total 5-year fixed capital outlay revenue projections  
7128 from state and local sources as determined by the department.  
7129 The commissioner may direct fixed capital outlay funds to be  
7130 withheld from districts until such time as the survey accurately  
7131 projects facilities needs.

7132 (d) *Periodic update of Florida Inventory of School Houses.*—  
7133 School districts shall periodically update their inventory of  
7134 educational facilities as new capacity becomes available and as

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7135 unsatisfactory space is eliminated. The State Board of Education  
7136 shall adopt rules to determine the timeframe in which districts  
7137 must provide a periodic update.

7138 Section 117. Subsections (1) and (3) of section 1013.36,  
7139 Florida Statutes, are amended to read:

7140 1013.36 Site planning and selection.—

7141 (1) Before acquiring property for sites, each district  
7142 school board and Florida Community College System institution  
7143 board of trustees shall determine the location of proposed  
7144 educational centers or campuses. In making this determination,  
7145 the board shall consider existing and anticipated site needs and  
7146 the most economical and practicable locations of sites. The  
7147 board shall coordinate with the long-range or comprehensive  
7148 plans of local, regional, and state governmental agencies to  
7149 assure the consistency of such plans. Boards are encouraged to  
7150 locate district educational facilities proximate to urban  
7151 residential areas to the extent possible, and shall seek to  
7152 collocate district educational facilities with other public  
7153 facilities, such as parks, libraries, and community centers, to  
7154 the extent possible and to encourage using elementary schools as  
7155 focal points for neighborhoods.

7156 (3) Sites recommended for purchase or purchased must meet  
7157 standards prescribed in law and such supplementary standards as  
7158 the State Board of Education or State Board of Community  
7159 Colleges, as appropriate, prescribes to promote the educational  
7160 interests of the students. Each site must be well drained and  
7161 suitable for outdoor educational purposes as appropriate for the  
7162 educational program or collocated with facilities to serve this  
7163 purpose. As provided in s. 333.03, the site must not be located

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7164 within any path of flight approach of any airport. Insofar as is  
7165 practicable, the site must not adjoin a right-of-way of any  
7166 railroad or through highway and must not be adjacent to any  
7167 factory or other property from which noise, odors, or other  
7168 disturbances, or at which conditions, would be likely to  
7169 interfere with the educational program. To the extent  
7170 practicable, sites must be chosen which will provide safe access  
7171 from neighborhoods to schools.

7172 Section 118. Subsections (3) and (4) of section 1013.37,  
7173 Florida Statutes, are amended to read:

7174 1013.37 State uniform building code for public educational  
7175 facilities construction.—

7176 (3) REVIEW PROCEDURE.—The Commissioner of Education and the  
7177 Chancellor of the Florida Community College System, as  
7178 appropriate, shall cooperate with the Florida Building  
7179 Commission in addressing all questions, disputes, or  
7180 interpretations involving the provisions of the Florida Building  
7181 Code which govern the construction of public educational and  
7182 ancillary facilities, and any objections to decisions made by  
7183 the inspectors or the department must be submitted in writing.

7184 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The  
7185 department, for school districts, and the State Board of  
7186 Community Colleges, for Florida Community College System  
7187 institutions, shall biennially review and recommend to the  
7188 Florida Building Commission updates and revisions to the  
7189 provisions of the Florida Building Code which govern the  
7190 construction of public educational and ancillary facilities. The  
7191 department, for school districts, and the State Board of  
7192 Community Colleges, for Florida Community College System



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7193 institutions, shall publish and make available to each board at  
7194 no cost copies of the State Requirements for Educational  
7195 Facilities and each amendment and revision thereto. The  
7196 department and state board shall make additional copies  
7197 available to all interested persons at a price sufficient to  
7198 recover costs.

7199 Section 119. Section 1013.40, Florida Statutes, is amended  
7200 to read:

7201 1013.40 Planning and construction of Florida Community  
7202 College System institution facilities; property acquisition.—

7203 (1) The need for Florida Community College System  
7204 institution facilities shall be established by a survey  
7205 conducted pursuant to this chapter. The facilities recommended  
7206 by such survey must be approved by the State Board of Community  
7207 Colleges Education, and the projects must be constructed  
7208 according to the provisions of this chapter and State Board of  
7209 Community Colleges Education rules.

7210 (2) A ~~Ne~~ Florida Community College System institution may  
7211 not expend public funds for the acquisition of additional  
7212 property without the specific approval of the Legislature.

7213 (3) A ~~Ne~~ facility may not be acquired or constructed by a  
7214 Florida Community College System institution or its direct-  
7215 support organization if such facility requires general revenue  
7216 funds for operation or maintenance upon project completion or in  
7217 subsequent years of operation, unless prior approval is received  
7218 from the Legislature.

7219 (4) The campus of a Florida Community College System  
7220 institution within a municipality designated as an area of  
7221 critical state concern, as defined in s. 380.05, and having a

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7222 comprehensive plan and land development regulations containing a  
7223 building permit allocation system that limits annual growth, may  
7224 construct dormitories for up to 300 beds for Florida Community  
7225 College System institution students. Such dormitories are exempt  
7226 from the building permit allocation system and may be  
7227 constructed up to 45 feet in height if the dormitories are  
7228 otherwise consistent with the comprehensive plan, the Florida  
7229 Community College System institution has a hurricane evacuation  
7230 plan that requires all dormitory occupants to be evacuated 48  
7231 hours in advance of tropical force winds, and transportation is  
7232 provided for dormitory occupants during an evacuation. State  
7233 funds and tuition and fee revenues may not be used for  
7234 construction, debt service payments, maintenance, or operation  
7235 of such dormitories. Additional dormitory beds constructed after  
7236 July 1, 2016, may not be financed through the issuance of a  
7237 bond.

7238 Section 120. Section 1013.47, Florida Statutes, is amended  
7239 to read:

7240 1013.47 Substance of contract; contractors to give bond;  
7241 penalties.—Each board shall develop contracts consistent with  
7242 this chapter and statutes governing public facilities. Such a  
7243 contract must contain the drawings and specifications of the  
7244 work to be done and the material to be furnished, the time limit  
7245 in which the construction is to be completed, the time and  
7246 method by which payments are to be made upon the contract, and  
7247 the penalty to be paid by the contractor for a failure to comply  
7248 with the terms of the contract. The board may require the  
7249 contractor to pay a penalty for any failure to comply with the  
7250 terms of the contract and may provide an incentive for early

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7251 completion. Upon accepting a satisfactory bid, the board shall  
7252 enter into a contract with the party or parties whose bid has  
7253 been accepted. The contractor shall furnish the board with a  
7254 performance and payment bond as set forth in s. 255.05. A board  
7255 or other public entity may not require a contractor to secure a  
7256 surety bond under s. 255.05 from a specific agent or bonding  
7257 company. A person, firm, or corporation that constructs any part  
7258 of any educational plant, or addition thereto, on the basis of  
7259 any unapproved plans or in violation of any plans approved in  
7260 accordance with the provisions of this chapter and rules of the  
7261 State Board of Education or State Board of Community Colleges or  
7262 regulations of the Board of Governors relating to building  
7263 standards or specifications is subject to forfeiture of the  
7264 surety bond and unpaid compensation in an amount sufficient to  
7265 reimburse the board for any costs that will need to be incurred  
7266 in making any changes necessary to assure that all requirements  
7267 are met and is also guilty of a misdemeanor of the second  
7268 degree, punishable as provided in s. 775.082 or s. 775.083, for  
7269 each separate violation.

7270 Section 121. Section 1013.52, Florida Statutes, is amended  
7271 to read:

7272 1013.52 Cooperative development and joint use of facilities  
7273 by two or more boards.—

7274 (1) Two or more boards, including district school boards,  
7275 Florida Community College System institution boards of trustees,  
7276 the Board of Trustees for the Florida School for the Deaf and  
7277 the Blind, and university boards of trustees, desiring to  
7278 cooperatively establish a common educational facility to  
7279 accommodate students shall:

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7280 (a) Jointly request a formal assessment by the Commissioner  
7281 of Education, ~~or~~ the Chancellor of the State University System,  
7282 or the Chancellor of the State Board of Community Colleges, as  
7283 appropriate, of the academic program need and the need to build  
7284 new joint-use facilities to house approved programs. Completion  
7285 of the assessment and approval of the project by the State Board  
7286 of Education, the State Board of Community Colleges, the  
7287 Chancellor of the Florida Community College System, the Board of  
7288 Governors, the Chancellor of the State University System, or the  
7289 Commissioner of Education, as appropriate, should be done prior  
7290 to conducting an educational facilities survey.

7291 (b) Demonstrate the need for construction of new joint-use  
7292 facilities involving postsecondary institutions by those  
7293 institutions presenting evidence of the presence of sufficient  
7294 actual full-time equivalent enrollments in the locale in leased,  
7295 rented, or borrowed spaces to justify the requested facility for  
7296 the programs identified in the formal assessment rather than  
7297 using projected or anticipated future full-time equivalent  
7298 enrollments as justification. If the decision is made to  
7299 construct new facilities to meet this demonstrated need, then  
7300 building plans should consider full-time equivalent enrollment  
7301 growth facilitated by this new construction and subsequent new  
7302 program offerings made possible by the existence of the new  
7303 facilities.

7304 (c) Adopt and submit to the Commissioner of Education, the  
7305 Chancellor of the Florida Community College System, or ~~and~~ the  
7306 Chancellor of the State University System, as appropriate, if  
7307 the joint request involves a state university, a joint  
7308 resolution of the participating boards indicating their

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7309 commitment to the utilization of the requested facility and  
7310 designating the locale of the proposed facility. The joint  
7311 resolution shall contain a statement of determination by the  
7312 participating boards that alternate options, including the use  
7313 of leased, rented, or borrowed space, were considered and found  
7314 less appropriate than construction of the proposed facility. The  
7315 joint resolution shall contain assurance that the development of  
7316 the proposed facility has been examined in conjunction with the  
7317 programs offered by neighboring public educational facilities  
7318 offering instruction at the same level. The joint resolution  
7319 also shall contain assurance that each participating board shall  
7320 provide for continuity of educational progression. All joint  
7321 resolutions shall be submitted by August 1 for consideration of  
7322 funding by the subsequent Legislature.

7323 (d) Submit requests for funding of joint-use facilities  
7324 projects involving state universities and Florida Community  
7325 College System institutions for approval by the Chancellor of  
7326 the Florida Community College System ~~Commissioner of Education~~  
7327 and the Chancellor of the State University System. The  
7328 Chancellor of the Florida Community College System ~~Commissioner~~  
7329 ~~of Education~~ and the Chancellor of the State University System  
7330 shall jointly determine the priority for funding these projects  
7331 in relation to the priority of all other capital outlay projects  
7332 under their consideration. To be eligible for funding from the  
7333 Public Education Capital Outlay and Debt Service Trust Fund  
7334 under the provisions of this section, projects involving both  
7335 state universities and Florida Community College System  
7336 institutions shall appear on the 3-year capital outlay priority  
7337 lists of Florida Community College System institutions and of

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7338 universities required by s. 1013.64. Projects involving a state  
7339 university, a Florida Community College System institution, and  
7340 a public school, and in which the larger share of the proposed  
7341 facility is for the use of the state university or the Florida  
7342 Community College System institution, shall appear on the 3-year  
7343 capital outlay priority lists of the Florida Community College  
7344 System institutions or of the universities, as applicable.

7345 (e) Include in their joint resolution for the joint-use  
7346 facilities, comprehensive plans for the operation and management  
7347 of the facility upon completion. Institutional responsibilities  
7348 for specific functions shall be identified, including  
7349 designation of one participating board as sole owner of the  
7350 facility. Operational funding arrangements shall be clearly  
7351 defined.

7352 (2) An educational plant survey must be conducted within 90  
7353 days after submission of the joint resolution and substantiating  
7354 data describing the benefits to be obtained, the programs to be  
7355 offered, and the estimated cost of the proposed project. Upon  
7356 completion of the educational plant survey, the participating  
7357 boards may include the recommended projects in their plan as  
7358 provided in s. 1013.31. Upon approval of the project by the  
7359 commissioner, the Chancellor of the Florida Community College  
7360 System, or the Chancellor of the State University System, as  
7361 appropriate, 25 percent of the total cost of the project, or the  
7362 pro rata share based on space utilization of 25 percent of the  
7363 cost, must be included in the department's legislative capital  
7364 outlay budget request as provided in s. 1013.60 for educational  
7365 plants. The participating boards must include in their joint  
7366 resolution a commitment to finance the remaining funds necessary

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7367 to complete the planning, construction, and equipping of the  
7368 facility. Funds from the Public Education Capital Outlay and  
7369 Debt Service Trust Fund may not be expended on any project  
7370 unless specifically authorized by the Legislature.

7371 (3) Included in all proposals for joint-use facilities must  
7372 be documentation that the proposed new campus or new joint-use  
7373 facility has been reviewed by the State Board of Education, the  
7374 State Board of Community Colleges, or the Board of Governors, as  
7375 appropriate, and has been formally requested for authorization  
7376 by the Legislature.

7377 (4) A ~~No~~ district school board, Florida Community College  
7378 System institution, or state university may not ~~shall~~ receive  
7379 funding for more than one approved joint-use facility per campus  
7380 in any 3-year period.

7381 Section 122. Subsection (1) of section 1013.65, Florida  
7382 Statutes, is amended to read:

7383 1013.65 Educational and ancillary plant construction funds;  
7384 Public Education Capital Outlay and Debt Service Trust Fund;  
7385 allocation of funds.—

7386 (1) The commissioner, through the department, shall  
7387 administer the Public Education Capital Outlay and Debt Service  
7388 Trust Fund. The commissioner shall allocate or reallocate funds  
7389 as authorized by the Legislature. Copies of each allocation or  
7390 reallocation shall be provided to members of the State Board of  
7391 Education, the State Board of Community Colleges, and the Board  
7392 of Governors and to the chairs of the House of Representatives  
7393 and Senate appropriations committees. The commissioner shall  
7394 provide for timely encumbrances of funds for duly authorized  
7395 projects. Encumbrances may include proceeds to be received under

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7396 a resolution approved by the State Board of Education  
7397 authorizing the issuance of public education capital outlay  
7398 bonds pursuant to s. 9(a)(2), Art. XII of the State  
7399 Constitution, s. 215.61, and other applicable law. The  
7400 commissioner shall provide for the timely disbursement of moneys  
7401 necessary to meet the encumbrance authorizations of the boards.  
7402 Records shall be maintained by the department to identify  
7403 legislative appropriations, allocations, encumbrance  
7404 authorizations, disbursements, transfers, investments, sinking  
7405 funds, and revenue receipts by source. The Department of  
7406 Education shall pay the administrative costs of the Public  
7407 Education Capital Outlay and Debt Service Trust Fund from the  
7408 funds which comprise the trust fund.

7409 Section 123. The State Board of Community Colleges, in  
7410 collaboration with the Board of Governors, shall evaluate and  
7411 report on the status of Florida's "2+2" system of articulation  
7412 using the accountability measures required pursuant to s.  
7413 1008.38, Florida Statutes, and any other applicable state law.  
7414 By December 31, 2017, the state board and the Board of Governors  
7415 shall submit their report to the Governor, the President of the  
7416 Senate, and the Speaker of the House of Representatives. The  
7417 report must include findings regarding the effectiveness of  
7418 Florida's "2+2" system of articulation and recommendations for  
7419 improvement.

7420 Section 124. The Division of Law Revision and Information  
7421 is directed to prepare a reviser's bill for the 2018 Regular  
7422 Session to substitute the term "Florida Community College  
7423 System" for "Florida College System" and the term "Florida  
7424 Community College System institution" for "Florida College



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7425 System institution" where those terms appear in the Florida  
7426 Statutes.

7427 Section 125. Except as otherwise expressly provided in this  
7428 act and except for this section, which shall take effect upon  
7429 becoming a law, this act shall take effect October 1, 2017.