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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; amending s.
294 1013.31, F.S.; specifying the role of the State Board
295 of Community Colleges in educational plant surveys for
296 Florida Community College System institutions;
297 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
298 conforming provisions to changes made by the act;
299 amending s. 1013.47, F.S.; providing that certain
300 contractors are subject to rules of the State Board of
301 Community Colleges; amending s. 1013.52, F.S.;
302 specifying duties of the State Board of Community
303 Colleges with regard to the cooperative development
304 and joint use of facilities; amending s. 1013.65,
305 F.S.; requiring the State Board of Community Colleges
306 to be provided with copies of authorized allocations
307 or reallocations for the Public Education Capital
308 Outlay and Debt Service Trust Fund; requiring the
309 Board of Governors and the State Board of Community
310 Colleges to submit a report to the Governor and the
311 Legislature by a specified date; providing a directive
312 to the Division of Law Revision and Information;
313 amending s. 1001.66, F.S.; revising requirements for
314 the performance-based metrics used to award Florida
315 Community College System institutions with
316 performance-based incentives; amending s. 1001.67,
317 F.S.; revising the Distinguished Florida Community
318 College System Institution Program excellence
319 standards requirements; amending s. 1001.706, F.S.;

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320 requiring state universities to use gap analyses to
321 identify internship opportunities in high-demand
322 fields; amending s. 1001.7065, F.S.; revising the
323 preeminent state research universities program
324 graduation rate requirements and funding
325 distributions; deleting the authority for such
326 universities to stipulate a special course requirement
327 for incoming students; requiring the Board of
328 Governors to establish certain standards by a
329 specified date; amending s. 1001.92, F.S.; requiring
330 certain performance-based metrics to include specified
331 graduation rates and access benchmarks; creating s.
332 1004.6497, F.S.; establishing the World Class Faculty
333 and Scholar Program; providing the purpose and intent
334 of the program; authorizing investments in certain
335 faculty retention, recruitment, and recognition
336 activities; specifying funding as provided in the
337 General Appropriations Act; requiring the funds to be
338 used only for authorized purposes and investments;
339 requiring the Board of Governors to submit an annual
340 report to the Governor and the Legislature by a
341 specified date; creating s. 1004.6498, F.S.;
342 establishing the State University Professional and
343 Graduate Degree Excellence Program; providing the
344 purpose of the program; listing the quality
345 improvement efforts that may be used to elevate the
346 prominence of state university medicine, law, and
347 graduate-level business programs; specifying funding
348 as provided in the General Appropriations Act;

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349 requiring the funds to be used only for authorized
350 purposes and investments; requiring the Board of
351 Governors to submit an annual report to the Governor
352 and the Legislature by a specified date; amending s.
353 1007.27, F.S.; requiring school districts to notify
354 students about certain lists and equivalencies;
355 amending s. 1008.30, F.S.; providing that certain
356 state universities may continue to provide
357 developmental education instruction; amending ss.
358 1009.22 and 1009.23, F.S.; revising the prohibition on
359 the inclusion of a technology fee in the Florida
360 Bright Futures Scholarship Program award; amending s.
361 1009.24, F.S.; revising the prohibition on the
362 inclusion of a technology fee in the Florida Bright
363 Futures Scholarship Program award; requiring each
364 state university board of trustees to implement a
365 block tuition policy for specified undergraduate
366 students or undergraduate-level courses by a specified
367 time; requiring the Chancellor of the State University
368 System to submit a report to the Governor and the
369 Legislature by a specified date; revising the
370 conditions for differential tuition; amending s.
371 1009.53, F.S.; authorizing a student to use funds
372 appropriated in the General Appropriations Act for
373 summer term enrollment for Florida Academic Scholars
374 awards; amending s. 1009.534, F.S.; specifying Florida
375 Academic Scholars award amounts to cover tuition,
376 fees, textbooks, and other college-related expenses;
377 amending s. 1009.701, F.S.; revising the state-to-

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378 private match requirement for contributions to the
379 First Generation Matching Grant Program; amending s.
380 1009.89, F.S.; renaming the Florida Resident Access
381 Grant Program; amending s. 1009.893, F.S.; extending
382 coverage of Benacquisto Scholarships to include
383 tuition and fees for qualified nonresident students;
384 creating s. 1009.894, F.S.; creating the Florida
385 Farmworker Student Scholarship Program; providing a
386 purpose; requiring the Department of Education to
387 administer the scholarship program; providing initial
388 and renewal scholarship student eligibility criteria;
389 specifying award amounts and distributions; requiring
390 the department to issue the awards annually; requiring
391 institutions to certify certain information and remit
392 any remaining funds to the department by a specified
393 timeframe; requiring the department to maintain
394 program data; providing for funding as specified in
395 the General Appropriations Act; amending s. 1009.98,
396 F.S.; providing that certain payments from the Florida
397 Prepaid College Board to a state university on behalf
398 of a qualified beneficiary may not exceed a specified
399 amount; amending s. 1013.79, F.S.; revising the intent
400 of the Alec P. Courtelis University Facility
401 Enhancement Challenge Grant Program; deleting the Alec
402 P. Courtelis Capital Facilities Matching Trust Fund;
403 authorizing the Legislature to prioritize certain
404 funds for the 2017-2018 fiscal year; amending s.
405 267.062, F.S.; conforming a cross-reference; providing
406 a directive to the Division of Law Revision and

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407 Information; providing effective dates.

408
409 Be It Enacted by the Legislature of the State of Florida:

410
411 Section 1. This act may be cited as the "College
412 Competitiveness Act of 2017."

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

415 1001.6001 Florida Community College System governance.-

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

418 (2) The State Board of Community Colleges is created
419 pursuant to s. 20.156 to oversee and coordinate the Florida
420 Community College System. The Governor shall appoint the
421 membership of the State Board of Community Colleges, subject to
422 confirmation by the Senate, in time for the members to convene
423 for the board's organizational meeting pursuant to s. 20.156(5).

424 (3) The Division of Florida Colleges shall provide
425 administrative support to the State Board of Community Colleges
426 until September 30, 2017.

427 (4) On October 1, 2017, all powers, duties, functions,
428 records, offices, personnel, property, pending issues and
429 existing contracts, administrative authority, administrative
430 rules, and unexpended balances of appropriations, allocations,
431 and other funds related to the Florida College System and the
432 Division of Florida Colleges are transferred by a type two
433 transfer, as defined in s. 20.06(2), from the State Board of
434 Education to the State Board of Community Colleges.

435 (5) The State Board of Community Colleges shall appoint a

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436 Chancellor of the Florida Community College System by November
437 1, 2017, to aid the board in the implementation of its
438 responsibilities.

439 (6) Any State Board of Education approval, policy,
440 guidance, and appointment in effect on October 1, 2017, remain
441 effective unless acted upon by the State Board of Community
442 Colleges.

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

445 20.15 Department of Education.—There is created a
446 Department of Education.

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

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

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

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

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

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

454 (e)~~(f)~~ Division of Accountability, Research, and
455 Measurement.

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

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

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

460 1. The Office of Early Learning, which shall be
461 administered by an executive director who is fully accountable
462 to the Commissioner of Education. The executive director shall,
463 pursuant to s. 1001.213, administer the early learning programs,
464 including the school readiness program and the Voluntary

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465 Prekindergarten Education Program at the state level.

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

469 (8) SUPPORT SERVICES.—The Department of Education shall
470 continue to provide support to the Board of Governors of the
471 State University System and to the State Board of Community
472 Colleges of the Florida Community College System. At a minimum,
473 support services provided to the Board of Governors and the
474 State Board of Community Colleges shall include accounting,
475 printing, computer and Internet support, personnel and human
476 resources support, support for accountability initiatives, and
477 administrative support as needed for trust funds under the
478 jurisdiction of the Board of Governors and the State Board of
479 Community Colleges.

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

482 20.156 State Board of Community Colleges.—

483 (1) GENERAL PROVISIONS.—The State Board of Community
484 Colleges is created. For the purposes of s. 6, Art. IV of the
485 State Constitution, the state board shall be assigned to and
486 administratively housed within the Department of Education.
487 However, the state board shall independently exercise the powers
488 and duties in s. 1001.602; is a separate budget program; and is
489 not subject to control, supervision, or direction by the
490 department. For purposes of this section, the State Board of
491 Community Colleges is referred to as the "state board."

492 (2) HEAD OF THE FLORIDA COMMUNITY COLLEGE SYSTEM.—The state
493 board is the head of the Florida Community College System. The

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494 Governor shall appoint the board members, subject to
495 confirmation by the Senate.

496 (3) PERSONNEL.—The state board shall appoint a Chancellor
497 of the Florida Community College System by November 1, 2017, to
498 aid in carrying out the state board's duties. The chancellor is
499 the chief executive officer and secretary to the state board and
500 directs the activities of the staff of the state board. The
501 Chancellor of the Division of Florida Colleges shall serve as
502 the Chancellor of the Florida Community College System until the
503 state board selects a chancellor.

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

507 (5) ORGANIZATION.—The state board shall, by September 30,
508 2017, conduct an organizational meeting to adopt bylaws, elect a
509 chair and vice chair from the membership, and fix dates and
510 places for regular meetings.

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

513 112.313 Standards of conduct for public officers, employees
514 of agencies, and local government attorneys.—

515 (18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF
516 TRUSTEES.—A citizen member of the State Board of Community
517 Colleges or a citizen member of a Florida Community College
518 System institution board of trustees may not have or hold an
519 employment or contractual relationship as a legislative lobbyist
520 requiring annual registration and reporting pursuant to s.
521 11.045.

522 Section 6. Paragraph (c) of subsection (1) of section

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523 112.3145, Florida Statutes, is amended to read:

524 112.3145 Disclosure of financial interests and clients
525 represented before agencies.—

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

528 (c) "State officer" means:

529 1. Any elected public officer, excluding those elected to
530 the United States Senate and House of Representatives, not
531 covered elsewhere in this part and any person who is appointed
532 to fill a vacancy for an unexpired term in such an elective
533 office.

534 2. An appointed member of each board, commission,
535 authority, or council having statewide jurisdiction, excluding a
536 member of an advisory body.

537 3. A member of the Board of Governors of the State
538 University System or a state university board of trustees, the
539 Chancellor and Vice Chancellors of the State University System,
540 and the president of a state university; or a member of the
541 State Board of Community Colleges and the Chancellor of the
542 Florida Community College System.

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

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

547 1000.03 Function, mission, and goals of the Florida K-20
548 education system.—

549 (2) (a) The Legislature shall establish education policy,
550 enact education laws, and appropriate and allocate education
551 resources.

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552 (b) With the exception of matters relating to the State
553 University System and the Florida Community College System, the
554 State Board of Education shall oversee the enforcement of all
555 laws and rules, and the timely provision of direction,
556 resources, assistance, intervention when needed, and strong
557 incentives and disincentives to force accountability for
558 results.

559 (c) The Board of Governors shall oversee the enforcement of
560 all state university laws and rules and regulations and the
561 timely provision of direction, resources, assistance,
562 intervention when needed, and strong incentives and
563 disincentives to force accountability for results.

564 (d) The State Board of Community Colleges shall oversee the
565 enforcement of all Florida Community College System laws and
566 rules and the timely provision of direction, resources,
567 assistance, intervention when needed, and strong incentives and
568 disincentives to force accountability for results.

569 (4) The mission of Florida's K-20 education system is to
570 allow its students to increase their proficiency by allowing
571 them the opportunity to expand their knowledge and skills
572 through rigorous and relevant learning opportunities, in
573 accordance with the mission of the applicable career center or
574 system ~~statement~~ and the accountability requirements of s.
575 1008.31, and to avoid wasteful duplication of programs offered
576 by state universities, Florida Community College System
577 institutions, and career centers and charter technical career
578 centers that are operated by a district school board or a
579 Florida Community College System institution board of trustees.

580 Section 8. Paragraph (d) of subsection (3) and subsections

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581 (5) and (6) of section 1000.05, Florida Statutes, are amended to
582 read:

583 1000.05 Discrimination against students and employees in
584 the Florida K-20 public education system prohibited; equality of
585 access required.—

586 (3)

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

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

593 2. The Commissioner of Education, for school districts, and
594 the Chancellor of the Florida Community College System, for
595 Florida Community College System institutions, shall determine
596 whether equal opportunities are available in school districts
597 and Florida Community College System institutions. In
598 determining whether equal opportunities are available in school
599 districts and Florida Community College System institutions, the
600 Commissioner of Education and the Chancellor of the Florida
601 Community College System shall consider, among other factors:

602 a. Whether the selection of sports and levels of
603 competition effectively accommodate the interests and abilities
604 of members of both genders.

605 b. The provision of equipment and supplies.

606 c. Scheduling of games and practice times.

607 d. Travel and per diem allowances.

608 e. Opportunities to receive coaching and academic tutoring.

609 f. Assignment and compensation of coaches and tutors.

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610 g. Provision of locker room, practice, and competitive
611 facilities.

612 h. Provision of medical and training facilities and
613 services.

614 i. Provision of housing and dining facilities and services.

615 j. Publicity.

616

617 Unequal aggregate expenditures for members of each gender or
618 unequal expenditures for male and female teams if a public
619 school or Florida Community College System institution operates
620 or sponsors separate teams do not constitute nonimplementation
621 of this subsection, but the Commissioner of Education shall
622 consider the failure to provide necessary funds for teams for
623 one gender in assessing equality of opportunity for members of
624 each gender.

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

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

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

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

637 (a) Requiring all district school boards and Florida
638 Community College System institution boards of trustees to

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639 develop and submit plans for the implementation of this section
640 to the Department of Education.

641 (b) Conducting periodic reviews of school districts and
642 Florida Community College System institutions to determine
643 compliance with this section and, after a finding that a school
644 district or a Florida Community College System institution is
645 not in compliance with this section, notifying the entity of the
646 steps that it must take to attain compliance and performing
647 followup monitoring.

648 (c) Providing technical assistance, including assisting
649 school districts or Florida Community College System
650 institutions in identifying unlawful discrimination and
651 instructing them in remedies for correction and prevention of
652 such discrimination and performing followup monitoring.

653 (d) Conducting studies of the effectiveness of methods and
654 strategies designed to increase the participation of students in
655 programs and courses in which students of a particular race,
656 ethnicity, national origin, gender, disability, or marital
657 status have been traditionally underrepresented and monitoring
658 the success of students in such programs or courses, including
659 performing followup monitoring.

660 (e) Requiring all district school boards and Florida
661 Community College System institution boards of trustees to
662 submit data and information necessary to determine compliance
663 with this section. The Commissioner of Education, for school
664 districts, and the Chancellor of the Florida Community College
665 System, for Florida Community College System institutions, shall
666 prescribe the format and the date for submission of such data
667 and any other educational equity data. If any board does not

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668 submit the required compliance data or other required
669 educational equity data by the prescribed date, the commissioner
670 shall notify the board of this fact and, if the board does not
671 take appropriate action to immediately submit the required
672 report, the State Board of Education shall impose monetary
673 sanctions.

674 (f) Based upon rules of the State Board of Education, for
675 school districts, and the State Board of Community Colleges, for
676 Florida Community College System institutions, developing and
677 implementing enforcement mechanisms with appropriate penalties
678 to ensure that public K-12 schools and Florida Community College
679 System institutions comply with Title IX of the Education
680 Amendments of 1972 and subsection (3) of this section. However,
681 the State Board of Education may not force a public school or
682 Florida Community College System institution to conduct, nor
683 penalize such entity for not conducting, a program of athletic
684 activity or athletic scholarship for female athletes unless it
685 is an athletic activity approved for women by a recognized
686 association whose purpose is to promote athletics and a
687 conference or league exists to promote interscholastic or
688 intercollegiate competition for women in that athletic activity.

689 (g) Reporting to the Commissioner of Education, for school
690 districts, or to the Chancellor of the Florida Community College
691 System, for Florida Community College System institutions, any
692 district school board or Florida Community College System
693 institution board of trustees found to be out of compliance with
694 rules of the State Board of Education or the State Board of
695 Community Colleges adopted as required by paragraph (f) or
696 paragraph (3) (d). To penalize the respective board, the State

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697 Board of Education or the State Board of Community Colleges, as
698 applicable, shall:

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

701 2. Notwithstanding the provisions of s. 216.192, direct the
702 Chief Financial Officer to withhold general revenue funds
703 sufficient to obtain compliance from the school district or
704 Florida Community College System institution.

705

706 The school district or Florida Community College System
707 institution shall remain ineligible and the funds may ~~shall~~ not
708 be paid until the institution comes into compliance or the State
709 Board of Education or the State Board of Community Colleges, as
710 applicable, approves a plan for compliance.

711 Section 9. Section 1001.02, Florida Statutes, is amended to
712 read:

713 1001.02 General powers of State Board of Education.—

714 (1) The State Board of Education is the chief implementing
715 and coordinating body of public education in Florida except for
716 the State University System and the Florida Community College
717 System, and it shall focus on high-level policy decisions. It
718 has authority to adopt rules pursuant to ss. 120.536(1) and
719 120.54 to implement the provisions of law conferring duties upon
720 it for the improvement of the state system of K-20 public
721 education except for the State University System and the Florida
722 Community College System. Except as otherwise provided herein,
723 it may, as it finds appropriate, delegate its general powers to
724 the Commissioner of Education or the directors of the divisions
725 of the department.

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

727 (a) To adopt comprehensive educational objectives for
728 public education except for the State University System and the
729 Florida Community College System.

730 (b) To adopt comprehensive long-range plans and short-range
731 programs for the development of the state system of public
732 education except for the State University System and the Florida
733 Community College System.

734 (c) To exercise general supervision over the divisions of
735 the Department of Education as necessary to ensure coordination
736 of educational plans and programs and resolve controversies and
737 to minimize problems of articulation and student transfers, to
738 ensure that students moving from one level of education to the
739 next have acquired competencies necessary for satisfactory
740 performance at that level, and to ensure maximum utilization of
741 facilities.

742 (d) To adopt, in consultation with the Board of Governors
743 and the State Board of Community Colleges, and from time to time
744 modify, minimum and uniform standards of college-level
745 communication and computation skills generally associated with
746 successful performance and progression through the baccalaureate
747 level and to identify college-preparatory high school coursework
748 and postsecondary-level coursework that prepares students with
749 the academic skills necessary to succeed in postsecondary
750 education.

751 (e) To adopt and submit to the Governor and Legislature, as
752 provided in s. 216.023, a coordinated K-20 education budget that
753 estimates the expenditure requirements for the Board of
754 Governors, as provided in s. 1001.706, the State Board of

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755 Education, including the Department of Education and the
756 Commissioner of Education, and all of the boards, institutions,
757 agencies, and services under the general supervision of the
758 Board of Governors, as provided in s. 1001.706, the State Board
759 of Community Colleges, as provided in s. 1001.602, or the State
760 Board of Education for the ensuing fiscal year. The State Board
761 of Education may not amend the budget request submitted by the
762 Board of Governors or the State Board of Community Colleges. Any
763 program recommended by the Board of Governors, the State Board
764 of Community Colleges, or the State Board of Education which
765 will require increases in state funding for more than 1 year
766 must be presented in a multiyear budget plan.

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

771 (g) To approve plans for cooperating with the Federal
772 Government.

773 (h) To approve plans for cooperating with other public
774 agencies in the development of rules and in the enforcement of
775 laws for which the state board and such agencies are jointly
776 responsible.

777 (i) To review plans for cooperating with appropriate
778 nonpublic agencies for the improvement of conditions relating to
779 the welfare of schools.

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

783 (k) To constitute any education bodies or other structures

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784 as required by federal law.

785 (l) To assist in the economic development of the state by
786 developing a state-level planning process to identify future
787 training needs for industry, especially high-technology
788 industry.

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

792 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
793 120.54, within statutory authority.

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

796 (p) To contract with independent institutions accredited by
797 an agency whose standards are comparable to the minimum
798 standards required to operate a postsecondary career center
799 ~~educational institution at that level in the state.~~ The purpose
800 of the contract is to provide those educational programs and
801 facilities which will meet needs unfulfilled by the state system
802 of public postsecondary education.

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

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

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

811 (t) To establish accountability standards for existing
812 legislative performance goals, standards, and measures, and

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813 order the development of mechanisms to implement new legislative
814 goals, standards, and measures.

815 (u) To adopt criteria and implementation plans for future
816 growth issues, ~~such as new Florida College System institutions~~
817 ~~and Florida College System institution campus mergers,~~ and to
818 provide for cooperative agreements between and within public and
819 private education sectors.

820 (v) To develop, in conjunction with the Board of Governors
821 and the State Board of Community Colleges, and periodically
822 review for adjustment, a coordinated 5-year plan for
823 postsecondary enrollment, identifying enrollment and graduation
824 expectations by baccalaureate degree program, and annually
825 submit the plan to the Legislature as part of its legislative
826 budget request.

827 ~~(w) Beginning in the 2014-2015 academic year and annually~~
828 ~~thereafter, to require each Florida College System institution~~
829 ~~prior to registration to provide each enrolled student~~
830 ~~electronic access to the economic security report of employment~~
831 ~~and earning outcomes prepared by the Department of Economic~~
832 ~~Opportunity pursuant to s. 445.07.~~

833 (3) (a) The State Board of Education shall adopt a strategic
834 plan that specifies goals and objectives for the state's public
835 schools ~~and Florida College System institutions.~~ The plan shall
836 be formulated in conjunction with plans of the Board of
837 Governors and the State Board of Community Colleges in order to
838 provide for the roles of the universities and Florida Community
839 College System institutions to be coordinated to best meet state
840 needs and reflect cost-effective use of state resources. The
841 strategic plan must clarify the mission statements of each

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842 Florida Community College System institution and the system as a
843 whole and identify degree programs, including baccalaureate
844 degree programs, to be offered at each Florida Community College
845 System institution in accordance with the objectives provided in
846 this subsection and the coordinated 5-year plan pursuant to
847 paragraph (2)(v). The strategic plan must cover a period of 5
848 years, with modification of the program lists after 2 years.
849 Development of each 5-year plan must be coordinated with and
850 initiated after completion of the master plan. The strategic
851 plans must specifically include programs and procedures for
852 responding to the educational needs of teachers and students in
853 the public schools of this state and consider reports and
854 recommendations of the Higher Education Coordinating Council
855 pursuant to s. 1004.015 and the Articulation Coordinating
856 Committee pursuant to s. 1007.01. The state board shall submit a
857 report to the President of the Senate and the Speaker of the
858 House of Representatives upon modification of the plan and as
859 part of its legislative budget request.

860 (b) The State Board of Education, ~~and~~ the Board of
861 Governors, and the State Board of Community Colleges shall
862 jointly develop long-range plans and annual reports for
863 financial aid in this state. The long-range plans shall
864 establish goals and objectives for a comprehensive program of
865 financial aid for Florida students and shall be updated every 5
866 years. The annual report shall include programs administered by
867 the department as well as awards made from financial aid fee
868 revenues, any other funds appropriated by the Legislature for
869 financial assistance, and the value of tuition and fees waived
870 for students enrolled in a dual enrollment course at a public

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871 postsecondary educational institution. The annual report shall
872 include an assessment of progress made in achieving goals and
873 objectives established in the long-range plans and
874 recommendations for repealing or modifying existing financial
875 aid programs or establishing new programs. A long-range plan
876 shall be submitted by January 1, 2004, and every 5 years
877 thereafter. An annual report shall be submitted on January 1,
878 2004, and in each successive year that a long-range plan is not
879 submitted, to the President of the Senate and the Speaker of the
880 House of Representatives.

881 (4) The State Board of Education shall:

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

885 ~~(b) Specify, by rule, procedures to be used by the Florida~~
886 ~~College System institution boards of trustees in the annual~~
887 ~~evaluations of presidents and review the evaluations of~~
888 ~~presidents by the boards of trustees, including the extent to~~
889 ~~which presidents serve both institutional and system goals.~~

890 ~~(c) Establish, in conjunction with the Board of Governors,~~
891 ~~an effective information system that will provide composite data~~
892 ~~concerning the Florida College System institutions and state~~
893 ~~universities and ensure that special analyses and studies~~
894 ~~concerning the institutions are conducted, as necessary, for~~
895 ~~provision of accurate and cost-effective information concerning~~
896 ~~the institutions.~~

897 ~~(d) Establish criteria for making recommendations for~~
898 ~~modifying district boundary lines for Florida College System~~
899 ~~institutions, including criteria for service delivery areas of~~

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900 ~~Florida College System institutions authorized to grant~~
901 ~~baccalaureate degrees.~~

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

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

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

911 ~~(5) The State Board of Education is responsible for~~
912 ~~reviewing and administering the state program of support for the~~
913 ~~Florida College System institutions and, subject to existing~~
914 ~~law, shall establish the tuition and out-of-state fees for~~
915 ~~developmental education and for credit instruction that may be~~
916 ~~counted toward an associate in arts degree, an associate in~~
917 ~~applied science degree, or an associate in science degree.~~

918 ~~(6) The State Board of Education shall prescribe minimum~~
919 ~~standards, definitions, and guidelines for Florida College~~
920 ~~System institutions that will ensure the quality of education,~~
921 ~~coordination among the Florida College System institutions and~~
922 ~~state universities, and efficient progress toward accomplishing~~
923 ~~the Florida College System institution mission. At a minimum,~~
924 ~~these rules must address:~~

925 ~~(a) Personnel.~~

926 ~~(b) Contracting.~~

927 ~~(c) Program offerings and classification, including~~
928 ~~college-level communication and computation skills associated~~

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929 ~~with successful performance in college and with tests and other~~
930 ~~assessment procedures that measure student achievement of those~~
931 ~~skills. The performance measures must provide that students~~
932 ~~moving from one level of education to the next acquire the~~
933 ~~necessary competencies for that level.~~

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

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

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

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

947
948 ~~The rules should encourage Florida College System institutions~~
949 ~~to enter into agreements with state universities that allow~~
950 ~~Florida College System institution students to complete upper-~~
951 ~~division-level courses at a Florida College System institution.~~
952 ~~An agreement may provide for concurrent enrollment at the~~
953 ~~Florida College System institution and the state university and~~
954 ~~may authorize the Florida College System institution to offer an~~
955 ~~upper-division-level course or distance learning.~~

956 ~~(e) Student admissions, conduct and discipline,~~
957 ~~nonclassroom activities, and fees.~~

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958 ~~(f) Budgeting.~~

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

960 ~~(h) Student services.~~

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

963 Section 10. Subsections (7) through (17) of section
964 1001.03, Florida Statutes, are amended to read:

965 1001.03 Specific powers of State Board of Education.—

966 (7) ARTICULATION ACCOUNTABILITY.—The State Board of
967 Education shall develop articulation accountability measures
968 that assess the status of systemwide articulation processes, in
969 conjunction with the Board of Governors regarding the State
970 University System and the State Board of Community Colleges
971 regarding the Florida Community College System, and shall
972 establish an articulation accountability process in accordance
973 with the provisions of chapter 1008, in conjunction with the
974 Board of Governors regarding the State University System and the
975 State Board of Community Colleges regarding the Florida
976 Community College System.

977 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
978 shall enforce compliance with law and state board rule by all
979 school districts and public postsecondary educational
980 institutions, except for institutions within the State
981 University System and the Florida Community College System, in
982 accordance with the provisions of s. 1008.32.

983 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
984 Education, in conjunction with the Board of Governors regarding
985 the State University System and the State Board of Community
986 Colleges regarding the Florida Community College System, shall

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987 continue to collect and maintain, at a minimum, the management
988 information databases for state universities, community
989 colleges, and all other components of the public K-20 education
990 system as such databases existed on June 30, 2002.

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

997 (10) ~~(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY
998 EDUCATION.—The State Board of Education shall adopt minimum
999 standards relating to nonpublic postsecondary education and
1000 institutions, in accordance with the provisions of chapter 1005.

1001 ~~(12) COMMON POSTSECONDARY DEFINITIONS. The State Board of~~
1002 ~~Education shall adopt, by rule, common definitions for associate~~
1003 ~~in science degrees and for certificates.~~

1004 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS. The~~
1005 ~~State Board of Education shall provide for the cyclic review of~~
1006 ~~all academic programs in Florida College System institutions at~~
1007 ~~least every 7 years. Program reviews shall document how~~
1008 ~~individual academic programs are achieving stated student~~
1009 ~~learning and program objectives within the context of the~~
1010 ~~institution's mission. The results of the program reviews shall~~
1011 ~~inform strategic planning, program development, and budgeting~~
1012 ~~decisions at the institutional level.~~

1013 (11) ~~(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
1014 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of
1015 Education shall maintain a uniform classification system for

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1016 school district administrative and management personnel that
1017 will facilitate the uniform coding of administrative and
1018 management personnel to total district employees.

1019 ~~(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE~~
1020 ~~DEGREE PROGRAMS. The State Board of Education shall provide for~~
1021 ~~the review and approval of proposals by Florida College System~~
1022 ~~institutions to offer baccalaureate degree programs pursuant to~~
1023 ~~s. 1007.33. A Florida College System institution, as defined in~~
1024 ~~s. 1000.21, that is approved to offer baccalaureate degrees~~
1025 ~~pursuant to s. 1007.33 remains under the authority of the State~~
1026 ~~Board of Education and the Florida College System institution's~~
1027 ~~board of trustees. The State Board of Education may not approve~~
1028 ~~Florida College System institution baccalaureate degree program~~
1029 ~~proposals from March 31, 2014, through May 31, 2015.~~

1030 ~~(16) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1, 2013,~~
1031 ~~the State Board of Education shall identify performance metrics~~
1032 ~~for the Florida College System and develop a plan that specifies~~
1033 ~~goals and objectives for each Florida College System~~
1034 ~~institution. The plan must include:~~

1035 ~~(a) Performance metrics and standards common for all~~
1036 ~~institutions and metrics and standards unique to institutions~~
1037 ~~depending on institutional core missions, including, but not~~
1038 ~~limited to, remediation success, retention, graduation,~~
1039 ~~employment, transfer rates, licensure passage, excess hours,~~
1040 ~~student loan burden and default rates, job placement, faculty~~
1041 ~~awards, and highly respected rankings for institution and~~
1042 ~~program achievements.~~

1043 ~~(b) Student enrollment and performance data delineated by~~
1044 ~~method of instruction, including, but not limited to,~~

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1045 ~~traditional, online, and distance learning instruction.~~

1046 (12)~~(17)~~ UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,
1047 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of
1048 Education, in consultation with the Board of Governors, the
1049 State Board of Community Colleges, and the Department of
1050 Economic Opportunity, shall adopt a unified state plan to
1051 improve K-20 STEM education and prepare students for high-skill,
1052 high-wage, and high-demand employment in STEM and STEM-related
1053 fields.

1054 Section 11. Subsection (1), paragraphs (g) and (j) of
1055 subsection (6), and subsection (7) of section 1001.10, Florida
1056 Statutes, are amended to read:

1057 1001.10 Commissioner of Education; general powers and
1058 duties.—

1059 (1) The Commissioner of Education is the chief educational
1060 officer of the state and the sole custodian of the K-20 data
1061 warehouse, and is responsible for giving full assistance to the
1062 State Board of Education in enforcing compliance with the
1063 mission and goals of the K-20 education system except for the
1064 State University System and the Florida Community College
1065 System.

1066 (6) Additionally, the commissioner has the following
1067 general powers and duties:

1068 (g) To submit to the State Board of Education, on or before
1069 October 1 of each year, recommendations for a coordinated K-20
1070 education budget that estimates the expenditures for the Board
1071 of Governors, the State Board of Community Colleges, the State
1072 Board of Education, including the Department of Education and
1073 the Commissioner of Education, and all of the boards,

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1074 institutions, agencies, and services under the general
1075 supervision of the Board of Governors, the State Board of
1076 Community Colleges, or the State Board of Education for the
1077 ensuing fiscal year. Any program recommended to the State Board
1078 of Education that will require increases in state funding for
1079 more than 1 year must be presented in a multiyear budget plan.

1080 (j) To implement a program of school improvement and
1081 education accountability designed to provide all students the
1082 opportunity to make adequate learning gains in each year of
1083 school as provided by statute and State Board of Education rule
1084 based upon the achievement of the state education goals,
1085 recognizing the following:

1086 1. The district school board is responsible for school and
1087 student performance.

1088 2. The individual school is the unit for education
1089 accountability.

1090 ~~3. The Florida College System institution board of trustees~~
1091 ~~is responsible for Florida College System institution~~
1092 ~~performance and student performance.~~

1093 ~~(7) The commissioner, or the commissioner's designee, may~~
1094 ~~conduct a review or investigation of practices, procedures, or~~
1095 ~~actions at any Florida College System institution which appear~~
1096 ~~to be inconsistent with sound financial, management, or academic~~
1097 ~~practice.~~

1098 Section 12. Paragraphs (c) through (f) of subsection (1)
1099 and subsection (3) of section 1001.11, Florida Statutes, are
1100 amended to read:

1101 1001.11 Commissioner of Education; other duties.—

1102 (1) The Commissioner of Education must independently

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1103 perform the following duties:

1104 (c) In cooperation with the Board of Governors and the
1105 State Board of Community Colleges, develop and implement a
1106 process for receiving and processing requests, in conjunction
1107 with the Legislature, for the allocation of PECO funds for
1108 qualified postsecondary education projects.

1109 ~~(d) Integrally work with the boards of trustees of the~~
1110 ~~Florida College System institutions.~~

1111 (d)~~(e)~~ Monitor the activities of the State Board of
1112 Education and provide information related to current and pending
1113 policies to the members of the boards of trustees of the Florida
1114 Community College System institutions and state universities.

1115 (e)~~(f)~~ Ensure the timely provision of information requested
1116 by the Legislature from the State Board of Education, the
1117 commissioner's office, and the Department of Education.

1118 (3) Notwithstanding any other provision of law to the
1119 contrary, the Commissioner of Education, in conjunction with the
1120 Legislature, and the Board of Governors regarding the State
1121 University System, and the State Board of Community Colleges
1122 regarding the Florida Community College System, must recommend
1123 funding priorities for the distribution of capital outlay funds
1124 for public postsecondary educational institutions, based on
1125 priorities that include, but are not limited to, the following
1126 criteria:

1127 (a) Growth at the institutions.

1128 (b) Need for specific skills statewide.

1129 (c) Need for maintaining and repairing existing facilities.

1130 Section 13. Paragraph (e) of subsection (4) of section
1131 1001.20, Florida Statutes, is amended to read:

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1132 1001.20 Department under direction of state board.—

1133 (4) The Department of Education shall establish the
1134 following offices within the Office of the Commissioner of
1135 Education which shall coordinate their activities with all other
1136 divisions and offices:

1137 (e) *Office of Inspector General.*—Organized using existing
1138 resources and funds and responsible for promoting
1139 accountability, efficiency, and effectiveness and detecting
1140 fraud and abuse within school districts and, the Florida School
1141 for the Deaf and the Blind, ~~and Florida College System~~
1142 ~~institutions in Florida~~. If the Commissioner of Education
1143 determines that a district school board or, the Board of
1144 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~
1145 ~~Florida College System institution board of trustees~~ is
1146 unwilling or unable to address substantiated allegations made by
1147 any person relating to waste, fraud, or financial mismanagement
1148 within the school district or, the Florida School for the Deaf
1149 and the Blind, ~~or the Florida College System institution~~, the
1150 office shall conduct, coordinate, or request investigations into
1151 such substantiated allegations. The office shall have access to
1152 all information and personnel necessary to perform its duties
1153 and shall have all of its current powers, duties, and
1154 responsibilities authorized in s. 20.055.

1155 Section 14. Section 1001.28, Florida Statutes, is amended
1156 to read:

1157 1001.28 Distance learning duties.—The duties of the
1158 Department of Education concerning distance learning include,
1159 but are not limited to, the duty to:

1160 (1) Facilitate the implementation of a statewide

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1161 coordinated system and resource system for cost-efficient
1162 advanced telecommunications services and distance education
1163 which will increase overall student access to education.

1164 (2) Coordinate the use of existing resources, including,
1165 but not limited to, the state's satellite transponders, the
1166 Florida Information Resource Network (FIRN), and distance
1167 learning initiatives.

1168 (3) Assist in the coordination of the utilization of the
1169 production and uplink capabilities available through Florida's
1170 public television stations, eligible facilities, independent
1171 colleges and universities, private firms, and others as needed.

1172 (4) Seek the assistance and cooperation of Florida's cable
1173 television providers in the implementation of the statewide
1174 advanced telecommunications services and distance learning
1175 network.

1176 (5) Seek the assistance and cooperation of Florida's
1177 telecommunications carriers to provide affordable student access
1178 to advanced telecommunications services and to distance
1179 learning.

1180 (6) Coordinate partnerships for development, acquisition,
1181 use, and distribution of distance learning.

1182 (7) Secure and administer funding for programs and
1183 activities for distance learning from federal, state, local, and
1184 private sources and from fees derived from services and
1185 materials.

1186 (8) Hire appropriate staff which may include a position
1187 that shall be exempt from part II of chapter 110 and is included
1188 in the Senior Management Service in accordance with s. 110.205.
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1190 Nothing in this section shall be construed to abrogate,
1191 supersede, alter, or amend the powers and duties of any state
1192 agency, district school board, Florida Community College System
1193 institution board of trustees, university board of trustees, the
1194 Board of Governors, the State Board of Community Colleges, or
1195 the State Board of Education.

1196 Section 15. Effective July 1, 2017, subsection (26) of
1197 section 1001.42, Florida Statutes, is amended to read:

1198 1001.42 Powers and duties of district school board.—The
1199 district school board, acting as a board, shall exercise all
1200 powers and perform all duties listed below:

1201 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a
1202 governing board for a school district technical center or a
1203 system of technical centers for the purpose of aligning the
1204 educational programs of the technical center with the needs of
1205 local businesses and responding quickly to the needs of local
1206 businesses for employees holding industry certifications. A
1207 technical center governing board shall be comprised of seven
1208 members, three of whom must be members of the district school
1209 board or their designees and four of whom must be local business
1210 leaders. The district school board shall delegate to the
1211 technical center governing board decisions regarding entrance
1212 requirements for students, curriculum, program development,
1213 budget and funding allocations, and the development with local
1214 businesses of partnership agreements and appropriate industry
1215 certifications in order to meet local and regional economic
1216 needs. A technical center governing board may approve only
1217 courses and programs that contain industry certifications. A
1218 course may be continued if at least 25 percent of the students

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1219 enrolled in the course attain an industry certification. If
1220 fewer than 25 percent of the students enrolled in a course
1221 attain an industry certification, the course must be
1222 discontinued the following year. However, notwithstanding the
1223 authority to approve courses and programs under this subsection,
1224 a technical center governing board may not approve a college
1225 credit course or a college credit certificate or an associate
1226 degree or baccalaureate degree program.

1227 Section 16. Effective July 1, 2017, section 1001.44,
1228 Florida Statutes, is amended to read:

1229 1001.44 Career centers; governance, mission, and
1230 responsibilities.—

1231 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
1232 CENTERS.—Any district school board, after first obtaining the
1233 approval of the Department of Education, may, as a part of the
1234 district school system, organize, establish and operate a career
1235 center, or acquire and operate a career center previously
1236 established.

1237 (a) The primary mission of a career center that is operated
1238 by a district school board is to promote advances and
1239 innovations in workforce preparation and economic development. A
1240 career center may provide a learning environment that serves the
1241 needs of a specific population group or group of occupations,
1242 thus promoting diversity and choices within the public technical
1243 education community in this state.

1244 (b) A career center that is operated by a district school
1245 board may not offer a college credit course or a college credit
1246 certificate or an associate degree or baccalaureate degree
1247 program.

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1248 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
1249 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards
1250 of any two or more contiguous districts may, upon first
1251 obtaining the approval of the department, enter into an
1252 agreement to organize, establish and operate, or acquire and
1253 operate, a career center under this section.

1254 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED
1255 BY A DIRECTOR.—

1256 (a) A career center established or acquired under
1257 provisions of law and minimum standards prescribed by the
1258 commissioner shall comprise a part of the district school system
1259 and shall mean an educational institution offering terminal
1260 courses of a technical nature which are not for college credit,
1261 and courses for out-of-school youth and adults; shall be subject
1262 to all applicable provisions of this code; shall be under the
1263 control of the district school board of the school district in
1264 which it is located; and shall be directed by a director
1265 responsible through the district school superintendent to the
1266 district school board of the school district in which the center
1267 is located.

1268 (b) Each career center shall maintain an academic
1269 transcript for each student enrolled in the center. Such
1270 transcript shall delineate each course completed by the student.
1271 Courses shall be delineated by the course prefix and title
1272 assigned pursuant to s. 1007.24. The center shall make a copy of
1273 a student's transcript available to any student who requests it.

1274 Section 17. Effective July 1, 2017, section 1001.60,
1275 Florida Statutes, is amended to read:

1276 1001.60 Florida Community College System.—

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1277 (1) PURPOSES.—In order to maximize open access for
1278 students, respond to community needs for postsecondary academic
1279 education and career degree education, and provide associate and
1280 baccalaureate degrees that will best meet the state's employment
1281 needs, the Legislature establishes a system of governance for
1282 the Florida Community College System.

1283 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a
1284 single Florida Community College System comprised of the Florida
1285 Community College System institutions identified in s.
1286 1000.21(3). A Florida Community College System institution may
1287 not offer graduate degree programs.

1288 (a) The programs and services offered by Florida Community
1289 College System institutions in providing associate and
1290 baccalaureate degrees shall be delivered in a cost-effective
1291 manner that demonstrates substantial savings to the student and
1292 to the state over the cost of providing the degree at a state
1293 university.

1294 (b)1. With the approval of its district board of trustees,
1295 a Florida Community College System institution may change the
1296 institution's name set forth in s. 1000.21(3) and use the
1297 designation "college" or "state college" if it has been
1298 authorized to grant baccalaureate degrees pursuant to s. 1007.33
1299 and has been accredited as a baccalaureate-degree-granting
1300 institution by the Commission on Colleges of the Southern
1301 Association of Colleges and Schools.

1302 2. With the approval of its district board of trustees, a
1303 Florida Community College System institution that does not meet
1304 the criteria in subparagraph 1. may request approval from the
1305 State Board of Education to change the institution's name set

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1306 forth in s. 1000.21(3) and use the designation "college." The
1307 State Board of Community Colleges ~~Education~~ may approve the
1308 request if the Florida Community College System institution
1309 enters into an agreement with the State Board of Community
1310 Colleges ~~Education~~ to do the following:

1311 a. Maintain as its primary mission responsibility for
1312 responding to community needs for postsecondary academic
1313 education and career degree education as prescribed in s.
1314 1004.65(5).

1315 b. Maintain an open-door admissions policy for associate-
1316 level degree programs and workforce education programs.

1317 c. Continue to provide outreach to underserved populations.

1318 d. Continue to provide remedial education.

1319 e. Comply with all provisions of the statewide articulation
1320 agreement that relate to 2-year and 4-year public degree-
1321 granting institutions as adopted by the State Board of Community
1322 Colleges ~~Education~~ pursuant to s. 1007.23.

1323 (c) A district board of trustees that approves a change to
1324 the name of an institution under paragraph (b) must seek
1325 statutory codification of such name change in s. 1000.21(3)
1326 during the next regular legislative session.

1327 (d) A Florida Community College System institution may not
1328 use the designation "university."

1329 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the
1330 Florida Community College System shall be governed by a local
1331 board of trustees as provided in s. 1001.64. The membership of
1332 each local board of trustees shall be as provided in s. 1001.61.

1333 Section 18. Effective July 1, 2017, section 1001.601,
1334 Florida Statutes, is created to read:

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1335 1001.601 State Board of Community Colleges of the Florida
1336 Community College System.—

1337 (1) The State Board of Community Colleges is established as
1338 a body corporate consisting of 13 members, which shall consist
1339 of the Commissioner of Education and 12 citizen members who are
1340 appointed by the Governor in a manner that provides equitable
1341 geographical representation.

1342 (a) The 12 appointed citizen members must include a student
1343 enrolled in a Florida Community College System institution and a
1344 faculty member employed at a Florida Community College System
1345 institution.

1346 (b) Except for the student member, each citizen member must
1347 be confirmed by the Senate and must reside and be registered to
1348 vote in this state.

1349 (c) Except for the student member, who shall serve a 1-year
1350 term, appointed citizen members shall serve staggered 4-year
1351 terms. In order to achieve staggered terms, beginning September
1352 1, 2017, of the initial appointments, 3 members shall serve 2-
1353 year terms, 4 members shall serve 3-year terms, and 4 members
1354 shall serve 4-year terms.

1355 (2) Members of the State Board of Community Colleges may
1356 not receive compensation but may be reimbursed for travel and
1357 per diem expenses as provided in s. 112.061.

1358 Section 19. Section 1001.602, Florida Statutes, is created
1359 to read:

1360 1001.602 Powers and duties of the State Board of Community
1361 Colleges.—

1362 (1) RESPONSIBILITIES.—The State Board of Community Colleges
1363 is responsible for the efficient and effective operation and

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1364 maintenance of the Florida Community College System, as defined
1365 in s. 1001.60. The State Board of Community Colleges may adopt
1366 rules pursuant to ss. 120.536(1) and 120.54 to implement
1367 provisions of law for the Florida Community College System. For
1368 the purposes of this section, the State Board of Community
1369 Colleges is referred to as the "state board."

1370 (2) DUTIES.—The state board has the following duties:

1371 (a) Ensure Florida Community College System institutions
1372 operate consistent with the mission of the system, pursuant to
1373 s. 1004.65.

1374 (b) Oversee the Florida Community College System and
1375 coordinate with the Board of Governors and the State Board of
1376 Education to avoid wasteful duplication of facilities or
1377 programs.

1378 (c) Provide for each Florida Community College System
1379 institution to offer educational training and service programs
1380 designed to meet the needs of both students and the communities
1381 served.

1382 (d) Hold meetings, transact business, keep records, and,
1383 except as otherwise provided by law, perform such other duties
1384 as may be necessary for the enforcement of laws and rules
1385 relating to the Florida Community College System.

1386 (e) Provide for the coordination of educational plans and
1387 programs to resolve controversies, minimize problems of
1388 articulation and student transfers, ensure that students moving
1389 from one level of education to the next have acquired
1390 competencies necessary for satisfactory performance at that
1391 level, and ensure maximum utilization of facilities.

1392 (f) Establish and review, in consultation with the State

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1393 Board of Education and the Board of Governors, minimum and
1394 uniform standards of college-level communication and computation
1395 skills generally associated with successful performance and
1396 progression through the baccalaureate level, to identify
1397 college-preparatory high school coursework and postsecondary-
1398 level coursework that prepares students with the academic skills
1399 necessary to succeed in postsecondary education.

1400 (g) Approve plans for cooperating with the Federal
1401 Government.

1402 (h) Approve plans for cooperating with other public
1403 agencies in the development of rules and in the enforcement of
1404 laws for which the state board and the agencies are jointly
1405 responsible.

1406 (i) Create subordinate advisory bodies if required by law
1407 or as necessary for the improvement of the Florida Community
1408 College System.

1409 (j) Coordinate with the State Board of Education to collect
1410 and maintain data for the Florida Community College System.

1411 (k) Establish, in conjunction with the State Board of
1412 Education and the Board of Governors, an effective information
1413 system that will provide composite data concerning the Florida
1414 Community College System institutions and state universities and
1415 that will ensure that special analyses and studies concerning
1416 the institutions are conducted, as necessary, for provision of
1417 accurate and cost-effective information concerning the
1418 institutions.

1419 (l) Establish accountability standards for existing
1420 legislative performance goals, standards, and measures, and
1421 order the development of mechanisms to implement new legislative

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1422 goals, standards, and measures.

1423 (m) Require each Florida Community College System
1424 institution, before registration, to provide each enrolled
1425 student electronic access to the economic security report of
1426 employment and earning outcomes prepared by the Department of
1427 Economic Opportunity pursuant to s. 445.07.

1428 (n) Specify, by rule, procedures to be used by Florida
1429 Community College System institution boards of trustees in the
1430 annual evaluation of presidents, and review the evaluations of
1431 presidents by the boards of trustees, including the extent to
1432 which presidents serve both institutional and system goals.

1433 (o) Establish, subject to existing law, the tuition and
1434 out-of-state fees for developmental education and for credit
1435 instruction that may be counted toward an associate in arts
1436 degree, an associate in applied science degree, or an associate
1437 in science degree.

1438 (p) Develop, in conjunction with the Board of Governors and
1439 the State Board of Education, and implement a common placement
1440 test to assess the basic computation and communication skills of
1441 students who intend to enter a degree program at a Florida
1442 Community College System institution or state university.

1443 (q) May direct the Chancellor of the Florida Community
1444 College System to conduct investigations of practices,
1445 procedures, or actions at a Florida Community College System
1446 institution which appear to be inconsistent with sound
1447 financial, management, or academic practice.

1448 (r) Examine the annual administrative review of each
1449 Florida Community College System institution.

1450 (s) Through the Chancellor of the Florida Community College

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1451 System, integrally work with the boards of trustees of the
1452 Florida Community College System institutions.

1453 (t) Establish criteria for making recommendations
1454 concerning all proposals to establish additional centers or
1455 campuses for a Florida Community College System institution.

1456 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
1457 the requirements under subsection (4) and the performance
1458 metrics and standards adopted under ss. 1001.66 and 1001.67, the
1459 state board shall identify performance metrics for the Florida
1460 Community College System and develop a plan that specifies goals
1461 and objectives for each Florida Community College System
1462 institution. The plan must include:

1463 (a) Performance metrics and standards common for all
1464 institutions and metrics and standards unique to institutions
1465 depending on institutional core missions, including, but not
1466 limited to, remediation success, retention, graduation,
1467 employment, transfer rates, licensure passage, excess hours,
1468 student loan burden and default rates, job placement, faculty
1469 awards, and highly respected rankings for institution and
1470 program achievements.

1471 (b) Student enrollment and performance data delineated by
1472 method of instruction, including, but not limited to,
1473 traditional, online, and distance learning instruction.

1474 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1475 (a) The state board shall adopt a strategic plan that
1476 specifies goals and objectives for the Florida Community College
1477 System. The plan must be formulated in conjunction with plans of
1478 the State Board of Education and the Board of Governors in order
1479 to coordinate the roles of the school districts and universities

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1480 to best meet state needs and reflect cost-effective use of state
1481 resources. The strategic plan must clarify the mission
1482 statements of the Florida Community College System and each
1483 Florida Community College System institution and identify degree
1484 programs, including baccalaureate degree programs, to be offered
1485 at each Florida Community College System institution in
1486 accordance with the objectives provided in this subsection and
1487 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The
1488 strategic plan must cover a period of 5 years, with modification
1489 of the program lists after 2 years. Development of each 5-year
1490 plan must be coordinated with and initiated after completion of
1491 the master plan. The strategic plan must consider reports and
1492 recommendations of the Higher Education Coordinating Council
1493 pursuant to s. 1004.015 and the Articulation Coordinating
1494 Committee pursuant to s. 1007.01. Upon modification of the plan,
1495 the state board shall submit a report to the President of the
1496 Senate and the Speaker of the House of Representatives as part
1497 of its legislative budget request.

1498 (b) The state board, the State Board of Education, and the
1499 Board of Governors shall jointly develop long-range plans and
1500 annual reports for financial aid in this state. The long-range
1501 plans must establish goals and objectives for a comprehensive
1502 program of financial aid for students and shall be updated every
1503 5 years. The annual report must include programs administered by
1504 the department as well as awards made from financial aid fee
1505 revenues, other funds appropriated by the Legislature for
1506 financial assistance, and the value of tuition and fees waived
1507 for students enrolled in a dual enrollment course at a public
1508 postsecondary educational institution. The annual report must

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1509 include an assessment of the progress made in achieving goals
1510 and objectives established in the long-range plans and must
1511 include recommendations for repealing or modifying existing
1512 financial aid programs or establishing new programs. The state
1513 board, the State Board of Education, and the Board of Governors
1514 shall submit their long-range plans by July 1, 2018, and every 5
1515 years thereafter and shall submit their annual reports on July
1516 1, 2018, and in each successive year that a long-range plan is
1517 not submitted, to the President of the Senate and the Speaker of
1518 the House of Representatives.

1519 (c) The state board shall also:

1520 1. Adopt comprehensive long-range plans and short-range
1521 programs for the development of the Florida Community College
1522 System.

1523 2. Assist in the economic development of the state by
1524 developing a state-level planning process to identify future
1525 training needs for industry, especially high-technology
1526 industry.

1527 3. Adopt criteria and implementation plans for future
1528 growth issues, such as new Florida Community College System
1529 institutions and Florida Community College System institution
1530 campus mergers, and provide for cooperative agreements between
1531 and within public and private education sectors.

1532 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
1533 prescribe minimum standards, definitions, and guidelines for
1534 Florida Community College System institutions which will ensure
1535 the quality of education, coordination among the Florida
1536 Community College System institutions and state universities,
1537 and efficient progress toward accomplishing the Florida

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1538 Community College System institution's mission. At a minimum,
1539 these rules must address all of the following:

1540 (a) Personnel.

1541 (b) Contracting.

1542 (c) Program offerings and classification, including
1543 college-level communication and computation skills associated
1544 with successful performance in college and with tests and other
1545 assessment procedures that measure student achievement of those
1546 skills. The performance measures must provide that students
1547 moving from one level of education to the next acquire the
1548 necessary competencies for that level.

1549 (d) Provisions for curriculum development, graduation
1550 requirements, college calendars, and program service areas.
1551 These provisions must include rules that:

1552 1. Provide for the award of an associate in arts degree to
1553 a student who successfully completes 60 semester credit hours at
1554 the Florida Community College System institution.

1555 2. Require all of the credits accepted for the associate in
1556 arts degree to be in the statewide course numbering system as
1557 credits toward a baccalaureate degree offered by a state
1558 university or a Florida Community College System institution.

1559 3. Require no more than 36 semester credit hours in general
1560 education courses in the subject areas of communication,
1561 mathematics, social sciences, humanities, and natural sciences.

1562
1563 The rules under this paragraph should encourage Florida
1564 Community College System institutions to enter into agreements
1565 with state universities which allow a Florida Community College
1566 System institution student to complete upper-division-level

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1567 courses at a Florida Community College System institution. An
1568 agreement may provide for concurrent enrollment at the Florida
1569 Community College System institution and the state university
1570 and may authorize the Florida Community College System
1571 institution to offer an upper-division-level course or distance
1572 learning.

1573 (e) Student admissions, conduct and discipline;
1574 nonclassroom activities; and fees.

1575 (f) Budgeting.

1576 (g) Business and financial matters.

1577 (h) Student services.

1578 (i) Reports, surveys, and information systems, including
1579 forms and dates of submission.

1580 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
1581 shall provide for the cyclic review of all academic programs in
1582 Florida Community College System institutions at least every 7
1583 years. Program reviews must document how individual academic
1584 programs are achieving stated student learning and program
1585 objectives within the context of the institution's mission. The
1586 results of the program reviews must inform strategic planning,
1587 program development, and budgeting decisions at the
1588 institutional level.

1589 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION
1590 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for
1591 the review and approval of proposals by Florida Community
1592 College System institutions to offer baccalaureate degree
1593 programs pursuant to s. 1007.33. A Florida Community College
1594 System institution, as defined in s. 1000.21, which is approved
1595 to offer baccalaureate degrees pursuant to s. 1007.33 remains

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1596 under the authority of the state board and the Florida Community
1597 College System institution's board of trustees.

1598 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall
1599 establish criteria for making recommendations for modifying
1600 district boundary lines for a Florida Community College System
1601 institution, including criteria for service delivery areas of a
1602 Florida Community College System institution authorized to grant
1603 baccalaureate degrees.

1604 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee
1605 the performance of Florida Community College System institution
1606 boards of trustees in enforcement of all laws and rules. Florida
1607 Community College System institution boards of trustees are
1608 primarily responsible for compliance with law and state board
1609 rule.

1610 (a) In order to ensure compliance with law or state board
1611 rule, the state board has the authority to request and receive
1612 information, data, and reports from Florida Community College
1613 System institutions. The Florida Community College System
1614 institution president is responsible for the accuracy of the
1615 information and data reported to the state board.

1616 (b) The Chancellor of the Florida Community College System
1617 may investigate allegations of noncompliance with law or state
1618 board rule and determine probable cause. The Chancellor shall
1619 report determinations of probable cause to the State Board of
1620 Community Colleges who shall require the Florida Community
1621 College System institution board of trustees to document
1622 compliance with law or state board rule.

1623 (c) If the Florida Community College System institution
1624 board of trustees cannot satisfactorily document compliance, the

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1625 state board may order compliance within a specified timeframe.

1626 (d) If the state board determines that a Florida Community
1627 College System institution board of trustees is unwilling or
1628 unable to comply with law or state board rule within the
1629 specified time, the state board has the authority to initiate
1630 any of the following actions:

1631 1. Report to the Legislature that the Florida Community
1632 College System institution is unwilling or unable to comply with
1633 law or state board rule and recommend that the Legislature take
1634 action against the institution;

1635 2. Withhold the transfer of state funds, discretionary
1636 grant funds, discretionary lottery funds, or any other funds
1637 specified as eligible for this purpose by the Legislature until
1638 the Florida Community College System institution complies with
1639 the law or state board rule;

1640 3. Declare the Florida Community College System institution
1641 ineligible for competitive grants; or

1642 4. Require monthly or periodic reporting on the situation
1643 related to noncompliance until it is remedied.

1644 (e) This section may not be construed to create a private
1645 cause of action or create any rights for individuals or entities
1646 in addition to those provided elsewhere in law or rule.

1647 (10) INSPECTOR GENERAL.—The inspector general is
1648 responsible for promoting accountability, efficiency, and
1649 effectiveness and detecting fraud and abuse within Florida
1650 Community College System institutions. If the Chancellor of the
1651 Florida Community College System determines that a Florida
1652 Community College System institution board of trustees is
1653 unwilling or unable to address substantiated allegations made by

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1654 any person relating to waste, fraud, or financial mismanagement
1655 within the Florida Community College System institution, the
1656 inspector general shall conduct, coordinate, or request
1657 investigations into such substantiated allegations. The
1658 inspector general shall have access to all information and
1659 personnel necessary to perform its duties and shall have all of
1660 his or her current powers, duties, and responsibilities
1661 authorized in s. 20.055.

1662 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
1663 state board shall coordinate with the State Board of Education:

1664 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
1665 education budget.

1666 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
1667 the Legislature a 3-year list of priorities for fixed-capital-
1668 outlay projects.

1669 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in
1670 collaboration with the State Board of Education, by rule,
1671 definitions for associate in science degrees and for
1672 certificates offered by Florida Community College System
1673 institutions.

1674 Section 20. Section 1001.61, Florida Statutes, is amended
1675 to read:

1676 1001.61 Florida Community College System institution boards
1677 of trustees; membership.—

1678 (1) Florida Community College System institution boards of
1679 trustees shall be comprised of five members when a Florida
1680 Community College System institution district is confined to one
1681 school board district; seven members when a Florida Community
1682 College System institution district is confined to one school

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1683 board district and the board of trustees so elects; and not more
1684 than nine members when the district contains two or more school
1685 board districts, as provided by rules of the State Board of
1686 Community Colleges Education. However, Florida State College at
1687 Jacksonville shall have an odd number of trustees, and St. Johns
1688 River State College shall have seven trustees from the three-
1689 county area that the college serves.

1690 (2) Trustees shall be appointed by the Governor to
1691 staggered 4-year terms, subject to confirmation by the Senate in
1692 regular session.

1693 (3) Members of the board of trustees shall receive no
1694 compensation but may receive reimbursement for expenses as
1695 provided in s. 112.061.

1696 (4) At its first regular meeting after July 1 of each year,
1697 each Florida Community College System institution board of
1698 trustees shall organize by electing a chair, whose duty as such
1699 is to preside at all meetings of the board, to call special
1700 meetings thereof, and to attest to actions of the board, and a
1701 vice chair, whose duty as such is to act as chair during the
1702 absence or disability of the elected chair. It is the further
1703 duty of the chair of each board of trustees to notify the
1704 Governor, in writing, whenever a board member fails to attend
1705 three consecutive regular board meetings in any one fiscal year,
1706 which absences may be grounds for removal.

1707 (5) A Florida Community College System institution
1708 president shall serve as the executive officer and corporate
1709 secretary of the board of trustees and shall be responsible to
1710 the board of trustees for setting the agenda for meetings of the
1711 board of trustees in consultation with the chair. The president

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1712 also serves as the chief administrative officer of the Florida
1713 Community College System institution, and all the components of
1714 the institution and all aspects of its operation are responsible
1715 to the board of trustees through the president.

1716 Section 21. Section 1001.64, Florida Statutes, is amended
1717 to read:

1718 1001.64 Florida Community College System institution
1719 boards of trustees; powers and duties.—

1720 (1) The boards of trustees shall be responsible for cost-
1721 effective policy decisions appropriate to the Florida Community
1722 College System institution's mission, the implementation and
1723 maintenance of high-quality education programs within law and
1724 rules of the State Board of Community Colleges ~~Education~~, the
1725 measurement of performance, the reporting of information, and
1726 the provision of input regarding state policy, budgeting, and
1727 education standards.

1728 (2) Each board of trustees is vested with the
1729 responsibility to govern its respective Florida Community
1730 College System institution and with such necessary authority as
1731 is needed for the proper operation and improvement thereof in
1732 accordance with rules of the State Board of Community Colleges
1733 ~~Education~~.

1734 (3) A board of trustees shall have the power to take action
1735 without a recommendation from the president and shall have the
1736 power to require the president to deliver to the board of
1737 trustees all data and information required by the board of
1738 trustees in the performance of its duties. A board of trustees
1739 shall ask the Chancellor of the Florida Community College System
1740 ~~Commissioner of Education~~ to authorize an investigation of the

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1741 president's actions by the State Board of Community College's
1742 ~~department's~~ inspector general if the board considers such
1743 investigation necessary. The inspector general shall provide a
1744 report detailing each issue under investigation and shall
1745 recommend corrective action. If the inspector general identifies
1746 potential legal violations, he or she shall refer the potential
1747 legal violations to the Commission on Ethics, the Department of
1748 Law Enforcement, the Attorney General, or another appropriate
1749 authority.

1750 (4) (a) The board of trustees, after considering
1751 recommendations submitted by the Florida Community College
1752 System institution president, may adopt rules pursuant to ss.
1753 120.536(1) and 120.54 to implement the provisions of law
1754 conferring duties upon it. These rules may supplement those
1755 prescribed by the State Board of Community Colleges Education if
1756 they will contribute to the more orderly and efficient operation
1757 of Florida Community College System institutions.

1758 (b) Each board of trustees is specifically authorized to
1759 adopt rules, procedures, and policies, consistent with law and
1760 rules of the State Board of Community Colleges Education,
1761 related to its mission and responsibilities as set forth in s.
1762 1004.65, its governance, personnel, budget and finance,
1763 administration, programs, curriculum and instruction, buildings
1764 and grounds, travel and purchasing, technology, students,
1765 contracts and grants, or college property.

1766 (5) Each board of trustees shall have responsibility for
1767 the use, maintenance, protection, and control of Florida
1768 Community College System institution owned or Florida Community
1769 College System institution controlled buildings and grounds,

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1770 property and equipment, name, trademarks and other proprietary
1771 marks, and the financial and other resources of the Florida
1772 Community College System institution. Such authority may include
1773 placing restrictions on activities and on access to facilities,
1774 firearms, food, tobacco, alcoholic beverages, distribution of
1775 printed materials, commercial solicitation, animals, and sound.

1776 (6) Each board of trustees has responsibility for the
1777 establishment and discontinuance of program and course offerings
1778 in accordance with law and rule; provision for instructional and
1779 noninstructional community services, location of classes, and
1780 services provided; and dissemination of information concerning
1781 such programs and services. New programs must be approved
1782 pursuant to s. 1004.03.

1783 (7) Each board of trustees has responsibility for~~+~~ ensuring
1784 that students have access to general education courses as
1785 identified in rule; requiring no more than 60 semester hours of
1786 degree program coursework, including 36 semester hours of
1787 general education coursework, for an associate in arts degree;
1788 notifying students that earned hours in excess of 60 semester
1789 hours may not be accepted by state universities; notifying
1790 students of unique program prerequisites; and ensuring that
1791 degree program coursework beyond general education coursework is
1792 consistent with degree program prerequisite requirements adopted
1793 pursuant to s. 1007.25(5).

1794 (8) Each board of trustees has authority for policies
1795 related to students, enrollment of students, student records,
1796 student activities, financial assistance, and other student
1797 services.

1798 (a) Each board of trustees shall govern admission of

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1799 students pursuant to s. 1007.263 and rules of the State Board of
1800 Community Colleges Education. A board of trustees may establish
1801 additional admissions criteria, which shall be included in the
1802 dual enrollment articulation agreement developed according to s.
1803 1007.271(21), to ensure student readiness for postsecondary
1804 instruction. Each board of trustees may consider the past
1805 actions of any person applying for admission or enrollment and
1806 may deny admission or enrollment to an applicant because of
1807 misconduct if determined to be in the best interest of the
1808 Florida Community College System institution.

1809 (b) Each board of trustees shall adopt rules establishing
1810 student performance standards for the award of degrees and
1811 certificates pursuant to s. 1004.68.

1812 (c) Boards of trustees are authorized to establish
1813 intrainstitutional and interinstitutional programs to maximize
1814 articulation pursuant to s. 1007.22.

1815 (d) Boards of trustees shall identify their general
1816 education curricula pursuant to s. 1007.25(6).

1817 (e) Each board of trustees must adopt a written antihazing
1818 policy, provide a program for the enforcement of such rules, and
1819 adopt appropriate penalties for violations of such rules
1820 pursuant to the provisions of s. 1006.63.

1821 (f) Each board of trustees may establish a uniform code of
1822 conduct and appropriate penalties for violation of its rules by
1823 students and student organizations, including rules governing
1824 student academic honesty. Such penalties, unless otherwise
1825 provided by law, may include fines, the withholding of diplomas
1826 or transcripts pending compliance with rules or payment of
1827 fines, and the imposition of probation, suspension, or

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1828 dismissal.

1829 (g) Each board of trustees pursuant to s. 1006.53 shall
1830 adopt a policy in accordance with rules of the State Board of
1831 Community Colleges Education that reasonably accommodates the
1832 religious observance, practice, and belief of individual
1833 students in regard to admissions, class attendance, and the
1834 scheduling of examinations and work assignments.

1835 (9) A board of trustees may contract with the board of
1836 trustees of a state university for the Florida Community College
1837 System institution to provide developmental education on the
1838 state university campus.

1839 (10) Each board of trustees shall establish fees pursuant
1840 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1841 (11) Each board of trustees shall submit an institutional
1842 budget request, including a request for fixed capital outlay,
1843 and an operating budget to the State Board of Community Colleges
1844 ~~Education~~ for review in accordance with guidelines established
1845 by the State Board of Community Colleges Education.

1846 (12) Each board of trustees shall account for expenditures
1847 of all state, local, federal, and other funds in the manner
1848 described by the State Board of Community Colleges ~~Department of~~
1849 ~~Education~~.

1850 (13) Each board of trustees is responsible for the uses for
1851 the proceeds of academic improvement trust funds pursuant to s.
1852 1011.85.

1853 (14) Each board of trustees shall develop a strategic plan
1854 specifying institutional goals and objectives for the Florida
1855 Community College System institution for recommendation to the
1856 State Board of Community Colleges Education.

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1857 (15) Each board of trustees shall develop an accountability
1858 plan pursuant to s. 1008.45.

1859 (16) Each board of trustees must expend performance funds
1860 provided for workforce education pursuant to the provisions of
1861 s. 1011.80.

1862 (17) Each board of trustees is accountable for performance
1863 in certificate career education and diploma programs pursuant to
1864 s. 1008.43.

1865 (18) Each board of trustees shall establish the personnel
1866 program for all employees of the Florida Community College
1867 System institution, including the president, pursuant to the
1868 provisions of chapter 1012 and rules and guidelines of the State
1869 Board of Community Colleges ~~Education~~, including: compensation
1870 and other conditions of employment; recruitment and selection;
1871 nonreappointment; standards for performance and conduct;
1872 evaluation; benefits and hours of work; leave policies;
1873 recognition; inventions and work products; travel; learning
1874 opportunities; exchange programs; academic freedom and
1875 responsibility; promotion; assignment; demotion; transfer;
1876 ethical obligations and conflict of interest; restrictive
1877 covenants; disciplinary actions; complaints; appeals and
1878 grievance procedures; and separation and termination from
1879 employment.

1880 (19) Each board of trustees shall appoint, suspend, or
1881 remove the president of the Florida Community College System
1882 institution. The board of trustees may appoint a search
1883 committee. The board of trustees shall conduct annual
1884 evaluations of the president in accordance with rules of the
1885 State Board of Community Colleges ~~Education~~ and submit such

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1886 evaluations to the State Board of Community Colleges ~~Education~~
1887 for review. The evaluation must address the achievement of the
1888 performance goals established by the accountability process
1889 implemented pursuant to s. 1008.45 and the performance of the
1890 president in achieving the annual and long-term goals and
1891 objectives established in the Florida Community College System
1892 institution's employment accountability program implemented
1893 pursuant to s. 1012.86.

1894 (20) Each board of trustees is authorized to enter into
1895 contracts to provide a State Community College System Optional
1896 Retirement Program pursuant to s. 1012.875 and to enter into
1897 consortia with other boards of trustees for this purpose.

1898 (21) Each board of trustees is authorized to purchase
1899 annuities for its Florida Community College System institution
1900 personnel who have 25 or more years of creditable service and
1901 who have reached age 55 and have applied for retirement under
1902 the Florida Retirement System pursuant to the provisions of s.
1903 1012.87.

1904 (22) A board of trustees may defray all costs of defending
1905 civil actions against officers, employees, or agents of the
1906 board of trustees pursuant to s. 1012.85.

1907 (23) Each board of trustees has authority for risk
1908 management, safety, security, and law enforcement operations.
1909 Each board of trustees is authorized to employ personnel,
1910 including police officers pursuant to s. 1012.88, to carry out
1911 the duties imposed by this subsection.

1912 (24) Each board of trustees shall provide rules governing
1913 parking and the direction and flow of traffic within campus
1914 boundaries. Except for sworn law enforcement personnel, persons

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1915 employed to enforce campus parking rules have no authority to
1916 arrest or issue citations for moving traffic violations. The
1917 board of trustees may adopt a uniform code of appropriate
1918 penalties for violations. Such penalties, unless otherwise
1919 provided by law, may include the levying of fines, the
1920 withholding of diplomas or transcripts pending compliance with
1921 rules or payment of fines, and the imposition of probation,
1922 suspension, or dismissal. Moneys collected from parking rule
1923 infractions shall be deposited in appropriate funds at each
1924 Florida Community College System institution for student
1925 financial aid purposes.

1926 (25) Each board of trustees constitutes the contracting
1927 agent of the Florida Community College System institution. It
1928 may when acting as a body make contracts, sue, and be sued in
1929 the name of the board of trustees. In any suit, a change in
1930 personnel of the board of trustees shall not abate the suit,
1931 which shall proceed as if such change had not taken place.

1932 (26) Each board of trustees is authorized to contract for
1933 the purchase, sale, lease, license, or acquisition in any
1934 manner, including purchase by installment or lease-purchase
1935 contract which may provide for the payment of interest on the
1936 unpaid portion of the purchase price and for the granting of a
1937 security interest in the items purchased, subject to the
1938 provisions of subsection (38) and ss. 1009.22 and 1009.23, of
1939 goods, materials, equipment, and services required by the
1940 Florida Community College System institution. The board of
1941 trustees may choose to consolidate equipment contracts under
1942 master equipment financing agreements made pursuant to s.
1943 287.064.

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1944 (27) Each board of trustees shall be responsible for
1945 managing and protecting real and personal property acquired or
1946 held in trust for use by and for the benefit of such Florida
1947 Community College System institution. To that end, any board of
1948 trustees is authorized to be self-insured, to enter into risk
1949 management programs, or to purchase insurance for whatever
1950 coverage it may choose, or to have any combination thereof, in
1951 anticipation of any loss, damage, or destruction. A board of
1952 trustees may contract for self-insurance services pursuant to s.
1953 1004.725.

1954 (28) Each board of trustees is authorized to enter into
1955 agreements for, and accept, credit card, charge card, and debit
1956 card payments as compensation for goods, services, tuition, and
1957 fees. Each Florida Community College System institution is
1958 further authorized to establish accounts in credit card, charge
1959 card, and debit card banks for the deposit of sales invoices.

1960 (29) Each board of trustees may provide incubator
1961 facilities to eligible small business concerns pursuant to s.
1962 1004.79.

1963 (30) Each board of trustees may establish a technology
1964 transfer center for the purpose of providing institutional
1965 support to local business and industry and governmental agencies
1966 in the application of new research in technology pursuant to the
1967 provisions of s. 1004.78.

1968 (31) Each board of trustees may establish economic
1969 development centers for the purpose of serving as liaisons
1970 between Florida Community College System institutions and the
1971 business sector pursuant to the provisions of s. 1004.80.

1972 (32) Each board of trustees may establish a child

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1973 development training center pursuant to s. 1004.81.

1974 (33) Each board of trustees is authorized to develop and
1975 produce work products relating to educational endeavors that are
1976 subject to trademark, copyright, or patent statutes pursuant to
1977 chapter 1004.

1978 (34) Each board of trustees shall administer the facilities
1979 program pursuant to chapter 1013, including but not limited to:
1980 the construction of public educational and ancillary plants; the
1981 acquisition and disposal of property; compliance with building
1982 and life safety codes; submission of data and information
1983 relating to facilities and construction; use of buildings and
1984 grounds; establishment of safety and sanitation programs for the
1985 protection of building occupants; and site planning and
1986 selection.

1987 (35) Each board of trustees may exercise the right of
1988 eminent domain pursuant to the provisions of chapter 1013.

1989 (36) Each board of trustees may enter into lease-purchase
1990 arrangements with private individuals or corporations for
1991 necessary grounds and buildings for Florida Community College
1992 System institution purposes, other than dormitories, or for
1993 buildings other than dormitories to be erected for Florida
1994 Community College System institution purposes. Such arrangements
1995 shall be paid from capital outlay and debt service funds as
1996 provided by s. 1011.84(2), with terms not to exceed 30 years at
1997 a stipulated rate. The provisions of such contracts, including
1998 building plans, are subject to approval by the Department of
1999 Education, and no such contract may be entered into without such
2000 approval.

2001 (37) Each board of trustees may purchase, acquire, receive,

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2002 hold, own, manage, lease, sell, dispose of, and convey title to
2003 real property, in the best interests of the Florida Community
2004 College System institution.

2005 (38) Each board of trustees is authorized to enter into
2006 short-term loans and installment, lease-purchase, and other
2007 financing contracts for a term of not more than 5 years,
2008 including renewals, extensions, and refundings. Payments on
2009 short-term loans and installment, lease-purchase, and other
2010 financing contracts pursuant to this subsection shall be subject
2011 to annual appropriation by the board of trustees. Each board of
2012 trustees is authorized to borrow funds and incur long-term debt,
2013 including promissory notes, installment sales agreements, lease-
2014 purchase agreements, certificates of participation, and other
2015 similar long-term financing arrangements, only as specifically
2016 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At
2017 the option of the board of trustees, bonds issued pursuant to
2018 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured
2019 by a combination of revenues authorized to be pledged to bonds
2020 pursuant to such subsections. Revenue bonds may not be secured
2021 by or paid from, directly or indirectly, tuition, financial aid
2022 fees, the Florida Community College System Program Fund, or any
2023 other operating revenues of a Florida Community College System
2024 institution. Lease-purchase agreements may be secured by a
2025 combination of revenues as specifically authorized pursuant to
2026 ss. 1009.22(7) and 1009.23(10).

2027 (39) Each board of trustees shall prescribe conditions for
2028 direct-support organizations to be certified and to use Florida
2029 Community College System institution property and services.
2030 Conditions relating to certification must provide for audit

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2031 review and oversight by the board of trustees.

2032 (40) Each board of trustees may adopt policies pursuant to
2033 s. 1010.02 that provide procedures for transferring to the
2034 direct-support organization of that Florida Community College
2035 System institution for administration by such organization
2036 contributions made to the Florida Community College System
2037 institution.

2038 (41) The board of trustees shall exert every effort to
2039 collect all delinquent accounts pursuant to s. 1010.03.

2040 (42) Each board of trustees shall implement a plan, in
2041 accordance with guidelines of the State Board of Community
2042 Colleges Education, for working on a regular basis with the
2043 other Florida Community College System institution boards of
2044 trustees, representatives of the university boards of trustees,
2045 and representatives of the district school boards to achieve the
2046 goals of the seamless education system.

2047 (43) Each board of trustees has responsibility for
2048 compliance with state and federal laws, rules, regulations, and
2049 requirements.

2050 (44) Each board of trustees may adopt rules, procedures,
2051 and policies related to institutional governance,
2052 administration, and management in order to promote orderly and
2053 efficient operation, including, but not limited to, financial
2054 management, budget management, physical plant management, and
2055 property management.

2056 (45) Each board of trustees may adopt rules and procedures
2057 related to data or technology, including, but not limited to,
2058 information systems, communications systems, computer hardware
2059 and software, and networks.

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2060 (46) Each board of trustees may consider the past actions
2061 of any person applying for employment and may deny employment to
2062 a person because of misconduct if determined to be in the best
2063 interest of the Florida Community College System institution.

2064 (47) Each contract or employment agreement, or renewal or
2065 renegotiation of an existing contract or employment agreement,
2066 containing a provision for severance pay with an officer, agent,
2067 employee, or contractor must include the provisions required in
2068 s. 215.425.

2069 (48) Each board of trustees shall use purchasing agreements
2070 and state term contracts pursuant to s. 287.056 or enter into
2071 consortia and cooperative agreements to maximize the purchasing
2072 power for goods and services. A consortium or cooperative
2073 agreement may be statewide, regional, or a combination of
2074 institutions, as appropriate to achieve the lowest cost, with
2075 the goal of achieving a 5-percent savings on existing contract
2076 prices through the use of new cooperative arrangements or new
2077 consortium contracts.

2078 Section 22. Section 1001.65, Florida Statutes, is amended
2079 to read:

2080 1001.65 Florida Community College System institution
2081 presidents; powers and duties.—The president is the chief
2082 executive officer of the Florida Community College System
2083 institution, shall be corporate secretary of the Florida
2084 Community College System institution board of trustees, and is
2085 responsible for the operation and administration of the Florida
2086 Community College System institution. Each Florida Community
2087 College System institution president shall:

2088 (1) Recommend the adoption of rules, as appropriate, to the

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2089 Florida Community College System institution board of trustees
2090 to implement provisions of law governing the operation and
2091 administration of the Florida Community College System
2092 institution, which shall include the specific powers and duties
2093 enumerated in this section. Such rules shall be consistent with
2094 law, the mission of the Florida Community College System
2095 institution, and the rules and policies of the State Board of
2096 Community Colleges ~~Education~~.

2097 (2) Prepare a budget request and an operating budget
2098 pursuant to s. 1011.30 for approval by the Florida Community
2099 College System institution board of trustees at such time and in
2100 such format as the State Board of Community Colleges ~~Education~~
2101 may prescribe.

2102 (3) Establish and implement policies and procedures to
2103 recruit, appoint, transfer, promote, compensate, evaluate,
2104 reward, demote, discipline, and remove personnel, within law and
2105 rules of the State Board of Community College ~~Education~~ and in
2106 accordance with rules or policies approved by the Florida
2107 Community College System institution board of trustees.

2108 (4) Govern admissions, subject to law and rules or policies
2109 of the Florida Community College System institution board of
2110 trustees and the State Board of Community Colleges ~~Education~~.

2111 (5) Approve, execute, and administer contracts for and on
2112 behalf of the Florida Community College System institution board
2113 of trustees for licenses; the acquisition or provision of
2114 commodities, goods, equipment, and services; leases of real and
2115 personal property; and planning and construction to be rendered
2116 to or by the Florida Community College System institution,
2117 provided such contracts are within law and guidelines of the

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2118 State Board of Community Colleges ~~Education~~ and in conformance
2119 with policies of the Florida Community College System
2120 institution board of trustees, and are for the implementation of
2121 approved programs of the Florida Community College System
2122 institution.

2123 (6) Act for the Florida Community College System
2124 institution board of trustees as custodian of all Florida
2125 Community College System institution property and financial
2126 resources. The authority vested in the Florida Community College
2127 System institution president under this subsection includes the
2128 authority to prioritize the use of Florida Community College
2129 System institution space, property, equipment, and resources and
2130 the authority to impose charges for the use of those items.

2131 (7) Establish the internal academic calendar of the Florida
2132 Community College System institution within general guidelines
2133 of the State Board of Community Colleges ~~Education~~.

2134 (8) Administer the Florida Community College System
2135 institution's program of intercollegiate athletics.

2136 (9) Recommend to the board of trustees the establishment
2137 and termination of programs within the approved role and scope
2138 of the Florida Community College System institution.

2139 (10) Award degrees.

2140 (11) Recommend to the board of trustees a schedule of
2141 tuition and fees to be charged by the Florida Community College
2142 System institution, within law and rules of the State Board of
2143 Community Colleges ~~Education~~.

2144 (12) Organize the Florida Community College System
2145 institution to efficiently and effectively achieve the goals of
2146 the Florida Community College System institution.

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2147 (13) Review periodically the operations of the Florida
2148 Community College System institution in order to determine how
2149 effectively and efficiently the Florida Community College System
2150 institution is being administered and whether it is meeting the
2151 goals of its strategic plan adopted by the State Board of
2152 Community Colleges Education.

2153 (14) Enter into agreements for student exchange programs
2154 that involve students at the Florida Community College System
2155 institution and students in other institutions of higher
2156 learning.

2157 (15) Approve the internal procedures of student government
2158 organizations and provide purchasing, contracting, and budgetary
2159 review processes for these organizations.

2160 (16) Ensure compliance with federal and state laws, rules,
2161 regulations, and other requirements that are applicable to the
2162 Florida Community College System institution.

2163 (17) Maintain all data and information pertaining to the
2164 operation of the Florida Community College System institution,
2165 and report on the attainment by the Florida Community College
2166 System institution of institutional and statewide performance
2167 accountability goals.

2168 (18) Certify to the department a project's compliance with
2169 the requirements for expenditure of PECO funds prior to release
2170 of funds pursuant to ~~the provisions of~~ chapter 1013.

2171 (19) Provide to the law enforcement agency and fire
2172 department that has jurisdiction over the Florida Community
2173 College System institution a copy of the floor plans and other
2174 relevant documents for each educational facility as defined in
2175 s. 1013.01(6). After the initial submission of the floor plans

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2176 and other relevant documents, the Florida Community College
2177 System institution president shall submit, by October 1 of each
2178 year, revised floor plans and other relevant documents for each
2179 educational facility that was modified during the preceding
2180 year.

2181 (20) Develop and implement jointly with school
2182 superintendents a comprehensive dual enrollment articulation
2183 agreement for the students enrolled in their respective school
2184 districts and service areas pursuant to s. 1007.271(21).

2185 (21) Have authority, after notice to the student of the
2186 charges and after a hearing thereon, to expel, suspend, or
2187 otherwise discipline any student who is found to have violated
2188 any law, ordinance, or rule or regulation of the State Board of
2189 Community Colleges ~~Education~~ or of the board of trustees of the
2190 Florida Community College System institution pursuant to the
2191 provisions of s. 1006.62.

2192 (22) Submit an annual employment accountability plan to the
2193 State Board of Community Colleges ~~Department of Education~~
2194 pursuant to the provisions of s. 1012.86.

2195 (23) Annually evaluate, or have a designee annually
2196 evaluate, each department chairperson, dean, provost, and vice
2197 president in achieving the annual and long-term goals and
2198 objectives of the Florida Community College System institution's
2199 employment accountability plan.

2200 (24) Have vested with the president or the president's
2201 designee the authority that is vested with the Florida Community
2202 College System institution.

2203 Section 23. Section 1001.66, Florida Statutes, is amended
2204 to read:

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2205 1001.66 Florida Community College System Performance-Based
2206 Incentive.—

2207 (1) A Florida Community College System Performance-Based
2208 Incentive shall be awarded to Florida Community College System
2209 institutions using performance-based metrics adopted by the
2210 State Board of Community Colleges ~~Education~~. The performance-
2211 based metrics must include retention rates; program completion
2212 and graduation rates; postgraduation employment, salaries, and
2213 continuing education for workforce education and baccalaureate
2214 programs, with wage thresholds that reflect the added value of
2215 the certificate or degree; and outcome measures appropriate for
2216 associate of arts degree recipients. The state board shall adopt
2217 benchmarks to evaluate each institution's performance on the
2218 metrics to measure the institution's achievement of
2219 institutional excellence or need for improvement and the minimum
2220 requirements for eligibility to receive performance funding.

2221 (2) Each fiscal year, the amount of funds available for
2222 allocation to the Florida Community College System institutions
2223 based on the performance-based funding model shall consist of
2224 the state's investment in performance funding plus institutional
2225 investments consisting of funds to be redistributed from the
2226 base funding of the Florida Community College System Program
2227 Fund as determined in the General Appropriations Act. The State
2228 Board of Community Colleges ~~Education~~ shall establish minimum
2229 performance funding eligibility thresholds for the state's
2230 investment and the institutional investments. An institution
2231 that meets the minimum institutional investment eligibility
2232 threshold, but fails to meet the minimum state investment
2233 eligibility threshold, shall have its institutional investment

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2234 restored but is ineligible for a share of the state's investment
2235 in performance funding. The institutional investment shall be
2236 restored for all institutions eligible for the state's
2237 investment under the performance-based funding model.

2238 (3) (a) Each Florida Community College System institution's
2239 share of the performance funding shall be calculated based on
2240 its relative performance on the established metrics in
2241 conjunction with the institutional size and scope.

2242 (b) A Florida Community College System institution that
2243 fails to meet the State Board of Community Colleges' ~~Education's~~
2244 minimum institutional investment performance funding eligibility
2245 threshold shall have a portion of its institutional investment
2246 withheld by the state board and must submit an improvement plan
2247 to the state board which specifies the activities and strategies
2248 for improving the institution's performance. The state board
2249 must review and approve the improvement plan and, if the plan is
2250 approved, must monitor the institution's progress in
2251 implementing the activities and strategies specified in the
2252 improvement plan. The institution shall submit monitoring
2253 reports to the state board by December 31 and May 31 of each
2254 year in which an improvement plan is in place. Beginning in the
2255 2017-2018 fiscal year, the ability of an institution to submit
2256 an improvement plan to the state board is limited to 1 fiscal
2257 year.

2258 (c) The Chancellor of the Florida Community College System
2259 ~~Commissioner of Education~~ shall withhold disbursement of the
2260 institutional investment until the monitoring report is approved
2261 by the State Board of Community Colleges ~~Education~~. A Florida
2262 Community College System institution determined by the state

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2263 board to be making satisfactory progress on implementing the
2264 improvement plan shall receive no more than one-half of the
2265 withheld institutional investment in January and the balance of
2266 the withheld institutional investment in June. An institution
2267 that fails to make satisfactory progress may not have its full
2268 institutional investment restored. Any institutional investment
2269 funds that are not restored shall be redistributed in accordance
2270 with the state board's performance-based metrics.

2271 (4) Distributions of performance funding, as provided in
2272 this section, shall be made to each of the Florida Community
2273 College System institutions listed in the Florida Community
2274 Colleges category in the General Appropriations Act.

2275 (5) By October 1 of each year, the State Board of Community
2276 Colleges ~~Education~~ shall submit to the Governor, the President
2277 of the Senate, and the Speaker of the House of Representatives a
2278 report on the previous fiscal year's performance funding
2279 allocation, which must reflect the rankings and award
2280 distributions.

2281 (6) The State Board of Community Colleges ~~Education~~ shall
2282 adopt rules to administer this section.

2283 Section 24. Section 1001.67, Florida Statutes, is amended
2284 to read:

2285 1001.67 Distinguished Florida Community College System
2286 Institution Program.—A collaborative partnership is established
2287 between the State Board of Community Colleges ~~Education~~ and the
2288 Legislature to recognize the excellence of Florida's highest-
2289 performing Florida Community College System institutions.

2290 (1) EXCELLENCE STANDARDS.—The following excellence
2291 standards are established for the program:

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2292 (a) A 150 percent-of-normal-time completion rate of 50
2293 percent or higher, as calculated by the Division of Florida
2294 Colleges.

2295 (b) A 150 percent-of-normal-time completion rate for Pell
2296 Grant recipients of 40 percent or higher, as calculated by the
2297 State Board of Community ~~Division of Florida~~ Colleges.

2298 (c) A retention rate of 70 percent or higher, as calculated
2299 by the State Board of Community ~~Division of Florida~~ Colleges.

2300 (d) A continuing education, or transfer, rate of 72 percent
2301 or higher for students graduating with an associate of arts
2302 degree, as reported by the Florida Education and Training
2303 Placement Information Program (FETPIP).

2304 (e) A licensure passage rate on the National Council
2305 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
2306 percent or higher for first-time exam takers, as reported by the
2307 Board of Nursing.

2308 (f) A job placement or continuing education rate of 88
2309 percent or higher for workforce programs, as reported by FETPIP.

2310 (g) A time-to-degree for students graduating with an
2311 associate of arts degree of 2.25 years or less for first-time-
2312 in-college students with accelerated college credits, as
2313 reported by the Southern Regional Education Board.

2314 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
2315 Community Colleges ~~Education~~ shall designate each Florida
2316 Community College System institution that meets five of the
2317 seven standards identified in subsection (1) as a distinguished
2318 college.

2319 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community
2320 College System institution designated as a distinguished college

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2321 by the State Board of Community Colleges ~~Education~~ is eligible
2322 for funding as specified in the General Appropriations Act.

2323 Section 25. Subsection (9) of section 1001.706, Florida
2324 Statutes, is amended to read:

2325 1001.706 Powers and duties of the Board of Governors.—

2326 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
2327 shall implement a plan for working on a regular basis with the
2328 State Board of Education, the State Board of Community Colleges,
2329 the Commission for Independent Education, the Higher Education
2330 Coordinating Council, the Articulation Coordinating Committee,
2331 the university boards of trustees, representatives of the
2332 Florida Community College System institution boards of trustees,
2333 representatives of the private colleges and universities, and
2334 representatives of the district school boards to achieve a
2335 seamless education system.

2336 Section 26. Subsections (1) and (18) of section 1002.34,
2337 Florida Statutes, are amended to read:

2338 1002.34 Charter technical career centers; governance,
2339 mission, and responsibilities.—

2340 (1) MISSION AND AUTHORIZATION.—

2341 (a) The primary mission of a charter technical career
2342 center is to promote ~~The Legislature finds that the~~
2343 ~~establishment of charter technical career centers can assist in~~
2344 ~~promoting~~ advances and innovations in workforce preparation and
2345 economic development. A charter technical career center may
2346 provide a learning environment that ~~better~~ serves the needs of a
2347 specific population group or a group of occupations, thus
2348 promoting diversity and choices within the public education and
2349 public postsecondary technical education community in this

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2350 state. Therefore, the creation of such centers is authorized as
2351 part of the state's program of public education. A charter
2352 technical career center may be formed by creating a new school
2353 or converting an existing school district or Florida Community
2354 College System institution program to charter technical status.

2355 (b) A charter technical career center that is operated by a
2356 district school board may not offer a college credit course or a
2357 college credit certificate or an associate degree or
2358 baccalaureate degree program.

2359 (18) RULES.—The State Board of Education, for technical
2360 centers operated by school districts, and the State Board of
2361 Community Colleges, for technical centers operated by Florida
2362 Community College System institutions, shall adopt rules,
2363 pursuant to ss. 120.536(1) and 120.54, relating to the
2364 implementation of charter technical career centers, including
2365 rules to implement a charter model application form and an
2366 evaluation instrument in accordance with this section.

2367 Section 27. Paragraph (b) of subsection (4) of section
2368 1003.491, Florida Statutes, is amended to read:

2369 1003.491 Florida Career and Professional Education Act.—The
2370 Florida Career and Professional Education Act is created to
2371 provide a statewide planning partnership between the business
2372 and education communities in order to attract, expand, and
2373 retain targeted, high-value industry and to sustain a strong,
2374 knowledge-based economy.

2375 (4) The State Board of Education shall establish a process
2376 for the continual and uninterrupted review of newly proposed
2377 core secondary courses and existing courses requested to be
2378 considered as core courses to ensure that sufficient rigor and

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2379 relevance is provided for workforce skills and postsecondary
2380 education and aligned to state curriculum standards.

2381 (b) The curriculum review committee shall review newly
2382 proposed core courses electronically. Each proposed core course
2383 shall be approved or denied within 30 days after submission by a
2384 district school board or local workforce development board. All
2385 courses approved as core courses for purposes of middle school
2386 promotion and high school graduation shall be immediately added
2387 to the Course Code Directory. Approved core courses shall also
2388 be reviewed and considered for approval for dual enrollment
2389 credit. The Board of Governors, the State Board of Community
2390 Colleges, and the Commissioner of Education shall jointly
2391 recommend an annual deadline for approval of new core courses to
2392 be included for purposes of postsecondary admissions and dual
2393 enrollment credit the following academic year. The State Board
2394 of Education shall establish an appeals process in the event
2395 that a proposed course is denied which shall require a consensus
2396 ruling by the Department of Economic Opportunity and the
2397 Commissioner of Education within 15 days.

2398 Section 28. Paragraph (b) of subsection (4) of section
2399 1003.493, Florida Statutes, is amended to read:

2400 1003.493 Career and professional academies and career-
2401 themed courses.—

2402 (4) Each career and professional academy and secondary
2403 school providing a career-themed course must:

2404 (b) Include one or more partnerships with postsecondary
2405 institutions, businesses, industry, employers, economic
2406 development organizations, or other appropriate partners from
2407 the local community. Such partnerships with postsecondary

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2408 institutions shall be delineated in articulation agreements and
2409 include any career and professional academy courses or career-
2410 themed courses that earn postsecondary credit. Such agreements
2411 may include articulation between the secondary school and public
2412 or private 2-year and 4-year postsecondary institutions and
2413 technical centers. The Department of Education, in consultation
2414 with the Board of Governors and the State Board of Community
2415 Colleges, shall establish a mechanism to ensure articulation and
2416 transfer of credits to postsecondary institutions in this state.
2417 Such partnerships must provide opportunities for:

2418 1. Instruction from highly skilled professionals who
2419 possess industry-certification credentials for courses they are
2420 teaching.

2421 2. Internships, externships, and on-the-job training.

2422 3. A postsecondary degree, diploma, or certificate.

2423 4. The highest available level of industry certification.

2424 5. Maximum articulation of credits pursuant to s. 1007.23
2425 upon program completion.

2426 Section 29. Subsections (4), (5), and (6) of section
2427 1004.015, Florida Statutes, are amended to read:

2428 1004.015 Higher Education Coordinating Council.—

2429 (4) The council shall serve as an advisory board to the
2430 Legislature, the State Board of Education, ~~and~~ the Board of
2431 Governors, and the State Board of Community Colleges.

2432 Recommendations of the council shall be consistent with the
2433 following guiding principles:

2434 (a) To achieve within existing resources a seamless
2435 academic educational system that fosters an integrated continuum
2436 of kindergarten through graduate school education for Florida's

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2437 students.

2438 (b) To promote consistent education policy across all
2439 educational delivery systems, focusing on students.

2440 (c) To promote substantially improved articulation across
2441 all educational delivery systems.

2442 (d) To promote a system that maximizes educational access
2443 and allows the opportunity for a high-quality education for all
2444 Floridians.

2445 (e) To promote a system of coordinated and consistent
2446 transfer of credit and data collection for improved
2447 accountability purposes between the educational delivery
2448 systems.

2449 (5) The council shall annually by December 31 submit to the
2450 Governor, the President of the Senate, the Speaker of the House
2451 of Representatives, the Board of Governors, the State Board of
2452 Community Colleges, and the State Board of Education a report
2453 outlining its recommendations relating to:

2454 (a) The primary core mission of public and nonpublic
2455 postsecondary education institutions in the context of state
2456 access demands and economic development goals.

2457 (b) Performance outputs and outcomes designed to meet
2458 annual and long-term state goals, including, but not limited to,
2459 increased student access, preparedness, retention, transfer, and
2460 completion. Performance measures must be consistent across
2461 sectors and allow for a comparison of the state's performance to
2462 that of other states.

2463 (c) The state's articulation policies and practices to
2464 ensure that cost benefits to the state are maximized without
2465 jeopardizing quality. The recommendations shall consider return

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2466 on investment for both the state and students and propose
2467 systems to facilitate and ensure institutional compliance with
2468 state articulation policies.

2469 (d) Workforce development education, specifically
2470 recommending improvements to the consistency of workforce
2471 education data collected and reported by Florida Community
2472 College System institutions and school districts, including the
2473 establishment of common elements and definitions for any data
2474 that is used for state and federal funding and program
2475 accountability.

2476 (6) The Office of K-20 Articulation, in collaboration with
2477 the Board of Governors and the State Board of Community Division
2478 ~~of Florida~~ Colleges, shall provide administrative support for
2479 the council.

2480 Section 30. Subsection (7) of section 1004.02, Florida
2481 Statutes, is amended to read:

2482 1004.02 Definitions.—As used in this chapter:

2483 (7) "Applied technology diploma program" means a course of
2484 study that is part of a technical degree program, is less than
2485 60 credit hours, and leads to employment in a specific
2486 occupation. An applied technology diploma program may consist of
2487 either technical credit or college credit. A public school
2488 district may offer an applied technology diploma program only as
2489 technical credit, with college credit awarded to a student upon
2490 articulation to a Florida Community College System institution.
2491 Statewide articulation among public schools and Florida
2492 Community College System institutions is guaranteed by s.
2493 1007.23, and is subject to guidelines and standards adopted by
2494 the State Board of Community Colleges ~~Education~~ pursuant to ss.

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2495 1007.24 and 1007.25.

2496 Section 31. Subsection (2) of section 1004.03, Florida
2497 Statutes, is amended to read:

2498 1004.03 Program approval.—

2499 (2) The State Board of Community Colleges ~~Education~~ shall
2500 establish criteria for the approval of new programs at Florida
2501 Community College System institutions, which criteria include,
2502 but are not limited to, the following:

2503 (a) New programs may not be approved unless the same
2504 objectives cannot be met through use of educational technology.

2505 (b) Unnecessary duplication of programs offered by
2506 independent institutions shall be avoided.

2507 (c) Cooperative programs, particularly within regions,
2508 should be encouraged.

2509 (d) New programs may be approved only if they are
2510 consistent with the ~~state master~~ plan adopted by the State Board
2511 of Community Colleges ~~Education~~.

2512 Section 32. Paragraph (f) of subsection (4) of section
2513 1004.04, Florida Statutes, is amended to read:

2514 1004.04 Public accountability and state approval for
2515 teacher preparation programs.—

2516 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
2517 teacher preparation program shall be based upon evidence that
2518 the program continues to implement the requirements for initial
2519 approval and upon significant, objective, and quantifiable
2520 measures of the program and the performance of the program
2521 completers.

2522 (f) By January 1 of each year, the Department of Education
2523 shall report the results of each approved program's annual

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2524 progress on the performance measures in paragraph (a) as well as
2525 the current approval status of each program to:

- 2526 1. The Governor.
- 2527 2. The President of the Senate.
- 2528 3. The Speaker of the House of Representatives.
- 2529 4. The State Board of Education.
- 2530 5. The Board of Governors.
- 2531 6. The State Board of Community Colleges.
- 2532 7. The Commissioner of Education.
- 2533 ~~8.7.~~ Each Florida postsecondary teacher preparation
2534 program.
- 2535 ~~9.8.~~ Each district school superintendent.
- 2536 ~~10.9.~~ The public.

2537
2538 This report may include the results of other continued approval
2539 requirements provided by State Board of Education rule and
2540 recommendations for improving teacher preparation programs in
2541 the state.

2542 Section 33. Section 1004.07, Florida Statutes, is amended
2543 to read:

2544 1004.07 Student withdrawal from courses due to military
2545 service; effect.—

2546 (1) Each district school board, Florida Community College
2547 System institution board of trustees, and state university board
2548 of trustees shall establish policies regarding currently
2549 enrolled students who are called to, or enlist in, active
2550 military service.

2551 (2) Such policies must ~~shall~~ provide that any student
2552 enrolled in a postsecondary course or courses at a career

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2553 center, a Florida Community College System institution, or a
2554 state university may ~~shall~~ not incur academic or financial
2555 penalties by virtue of performing military service on behalf of
2556 our country. Such student shall be permitted the option of
2557 either completing the course or courses at a later date without
2558 penalty or withdrawing from the course or courses with a full
2559 refund of fees paid. If the student chooses to withdraw, the
2560 student's record shall reflect that the withdrawal is due to
2561 active military service.

2562 (3) Policies of district school boards must ~~and Florida~~
2563 ~~College System institution boards of trustees shall~~ be
2564 established by rule and pursuant to guidelines of the State
2565 Board of Education.

2566 (4) Policies of state university boards of trustees must
2567 ~~shall~~ be established by regulation and pursuant to guidelines of
2568 the Board of Governors.

2569 (5) Policies of Florida Community College System
2570 institution boards of trustees must be established by rule and
2571 pursuant to guidelines of the State Board of Community Colleges.

2572 Section 34. Section 1004.084, Florida Statutes, is amended
2573 to read:

2574 1004.084 College affordability.—

2575 (1) The Board of Governors and the State Board of Community
2576 Colleges ~~Education~~ shall annually identify strategies to promote
2577 college affordability for all Floridians by evaluating, at a
2578 minimum, the impact of:

2579 (a) Tuition and fees on undergraduate, graduate, and
2580 professional students at public colleges and universities and
2581 graduate assistants employed by public universities.

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2582 (b) Federal, state, and institutional financial aid
2583 policies on the actual cost of attendance for students and their
2584 families.

2585 (c) The costs of textbooks and instructional materials.

2586 (2) By December 31 of each year, ~~beginning in 2016,~~ the
2587 Board of Governors and the State Board of Community Colleges
2588 ~~Education~~ shall submit a report on their respective college
2589 affordability initiatives to the Governor, the President of the
2590 Senate, and the Speaker of the House of Representatives.

2591 Section 35. Paragraph (d) of subsection (3) and subsections
2592 (6), (7), and (8) of section 1004.085, Florida Statutes, are
2593 amended to read:

2594 1004.085 Textbook and instructional materials
2595 affordability.—

2596 (3) An employee may receive:

2597 (d) Fees associated with activities such as reviewing,
2598 critiquing, or preparing support materials for textbooks or
2599 instructional materials pursuant to guidelines adopted by the
2600 State Board of Community Colleges ~~Education~~ or the Board of
2601 Governors.

2602 (6) Each Florida Community College System institution and
2603 state university shall post prominently in the course
2604 registration system and on its website, as early as is feasible,
2605 but at least 45 days before the first day of class for each
2606 term, a hyperlink to lists of required and recommended textbooks
2607 and instructional materials for at least 95 percent of all
2608 courses and course sections offered at the institution during
2609 the upcoming term. The lists must include the International
2610 Standard Book Number (ISBN) for each required and recommended

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2611 textbook and instructional material or other identifying
2612 information, which must include, at a minimum, all of the
2613 following: the title, all authors listed, publishers, edition
2614 number, copyright date, published date, and other relevant
2615 information necessary to identify the specific textbooks or
2616 instructional materials required and recommended for each
2617 course. The State Board of Community Colleges ~~Education~~ and the
2618 Board of Governors shall include in the policies, procedures,
2619 and guidelines adopted under subsection (7) certain limited
2620 exceptions to this notification requirement for classes added
2621 after the notification deadline.

2622 (7) After receiving input from students, faculty,
2623 bookstores, and publishers, the State Board of Community
2624 Colleges ~~Education~~ and the Board of Governors each shall adopt
2625 textbook and instructional materials affordability policies,
2626 procedures, and guidelines for implementation by Florida
2627 Community College System institutions and state universities,
2628 respectively, that further efforts to minimize the cost of
2629 textbooks and instructional materials for students attending
2630 such institutions while maintaining the quality of education and
2631 academic freedom. The policies, procedures, and guidelines shall
2632 address:

2633 (a) The establishment of deadlines for an instructor or
2634 department to notify the bookstore of required and recommended
2635 textbooks and instructional materials so that the bookstore may
2636 verify availability, source lower cost options when practicable,
2637 explore alternatives with faculty when academically appropriate,
2638 and maximize the availability of used textbooks and
2639 instructional materials.

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2640 (b) Confirmation by the course instructor or academic
2641 department offering the course, before the textbook or
2642 instructional materials adoption is finalized, of the intent to
2643 use all items ordered, particularly each individual item sold as
2644 part of a bundled package.

2645 (c) Determination by a course instructor or the academic
2646 department offering the course, before a textbook or
2647 instructional material is adopted, of the extent to which a new
2648 edition differs significantly and substantively from earlier
2649 versions and the value to the student of changing to a new
2650 edition or the extent to which an open-access textbook or
2651 instructional material is available.

2652 (d) The availability of required and recommended textbooks
2653 and instructional materials to students otherwise unable to
2654 afford the cost, including consideration of the extent to which
2655 an open-access textbook or instructional material may be used.

2656 (e) Participation by course instructors and academic
2657 departments in the development, adaptation, and review of open-
2658 access textbooks and instructional materials and, in particular,
2659 open-access textbooks and instructional materials for high-
2660 demand general education courses.

2661 (f) Consultation with school districts to identify
2662 practices that impact the cost of dual enrollment textbooks and
2663 instructional materials to school districts, including, but not
2664 limited to, the length of time that textbooks and instructional
2665 materials remain in use.

2666 (g) Selection of textbooks and instructional materials
2667 through cost-benefit analyses that enable students to obtain the
2668 highest-quality product at the lowest available price, by

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2669 considering:

2670 1. Purchasing digital textbooks in bulk.

2671 2. Expanding the use of open-access textbooks and
2672 instructional materials.

2673 3. Providing rental options for textbooks and instructional
2674 materials.

2675 4. Increasing the availability and use of affordable
2676 digital textbooks and learning objects.

2677 5. Developing mechanisms to assist in buying, renting,
2678 selling, and sharing textbooks and instructional materials.

2679 6. The length of time that textbooks and instructional
2680 materials remain in use.

2681 7. An evaluation of cost savings for textbooks and
2682 instructional materials which a student may realize if
2683 individual students are able to exercise opt-in provisions for
2684 the purchase of the materials.

2685 (8) The board of trustees of each Florida Community College
2686 System institution and state university shall report, by
2687 September 30 of each year, beginning in 2016, to the Chancellor
2688 of the Florida Community College System or the Chancellor of the
2689 State University System, as applicable, the textbook and
2690 instructional materials selection process for general education
2691 courses with a wide cost variance identified pursuant to
2692 subsection (4) and high-enrollment courses; specific initiatives
2693 of the institution designed to reduce the costs of textbooks and
2694 instructional materials; policies implemented in accordance with
2695 subsection (6); the number of courses and course sections that
2696 were not able to meet the textbook and instructional materials
2697 posting deadline for the previous academic year; and any

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2698 additional information determined by the chancellors. By
2699 November 1 of each year, ~~beginning in 2016~~, each chancellor
2700 shall provide a summary of the information provided by
2701 institutions to the State Board of Community Colleges ~~Education~~
2702 and the Board of Governors, as applicable.

2703 Section 36. Section 1004.096, Florida Statutes, is amended
2704 to read:

2705 1004.096 College credit for military training and education
2706 courses.—The Board of Governors shall adopt regulations and the
2707 State Board of Community Colleges ~~Education~~ shall adopt rules
2708 that enable eligible servicemembers or veterans of the United
2709 States Armed Forces to earn academic college credit at public
2710 postsecondary educational institutions for college-level
2711 training and education acquired in the military. The regulations
2712 and rules shall include procedures for credential evaluation and
2713 the award of academic college credit, including, but not limited
2714 to, equivalency and alignment of military coursework with
2715 appropriate college courses, course descriptions, type and
2716 amount of college credit that may be awarded, and transfer of
2717 credit.

2718 Section 37. Section 1004.0961, Florida Statutes, is amended
2719 to read:

2720 1004.0961 Credit for online courses. ~~Beginning in the 2015-~~
2721 ~~2016 school year~~, The State Board of Community Colleges
2722 ~~Education~~ shall adopt rules and the Board of Governors shall
2723 adopt regulations that enable students to earn academic credit
2724 for online courses, including massive open online courses,
2725 before initial enrollment at a postsecondary institution. The
2726 rules of the State Board of Community Colleges ~~Education~~ and

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2727 regulations of the Board of Governors must include procedures
2728 for credential evaluation and the award of credit, including,
2729 but not limited to, recommendations for credit by the American
2730 Council on Education; equivalency and alignment of coursework
2731 with appropriate courses; course descriptions; type and amount
2732 of credit that may be awarded; and transfer of credit.

2733 Section 38. Section 1004.35, Florida Statutes, is amended
2734 to read:

2735 1004.35 Broward County campuses of Florida Atlantic
2736 University; coordination with other institutions.—The State
2737 Board of Community Colleges Education, the Board of Governors,
2738 and Florida Atlantic University shall consult with Broward
2739 College and Florida International University in coordinating
2740 course offerings at the postsecondary level in Broward County.
2741 Florida Atlantic University may contract with the Board of
2742 Trustees of Broward College and with Florida International
2743 University to provide instruction in courses offered at the
2744 Southeast Campus. Florida Atlantic University shall increase
2745 course offerings at the Southeast Campus as facilities become
2746 available.

2747 Section 39. Paragraphs (c) and (d) of subsection (5) and
2748 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2749 are amended to read:

2750 1004.6495 Florida Postsecondary Comprehensive Transition
2751 Program and Florida Center for Students with Unique Abilities.—

2752 (5) CENTER RESPONSIBILITIES.—The Florida Center for
2753 Students with Unique Abilities is established within the
2754 University of Central Florida. At a minimum, the center shall:

2755 (c) Create the application for the initial approval and

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2756 renewal of approval as an FPCTP for use by an eligible
2757 institution which, at a minimum, must align with the federal
2758 comprehensive transition and postsecondary program application
2759 requirements. Notwithstanding the program approval requirements
2760 of s. 1004.03, the director shall review applications for the
2761 initial approval of an application for, or renewal of approval
2762 of, an FPCTP.

2763 1. Within 30 days after receipt of an application, the
2764 director shall issue his or her recommendation regarding
2765 approval to the Chancellor of the State University System, ~~or~~
2766 the Chancellor of the Florida Community College System, or the
2767 Commissioner of Education, as applicable, or shall give written
2768 notice to the applicant of any deficiencies in the application,
2769 which the eligible institution must be given an opportunity to
2770 correct. Within 15 days after receipt of a notice of
2771 deficiencies, an eligible institution that chooses to continue
2772 to seek program approval shall correct the application
2773 deficiencies and return the application to the center. Within 30
2774 days after receipt of a revised application, the director shall
2775 recommend approval or disapproval of the revised application to
2776 the applicable chancellor ~~or the commissioner, as applicable.~~
2777 Within 15 days after receipt of the director's recommendation,
2778 the applicable chancellor ~~or the commissioner~~ shall approve or
2779 disapprove the recommendation. If the applicable chancellor ~~or~~
2780 ~~the commissioner~~ does not act on the director's recommendation
2781 within 15 days after receipt of such recommendation, the
2782 comprehensive transition program proposed by the institution
2783 shall be considered approved.

2784 2. Initial approval of an application for an FPCTP that

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2785 meets the requirements of this section is valid for the 3
2786 academic years immediately following the academic year during
2787 which the approval is granted. An eligible institution may
2788 submit an application to the center requesting that the initial
2789 approval be renewed. If the approval is granted and the FPCTP
2790 continues to meet the requirements of this section, including,
2791 but not limited to, program and student performance outcomes,
2792 and federal requirements, a renewal is valid for the 5 academic
2793 years immediately following the academic year during which the
2794 renewal is granted.

2795 3. An application must, at a minimum:

2796 a. Identify a credential associated with the proposed
2797 program which will be awarded to eligible students upon
2798 completion of the FPCTP.

2799 b. Outline the program length and design, including, at a
2800 minimum, inclusive and successful experiential education
2801 practices relating to curricular, assessment, and advising
2802 structure and internship and employment opportunities, which
2803 must support students with intellectual disabilities who are
2804 seeking to continue academic, career and technical, and
2805 independent living instruction at an eligible institution,
2806 including, but not limited to, opportunities to earn industry
2807 certifications, to prepare students for gainful employment. If
2808 an eligible institution offers a credit-bearing degree program,
2809 the institution is responsible for maintaining the rigor and
2810 effectiveness of a comprehensive transition degree program at
2811 the same level as other comparable degree programs offered by
2812 the institution pursuant to applicable accreditation standards.

2813 c. Outline a plan for students with intellectual

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2814 disabilities to be integrated socially and academically with
2815 nondisabled students, to the maximum extent possible, and to
2816 participate on not less than a half-time basis, as determined by
2817 the eligible institution, with such participation focusing on
2818 academic components and occurring through one or more of the
2819 following activities with nondisabled students:

2820 (I) Regular enrollment in credit-bearing courses offered by
2821 the institution.

2822 (II) Auditing or participating in courses offered by the
2823 institution for which the student does not receive academic
2824 credit.

2825 (III) Enrollment in noncredit-bearing, nondegree courses.

2826 (IV) Participation in internships or work-based training.

2827 d. Outline a plan for partnerships with businesses to
2828 promote experiential training and employment opportunities for
2829 students with intellectual disabilities.

2830 e. Identify performance indicators pursuant to subsection
2831 (8) and other requirements identified by the center.

2832 f. Outline a 5-year plan incorporating enrollment and
2833 operational expectations for the program.

2834 (d) Provide technical assistance regarding programs and
2835 services for students with intellectual disabilities to
2836 administrators, instructors, staff, and others, as applicable,
2837 at eligible institutions by:

2838 1. Holding meetings and annual workshops to share
2839 successful practices and to address issues or concerns.

2840 2. Facilitating collaboration between eligible institutions
2841 and school districts, private schools operating pursuant to s.
2842 1002.42, and parents of students enrolled in home education

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2843 programs operating pursuant to s. 1002.41 in assisting students
2844 with intellectual disabilities and their parents to plan for the
2845 transition of such students into an FPCTP or another program at
2846 an eligible institution.

2847 3. Assisting eligible institutions with FPCTP and federal
2848 comprehensive transition and postsecondary program applications.

2849 4. Assisting eligible institutions with the identification
2850 of funding sources for an FPCTP and for student financial
2851 assistance for students enrolled in an FPCTP.

2852 5. Monitoring federal and state law relating to the
2853 comprehensive transition program and notifying the Legislature,
2854 the Governor, the Board of Governors, the State Board of
2855 Community Colleges, and the State Board of Education of any
2856 change in law which may impact the implementation of this
2857 section.

2858 (8) ACCOUNTABILITY.—

2859 (a) The center, in collaboration with the Board of
2860 Governors and the State Board of Community Colleges ~~Education~~,
2861 shall identify indicators for the satisfactory progress of a
2862 student in an FPCTP and for the performance of such programs.
2863 Each eligible institution must address the indicators identified
2864 by the center in its application for the approval of a proposed
2865 program and for the renewal of an FPCTP and in the annual report
2866 that the institution submits to the center.

2867 (b) By October 1 of each year, the center shall provide to
2868 the Governor, the President of the Senate, the Speaker of the
2869 House of Representatives, the Chancellor of the State University
2870 System, and the Chancellor of the Florida Community College
2871 System ~~Commissioner of Education~~ a report summarizing

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2872 information including, but not limited to:

2873 1. The status of the statewide coordination of FPCTPs and
2874 the implementation of FPCTPs at eligible institutions including,
2875 but not limited to:

2876 a. The number of applications approved and disapproved and
2877 the reasons for each disapproval and no action taken by the
2878 chancellor or the commissioner.

2879 b. The number and value of all scholarships awarded to
2880 students and undisbursed advances remitted to the center
2881 pursuant to subsection (7).

2882 2. Indicators identified by the center pursuant to
2883 paragraph (a) and the performance of each eligible institution
2884 based on the indicators identified in paragraph (6)(c).

2885 3. The projected number of students with intellectual
2886 disabilities who may be eligible to enroll in the FPCTPs within
2887 the next academic year.

2888 4. Education programs and services for students with
2889 intellectual disabilities which are available at eligible
2890 institutions.

2891 (c) Beginning in the 2016-2017 fiscal year, the center, in
2892 collaboration with the Board of Governors, State Board of
2893 Community Colleges Education, Higher Education Coordinating
2894 Council, and other stakeholders, by December 1 of each year,
2895 shall submit to the Governor, the President of the Senate, and
2896 the Speaker of the House of Representatives statutory and budget
2897 recommendations for improving the implementation and delivery of
2898 FPCTPs and other education programs and services for students
2899 with disabilities.

2900 (9) RULES.—The Board of Governors and the State Board of

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2901 Community Colleges Education, in consultation with the center,
2902 shall expeditiously adopt any necessary regulations and rules,
2903 as applicable, to allow the center to perform its
2904 responsibilities pursuant to this section beginning in the 2016-
2905 2017 fiscal year.

2906 Section 40. Section 1004.65, Florida Statutes, is amended
2907 to read:

2908 1004.65 Florida Community College System institutions;
2909 governance, mission, and responsibilities.-

2910 (1) Each Florida Community College System institution shall
2911 be governed by a district board of trustees under statutory
2912 authority and rules of the State Board of Community Colleges
2913 Education.

2914 (2) Each Florida Community College System institution
2915 district shall:

2916 (a) Consist of the county or counties served by the Florida
2917 Community College System institution pursuant to s. 1000.21(3).

2918 (b) Be an independent, separate, legal entity created for
2919 the operation of a Florida Community College System institution.

2920 (3) Florida Community College System institutions are
2921 locally based and governed entities with statutory and funding
2922 ties to state government. As such, the mission for Florida
2923 Community College System institutions reflects a commitment to
2924 be responsive to local educational needs and challenges. In
2925 achieving this mission, Florida Community College System
2926 institutions strive to maintain sufficient local authority and
2927 flexibility while preserving appropriate legal accountability to
2928 the state.

2929 (4) As comprehensive institutions, Florida Community

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2930 College System institutions shall provide high-quality,
2931 affordable education and training opportunities, shall foster a
2932 climate of excellence, and shall provide opportunities to all
2933 while combining high standards with an open-door admission
2934 policy for lower-division programs. Florida Community College
2935 System institutions shall, as open-access institutions, serve
2936 all who can benefit, without regard to age, race, gender, creed,
2937 or ethnic or economic background, while emphasizing the
2938 achievement of social and educational equity so that all can be
2939 prepared for full participation in society.

2940 (5) The primary mission and responsibility of Florida
2941 Community College System institutions is responding to community
2942 needs for postsecondary academic education and career degree
2943 education. This mission and responsibility includes being
2944 responsible for:

2945 (a) Providing lower-level ~~lower-level~~ undergraduate
2946 instruction and awarding associate degrees.

2947 (b) Preparing students directly for careers requiring less
2948 than baccalaureate degrees. This may include preparing for job
2949 entry, supplementing of skills and knowledge, and responding to
2950 needs in new areas of technology. Career education in a Florida
2951 Community College System institution consists ~~shall consist~~ of
2952 career certificates, nationally recognized industry
2953 certifications, credit courses leading to associate in science
2954 degrees and associate in applied science degrees, and other
2955 programs in fields requiring substantial academic work,
2956 background, or qualifications. A Florida Community College
2957 System institution may offer career education programs in fields
2958 having lesser academic or technical requirements.

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2959 (c) Providing student development services, including
2960 assessment, student tracking, support for disabled students,
2961 advisement, counseling, financial aid, career development, and
2962 remedial and tutorial services, to ensure student success.

2963 (d) Promoting economic development for the state within
2964 each Florida Community College System institution district
2965 through the provision of special programs, including, but not
2966 limited to, the:

- 2967 1. Enterprise Florida-related programs.
- 2968 2. Technology transfer centers.
- 2969 3. Economic development centers.
- 2970 4. Workforce literacy programs.

2971 (e) Providing dual enrollment instruction.

2972 ~~(f) Providing upper level instruction and awarding~~
2973 ~~baccalaureate degrees as specifically authorized by law.~~

2974 (6) A separate and secondary role for Florida Community
2975 College System institutions includes ~~the offering of programs~~
2976 ~~in~~:

2977 (a) Programs in community services that are not directly
2978 related to academic or occupational advancement.

2979 (b) Programs in adult education services, including adult
2980 basic education, adult general education, adult secondary
2981 education, and high school equivalency examination instruction.

2982 (c) Programs in recreational and leisure services.

2983 (d) Upper-level instruction and awarding baccalaureate
2984 degrees as specifically authorized by law.

2985 (7) Funding for Florida Community College System
2986 institutions must ~~shall~~ reflect their mission as follows:

2987 (a) Postsecondary academic and career education programs

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2988 and adult general education programs must ~~shall~~ have first
2989 priority in Florida Community College System institution
2990 funding.

2991 (b) Community service programs shall be presented to the
2992 Legislature with rationale for state funding. The Legislature
2993 may identify priority areas for use of these funds.

2994 (c) The resources of a Florida Community College System
2995 institution, including staff, faculty, land, and facilities, may
2996 ~~shall~~ not be used to support the establishment of a new
2997 independent nonpublic educational institution. If any
2998 institution uses resources for such purpose, the State Board of
2999 Community ~~Division of Florida~~ Colleges shall notify the
3000 President of the Senate and the Speaker of the House of
3001 Representatives.

3002 (8) Florida Community College System institutions are
3003 authorized to:

3004 (a) Offer such programs and courses as are necessary to
3005 fulfill their mission.

3006 (b) Grant associate in arts degrees, associate in science
3007 degrees, associate in applied science degrees, certificates,
3008 awards, and diplomas.

3009 (c) Make provisions for the high school equivalency
3010 examination.

3011 (d) Provide access to and award baccalaureate degrees in
3012 accordance with law.

3013
3014 Authority to offer one or more baccalaureate degree programs
3015 does not alter the governance relationship of the Florida
3016 Community College System institution with its district board of

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3017 trustees or the State Board of Community Colleges ~~Education~~.

3018 Section 41. Section 1004.67, Florida Statutes, is amended
3019 to read:

3020 1004.67 Florida Community College System institutions;
3021 legislative intent.—It is The legislative intent that Florida
3022 Community College System institutions, constituted as political
3023 subdivisions of the state, continue to be operated by Florida
3024 Community College System institution boards of trustees as
3025 provided in s. 1001.63 and that no department, bureau, division,
3026 agency, or subdivision of the state exercise any responsibility
3027 and authority to operate any Florida Community College System
3028 institution of the state except as specifically provided by law
3029 or rules of the State Board of Community Colleges ~~Education~~.

3030 Section 42. Section 1004.70, Florida Statutes, is amended
3031 to read:

3032 1004.70 Florida Community College System institution
3033 direct-support organizations.—

3034 (1) DEFINITIONS.—For the purposes of this section:

3035 (a) "Florida Community College System institution direct-
3036 support organization" means an organization that is:

3037 1. A Florida corporation not for profit, incorporated under
3038 the provisions of chapter 617 and approved by the Department of
3039 State.

3040 2. Organized and operated exclusively to receive, hold,
3041 invest, and administer property and to make expenditures to, or
3042 for the benefit of, a Florida Community College System
3043 institution in this state.

3044 3. An organization that the Florida Community College
3045 System institution board of trustees, after review, has

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3046 certified to be operating in a manner consistent with the goals
3047 of the Florida Community College System institution and in the
3048 best interest of the state. Any organization that is denied
3049 certification by the board of trustees may not use the name of
3050 the Florida Community College System institution that it serves.

3051 (b) "Personal services" includes full-time or part-time
3052 personnel as well as payroll processing.

3053 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
3054 shall appoint a representative to the board of directors and the
3055 executive committee of each direct-support organization
3056 established under this section, including those established
3057 before July 1, 1998. The president of the Florida Community
3058 College System institution for which the direct-support
3059 organization is established, or the president's designee, shall
3060 also serve on the board of directors and the executive committee
3061 of the direct-support organization, including any direct-support
3062 organization established before July 1, 1998.

3063 (3) USE OF PROPERTY.—

3064 (a) The board of trustees is authorized to permit the use
3065 of property, facilities, and personal services at any Florida
3066 Community College System institution by any Florida Community
3067 College System institution direct-support organization, subject
3068 to the provisions of this section.

3069 (b) The board of trustees is authorized to prescribe by
3070 rule any condition with which a Florida Community College System
3071 institution direct-support organization must comply in order to
3072 use property, facilities, or personal services at any Florida
3073 Community College System institution.

3074 (c) The board of trustees may not permit the use of

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3075 property, facilities, or personal services at any Florida
3076 Community College System institution by any Florida Community
3077 College System institution direct-support organization that does
3078 not provide equal employment opportunities to all persons
3079 regardless of race, color, national origin, gender, age, or
3080 religion.

3081 (4) ACTIVITIES; RESTRICTIONS.—

3082 (a) A direct-support organization may, at the request of
3083 the board of trustees, provide residency opportunities on or
3084 near campus for students.

3085 (b) A direct-support organization that constructs
3086 facilities for use by a Florida Community College System
3087 institution or its students must comply with all requirements of
3088 law relating to the construction of facilities by a Florida
3089 Community College System institution, including requirements for
3090 competitive bidding.

3091 (c) Any transaction or agreement between one direct-support
3092 organization and another direct-support organization must be
3093 approved by the board of trustees.

3094 (d) A Florida Community College System institution direct-
3095 support organization is prohibited from giving, either directly
3096 or indirectly, any gift to a political committee as defined in
3097 s. 106.011 for any purpose other than those certified by a
3098 majority roll call vote of the governing board of the direct-
3099 support organization at a regularly scheduled meeting as being
3100 directly related to the educational mission of the Florida
3101 Community College System institution.

3102 (e) A Florida Community College System institution board of
3103 trustees must authorize all debt, including lease-purchase

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3104 agreements, incurred by a direct-support organization.
3105 Authorization for approval of short-term loans and lease-
3106 purchase agreements for a term of not more than 5 years,
3107 including renewals, extensions, and refundings, for goods,
3108 materials, equipment, and services may be delegated by the board
3109 of trustees to the board of directors of the direct-support
3110 organization. Trustees shall evaluate proposals for debt
3111 according to guidelines issued by the State Board of Community
3112 ~~Division of Florida~~ Colleges. Revenues of the Florida Community
3113 College System institution may not be pledged to debt issued by
3114 direct-support organizations.

3115 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
3116 organization shall submit to the board of trustees its federal
3117 Internal Revenue Service Application for Recognition of
3118 Exemption form (Form 1023) and its federal Internal Revenue
3119 Service Return of Organization Exempt from Income Tax form (Form
3120 990).

3121 (6) ANNUAL AUDIT.—Each direct-support organization shall
3122 provide for an annual financial audit in accordance with rules
3123 adopted by the Auditor General pursuant to s. 11.45(8). The
3124 annual audit report must be submitted, within 9 months after the
3125 end of the fiscal year, to the Auditor General, the State Board
3126 of Community Colleges Education, and the board of trustees for
3127 review. The board of trustees, the Auditor General, and the
3128 Office of Program Policy Analysis and Government Accountability
3129 may require and receive from the organization or from its
3130 independent auditor any detail or supplemental data relative to
3131 the operation of the organization. The identity of donors who
3132 desire to remain anonymous shall be protected, and that

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3133 anonymity shall be maintained in the auditor's report. All
3134 records of the organization, other than the auditor's report,
3135 any information necessary for the auditor's report, any
3136 information related to the expenditure of funds, and any
3137 supplemental data requested by the board of trustees, the
3138 Auditor General, and the Office of Program Policy Analysis and
3139 Government Accountability, shall be confidential and exempt from
3140 the provisions of s. 119.07(1).

3141 Section 43. Section 1004.71, Florida Statutes, is amended
3142 to read:

3143 1004.71 Statewide Florida Community College System
3144 institution direct-support organizations.—

3145 (1) DEFINITIONS.—For the purposes of this section:

3146 (a) "Statewide Florida Community College System institution
3147 direct-support organization" means an organization that is:

3148 1. A Florida corporation not for profit, incorporated under
3149 the provisions of chapter 617 and approved by the Department of
3150 State.

3151 2. Organized and operated exclusively to receive, hold,
3152 invest, and administer property and to make expenditures to, or
3153 for the benefit of, the Florida Community College System
3154 institutions in this state.

3155 3. An organization that the State Board of Community
3156 Colleges Education, after review, has certified to be operating
3157 in a manner consistent with the goals of the Florida Community
3158 College System institutions and in the best interest of the
3159 state.

3160 (b) "Personal services" includes full-time or part-time
3161 personnel as well as payroll processing.

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3162 (2) BOARD OF DIRECTORS.—The chair of the State Board of
3163 Community Colleges ~~Education~~ may appoint a representative to the
3164 board of directors and the executive committee of any statewide,
3165 direct-support organization established under this section or s.
3166 1004.70. The chair of the State Board of Community Colleges
3167 ~~Education~~, or the chair's designee, shall also serve on the
3168 board of directors and the executive committee of any direct-
3169 support organization established to benefit Florida Community
3170 College System institutions.

3171 (3) USE OF PROPERTY.—

3172 (a) The State Board of Education may permit the use of
3173 property, facilities, and personal services of the Department of
3174 Education by any statewide Florida Community College System
3175 institution direct-support organization, subject to the
3176 provisions of this section.

3177 (b) The State Board of Education may prescribe by rule any
3178 condition with which a statewide Florida Community College
3179 System institution direct-support organization must comply in
3180 order to use property, facilities, or personal services of the
3181 Department of Education.

3182 (c) The State Board of Education may not permit the use of
3183 property, facilities, or personal services of the Department of
3184 Education by any statewide Florida Community College System
3185 institution direct-support organization that does not provide
3186 equal employment opportunities to all persons regardless of
3187 race, color, national origin, gender, age, or religion.

3188 (4) RESTRICTIONS.—

3189 (a) A statewide, direct-support organization may not use
3190 public funds to acquire, construct, maintain, or operate any

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3191 facilities.

3192 (b) Any transaction or agreement between a statewide,
3193 direct-support organization and any other direct-support
3194 organization must be approved by the State Board of Community
3195 Colleges Education.

3196 (c) A statewide Florida Community College System
3197 institution direct-support organization is prohibited from
3198 giving, either directly or indirectly, any gift to a political
3199 committee as defined in s. 106.011 for any purpose other than
3200 those certified by a majority roll call vote of the governing
3201 board of the direct-support organization at a regularly
3202 scheduled meeting as being directly related to the educational
3203 mission of the State Board of Community Colleges Education.

3204 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
3205 organization shall submit to the State Board of Community
3206 Colleges Education its federal Internal Revenue Service
3207 Application for Recognition of Exemption form (Form 1023) and
3208 its federal Internal Revenue Service Return of Organization
3209 Exempt from Income Tax form (Form 990).

3210 (6) ANNUAL AUDIT.—A statewide Florida Community College
3211 System institution direct-support organization shall provide for
3212 an annual financial audit in accordance with s. 1004.70. The
3213 identity of a donor or prospective donor who desires to remain
3214 anonymous and all information identifying such donor or
3215 prospective donor are confidential and exempt from the
3216 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
3217 Constitution. Such anonymity shall be maintained in the
3218 auditor's report.

3219 Section 44. Subsection (4) of section 1004.74, Florida

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3220 Statutes, is amended to read:

3221 1004.74 Florida School of the Arts.—

3222 (4) The Council for the Florida School of the Arts shall be
3223 established to advise the Florida Community College System
3224 institution district board of trustees on matters pertaining to
3225 the operation of the school. The council shall consist of nine
3226 members, appointed jointly by the Chancellor of the Florida
3227 Community College System and the Commissioner of Education for
3228 4-year terms. A member may serve three terms and may serve until
3229 replaced.

3230 Section 45. Section 1004.78, Florida Statutes, is amended
3231 to read:

3232 1004.78 Technology transfer centers at Florida Community
3233 College System institutions.—

3234 (1) Each Florida Community College System institution may
3235 establish a technology transfer center for the purpose of
3236 providing institutional support to local business and industry
3237 and governmental agencies in the application of new research in
3238 technology. The primary responsibilities of such centers may
3239 include: identifying technology research developed by
3240 universities, research institutions, businesses, industries, the
3241 United States Armed Forces, and other state or federal
3242 governmental agencies; determining and demonstrating the
3243 application of technologies; training workers to integrate
3244 advanced equipment and production processes; and determining for
3245 business and industry the feasibility and efficiency of
3246 accommodating advanced technologies.

3247 (2) The Florida Community College System institution board
3248 of trustees shall set such policies to regulate the activities

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3249 of the technology transfer center as it may consider necessary
3250 to effectuate the purposes of this section and to administer the
3251 programs of the center in a manner which assures efficiency and
3252 effectiveness, producing the maximum benefit for the educational
3253 programs and maximum service to the state. To this end,
3254 materials that relate to methods of manufacture or production,
3255 potential trade secrets, potentially patentable material, actual
3256 trade secrets, business transactions, or proprietary information
3257 received, generated, ascertained, or discovered during the
3258 course of activities conducted within the Florida Community
3259 College System institutions shall be confidential and exempt
3260 from the provisions of s. 119.07(1), except that a Florida
3261 Community College System institution shall make available upon
3262 request the title and description of a project, the name of the
3263 investigator, and the amount and source of funding provided for
3264 such project.

3265 (3) A technology transfer center created under the
3266 provisions of this section shall be under the supervision of the
3267 board of trustees of that Florida Community College System
3268 institution, which is authorized to appoint a director; to
3269 employ full-time and part-time staff, research personnel, and
3270 professional services; to employ on a part-time basis personnel
3271 of the Florida Community College System institution; and to
3272 employ temporary employees whose salaries are paid entirely from
3273 the permanent technology transfer fund or from that fund in
3274 combination with other nonstate sources, with such positions
3275 being exempt from the requirements of the Florida Statutes
3276 relating to salaries, except that no such appointment shall be
3277 made for a total period of longer than 1 year.

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3278 (4) The board of trustees of the Florida Community College
3279 System institution in which a technology transfer center is
3280 created, or its designee, may negotiate, enter into, and execute
3281 contracts; solicit and accept grants and donations; and fix and
3282 collect fees, other payments, and donations that may accrue by
3283 reason thereof for technology transfer activities. The board of
3284 trustees or its designee may negotiate, enter into, and execute
3285 contracts on a cost-reimbursement basis and may provide
3286 temporary financing of such costs prior to reimbursement from
3287 moneys on deposit in the technology transfer fund, except as may
3288 be prohibited elsewhere by law.

3289 (5) A technology transfer center shall be financed from the
3290 Academic Improvement Program or from moneys of a Florida
3291 Community College System institution which are on deposit or
3292 received for use in the activities conducted in the center. Such
3293 moneys shall be deposited by the Florida Community College
3294 System institution in a permanent technology transfer fund in a
3295 depository or depositories approved for the deposit of state
3296 funds and shall be accounted for and disbursed subject to audit
3297 by the Auditor General.

3298 (6) The fund balance in any existing research trust fund of
3299 a Florida Community College System institution at the time a
3300 technology transfer center is created shall be transferred to a
3301 permanent technology transfer fund established for the Florida
3302 Community College System institution, and thereafter the fund
3303 balance of the technology transfer fund at the end of any fiscal
3304 period may be used during any succeeding period pursuant to this
3305 section.

3306 (7) Moneys deposited in the permanent technology transfer

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3307 fund of a Florida Community College System institution shall be
3308 disbursed in accordance with the terms of the contract, grant,
3309 or donation under which they are received. Moneys received for
3310 overhead or indirect costs and other moneys not required for the
3311 payment of direct costs shall be applied to the cost of
3312 operating the technology transfer center.

3313 (8) All purchases of a technology transfer center shall be
3314 made in accordance with the policies and procedures of the
3315 Florida Community College System institution.

3316 (9) The Florida Community College System institution board
3317 of trustees may authorize the construction, alteration, or
3318 remodeling of buildings when the funds used are derived entirely
3319 from the technology transfer fund of a Florida Community College
3320 System institution or from that fund in combination with other
3321 nonstate sources, provided that such construction, alteration,
3322 or remodeling is for use exclusively by the center. It also may
3323 authorize the acquisition of real property when the cost is
3324 entirely from said funds. Title to all real property shall vest
3325 in the board of trustees.

3326 (10) The State Board of Community Colleges ~~Education~~ may
3327 award grants to Florida Community College System institutions,
3328 or consortia of public and private colleges and universities and
3329 other public and private entities, for the purpose of supporting
3330 the objectives of this section. Grants awarded pursuant to this
3331 subsection shall be in accordance with rules of the State Board
3332 of Community Colleges ~~Education~~. Such rules shall include the
3333 following provisions:

3334 (a) The number of centers established with state funds
3335 provided expressly for the purpose of technology transfer shall

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3336 be limited, but shall be geographically located to maximize
3337 public access to center resources and services.

3338 (b) Grants to centers funded with state revenues
3339 appropriated specifically for technology transfer activities
3340 shall be reviewed and approved by the State Board of Community
3341 Colleges ~~Education~~ using proposal solicitation, evaluation, and
3342 selection procedures established by the state board in
3343 consultation with Enterprise Florida, Inc. Such procedures may
3344 include designation of specific areas or applications of
3345 technology as priorities for the receipt of funding.

3346 (c) Priority for the receipt of state funds appropriated
3347 specifically for the purpose of technology transfer shall be
3348 given to grant proposals developed jointly by Florida Community
3349 College System institutions and public and private colleges and
3350 universities.

3351 (11) Each technology transfer center established under the
3352 provisions of this section shall establish a technology transfer
3353 center advisory committee. Each committee shall include
3354 representatives of a university or universities conducting
3355 research in the area of specialty of the center. Other members
3356 shall be determined by the Florida Community College System
3357 institution board of trustees.

3358 Section 46. Subsection (4) of section 1004.80, Florida
3359 Statutes, is amended to read:

3360 1004.80 Economic development centers.—

3361 (4) The State Board of Community Colleges ~~Education~~ may
3362 award grants to economic development centers for the purposes of
3363 this section. Grants awarded pursuant to this subsection shall
3364 be in accordance with rules established by the State Board of

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3365 Community Colleges Education.

3366 Section 47. Section 1004.91, Florida Statutes, is amended
3367 to read:

3368 1004.91 Requirements for career education program basic
3369 skills.—

3370 (1) The State Board of Education, for career centers
3371 operated by district school boards, and the State Board of
3372 Community Colleges, for charter technical career centers
3373 operated by Florida Community College System institutions, shall
3374 collaborate to adopt, by rule, standards of basic skill mastery
3375 for completion of certificate career education programs. Each
3376 school district and Florida Community College System institution
3377 that conducts programs that confer career and technical
3378 certificates shall provide applied academics instruction through
3379 which students receive the basic skills instruction required
3380 pursuant to this section.

3381 (2) Students who enroll in a program offered for career
3382 credit of 450 hours or more shall complete an entry-level
3383 examination within the first 6 weeks after admission into the
3384 program. The State Board of Education and the State Board of
3385 Community Colleges shall collaborate to designate examinations
3386 that are currently in existence, the results of which are
3387 comparable across institutions, to assess student mastery of
3388 basic skills. Any student found to lack the required level of
3389 basic skills for such program shall be referred to applied
3390 academics instruction or another adult general education program
3391 for a structured program of basic skills instruction. Such
3392 instruction may include English for speakers of other languages.
3393 A student may not receive a career or technical certificate of

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3394 completion without first demonstrating the basic skills required
3395 in the state curriculum frameworks for the career education
3396 program.

3397 (3) (a) An adult student with a disability may be exempted
3398 from this section.

3399 (b) The following students are exempt from this section:

3400 1. A student who possesses a college degree at the
3401 associate in applied science level or higher.

3402 2. A student who demonstrates readiness for public
3403 postsecondary education pursuant to s. 1008.30 and applicable
3404 rules adopted by the State Board of Education and State Board of
3405 Community Colleges.

3406 3. A student who passes a state or national industry
3407 certification or licensure examination that is identified in
3408 State Board of Education or State Board of Community Colleges
3409 rules and aligned to the career education program in which the
3410 student is enrolled.

3411 4. An adult student who is enrolled in an apprenticeship
3412 program that is registered with the Department of Education in
3413 accordance with chapter 446.

3414 Section 48. Paragraph (b) of subsection (2) of section
3415 1004.92, Florida Statutes, is amended, and subsection (4) is
3416 added to that section, to read:

3417 1004.92 Purpose and responsibilities for career education.—

3418 (2)

3419 (b) Department of Education, for school districts, and the
3420 State Board of Community Colleges, for Florida Community College
3421 System institutions, have the following responsibilities related
3422 to accountability for career education ~~includes, but is not~~

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3423 ~~limited to:~~

3424 1. The provision of timely, accurate technical assistance
3425 to school districts and Florida Community College System
3426 institutions.

3427 2. The provision of timely, accurate information to the
3428 State Board of Education, the Legislature, and the public.

3429 3. The development of policies, rules, and procedures that
3430 facilitate institutional attainment of the accountability
3431 standards and coordinate the efforts of all divisions within the
3432 department.

3433 4. The development of program standards and industry-driven
3434 benchmarks for career, adult, and community education programs,
3435 which must be updated every 3 years. The standards must include
3436 career, academic, and workplace skills; viability of distance
3437 learning for instruction; ~~and~~ work/learn cycles that are
3438 responsive to business and industry; and provisions that reflect
3439 the quality components of career and technical education
3440 programs. The Department of Education and the State Board of
3441 Community Colleges shall collaborate to develop a common set of
3442 standards and benchmarks as specified under this subparagraph
3443 for the programs that are offered by both the school districts
3444 and Florida Community College System institutions.

3445 5. Overseeing school district and Florida Community College
3446 System institution compliance with ~~the provisions of~~ this
3447 chapter.

3448 6. Ensuring that the educational outcomes for the technical
3449 component of career programs are uniform and designed to provide
3450 a graduate who is capable of entering the workforce on an
3451 equally competitive basis regardless of the institution of

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3452 choice.

3453 (4) The State Board of Education, for career education
3454 provided by school districts, and the State Board of Community
3455 Colleges, for career education provided by Florida Community
3456 College System institutions, shall collaborate to adopt rules to
3457 administer this section.

3458 Section 49. Subsection (1) of section 1004.925, Florida
3459 Statutes, is amended to read:

3460 1004.925 Automotive service technology education programs;
3461 certification.—

3462 (1) All automotive service technology education programs
3463 shall be industry certified in accordance with rules adopted by
3464 the State Board of Education and the State Board of Community
3465 Colleges.

3466 Section 50. Paragraphs (c) and (d) of subsection (4) and
3467 subsections (6) and (9) of section 1004.93, Florida Statutes,
3468 are amended to read:

3469 1004.93 Adult general education.—

3470 (4)

3471 (c) The State Board of Community Colleges ~~Education~~ shall
3472 define, by rule, the levels and courses of instruction to be
3473 funded through the developmental education program. The State
3474 Board of Community Colleges shall coordinate the establishment
3475 of costs for developmental education courses, the establishment
3476 of statewide standards that define required levels of
3477 competence, acceptable rates of student progress, and the
3478 maximum amount of time to be allowed for completion of
3479 developmental education. Developmental education is part of an
3480 associate in arts degree program and may not be funded as an

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3481 adult career education program.

3482 (d) Expenditures for developmental education and lifelong
3483 learning students shall be reported separately. Allocations for
3484 developmental education shall be based on proportional full-time
3485 equivalent enrollment. Program review results shall be included
3486 in the determination of subsequent allocations. A student shall
3487 be funded to enroll in the same developmental education class
3488 within a skill area only twice, after which time the student
3489 shall pay 100 percent of the full cost of instruction to support
3490 the continuous enrollment of that student in the same class;
3491 however, students who withdraw or fail a class due to
3492 extenuating circumstances may be granted an exception only once
3493 for each class, provided approval is granted according to policy
3494 established by the board of trustees. Each Florida Community
3495 College System institution shall have the authority to review
3496 and reduce payment for increased fees due to continued
3497 enrollment in a developmental education class on an individual
3498 basis contingent upon the student's financial hardship, pursuant
3499 to definitions and fee levels established by the State Board of
3500 Community Colleges Education. Developmental education and
3501 lifelong learning courses do not generate credit toward an
3502 associate or baccalaureate degree.

3503 (6) The commissioner, for school districts, and the
3504 Chancellor of the Florida Community College System, for Florida
3505 Community College System institutions, shall recommend the level
3506 of funding for public school and Florida Community College
3507 System institution adult education within the legislative budget
3508 request and make other recommendations and reports considered
3509 necessary or required by rules of the State Board of Education.

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3510 (9) The State Board of Education and the State Board of
3511 Community Colleges may adopt rules necessary for the
3512 implementation of this section.

3513 Section 51. Subsection (3) of section 1006.60, Florida
3514 Statutes, is amended to read:

3515 1006.60 Codes of conduct; disciplinary measures; authority
3516 to adopt rules or regulations.—

3517 (3) Sanctions authorized by such codes of conduct may be
3518 imposed only for acts or omissions in violation of rules or
3519 regulations adopted by the institution, including rules or
3520 regulations adopted under this section, rules of the State Board
3521 of Community Colleges regarding the Florida Community College
3522 System Education, rules or regulations of the Board of Governors
3523 regarding the State University System, county and municipal
3524 ordinances, and the laws of this state, the United States, or
3525 any other state.

3526 Section 52. Subsection (1) of section 1006.61, Florida
3527 Statutes, is amended to read:

3528 1006.61 Participation by students in disruptive activities
3529 at public postsecondary educational institution; penalties.—

3530 (1) Any person who accepts the privilege extended by the
3531 laws of this state of attendance at any public postsecondary
3532 educational institution shall, by attending such institution, be
3533 deemed to have given his or her consent to the policies of that
3534 institution, the State Board of Community Colleges regarding the
3535 Florida Community College System Education, and the Board of
3536 Governors regarding the State University System, and the laws of
3537 this state. Such policies shall include prohibition against
3538 disruptive activities at public postsecondary educational

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3539 institutions.

3540 Section 53. Section 1006.62, Florida Statutes, is amended
3541 to read:

3542 1006.62 Expulsion and discipline of students of Florida
3543 Community College System institutions and state universities.—

3544 (1) Each student in a Florida Community College System
3545 institution or state university is subject to federal and state
3546 law, respective county and municipal ordinances, and all rules
3547 and regulations of the State Board of Community Colleges
3548 regarding the Florida Community College System Education, the
3549 Board of Governors regarding the State University System, or the
3550 board of trustees of the institution.

3551 (2) Violation of these published laws, ordinances, or rules
3552 and regulations may subject the violator to appropriate action
3553 by the institution's authorities.

3554 (3) Each president of a Florida Community College System
3555 institution or state university may, after notice to the student
3556 of the charges and after a hearing thereon, expel, suspend, or
3557 otherwise discipline any student who is found to have violated
3558 any law, ordinance, or rule or regulation of the State Board of
3559 Community Colleges regarding the Florida Community College
3560 System Education, the Board of Governors regarding the State
3561 University System, or the board of trustees of the institution.
3562 A student may be entitled to waiver of expulsion:

3563 (a) If the student provides substantial assistance in the
3564 identification, arrest, or conviction of any of his or her
3565 accomplices, accessories, coconspirators, or principals or of
3566 any other person engaged in violations of chapter 893 within a
3567 state university or Florida Community College System

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3568 institution;

3569 (b) If the student voluntarily discloses his or her
3570 violations of chapter 893 prior to his or her arrest; or

3571 (c) If the student commits himself or herself, or is
3572 referred by the court in lieu of sentence, to a state-licensed
3573 drug abuse program and successfully completes the program.

3574 Section 54. Paragraphs (c) and (g) of subsection (1),
3575 paragraph (b) of subsection (2), and subsection (3) of section
3576 1006.71, Florida Statutes, are amended to read:

3577 1006.71 Gender equity in intercollegiate athletics.—

3578 (1) GENDER EQUITY PLAN.—

3579 (c) The Chancellor of the Florida Community College System
3580 ~~Commissioner of Education~~ shall annually assess the progress of
3581 each Florida Community College System institution's plan and
3582 advise the State Board of Community Colleges ~~Education~~ and the
3583 Legislature regarding compliance.

3584 (g)1. If a Florida Community College System institution is
3585 not in compliance with Title IX of the Education Amendments of
3586 1972 and the Florida Educational Equity Act, the State Board of
3587 Community Colleges ~~Education~~ shall:

3588 a. Declare the Florida Community College System institution
3589 ineligible for competitive state grants.

3590 b. Withhold funds sufficient to obtain compliance.

3591
3592 The Florida Community College System institution shall remain
3593 ineligible and the funds may ~~shall~~ not be paid until the Florida
3594 Community College System institution comes into compliance or
3595 the Chancellor of the Florida Community College System
3596 ~~Commissioner of Education~~ approves a plan for compliance.

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3597 2. If a state university is not in compliance with Title IX
3598 of the Education Amendments of 1972 and the Florida Educational
3599 Equity Act, the Board of Governors shall:

3600 a. Declare the state university ineligible for competitive
3601 state grants.

3602 b. Withhold funds sufficient to obtain compliance.

3603
3604 The state university shall remain ineligible and the funds may
3605 ~~shall~~ not be paid until the state university comes into
3606 compliance or the Board of Governors approves a plan for
3607 compliance.

3608 (2) FUNDING.—

3609 (b) The level of funding and percentage share of support
3610 for women's intercollegiate athletics for Florida Community
3611 College System institutions shall be determined by the State
3612 Board of Community Colleges Education ~~Education~~. The level of funding and
3613 percentage share of support for women's intercollegiate
3614 athletics for state universities shall be determined by the
3615 Board of Governors. The level of funding and percentage share
3616 attained in the 1980-1981 fiscal year shall be the minimum level
3617 and percentage maintained by each institution, except as the
3618 State Board of Community Colleges Education ~~Education~~ or the Board of
3619 Governors otherwise directs its respective institutions for the
3620 purpose of assuring equity. Consideration shall be given by the
3621 State Board of Community Colleges Education ~~Education~~ or the Board of
3622 Governors to emerging athletic programs at institutions which
3623 may not have the resources to secure external funds to provide
3624 athletic opportunities for women. It is the intent that the
3625 effect of any redistribution of funds among institutions may

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3626 ~~shall~~ not negate the requirements as set forth in this section.

3627 (3) STATE BOARD OF COMMUNITY COLLEGES ~~EDUCATION~~.—The State
3628 Board of Community Colleges ~~Education~~ shall assure equal
3629 opportunity for female athletes at Florida Community College
3630 System institutions and establish:

3631 (a) In conjunction with the State Board of Education,
3632 guidelines for reporting of intercollegiate athletics data
3633 concerning financial, program, and facilities information for
3634 review by the State Board of Community Colleges ~~Education~~
3635 annually.

3636 (b) Systematic audits for the evaluation of such data.

3637 (c) Criteria for determining and assuring equity.

3638 Section 55. Section 1007.01, Florida Statutes, is amended
3639 to read:

3640 1007.01 Articulation; legislative intent; purpose; role of
3641 the State Board of Education, the State Board of Community
3642 Colleges, and the Board of Governors; Articulation Coordinating
3643 Committee.—

3644 (1) It is the intent of the Legislature to facilitate
3645 articulation and seamless integration of the K-20 education
3646 system by building, sustaining, and strengthening relationships
3647 among K-20 public organizations, between public and private
3648 organizations, and between the education system as a whole and
3649 Florida's communities. The purpose of building, sustaining, and
3650 strengthening these relationships is to provide for the
3651 efficient and effective progression and transfer of students
3652 within the education system and to allow students to proceed
3653 toward their educational objectives as rapidly as their
3654 circumstances permit. The Legislature further intends that

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3655 articulation policies and budget actions be implemented
3656 consistently in the practices of the Department of Education and
3657 postsecondary educational institutions and expressed in the
3658 collaborative policy efforts of the State Board of Education,
3659 ~~and~~ the Board of Governors, and the State Board of Community
3660 Colleges.

3661 (2) To preserve Florida's "2+2" system of articulation and
3662 improve and facilitate articulation systemwide, the State Board
3663 of Education, ~~and~~ the Board of Governors, and the State Board of
3664 Community Colleges shall collaboratively establish and adopt
3665 policies with input from statewide K-20 advisory groups
3666 established by the Commissioner of Education, the Chancellor of
3667 the Florida Community College System, and the Chancellor of the
3668 State University System and shall recommend the policies to the
3669 Legislature. The policies shall relate to:

3670 (a) The alignment between the exit requirements of one
3671 education system and the admissions requirements of another
3672 education system into which students typically transfer.

3673 (b) The identification of common courses, the level of
3674 courses, institutional participation in a statewide course
3675 numbering system, and the transferability of credits among such
3676 institutions.

3677 (c) Identification of courses that meet general education
3678 or common degree program prerequisite requirements at public
3679 postsecondary educational institutions.

3680 (d) Dual enrollment course equivalencies.

3681 (e) Articulation agreements.

3682 (3) The Commissioner of Education, in consultation with the
3683 Chancellor of the Florida Community College System and the

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3684 Chancellor of the State University System, shall establish the
3685 Articulation Coordinating Committee, which shall make
3686 recommendations related to statewide articulation policies and
3687 issues regarding access, quality, and reporting of data
3688 maintained by the K-20 data warehouse, established pursuant to
3689 ss. 1001.10 and 1008.31, to the Higher Education Coordination
3690 Council, the State Board of Education, ~~and~~ the Board of
3691 Governors, and the State Board of Community Colleges. The
3692 committee shall consist of two members each representing the
3693 State University System, the Florida Community College System,
3694 public career and technical education, K-12 education, and
3695 nonpublic postsecondary education and one member representing
3696 students. The chair shall be elected from the membership. The
3697 Office of K-20 Articulation shall provide administrative support
3698 for the committee. The committee shall:

3699 (a) Monitor the alignment between the exit requirements of
3700 one education system and the admissions requirements of another
3701 education system into which students typically transfer and make
3702 recommendations for improvement.

3703 (b) Propose guidelines for interinstitutional agreements
3704 between and among public schools, career and technical education
3705 centers, Florida Community College System institutions, state
3706 universities, and nonpublic postsecondary institutions.

3707 (c) Annually recommend dual enrollment course and high
3708 school subject area equivalencies for approval by the State
3709 Board of Education, ~~and~~ the Board of Governors, and the State
3710 Board of Community Colleges.

3711 (d) Annually review the statewide articulation agreement
3712 pursuant to s. 1007.23 and make recommendations for revisions.

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3713 (e) Annually review the statewide course numbering system,
3714 the levels of courses, and the application of transfer credit
3715 requirements among public and nonpublic institutions
3716 participating in the statewide course numbering system and
3717 identify instances of student transfer and admissions
3718 difficulties.

3719 (f) Annually publish a list of courses that meet common
3720 general education and common degree program prerequisite
3721 requirements at public postsecondary institutions identified
3722 pursuant to s. 1007.25.

3723 (g) Foster timely collection and reporting of statewide
3724 education data to improve the K-20 education performance
3725 accountability system pursuant to ss. 1001.10 and 1008.31,
3726 including, but not limited to, data quality, accessibility, and
3727 protection of student records.

3728 (h) Recommend roles and responsibilities of public
3729 education entities in interfacing with the single, statewide
3730 computer-assisted student advising system established pursuant
3731 to s. 1006.735.

3732 (i) Make recommendations regarding the cost and
3733 requirements to develop and implement an online system for
3734 collecting and analyzing data regarding requests for transfer of
3735 credit by postsecondary education students. The online system,
3736 at a minimum, must collect information regarding the total
3737 number of credit transfer requests denied and the reason for
3738 each denial. Recommendations shall be reported to the President
3739 of the Senate and the Speaker of the House of Representatives on
3740 or before January 31, 2015.

3741 Section 56. Subsections (1) and (6) of section 1007.23,

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3742 Florida Statutes, are amended, and subsection (7) is added to
3743 that section, to read:

3744 1007.23 Statewide articulation agreement.—

3745 (1) The State Board of Education, and ~~and~~ the Board of
3746 Governors, and the State Board of Community Colleges shall enter
3747 into a statewide articulation agreement which the State Board of
3748 Education and the State Board of Community Colleges shall adopt
3749 by rule. The agreement must preserve Florida's "2+2" system of
3750 articulation, facilitate the seamless articulation of student
3751 credit across and among Florida's educational entities, and
3752 reinforce the provisions of this chapter by governing:

3753 (a) Articulation between secondary and postsecondary
3754 education;

3755 (b) Admission of associate in arts degree graduates from
3756 Florida Community College System institutions and state
3757 universities;

3758 (c) Admission of applied technology diploma program
3759 graduates from Florida Community College System institutions or
3760 career centers;

3761 (d) Admission of associate in science degree and associate
3762 in applied science degree graduates from Florida Community
3763 College System institutions;

3764 (e) The use of acceleration mechanisms, including
3765 nationally standardized examinations through which students may
3766 earn credit;

3767 (f) General education requirements and statewide course
3768 numbers as provided for in ss. 1007.24 and 1007.25; and

3769 (g) Articulation among programs in nursing.

3770 (6) The articulation agreement must guarantee the

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3771 articulation of 9 credit hours toward a postsecondary degree in
3772 early childhood education for programs approved by the State
3773 Board of Community Colleges ~~Education~~ and the Board of Governors
3774 which:

3775 (a) Award a child development associate credential issued
3776 by the National Credentialing Program of the Council for
3777 Professional Recognition or award a credential approved under s.
3778 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
3779 child development associate credential; and

3780 (b) Include training in emergent literacy which meets or
3781 exceeds the minimum standards for training courses for
3782 prekindergarten instructors of the Voluntary Prekindergarten
3783 Education Program in s. 1002.59.

3784 (7) To strengthen Florida's "2+2" system of articulation
3785 and improve student retention and on-time graduation, by the
3786 2018-2019 academic year, each Florida Community College System
3787 institution shall execute at least one "2+2" targeted pathway
3788 articulation agreement with one or more state universities to
3789 establish "2+2" targeted pathway programs. The agreement must
3790 provide students who graduate with an associate in arts degree
3791 and who meet specified requirements guaranteed access to the
3792 state university and a degree program at that university, in
3793 accordance with the terms of the "2+2" targeted pathway
3794 articulation agreement.

3795 (a) To participate in a "2+2" targeted pathway program, a
3796 student must:

3797 1. Enroll in the program before completing 30 credit hours,
3798 including, but not limited to, college credits earned through
3799 articulated acceleration mechanisms pursuant to s. 1007.27;

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3800 2. Complete an associate in arts degree; and

3801 3. Meet the university's transfer requirements.

3802 (b) A state university that executes a "2+2" targeted
3803 pathway articulation agreement must meet the following
3804 requirements in order to implement a "2+2" targeted pathway
3805 program in collaboration with its partner Florida Community
3806 College System institution:

3807 1. Establish a 4-year on-time graduation plan for a
3808 baccalaureate degree program, including, but not limited to, a
3809 plan for students to complete associate in arts degree programs,
3810 general education courses, common prerequisite courses, and
3811 elective courses;

3812 2. Advise students enrolled in the program about the
3813 university's transfer and degree program requirements; and

3814 3. Provide students who meet the requirements under this
3815 paragraph with access to academic advisors and campus events and
3816 with guaranteed admittance to the state university and a degree
3817 program of the state university, in accordance with the terms of
3818 the agreement.

3819 (c) To assist the state universities and Florida Community
3820 College System institutions with implementing the "2+2" targeted
3821 pathway programs effectively, the State Board of Community
3822 Colleges and the Board of Governors shall collaborate to
3823 eliminate barriers in executing "2+2" targeted pathway
3824 articulation agreements.

3825 Section 57. Subsections (1), (2), and (3) of section
3826 1007.24, Florida Statutes, are amended to read:

3827 1007.24 Statewide course numbering system.—

3828 (1) The Department of Education, in conjunction with the

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3829 Board of Governors and the State Board of Community Colleges,
3830 shall develop, coordinate, and maintain a statewide course
3831 numbering system for postsecondary and dual enrollment education
3832 in school districts, public postsecondary educational
3833 institutions, and participating nonpublic postsecondary
3834 educational institutions that will improve program planning,
3835 increase communication among all delivery systems, and
3836 facilitate student acceleration and the transfer of students and
3837 credits between public school districts, public postsecondary
3838 educational institutions, and participating nonpublic
3839 educational institutions. The continuing maintenance of the
3840 system shall be accomplished with the assistance of appropriate
3841 faculty committees representing public and participating
3842 nonpublic educational institutions.

3843 (2) The Commissioner of Education, in conjunction with the
3844 Chancellor of the Florida Community College System and the
3845 Chancellor of the State University System, shall appoint faculty
3846 committees representing faculties of participating institutions
3847 to recommend a single level for each course, including
3848 postsecondary career education courses, included in the
3849 statewide course numbering system.

3850 (a) Any course designated as an upper-division-level course
3851 must be characterized by a need for advanced academic
3852 preparation and skills that a student would be unlikely to
3853 achieve without significant prior coursework.

3854 (b) A course that is offered as part of an associate in
3855 science degree program and as an upper-division course for a
3856 baccalaureate degree shall be designated for both the lower and
3857 upper division.

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3858 (c) A course designated as lower-division may be offered by
3859 any Florida Community College System institution.

3860 (3) The Commissioner of Education shall recommend to the
3861 State Board of Education the levels for the courses. The State
3862 Board of Education, with input from the Board of Governors and
3863 the State Board of Community Colleges, shall approve the levels
3864 for the courses.

3865 Section 58. Subsections (3), (5), and (8) through (11) of
3866 section 1007.25, Florida Statutes, are amended to read:

3867 1007.25 General education courses; common prerequisites;
3868 other degree requirements.—

3869 (3) The chair of the State Board of Community Colleges
3870 ~~Education~~ and the chair of the Board of Governors, or their
3871 designees, shall jointly appoint faculty committees to identify
3872 statewide general education core course options. General
3873 education core course options shall consist of a maximum of five
3874 courses within each of the subject areas of communication,
3875 mathematics, social sciences, humanities, and natural sciences.
3876 The core courses may be revised, or the five-course maximum
3877 within each subject area may be exceeded, if approved by the
3878 State Board of Community Colleges ~~Education~~ and the Board of
3879 Governors, as recommended by the subject area faculty committee
3880 and approved by the Articulation Coordinating Committee as
3881 necessary for a subject area. Each general education core course
3882 option must contain high-level academic and critical thinking
3883 skills and common competencies that students must demonstrate to
3884 successfully complete the course. Beginning with students
3885 initially entering a Florida Community College System
3886 institution or state university in 2015-2016 and thereafter,

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3887 each student must complete at least one identified core course
3888 in each subject area as part of the general education course
3889 requirements. All public postsecondary educational institutions
3890 shall accept these courses as meeting general education core
3891 course requirements. The remaining general education course
3892 requirements shall be identified by each institution and
3893 reported to the department by their statewide course number. The
3894 general education core course options shall be adopted in rule
3895 by the State Board of Community Colleges ~~Education~~ and in
3896 regulation by the Board of Governors.

3897 (5) The department shall identify common prerequisite
3898 courses and course substitutions for degree programs across all
3899 institutions. Common degree program prerequisites shall be
3900 offered and accepted by all state universities and Florida
3901 Community College System institutions, except in cases approved
3902 by the State Board of Community Colleges, ~~Education~~ for Florida
3903 Community College System institutions, and the Board of
3904 Governors, for state universities. The department shall develop
3905 a centralized database containing the list of courses and course
3906 substitutions that meet the prerequisite requirements for each
3907 baccalaureate degree program.

3908 (8) A baccalaureate degree program shall require no more
3909 than 120 semester hours of college credit and include 36
3910 semester hours of general education coursework, unless prior
3911 approval has been granted by the Board of Governors for
3912 baccalaureate degree programs offered by state universities and
3913 by the State Board of Community Colleges ~~Education~~ for
3914 baccalaureate degree programs offered by Florida Community
3915 College System institutions.

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3916 (9) A student who received an associate in arts degree for
3917 successfully completing 60 semester credit hours may continue to
3918 earn ~~additional~~ credits at a Florida Community College System
3919 institution. The university must provide credit toward the
3920 student's baccalaureate degree for a ~~an additional~~ Florida
3921 Community College System institution course if, according to the
3922 statewide course numbering, the Florida Community College System
3923 institution course is a course listed in the university catalog
3924 as required for the degree or as prerequisite to a course
3925 required for the degree. Of the courses required for the degree,
3926 at least half of the credit hours required for the degree shall
3927 be achievable through courses designated as lower division,
3928 except in degree programs approved by the State Board of
3929 Community Colleges ~~Education~~ for programs offered by Florida
3930 Community College System institutions and by the Board of
3931 Governors for programs offered by state universities.

3932 (10) Students at state universities may request associate
3933 in arts certificates if they have successfully completed the
3934 minimum requirements for the degree of associate in arts (A.A.).
3935 The university must grant the student an associate in arts
3936 degree if the student has successfully completed minimum
3937 requirements for college-level communication and computation
3938 skills adopted by the State Board of Community Colleges
3939 ~~Education~~ and 60 academic semester hours or the equivalent
3940 within a degree program area, including 36 semester hours in
3941 general education courses in the subject areas of communication,
3942 mathematics, social sciences, humanities, and natural sciences,
3943 consistent with the general education requirements specified in
3944 the articulation agreement pursuant to s. 1007.23.

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3945 (11) The Commissioner of Education and the Chancellor of
3946 the Florida Community College System shall jointly appoint
3947 faculty committees representing both Florida Community College
3948 System institution and public school faculties to recommend to
3949 the commissioner, or the Chancellor of the Florida Community
3950 College System, as applicable, for approval by the State Board
3951 of Education and the State Board of Community Colleges, as
3952 applicable, a standard program length and appropriate
3953 occupational completion points for each postsecondary career
3954 certificate program, diploma, and degree offered by a school
3955 district or a Florida Community College System institution.

3956 Section 59. Section 1007.262, Florida Statutes, is amended
3957 to read:

3958 1007.262 Foreign language competence; equivalence
3959 determinations.—The Department of Education shall identify the
3960 competencies demonstrated by students upon the successful
3961 completion of 2 credits of sequential high school foreign
3962 language instruction. For the purpose of determining
3963 postsecondary equivalence, the State Board of Community Colleges
3964 ~~department~~ shall develop rules through which Florida Community
3965 College System institutions correlate such competencies to the
3966 competencies required of students in the colleges' respective
3967 courses. Based on this correlation, each Florida Community
3968 College System institution shall identify the minimum number of
3969 postsecondary credits that students must earn in order to
3970 demonstrate a level of competence in a foreign language at least
3971 equivalent to that of students who have completed 2 credits of
3972 such instruction in high school. The department may also specify
3973 alternative means by which students can demonstrate equivalent

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3974 foreign language competence, including means by which a student
3975 whose native language is not English may demonstrate proficiency
3976 in the native language. A student who demonstrates proficiency
3977 in a native language other than English is exempt from a
3978 requirement of completing foreign language courses at the
3979 secondary or Florida Community College System level.

3980 Section 60. Section 1007.263, Florida Statutes, is amended
3981 to read:

3982 1007.263 Florida Community College System institutions;
3983 admissions of students.—Each Florida Community College System
3984 institution board of trustees is authorized to adopt rules
3985 governing admissions of students subject to this section and
3986 rules of the State Board of Community Colleges ~~Education~~. These
3987 rules shall include the following:

3988 (1) Admissions counseling shall be provided to all students
3989 entering college or career credit programs. For students who are
3990 not otherwise exempt from testing under s. 1008.30, counseling
3991 must use tests to measure achievement of college-level
3992 communication and computation competencies by students entering
3993 college credit programs or tests to measure achievement of basic
3994 skills for career education programs as prescribed in s.
3995 1004.91. Counseling includes providing developmental education
3996 options for students whose assessment results, determined under
3997 s. 1008.30, indicate that they need to improve communication or
3998 computation skills that are essential to perform college-level
3999 work.

4000 (2) Admission to associate degree programs is subject to
4001 minimum standards adopted by the State Board of Community
4002 Colleges ~~Education~~ and shall require:

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4003 (a) A standard high school diploma, a high school
4004 equivalency diploma as prescribed in s. 1003.435, previously
4005 demonstrated competency in college credit postsecondary
4006 coursework, or, in the case of a student who is home educated, a
4007 signed affidavit submitted by the student's parent or legal
4008 guardian attesting that the student has completed a home
4009 education program pursuant to the requirements of s. 1002.41.
4010 Students who are enrolled in a dual enrollment or early
4011 admission program pursuant to s. 1007.271 are exempt from this
4012 requirement.

4013 (b) A demonstrated level of achievement of college-level
4014 communication and computation skills.

4015 (c) Any other requirements established by the board of
4016 trustees.

4017 (3) Admission to other programs within the Florida
4018 Community College System institution shall include education
4019 requirements as established by the board of trustees.

4020 (4) A student who has been awarded a certificate of
4021 completion under s. 1003.4282 is eligible to enroll in
4022 certificate career education programs.

4023 (5) A student with a documented disability may be eligible
4024 for reasonable substitutions, as prescribed in ss. 1007.264 and
4025 1007.265.

4026
4027 Each board of trustees shall establish policies that notify
4028 students about developmental education options for improving
4029 their communication or computation skills that are essential to
4030 performing college-level work, including tutoring, extended time
4031 in gateway courses, free online courses, adult basic education,

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4032 adult secondary education, or private provider instruction.

4033 Section 61. Subsection (2) of section 1007.264, Florida
4034 Statutes, is amended to read:

4035 1007.264 Persons with disabilities; admission to
4036 postsecondary educational institutions; substitute requirements;
4037 rules and regulations.—

4038 (2) The State Board of Community Colleges ~~Education~~, in
4039 consultation with the Board of Governors, shall adopt rules to
4040 implement this section for Florida Community College System
4041 institutions and shall develop substitute admission requirements
4042 where appropriate.

4043 Section 62. Subsections (2) and (3) of section 1007.265,
4044 Florida Statutes, are amended to read:

4045 1007.265 Persons with disabilities; graduation, study
4046 program admission, and upper-division entry; substitute
4047 requirements; rules and regulations.—

4048 (2) The State Board of Community Colleges ~~Education~~, in
4049 consultation with the Board of Governors, shall adopt rules to
4050 implement this section for Florida Community College System
4051 institutions and shall develop substitute requirements where
4052 appropriate.

4053 (3) The Board of Governors, in consultation with the State
4054 Board of Community Colleges ~~Education~~, shall adopt regulations
4055 to implement this section for state universities and shall
4056 develop substitute requirements where appropriate.

4057 Section 63. Subsections (6), (7), and (8) of section
4058 1007.27, Florida Statutes, are amended to read:

4059 1007.27 Articulated acceleration mechanisms.—

4060 (6) Credit by examination shall be the program through

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4061 which secondary and postsecondary students generate
4062 postsecondary credit based on the receipt of a specified minimum
4063 score on nationally standardized general or subject-area
4064 examinations. For the purpose of statewide application, such
4065 examinations and the corresponding minimum scores required for
4066 an award of credit shall be delineated by the State Board of
4067 Education, ~~and the Board of Governors,~~ and the State Board of
4068 Community Colleges in the statewide articulation agreement
4069 required by s. 1007.23(1). The maximum credit generated by a
4070 student pursuant to this subsection shall be mitigated by any
4071 related postsecondary credit earned by the student prior to the
4072 administration of the examination. This subsection shall not
4073 preclude Florida Community College System institutions and
4074 universities from awarding credit by examination based on
4075 student performance on examinations developed within and
4076 recognized by the individual postsecondary institutions.

4077 (7) The International Baccalaureate Program shall be the
4078 curriculum in which eligible secondary students are enrolled in
4079 a program of studies offered through the International
4080 Baccalaureate Program administered by the International
4081 Baccalaureate Office. The State Board of Community Colleges
4082 ~~Education~~ and the Board of Governors shall specify in the
4083 statewide articulation agreement required by s. 1007.23(1) the
4084 cutoff scores and International Baccalaureate Examinations which
4085 will be used to grant postsecondary credit at Florida Community
4086 College System institutions and universities. Any changes to the
4087 articulation agreement, ~~7~~ which have the effect of raising the
4088 required cutoff score or of changing the International
4089 Baccalaureate Examinations which will be used to grant

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4090 postsecondary credit, shall only apply to students taking
4091 International Baccalaureate Examinations after such changes are
4092 adopted by the State Board of Community Colleges Education and
4093 the Board of Governors. Students shall be awarded a maximum of
4094 30 semester credit hours pursuant to this subsection. The
4095 specific course for which a student may receive such credit
4096 shall be specified in the statewide articulation agreement
4097 required by s. 1007.23(1). Students enrolled pursuant to this
4098 subsection shall be exempt from the payment of any fees for
4099 administration of the examinations regardless of whether or not
4100 the student achieves a passing score on the examination.

4101 (8) The Advanced International Certificate of Education
4102 Program and the International General Certificate of Secondary
4103 Education (pre-AICE) Program shall be the curricula in which
4104 eligible secondary students are enrolled in programs of study
4105 offered through the Advanced International Certificate of
4106 Education Program or the International General Certificate of
4107 Secondary Education (pre-AICE) Program administered by the
4108 University of Cambridge Local Examinations Syndicate. The State
4109 Board of Community Colleges Education and the Board of Governors
4110 shall specify in the statewide articulation agreement required
4111 by s. 1007.23(1) the cutoff scores and Advanced International
4112 Certificate of Education examinations which will be used to
4113 grant postsecondary credit at Florida Community College System
4114 institutions and universities. Any changes to the cutoff scores,
4115 which changes have the effect of raising the required cutoff
4116 score or of changing the Advanced International Certification of
4117 Education examinations which will be used to grant postsecondary
4118 credit, shall apply to students taking Advanced International

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4119 Certificate of Education examinations after such changes are
4120 adopted by the State Board of Community Colleges ~~Education~~ and
4121 the Board of Governors. Students shall be awarded a maximum of
4122 30 semester credit hours pursuant to this subsection. The
4123 specific course for which a student may receive such credit
4124 shall be determined by the Florida Community College System
4125 institution or university that accepts the student for
4126 admission. Students enrolled in either program of study pursuant
4127 to this subsection shall be exempt from the payment of any fees
4128 for administration of the examinations regardless of whether the
4129 student achieves a passing score on the examination.

4130 Section 64. Subsections (3) and (22) of section 1007.271,
4131 Florida Statutes, are amended to read:

4132 1007.271 Dual enrollment programs.—

4133 (3) Student eligibility requirements for initial enrollment
4134 in college credit dual enrollment courses must include a 3.0
4135 unweighted high school grade point average and the minimum score
4136 on a common placement test adopted by the State Board of
4137 Education which indicates that the student is ready for college-
4138 level coursework. Student eligibility requirements for continued
4139 enrollment in college credit dual enrollment courses must
4140 include the maintenance of a 3.0 unweighted high school grade
4141 point average and the minimum postsecondary grade point average
4142 established by the postsecondary institution. Regardless of
4143 meeting student eligibility requirements for continued
4144 enrollment, a student may lose the opportunity to participate in
4145 a dual enrollment course if the student is disruptive to the
4146 learning process such that the progress of other students or the
4147 efficient administration of the course is hindered. Student

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4148 eligibility requirements for initial and continued enrollment in
4149 career certificate dual enrollment courses must include a 2.0
4150 unweighted high school grade point average. Exceptions to the
4151 required grade point averages may be granted on an individual
4152 student basis if the educational entities agree and the terms of
4153 the agreement are contained within the dual enrollment
4154 articulation agreement established pursuant to subsection (21).
4155 Florida Community College System institution boards of trustees
4156 may establish additional initial student eligibility
4157 requirements, which shall be included in the dual enrollment
4158 articulation agreement, to ensure student readiness for
4159 postsecondary instruction. Additional requirements included in
4160 the agreement may not arbitrarily prohibit students who have
4161 demonstrated the ability to master advanced courses from
4162 participating in dual enrollment courses.

4163 (22) The Department of Education shall develop an
4164 electronic submission system for dual enrollment articulation
4165 agreements and shall review, for compliance, each dual
4166 enrollment articulation agreement submitted pursuant to
4167 subsections (13), (21), and (24). The Commissioner of Education
4168 shall notify the district school superintendent and the Florida
4169 Community College System institution president if the dual
4170 enrollment articulation agreement does not comply with statutory
4171 requirements and shall submit any dual enrollment articulation
4172 agreement with unresolved issues of noncompliance to the State
4173 Board of Education. The State Board of Education shall
4174 collaborate with the State Board of Community Colleges to
4175 resolve unresolved issues of noncompliance.

4176 Section 65. Subsection (6) of section 1007.273, Florida

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4177 Statutes, is amended to read:

4178 1007.273 Collegiate high school program.—

4179 (6) The collegiate high school program shall be funded
4180 pursuant to ss. 1007.271 and 1011.62. The State Board of
4181 Education shall enforce compliance with this section by
4182 withholding the transfer of funds for the school districts ~~and~~
4183 ~~the Florida College System institutions~~ in accordance with s.
4184 1008.32. Annually by December 31, the State Board of Community
4185 Colleges shall enforce compliance with this section by
4186 withholding the transfer of funds for the Florida Community
4187 College System institutions in accordance with s. 1001.602.

4188 Section 66. Section 1007.33, Florida Statutes, is amended
4189 to read:

4190 1007.33 Site-determined baccalaureate degree access.—

4191 (1) (a) The Legislature recognizes that public and private
4192 postsecondary educational institutions play an essential role in
4193 improving the quality of life and economic well-being of the
4194 state and its residents. The Legislature also recognizes that
4195 economic development needs and the educational needs of place-
4196 bound, nontraditional students have increased the demand for
4197 local access to baccalaureate degree programs. It is therefore
4198 the intent of the Legislature to further expand access to
4199 baccalaureate degree programs through the use of Florida
4200 Community College System institutions.

4201 (b) For purposes of this section, the term "district"
4202 refers to the county or counties served by a Florida Community
4203 College System institution pursuant to s. 1000.21(3).

4204 (2) Any Florida Community College System institution that
4205 offers one or more baccalaureate degree programs must:

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- 4206 (a) Maintain as its primary mission:
- 4207 1. Responsibility for responding to community needs for
- 4208 postsecondary academic education and career degree education as
- 4209 prescribed in s. 1004.65(5).
- 4210 2. The provision of associate degrees that provide access
- 4211 to a university.
- 4212 (b) Maintain an open-door admission policy for associate-
- 4213 level degree programs and workforce education programs.
- 4214 (c) Continue to provide outreach to underserved
- 4215 populations.
- 4216 (d) Continue to provide remedial education pursuant to s.
- 4217 1008.30.
- 4218 (e) Comply with all provisions of the statewide
- 4219 articulation agreement which relate to 2-year and 4-year public
- 4220 degree-granting institutions as adopted by the State Board of
- 4221 Education or the State Board of Community Colleges, as
- 4222 applicable, pursuant to s. 1007.23.
- 4223 (f) Not award graduate credit.
- 4224 (g) Not participate in intercollegiate athletics beyond the
- 4225 2-year level.
- 4226 (3) A Florida Community College System institution may not
- 4227 terminate its associate in arts or associate in science degree
- 4228 programs as a result of being authorized to offer one or more
- 4229 baccalaureate degree programs. The Legislature intends that the
- 4230 primary responsibility of a Florida Community College System
- 4231 institution, including a Florida Community College System
- 4232 institution that offers baccalaureate degree programs, continues
- 4233 to be the provision of associate degrees that provide access to
- 4234 a university.

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4235 (4) A Florida Community College System institution may:

4236 (a) Offer specified baccalaureate degree programs through
4237 formal agreements between the Florida Community College System
4238 institution and other regionally accredited postsecondary
4239 educational institutions pursuant to s. 1007.22.

4240 (b) Offer baccalaureate degree programs that are ~~were~~
4241 authorized by law ~~prior to July 1, 2009.~~

4242 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~
4243 ~~baccalaureate degree program for purposes of meeting district,~~
4244 ~~regional, or statewide workforce needs if approved by the State~~
4245 ~~Board of Community Colleges ~~Education~~ under this section.~~
4246 However, a Florida Community College System institution may not
4247 offer a bachelor of arts degree program.

4248
4249 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
4250 ~~College is authorized to establish one or more bachelor of~~
4251 ~~applied science degree programs based on an analysis of~~
4252 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
4253 ~~other counties approved by the Department of Education. For each~~
4254 ~~program selected, St. Petersburg College must offer a related~~
4255 ~~associate in science or associate in applied science degree~~
4256 ~~program, and the baccalaureate degree level program must be~~
4257 ~~designed to articulate fully with at least one associate in~~
4258 ~~science degree program. The college is encouraged to develop~~
4259 ~~articulation agreements for enrollment of graduates of related~~
4260 ~~associate in applied science degree programs. The Board of~~
4261 ~~Trustees of St. Petersburg College is authorized to establish~~
4262 ~~additional baccalaureate degree programs if it determines a~~
4263 ~~program is warranted and feasible based on each of the factors~~

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4264 in paragraph (5) (d). However, the Board of Trustees of St.
4265 Petersburg College may not establish any new baccalaureate
4266 degree programs from March 31, 2014, through May 31, 2015. Prior
4267 to developing or proposing a new baccalaureate degree program,
4268 St. Petersburg College shall engage in need, demand, and impact
4269 discussions with the state university in its service district
4270 and other local and regional, accredited postsecondary providers
4271 in its region. Documentation, data, and other information from
4272 inter-institutional discussions regarding program need, demand,
4273 and impact shall be provided to the college's board of trustees
4274 to inform the program approval process. Employment at St.
4275 Petersburg College is governed by the same laws that govern
4276 Florida College System institutions, except that upper-division
4277 faculty are eligible for continuing contracts upon the
4278 completion of the fifth year of teaching. Employee records for
4279 all personnel shall be maintained as required by s. 1012.81.

4280 (5) The approval process for baccalaureate degree programs
4281 requires shall require:

4282 (a) Each Florida Community College System institution to
4283 submit a notice of interest at least 180 days before submitting
4284 a notice of its intent to propose a baccalaureate degree program
4285 to the Division of Florida Colleges at least 100 days before the
4286 submission of its proposal under paragraph (d). The notice of
4287 interest must be submitted into a shared postsecondary database
4288 that allows other postsecondary institutions to preview and
4289 provide feedback on the notice of interest. A written notice of
4290 intent must be submitted to the Chancellor of the Florida
4291 Community College System at least 100 days before the submission
4292 of a baccalaureate degree program proposal under paragraph (c).

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4293 The notice of intent must include a brief description of the
4294 program, the workforce demand and unmet need for graduates of
4295 the program to include evidence from entities independent of the
4296 institution, the geographic region to be served, and an
4297 estimated timeframe for implementation. Notices of interest and
4298 intent may be submitted by a Florida Community College System
4299 institution at any time throughout the year. The notice of
4300 intent must also include evidence that the Florida Community
4301 College System institution engaged in need, demand, and impact
4302 discussions with the state university and other regionally
4303 accredited postsecondary education providers in its service
4304 district.

4305 (b) The Chancellor of the Florida Community College System
4306 ~~Division of Florida Colleges~~ to forward the notice of intent
4307 submitted pursuant to paragraph (a) and the justification for
4308 the proposed baccalaureate degree program required under
4309 paragraph (c) within 10 business days after receiving such
4310 notice and justification to the Chancellor of the State
4311 University System, the president of the Independent Colleges and
4312 Universities of Florida, and the Executive Director of the
4313 Commission for Independent Education. State universities ~~shall~~
4314 have 60 days following receipt of the notice of intent and
4315 justification by the Chancellor of the State University System
4316 to submit an objection and a reason for the objection to the
4317 proposed baccalaureate degree program, which may include
4318 ~~objections to the proposed new program or submit~~ an alternative
4319 proposal to offer the baccalaureate degree program. The
4320 Chancellor of the State University System shall review the
4321 objection raised by a state university and inform the Board of

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4322 Governors of the objection before a state university submits its
4323 objection to the Chancellor of the Florida Community College
4324 System. The Chancellor of the Florida Community College System
4325 must consult with the Chancellor of the State University System
4326 to consider the objection raised by the state university before
4327 the State Board of Community Colleges approves or denies a
4328 Florida Community College System institution's proposal
4329 submitted pursuant to paragraph (c). If a proposal from a state
4330 university is not received within the 60-day period, The
4331 Chancellor of the Florida Community College System State Board
4332 of Education shall also provide regionally accredited private
4333 colleges and universities 60 30 days to submit an objection and
4334 a reason for the objection to the proposed baccalaureate degree
4335 program, which may include an alternative proposal to offer a
4336 baccalaureate degree program objections to the proposed new
4337 program or submit an alternative proposal. Objections by a
4338 regionally accredited private college or university or
4339 alternative proposals shall be submitted to the Chancellor of
4340 the Florida Community College System, and the state board must
4341 consider such objections before Division of Florida Colleges and
4342 must be considered by the State Board of Education in making its
4343 decision to approve or deny a Florida Community College System
4344 institution's proposal submitted pursuant to paragraph (c).

4345 ~~(c) An alternative proposal submitted by a state university~~
4346 ~~or private college or university to adequately address:~~

4347 ~~1. The extent to which the workforce demand and unmet need~~
4348 ~~described in the notice of intent will be met.~~

4349 ~~2. The extent to which students will be able to complete~~
4350 ~~the degree in the geographic region proposed to be served by the~~

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4351 ~~Florida College System institution.~~

4352 ~~3. The level of financial commitment of the college or~~
4353 ~~university to the development, implementation, and maintenance~~
4354 ~~of the specified degree program, including timelines.~~

4355 ~~4. The extent to which faculty at both the Florida College~~
4356 ~~System institution and the college or university will~~
4357 ~~collaborate in the development and offering of the curriculum.~~

4358 ~~5. The ability of the Florida College System institution~~
4359 ~~and the college or university to develop and approve the~~
4360 ~~curriculum for the specified degree program within 6 months~~
4361 ~~after an agreement between the Florida College System~~
4362 ~~institution and the college or university is signed.~~

4363 ~~6. The extent to which the student may incur additional~~
4364 ~~costs above what the student would expect to incur if the~~
4365 ~~program were offered by the Florida College System institution.~~

4366 ~~(c)-(d)~~ Each Florida Community College System institution to
4367 submit a baccalaureate degree program proposal at least 100 days
4368 after submitting the notice of intent. Each proposal must
4369 ~~submitted by a Florida College System institution to, at a~~
4370 ~~minimum, include:~~

4371 1. A description of the planning process and timeline for
4372 implementation.

4373 2. A justification for the proposed baccalaureate degree
4374 program, including, at a minimum, a data-driven ~~An~~ analysis of
4375 workforce demand and unmet need for graduates of the program on
4376 a district, regional, or statewide basis, as appropriate, and
4377 the extent to which the proposed program will meet the workforce
4378 demand and unmet need. The analysis must include workforce and
4379 employment data for the most recent years and projections by the

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4380 Department of Economic Opportunity for future years, and a
4381 summary of degree programs similar to the proposed degree
4382 program which are currently offered by state universities or by
4383 independent nonprofit colleges or universities that are eligible
4384 to participate in a grant program pursuant to s. 1009.89 and
4385 which are located in the Florida Community College System
4386 institution's regional service area. The analysis and evidence
4387 must be verified by the Chancellor of the Florida Community
4388 College System including evidence from entities independent of
4389 the institution.

4390 3. Identification of the facilities, equipment, and library
4391 and academic resources that will be used to deliver the program.

4392 4. The program cost analysis of creating a new
4393 baccalaureate degree when compared to ~~alternative proposals and~~
4394 other program delivery options.

4395 5. The program's admission requirements, academic content,
4396 curriculum, faculty credentials, student-to-teacher ratios, and
4397 accreditation plan.

4398 6. The program's student enrollment ~~projections~~ and funding
4399 requirements, including:

4400 a. The impact of the program's enrollment projections on
4401 compliance with the upper-level enrollment provisions under
4402 subsection (6); and

4403 b. The institution's efforts to sustain the program at the
4404 cost of tuition and fees for students who are classified as
4405 residents for tuition purposes under s. 1009.21, not to exceed
4406 \$10,000 for the entire degree program, including flexible
4407 tuition and fee rates, and the use of waivers pursuant to s.
4408 1009.26(11).

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4409 7. A plan of action if the program is terminated.

4410 ~~(d)(e)~~ The State Board of Community ~~Division of Florida~~
4411 Colleges to review the proposal, notify the Florida Community
4412 College System institution of any deficiencies in writing within
4413 30 days following receipt of the proposal, and provide the
4414 Florida Community College System institution with an opportunity
4415 to correct the deficiencies. Within 45 days following receipt of
4416 a completed proposal by the State Board of Community ~~Division of~~
4417 ~~Florida~~ Colleges, the Chancellor of the Florida Community
4418 College System ~~Commissioner of Education~~ shall recommend
4419 approval or disapproval of the proposal to the State Board of
4420 Community Colleges ~~Education~~. The State Board of Community
4421 Colleges ~~Education~~ shall consider such recommendation, the
4422 proposal, input from the Chancellor of the State University
4423 System and the president of the Independent Colleges and
4424 Universities of Florida, and any objections or alternative
4425 proposals at its next meeting. If the State Board of Community
4426 Colleges ~~Education~~ disapproves the Florida Community College
4427 System institution's proposal, it shall provide the Florida
4428 Community College System institution with written reasons for
4429 that determination.

4430 ~~(e)(f)~~ The Florida Community College System institution to
4431 obtain from the Commission on Colleges of the Southern
4432 Association of Colleges and Schools accreditation as a
4433 baccalaureate-degree-granting institution if approved by the
4434 State Board of Community Colleges ~~Education~~ to offer its first
4435 baccalaureate degree program.

4436 ~~(f)(g)~~ The Florida Community College System institution to
4437 notify the Commission on Colleges of the Southern Association of

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4438 Colleges and Schools of subsequent degree programs that are
4439 approved by the State Board of Community Colleges ~~Education~~ and
4440 to comply with the association's required substantive change
4441 protocols for accreditation purposes.

4442 ~~(g)-(h)~~ The Florida Community College System institution to
4443 annually report to the State Board of Community Colleges, the
4444 Chancellor of the State University System, and ~~upon request of~~
4445 ~~the State Board of Education, the Commissioner of Education, the~~
4446 ~~Chancellor of the Florida College System, or the Legislature,~~
4447 ~~report~~ its status using the following performance and compliance
4448 indicators:

4449 1. Obtaining and maintaining appropriate Southern
4450 Association of Colleges and Schools accreditation;

4451 2. Maintaining qualified faculty and institutional
4452 resources;

4453 3. Maintaining student enrollment in previously approved
4454 programs;

4455 4. Managing fiscal resources appropriately;

4456 5. Complying with the primary mission and responsibility
4457 requirements in subsections (2) and (3); ~~and~~

4458 6. Other indicators of success, including program
4459 completions, employment and earnings outcomes, student
4460 acceptance into and performance in graduate programs ~~placements,~~
4461 and surveys of graduates and employers; ~~and-~~

4462 7. Continuing to meet workforce demand, as provided in
4463 subparagraph (c)2., as demonstrated through a data-driven needs
4464 assessment by the Florida Community College System institution
4465 which is verified by more than one third-party professional
4466 entity that is independent of the institution.

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4467 8. Complying with the upper-level enrollment provisions
4468 under subsection (6).

4469
4470 The State Board of Community Colleges Education, upon annual
4471 review of the baccalaureate degree program performance and
4472 compliance indicators and needs assessment, may require a
4473 Florida Community College System institution's board of trustees
4474 to modify or terminate a baccalaureate degree program authorized
4475 under this section. If the annual review indicates negative
4476 program performance and compliance results, and if the needs
4477 assessment fails to demonstrate a need for the program, the
4478 State Board of Community Colleges must require a Florida
4479 Community College System institution's board of trustees to
4480 terminate that baccalaureate degree program.

4481 (6) (a) If the 2015-2016 total upper-level, undergraduate
4482 full-time equivalent enrollment at a Florida Community College
4483 System institution is at or above 10 percent of the 2015-2016
4484 combined total lower-level and upper-level full-time equivalent
4485 enrollment at that institution, the total upper-level
4486 enrollment, as a percentage of the combined enrollment, may not
4487 increase by more than 4 percentage points unless the institution
4488 obtains prior legislative approval.

4489 (b) If the 2015-2016 total upper-level, undergraduate full-
4490 time equivalent enrollment at a Florida Community College System
4491 institution is below 10 percent of the 2015-2016 combined total
4492 lower-level and upper-level full-time equivalent enrollment at
4493 that institution, the total upper-level enrollment, as a
4494 percentage of the combined enrollment, may not increase by more
4495 than 8 percentage points unless the institution obtains prior

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4496 legislative approval.

4497 (c) Notwithstanding enrollment provisions in paragraphs (a)
4498 and (b), the upper-level, undergraduate full-time equivalent
4499 enrollment at a Florida Community College System institution may
4500 not exceed 15 percent of the combined total lower-level and
4501 upper-level full-time equivalent enrollment at that institution.

4502 (d) Within the 4 percent or 8 percent growth authorized
4503 under paragraph (a) or paragraph (b), for any planned and
4504 purposeful expansion of existing baccalaureate degree programs
4505 or creation of a new baccalaureate program, a community college
4506 must demonstrate satisfactory performance in fulfilling its
4507 primary mission pursuant to s. 1004.65, executing at least one
4508 "2+2" targeted pathway articulation agreement pursuant to s.
4509 1007.23, and meeting or exceeding the performance standards
4510 related to on-time completion and graduation rates under s.
4511 1001.66 for students earning associate of arts or baccalaureate
4512 degrees. The State Board of Community Colleges may not approve a
4513 new baccalaureate degree program proposal for a community
4514 college that does not meet the conditions specified in this
4515 subsection in addition to the other requirements for approval
4516 under this section. Each community college that offers a
4517 baccalaureate degree must annually review each baccalaureate
4518 degree program and annually report to the State Board of
4519 Community Colleges, in a format prescribed by the state board,
4520 current and projected student enrollment for such program,
4521 justification for continuation of each baccalaureate degree
4522 program, and a plan to comply with the upper-level enrollment
4523 provisions of this subsection. A Florida Community College
4524 System institution that does not comply with the requirements of

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4525 this section is subject to s. 1001.602(9) and may not report for
4526 funding, the upper-level, undergraduate full-time equivalent
4527 enrollment that exceeds the upper-level enrollment percent
4528 provision of this subsection.

4529 (7)-(6) The State Board of Community Colleges Education
4530 shall adopt rules to prescribe format and content requirements
4531 and submission procedures for notices of interest and intent,
4532 baccalaureate degree program proposals, objections, proposals,
4533 alternative proposals, and compliance reviews under subsection
4534 (5).

4535 Section 67. Subsections (1), (3), (4), and (5) of section
4536 1008.30, Florida Statutes, are amended to read:

4537 1008.30 Common placement testing for public postsecondary
4538 education.—

4539 (1) The State Board of Community Colleges Education, in
4540 conjunction with the Board of Governors and the State Board of
4541 Education, shall develop and implement a common placement test
4542 for the purpose of assessing the basic computation and
4543 communication skills of students who intend to enter a degree
4544 program at any public postsecondary educational institution.
4545 Alternative assessments that may be accepted in lieu of the
4546 common placement test shall also be identified in rule. Public
4547 postsecondary educational institutions shall provide appropriate
4548 modifications of the test instruments or test procedures for
4549 students with disabilities.

4550 (3) ~~By October 31, 2013,~~ The State Board of Community
4551 Colleges, in conjunction with the Board of Governors and the
4552 State Board of Education, Education shall establish by rule the
4553 test scores a student must achieve to demonstrate readiness to

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4554 perform college-level work, and the rules must specify the
4555 following:

4556 (a) A student who entered 9th grade in a Florida public
4557 school in the 2003-2004 school year, or any year thereafter, and
4558 earned a Florida standard high school diploma or a student who
4559 is serving as an active duty member of any branch of the United
4560 States Armed Services shall not be required to take the common
4561 placement test and shall not be required to enroll in
4562 developmental education instruction in a Florida Community
4563 College System institution. However, a student who is not
4564 required to take the common placement test and is not required
4565 to enroll in developmental education under this paragraph may
4566 opt to be assessed and to enroll in developmental education
4567 instruction, and the college shall provide such assessment and
4568 instruction upon the student's request.

4569 (b) A student who takes the common placement test and whose
4570 score on the test indicates a need for developmental education
4571 must be advised of all the developmental education options
4572 offered at the institution and, after advisement, shall be
4573 allowed to enroll in the developmental education option of his
4574 or her choice.

4575 (c) A student who demonstrates readiness by achieving or
4576 exceeding the test scores established by the state board and
4577 enrolls in a Florida Community College System institution within
4578 2 years after achieving such scores shall not be required to
4579 retest or complete developmental education when admitted to any
4580 Florida Community College System institution.

4581 (4) ~~By December 31, 2013,~~ The State Board of Community
4582 Colleges Education, in consultation with the Board of Governors,

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4583 shall approve a series of meta-majors and the academic pathways
4584 that identify the gateway courses associated with each meta-
4585 major. Florida Community College System institutions shall use
4586 placement test results to determine the extent to which each
4587 student demonstrates sufficient communication and computation
4588 skills to indicate readiness for his or her chosen meta-major.
4589 Florida Community College System institutions shall counsel
4590 students into college credit courses as quickly as possible,
4591 with developmental education limited to that content needed for
4592 success in the meta-major.

4593 (5) (a) Each Florida Community College System institution
4594 board of trustees shall develop a plan to implement the
4595 developmental education strategies defined in s. 1008.02 and
4596 rules established by the State Board of Community Colleges
4597 ~~Education~~. The plan must be submitted to the Chancellor of the
4598 Florida Community College System for approval no later than
4599 March 1, 2014, for implementation no later than the fall
4600 semester 2014. Each plan must include, at a minimum, local
4601 policies that outline:

4602 1. Documented student achievements such as grade point
4603 averages, work history, military experience, participation in
4604 juried competitions, career interests, degree major declaration,
4605 or any combination of such achievements that the institution may
4606 consider, in addition to common placement test scores, for
4607 advising students regarding enrollment options.

4608 2. Developmental education strategies available to
4609 students.

4610 3. A description of student costs and financial aid
4611 opportunities associated with each option.

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4612 4. Provisions for the collection of student success data.

4613 5. A comprehensive plan for advising students into
4614 appropriate developmental education strategies based on student
4615 success data.

4616 (b) Beginning October 31, 2015, each Florida Community
4617 College System institution shall annually prepare an
4618 accountability report that includes student success data
4619 relating to each developmental education strategy implemented by
4620 the institution. The report shall be submitted to the State
4621 Board of Community ~~Division of Florida~~ Colleges by October 31 in
4622 a format determined by the Chancellor of the Florida Community
4623 College System. By December 31, the chancellor shall compile and
4624 submit the institutional reports to the Governor, the President
4625 of the Senate, the Speaker of the House of Representatives, and
4626 the State Board of Community Colleges ~~and the State Board of~~
4627 ~~Education~~.

4628 (c) A university board of trustees may contract with a
4629 Florida Community College System institution board of trustees
4630 for the Florida Community College System institution to provide
4631 developmental education on the state university campus. Any
4632 state university in which the percentage of incoming students
4633 requiring developmental education equals or exceeds the average
4634 percentage of such students for the Florida Community College
4635 System may offer developmental education without contracting
4636 with a Florida Community College System institution; however,
4637 any state university offering college-preparatory instruction as
4638 of January 1, 1996, may continue to provide such services.

4639 Section 68. Paragraphs (d) and (e) of subsection (1) and
4640 paragraphs (a) and (c) of subsection (3) of section 1008.31,

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4641 Florida Statutes, are amended to read:

4642 1008.31 Florida's K-20 education performance accountability
4643 system; legislative intent; mission, goals, and systemwide
4644 measures; data quality improvements.-

4645 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
4646 that:

4647 (d) The State Board of Education, ~~and~~ and the Board of
4648 Governors of the State University System, and the State Board of
4649 Community Colleges of the Florida Community College System
4650 recommend to the Legislature systemwide performance standards;
4651 the Legislature establish systemwide performance measures and
4652 standards; and the systemwide measures and standards provide
4653 Floridians with information on what the public is receiving in
4654 return for the funds it invests in education and how well the K-
4655 20 system educates its students.

4656 (e)1. The State Board of Education establish performance
4657 measures and set performance standards for individual public
4658 schools ~~and Florida College System institutions~~, with measures
4659 and standards based primarily on student achievement.

4660 2. The Board of Governors of the State University System
4661 establish performance measures and set performance standards for
4662 individual state universities, including actual completion
4663 rates.

4664 3. The State Board of Community Colleges establish
4665 performance measures and set performance standards for
4666 individual Florida Community College System institutions.

4667 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide
4668 data required to implement education performance accountability
4669 measures in state and federal law, the Commissioner of Education

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4670 shall initiate and maintain strategies to improve data quality
4671 and timeliness. The Board of Governors shall make available to
4672 the department all data within the State University Database
4673 System to be integrated into the K-20 data warehouse. The
4674 commissioner shall have unlimited access to such data for the
4675 purposes of conducting studies, reporting annual and
4676 longitudinal student outcomes, and improving college readiness
4677 and articulation. All public educational institutions shall
4678 annually provide data from the prior year to the K-20 data
4679 warehouse in a format based on data elements identified by the
4680 commissioner.

4681 (a) School districts and public postsecondary educational
4682 institutions shall maintain information systems that will
4683 provide the State Board of Education, the Board of Governors of
4684 the State University System, the State Board of Community
4685 Colleges of the Florida Community College System, and the
4686 Legislature with information and reports necessary to address
4687 the specifications of the accountability system. The level of
4688 comprehensiveness and quality must be no less than that which
4689 was available as of June 30, 2001.

4690 (c) The Commissioner of Education shall determine the
4691 standards for the required data, monitor data quality, and
4692 measure improvements. The commissioner shall report annually to
4693 the State Board of Education, the Board of Governors of the
4694 State University System, the State Board of Community Colleges
4695 of the Florida Community College System, the President of the
4696 Senate, and the Speaker of the House of Representatives data
4697 quality indicators and ratings for all school districts and
4698 public postsecondary educational institutions.

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4699 Section 69. Section 1008.32, Florida Statutes, is amended
4700 to read:

4701 1008.32 State Board of Education oversight enforcement
4702 authority.—The State Board of Education shall oversee the
4703 performance of district school boards ~~and Florida College System~~
4704 ~~institution boards of trustees~~ in enforcement of all laws and
4705 rules. District school boards ~~and Florida College System~~
4706 ~~institution boards of trustees~~ shall be primarily responsible
4707 for compliance with law and state board rule.

4708 (1) In order to ensure compliance with law or state board
4709 rule, the State Board of Education shall have the authority to
4710 request and receive information, data, and reports from school
4711 districts ~~and Florida College System institutions~~. District
4712 school superintendents ~~and Florida College System institution~~
4713 ~~presidents~~ are responsible for the accuracy of the information
4714 and data reported to the state board.

4715 (2) The Commissioner of Education may investigate
4716 allegations of noncompliance with law or state board rule and
4717 determine probable cause. The commissioner shall report
4718 determinations of probable cause to the State Board of Education
4719 which shall require the district school board ~~or Florida College~~
4720 ~~System institution board of trustees~~ to document compliance with
4721 law or state board rule.

4722 (3) If the district school board ~~or Florida College System~~
4723 ~~institution board of trustees~~ cannot satisfactorily document
4724 compliance, the State Board of Education may order compliance
4725 within a specified timeframe.

4726 (4) If the State Board of Education determines that a
4727 district school board ~~or Florida College System institution~~

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4728 ~~board of trustees~~ is unwilling or unable to comply with law or
4729 state board rule within the specified time, the state board
4730 shall have the authority to initiate any of the following
4731 actions:

4732 (a) Report to the Legislature that the school district ~~or~~
4733 ~~Florida College System institution~~ is unwilling or unable to
4734 comply with law or state board rule and recommend action to be
4735 taken by the Legislature.

4736 (b) Withhold the transfer of state funds, discretionary
4737 grant funds, discretionary lottery funds, or any other funds
4738 specified as eligible for this purpose by the Legislature until
4739 the school district ~~or Florida College System institution~~
4740 complies with the law or state board rule.

4741 (c) Declare the school district ~~or Florida College System~~
4742 ~~institution~~ ineligible for competitive grants.

4743 (d) Require monthly or periodic reporting on the situation
4744 related to noncompliance until it is remedied.

4745 (5) Nothing in this section shall be construed to create a
4746 private cause of action or create any rights for individuals or
4747 entities in addition to those provided elsewhere in law or rule.

4748 Section 70. Paragraphs (e) and (f) of subsection (7) of
4749 section 1008.345, Florida Statutes, are amended to read:

4750 1008.345 Implementation of state system of school
4751 improvement and education accountability.—

4752 (7) As a part of the system of educational accountability,
4753 the Department of Education shall:

4754 (e) Maintain a listing of college-level communication and
4755 mathematics skills associated with successful student
4756 performance through the baccalaureate level and submit it to the

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4757 State Board of Education, ~~and~~ the Board of Governors, and the
4758 State Board of Community Colleges for approval.

4759 (f) Perform any other functions that may be involved in
4760 educational planning, research, and evaluation or that may be
4761 required by the commissioner, the State Board of Education, the
4762 State Board of Community Colleges, the Board of Governors, or
4763 law.

4764 Section 71. Subsections (1) and (2) of section 1008.37,
4765 Florida Statutes, are amended to read:

4766 1008.37 Postsecondary feedback of information to high
4767 schools.—

4768 (1) The Commissioner of Education shall report to the State
4769 Board of Education, the Board of Governors, the State Board of
4770 Community Colleges, the Legislature, and the district school
4771 boards on the performance of each first-time-in-postsecondary
4772 education student from each public high school in this state who
4773 is enrolled in a public postsecondary institution or public
4774 career center. Such reports must be based on information
4775 databases maintained by the Department of Education. In
4776 addition, the public postsecondary educational institutions and
4777 career centers shall provide district school boards access to
4778 information on student performance in regular and preparatory
4779 courses and shall indicate students referred for remediation
4780 pursuant to s. 1004.91 or s. 1008.30.

4781 (2) The Commissioner of Education shall report, by high
4782 school, to the State Board of Education, the Board of Governors,
4783 the State Board of Community Colleges, and the Legislature, no
4784 later than November 30 of each year, on the number of prior year
4785 Florida high school graduates who enrolled for the first time in

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4786 public postsecondary education in this state during the previous
4787 summer, fall, or spring term, indicating the number of students
4788 whose scores on the common placement test indicated the need for
4789 developmental education under s. 1008.30 or for applied
4790 academics for adult education under s. 1004.91.

4791 Section 72. Section 1008.38, Florida Statutes, is amended
4792 to read:

4793 1008.38 Articulation accountability process.—The State
4794 Board of Education, in conjunction with the Board of Governors
4795 and the State Board of Community Colleges, shall develop
4796 articulation accountability measures which assess the status of
4797 systemwide articulation processes authorized under s. 1007.23
4798 and establish an articulation accountability process which at a
4799 minimum shall address:

4800 (1) The impact of articulation processes on ensuring
4801 educational continuity and the orderly and unobstructed
4802 transition of students between public secondary and
4803 postsecondary education systems and facilitating the transition
4804 of students between the public and private sectors.

4805 (2) The adequacy of preparation of public secondary
4806 students to smoothly articulate to a public postsecondary
4807 institution.

4808 (3) The effectiveness of articulated acceleration
4809 mechanisms available to secondary students.

4810 (4) The smooth transfer of Florida Community College System
4811 associate degree graduates to a Florida Community College System
4812 institution or a state university.

4813 (5) An examination of degree requirements that exceed the
4814 parameters of 60 credit hours for an associate degree and 120

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4815 hours for a baccalaureate degree in public postsecondary
4816 programs.

4817 (6) The relationship between student attainment of college-
4818 level academic skills and articulation to the upper division in
4819 public postsecondary institutions.

4820 Section 73. Section 1008.405, Florida Statutes, is amended
4821 to read:

4822 1008.405 Adult student information.—Each school district
4823 and Florida Community College System institution shall maintain
4824 sufficient information for each student enrolled in workforce
4825 education to allow local and state administrators to locate such
4826 student upon the termination of instruction and to determine the
4827 appropriateness of student placement in specific instructional
4828 programs. The State Board of Education and the State Board of
4829 Community Colleges shall adopt, by rule, specific information
4830 that must be maintained and acceptable means of maintaining that
4831 information.

4832 Section 74. Subsection (2) of section 1008.44, Florida
4833 Statutes, is amended to read:

4834 1008.44 CAPE Industry Certification Funding List and CAPE
4835 Postsecondary Industry Certification Funding List.—

4836 (2) The State Board of Education, for school districts, and
4837 the State Board of Community Colleges, for Florida Community
4838 College System institutions, shall collaborate to approve, at
4839 least annually, the CAPE Postsecondary Industry Certification
4840 Funding List pursuant to this section. The Commissioner of
4841 Education and the Chancellor of the Florida Community College
4842 System shall recommend, at least annually, the CAPE
4843 Postsecondary Industry Certification Funding List to the State

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4844 Board of Education and the State Board of Community Colleges,
4845 respectively, and may at any time recommend adding
4846 certifications. The Chancellor of the State University System,
4847 the Chancellor of the Florida Community College System, and the
4848 Chancellor of Career and Adult Education shall work with local
4849 workforce boards, other postsecondary institutions, businesses,
4850 and industry to identify, create, and recommend to the
4851 Commissioner of Education industry certifications to be placed
4852 on the funding list. The list shall be used to determine annual
4853 performance funding distributions to school districts or Florida
4854 Community College System institutions as specified in ss.
4855 1011.80 and 1011.81, respectively. The chancellors shall review
4856 results of the economic security report of employment and
4857 earning outcomes produced annually pursuant to s. 445.07 when
4858 determining recommended certifications for the list, as well as
4859 other reports and indicators available regarding certification
4860 needs.

4861 Section 75. Section 1008.45, Florida Statutes, is amended
4862 to read:

4863 1008.45 Florida Community College System institution
4864 accountability process.—

4865 (1) It is the intent of the Legislature that a management
4866 and accountability process be implemented which provides for the
4867 systematic, ongoing improvement and assessment of the
4868 improvement of the quality and efficiency of the Florida
4869 Community College System institutions. Accordingly, the State
4870 Board of Community Colleges ~~Education~~ and the Florida Community
4871 College System institution boards of trustees shall develop and
4872 implement an accountability plan to improve and evaluate the

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4873 instructional and administrative efficiency and effectiveness of
4874 the Florida Community College System. This plan shall be
4875 designed in consultation with staff of the Governor and the
4876 Legislature and must address the following issues:

4877 (a) Graduation rates of A.A. and A.S. degree-seeking
4878 students compared to first-time-enrolled students seeking the
4879 associate degree.

4880 (b) Minority student enrollment and retention rates.

4881 (c) Student performance, including student performance in
4882 college-level academic skills, mean grade point averages for
4883 Florida Community College System institution A.A. transfer
4884 students, and Florida Community College System institution
4885 student performance on state licensure examinations.

4886 (d) Job placement rates of Florida Community College System
4887 institution career students.

4888 (e) Student progression by admission status and program.

4889 (f) Career accountability standards identified in s.
4890 1008.42.

4891 (g) Institutional assessment efforts related to the
4892 requirements of s. III in the Criteria for Accreditation of the
4893 Commission on Colleges of the Southern Association of Colleges
4894 and Schools.

4895 (h) Other measures approved by the State Board of Community
4896 Colleges Education.

4897 (2) The State Board of Community Colleges Education shall
4898 submit an annual report, to coincide with the submission of the
4899 state board's ~~agency~~ strategic plan required by law, providing
4900 the results of initiatives taken during the prior year and the
4901 initiatives and related objective performance measures proposed

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4902 for the next year.

4903 (3) The State Board of Community Colleges ~~Education~~ shall
4904 address within the annual evaluation of the performance of the
4905 chancellor ~~executive director~~, and the Florida Community College
4906 System institution boards of trustees shall address within the
4907 annual evaluation of the presidents, the achievement of the
4908 performance goals established by the accountability process.

4909 Section 76. Section 1009.21, Florida Statutes, is amended
4910 to read:

4911 1009.21 Determination of resident status for tuition
4912 purposes.—Students shall be classified as residents or
4913 nonresidents for the purpose of assessing tuition in
4914 postsecondary educational programs offered by charter technical
4915 career centers or career centers operated by school districts,
4916 in Florida Community College System institutions, and in state
4917 universities.

4918 (1) As used in this section, the term:

4919 (a) "Dependent child" means any person, whether or not
4920 living with his or her parent, who is eligible to be claimed by
4921 his or her parent as a dependent under the federal income tax
4922 code.

4923 (b) "Initial enrollment" means the first day of class at an
4924 institution of higher education.

4925 (c) "Institution of higher education" means any charter
4926 technical career center as defined in s. 1002.34, career center
4927 operated by a school district as defined in s. 1001.44, Florida
4928 Community College System institution as defined in s.
4929 1000.21(3), or state university as defined in s. 1000.21(6).

4930 (d) "Legal resident" or "resident" means a person who has

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4931 maintained his or her residence in this state for the preceding
4932 year, has purchased a home which is occupied by him or her as
4933 his or her residence, or has established a domicile in this
4934 state pursuant to s. 222.17.

4935 (e) "Nonresident for tuition purposes" means a person who
4936 does not qualify for the in-state tuition rate.

4937 (f) "Parent" means either or both parents of a student, any
4938 guardian of a student, or any person in a parental relationship
4939 to a student.

4940 (g) "Resident for tuition purposes" means a person who
4941 qualifies as provided in this section for the in-state tuition
4942 rate.

4943 (2) (a) To qualify as a resident for tuition purposes:

4944 1. A person or, if that person is a dependent child, his or
4945 her parent or parents must have established legal residence in
4946 this state and must have maintained legal residence in this
4947 state for at least 12 consecutive months immediately prior to
4948 his or her initial enrollment in an institution of higher
4949 education.

4950 2. Every applicant for admission to an institution of
4951 higher education shall be required to make a statement as to his
4952 or her length of residence in the state and, further, shall
4953 establish that his or her presence or, if the applicant is a
4954 dependent child, the presence of his or her parent or parents in
4955 the state currently is, and during the requisite 12-month
4956 qualifying period was, for the purpose of maintaining a bona
4957 fide domicile, rather than for the purpose of maintaining a mere
4958 temporary residence or abode incident to enrollment in an
4959 institution of higher education.

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4960 (b) However, with respect to a dependent child living with
4961 an adult relative other than the child's parent, such child may
4962 qualify as a resident for tuition purposes if the adult relative
4963 is a legal resident who has maintained legal residence in this
4964 state for at least 12 consecutive months immediately before the
4965 child's initial enrollment in an institution of higher
4966 education, provided the child has resided continuously with such
4967 relative for the 3 years immediately before the child's initial
4968 enrollment in an institution of higher education, during which
4969 time the adult relative has exercised day-to-day care,
4970 supervision, and control of the child.

4971 (c) The legal residence of a dependent child whose parents
4972 are divorced, separated, or otherwise living apart will be
4973 deemed to be this state if either parent is a legal resident of
4974 this state, regardless of which parent is entitled to claim, and
4975 does in fact claim, the minor as a dependent pursuant to federal
4976 individual income tax provisions.

4977 (d) A dependent child who is a United States citizen may
4978 not be denied classification as a resident for tuition purposes
4979 based solely upon the immigration status of his or her parent.

4980 (3) (a) An individual shall not be classified as a resident
4981 for tuition purposes and, thus, shall not be eligible to receive
4982 the in-state tuition rate until he or she has provided such
4983 evidence related to legal residence and its duration or, if that
4984 individual is a dependent child, evidence of his or her parent's
4985 legal residence and its duration, as may be required by law and
4986 by officials of the institution of higher education from which
4987 he or she seeks the in-state tuition rate.

4988 (b) Except as otherwise provided in this section, evidence

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4989 of legal residence and its duration shall include clear and
4990 convincing documentation that residency in this state was for a
4991 minimum of 12 consecutive months prior to a student's initial
4992 enrollment in an institution of higher education.

4993 (c) Each institution of higher education shall
4994 affirmatively determine that an applicant who has been granted
4995 admission to that institution as a Florida resident meets the
4996 residency requirements of this section at the time of initial
4997 enrollment. The residency determination must be documented by
4998 the submission of written or electronic verification that
4999 includes two or more of the documents identified in this
5000 paragraph. No single piece of evidence shall be conclusive.

5001 1. The documents must include at least one of the
5002 following:

- 5003 a. A Florida voter's registration card.
5004 b. A Florida driver license.
5005 c. A State of Florida identification card.
5006 d. A Florida vehicle registration.
5007 e. Proof of a permanent home in Florida which is occupied
5008 as a primary residence by the individual or by the individual's
5009 parent if the individual is a dependent child.
5010 f. Proof of a homestead exemption in Florida.
5011 g. Transcripts from a Florida high school for multiple
5012 years if the Florida high school diploma or high school
5013 equivalency diploma was earned within the last 12 months.
5014 h. Proof of permanent full-time employment in Florida for
5015 at least 30 hours per week for a 12-month period.

5016 2. The documents may include one or more of the following:

- 5017 a. A declaration of domicile in Florida.

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5018 b. A Florida professional or occupational license.

5019 c. Florida incorporation.

5020 d. A document evidencing family ties in Florida.

5021 e. Proof of membership in a Florida-based charitable or
5022 professional organization.

5023 f. Any other documentation that supports the student's
5024 request for resident status, including, but not limited to,
5025 utility bills and proof of 12 consecutive months of payments; a
5026 lease agreement and proof of 12 consecutive months of payments;
5027 or an official state, federal, or court document evidencing
5028 legal ties to Florida.

5029 (4) With respect to a dependent child, the legal residence
5030 of the dependent child's parent or parents is prima facie
5031 evidence of the dependent child's legal residence, which
5032 evidence may be reinforced or rebutted, relative to the age and
5033 general circumstances of the dependent child, by the other
5034 evidence of legal residence required of or presented by the
5035 dependent child. However, the legal residence of a dependent
5036 child's parent or parents who are domiciled outside this state
5037 is not prima facie evidence of the dependent child's legal
5038 residence if that dependent child has lived in this state for 5
5039 consecutive years prior to enrolling or reregistering at the
5040 institution of higher education at which resident status for
5041 tuition purposes is sought.

5042 (5) A person who physically resides in this state may be
5043 classified as a resident for tuition purposes if he or she
5044 marries a person who meets the 12-month residency requirement
5045 under subsection (2) and who is a legal resident of this state.

5046 (6) (a) Except as otherwise provided in this section, a

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5047 person who is classified as a nonresident for tuition purposes
5048 may become eligible for reclassification as a resident for
5049 tuition purposes if that person or, if that person is a
5050 dependent child, his or her parent presents clear and convincing
5051 documentation that supports permanent legal residency in this
5052 state for at least 12 consecutive months rather than temporary
5053 residency for the purpose of pursuing an education, such as
5054 documentation of full-time permanent employment for the prior 12
5055 months or the purchase of a home in this state and residence
5056 therein for the prior 12 months while not enrolled in an
5057 institution of higher education.

5058 (b) If a person who is a dependent child and his or her
5059 parent move to this state while such child is a high school
5060 student and the child graduates from a high school in this
5061 state, the child may become eligible for reclassification as a
5062 resident for tuition purposes when the parent submits evidence
5063 that the parent qualifies for permanent residency.

5064 (c) If a person who is a dependent child and his or her
5065 parent move to this state after such child graduates from high
5066 school, the child may become eligible for reclassification as a
5067 resident for tuition purposes after the parent submits evidence
5068 that he or she has established legal residence in the state and
5069 has maintained legal residence in the state for at least 12
5070 consecutive months.

5071 (d) A person who is classified as a nonresident for tuition
5072 purposes and who marries a legal resident of the state or
5073 marries a person who becomes a legal resident of the state may,
5074 upon becoming a legal resident of the state, become eligible for
5075 reclassification as a resident for tuition purposes upon

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5076 submitting evidence of his or her own legal residency in the
5077 state, evidence of his or her marriage to a person who is a
5078 legal resident of the state, and evidence of the spouse's legal
5079 residence in the state for at least 12 consecutive months
5080 immediately preceding the application for reclassification.

5081 (7) A person shall not lose his or her resident status for
5082 tuition purposes solely by reason of serving, or, if such person
5083 is a dependent child, by reason of his or her parent's or
5084 parents' serving, in the Armed Forces outside this state.

5085 (8) A person who has been properly classified as a resident
5086 for tuition purposes but who, while enrolled in an institution
5087 of higher education in this state, loses his or her resident
5088 tuition status because the person or, if he or she is a
5089 dependent child, the person's parent or parents establish
5090 domicile or legal residence elsewhere shall continue to enjoy
5091 the in-state tuition rate for a statutory grace period, which
5092 period shall be measured from the date on which the
5093 circumstances arose that culminated in the loss of resident
5094 tuition status and shall continue for 12 months. However, if the
5095 12-month grace period ends during a semester or academic term
5096 for which such former resident is enrolled, such grace period
5097 shall be extended to the end of that semester or academic term.

5098 (9) Any person who ceases to be enrolled at or who
5099 graduates from an institution of higher education while
5100 classified as a resident for tuition purposes and who
5101 subsequently abandons his or her domicile in this state shall be
5102 permitted to reenroll at an institution of higher education in
5103 this state as a resident for tuition purposes without the
5104 necessity of meeting the 12-month durational requirement of this

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5105 section if that person has reestablished his or her domicile in
5106 this state within 12 months of such abandonment and continuously
5107 maintains the reestablished domicile during the period of
5108 enrollment. The benefit of this subsection shall not be accorded
5109 more than once to any one person.

5110 (10) The following persons shall be classified as residents
5111 for tuition purposes:

5112 (a) Active duty members of the Armed Services of the United
5113 States residing or stationed in this state, their spouses, and
5114 dependent children, and active drilling members of the Florida
5115 National Guard.

5116 (b) Active duty members of the Armed Services of the United
5117 States and their spouses and dependents attending a Florida
5118 Community College System institution or state university within
5119 50 miles of the military establishment where they are stationed,
5120 if such military establishment is within a county contiguous to
5121 Florida.

5122 (c) United States citizens living on the Isthmus of Panama,
5123 who have completed 12 consecutive months of college work at the
5124 Florida State University Panama Canal Branch, and their spouses
5125 and dependent children.

5126 (d) Full-time instructional and administrative personnel
5127 employed by state public schools and institutions of higher
5128 education and their spouses and dependent children.

5129 (e) Students from Latin America and the Caribbean who
5130 receive scholarships from the federal or state government. Any
5131 student classified pursuant to this paragraph shall attend, on a
5132 full-time basis, a Florida institution of higher education.

5133 (f) Southern Regional Education Board's Academic Common

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5134 Market graduate students attending Florida's state universities.

5135 (g) Full-time employees of state agencies or political
5136 subdivisions of the state when the student fees are paid by the
5137 state agency or political subdivision for the purpose of job-
5138 related law enforcement or corrections training.

5139 (h) McKnight Doctoral Fellows and Finalists who are United
5140 States citizens.

5141 (i) United States citizens living outside the United States
5142 who are teaching at a Department of Defense Dependent School or
5143 in an American International School and who enroll in a graduate
5144 level education program which leads to a Florida teaching
5145 certificate.

5146 (j) Active duty members of the Canadian military residing
5147 or stationed in this state under the North American Air Defense
5148 (NORAD) agreement, and their spouses and dependent children,
5149 attending a Florida Community College System institution or
5150 state university within 50 miles of the military establishment
5151 where they are stationed.

5152 (k) Active duty members of a foreign nation's military who
5153 are serving as liaison officers and are residing or stationed in
5154 this state, and their spouses and dependent children, attending
5155 a Florida Community College System institution or state
5156 university within 50 miles of the military establishment where
5157 the foreign liaison officer is stationed.

5158 (11) Once a student has been classified as a resident for
5159 tuition purposes, an institution of higher education to which
5160 the student transfers is not required to reevaluate the
5161 classification unless inconsistent information suggests that an
5162 erroneous classification was made or the student's situation has

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5163 changed. However, the student must have attended the institution
5164 making the initial classification within the prior 12 months,
5165 and the residency classification must be noted on the student's
5166 transcript. The Higher Education Coordinating Council shall
5167 consider issues related to residency determinations and make
5168 recommendations relating to efficiency and effectiveness of
5169 current law.

5170 (12) Each institution of higher education shall establish a
5171 residency appeal committee comprised of at least three members
5172 to consider student appeals of residency determinations, in
5173 accordance with the institution's official appeal process. The
5174 residency appeal committee must render to the student the final
5175 residency determination in writing. The institution must advise
5176 the student of the reasons for the determination.

5177 (13) The State Board of Education, ~~and~~ and the Board of
5178 Governors, and the State Board of Community Colleges shall adopt
5179 rules to implement this section.

5180 Section 77. Paragraph (e) of subsection (3) of section
5181 1009.22, Florida Statutes, is amended to read:

5182 1009.22 Workforce education postsecondary student fees.—

5183 (3)

5184 (e) The State Board of Education and the State Board of
5185 Community Colleges may adopt, by rule, the definitions and
5186 procedures that district school boards and Florida Community
5187 College System institution boards of trustees shall use in the
5188 calculation of cost borne by students.

5189 Section 78. Section 1009.23, Florida Statutes, is amended
5190 to read:

5191 1009.23 Florida Community College System institution

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5192 student fees.—

5193 (1) Unless otherwise provided, this section applies only to
5194 fees charged for college credit instruction leading to an
5195 associate in arts degree, an associate in applied science
5196 degree, an associate in science degree, or a baccalaureate
5197 degree authorized pursuant to s. 1007.33, for noncollege credit
5198 developmental education defined in s. 1004.02, and for educator
5199 preparation institute programs defined in s. 1004.85.

5200 (2) (a) All students shall be charged fees except students
5201 who are exempt from fees or students whose fees are waived.

5202 (b) Tuition and out-of-state fees for upper-division
5203 courses must reflect the fact that the Florida Community College
5204 System institution has a less expensive cost structure than that
5205 of a state university. Therefore, the board of trustees shall
5206 establish tuition and out-of-state fees for upper-division
5207 courses in baccalaureate degree programs approved pursuant to s.
5208 1007.33 consistent with law and proviso language in the General
5209 Appropriations Act. However, the board of trustees may vary
5210 tuition and out-of-state fees only as provided in subsection (6)
5211 and s. 1009.26(11).

5212 (3) (a) Effective July 1, 2014, for advanced and
5213 professional, postsecondary vocational, developmental education,
5214 and educator preparation institute programs, the standard
5215 tuition shall be \$71.98 per credit hour for residents and
5216 nonresidents, and the out-of-state fee shall be \$215.94 per
5217 credit hour.

5218 (b) Effective July 1, 2014, for baccalaureate degree
5219 programs, the following tuition and fee rates shall apply:

5220 1. The tuition shall be \$91.79 per credit hour for students

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5221 who are residents for tuition purposes.

5222 2. The sum of the tuition and the out-of-state fee per
5223 credit hour for students who are nonresidents for tuition
5224 purposes shall be no more than 85 percent of the sum of the
5225 tuition and the out-of-state fee at the state university nearest
5226 the Florida Community College System institution.

5227 (4) Each Florida Community College System institution board
5228 of trustees shall establish tuition and out-of-state fees, which
5229 may vary no more than 10 percent below and 15 percent above the
5230 combined total of the standard tuition and fees established in
5231 subsection (3).

5232 (5) Except as otherwise provided in law, the sum of
5233 nonresident student tuition and out-of-state fees must be
5234 sufficient to defray the full cost of each program.

5235 (6) (a) A Florida Community College System institution board
5236 of trustees that has a service area that borders another state
5237 may implement a plan for a differential out-of-state fee.

5238 (b) A Florida Community College System institution board of
5239 trustees may establish a differential out-of-state fee for a
5240 student who has been determined to be a nonresident for tuition
5241 purposes pursuant to s. 1009.21 and is enrolled in a distance
5242 learning course offered by the institution. A differential out-
5243 of-state fee established pursuant to this paragraph shall be
5244 applicable only to distance learning courses and must be
5245 established such that the sum of tuition and the differential
5246 out-of-state fee is sufficient to defray the full cost of
5247 instruction.

5248 (7) Each Florida Community College System institution board
5249 of trustees may establish a separate activity and service fee

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5250 not to exceed 10 percent of the tuition fee, according to rules
5251 of the State Board of Community Colleges ~~Education~~. The student
5252 activity and service fee shall be collected as a component part
5253 of the tuition and fees. The student activity and service fees
5254 shall be paid into a student activity and service fund at the
5255 Florida Community College System institution and shall be
5256 expended for lawful purposes to benefit the student body in
5257 general. These purposes include, but are not limited to, student
5258 publications and grants to duly recognized student
5259 organizations, the membership of which is open to all students
5260 at the Florida Community College System institution without
5261 regard to race, sex, or religion. No Florida Community College
5262 System institution shall be required to lower any activity and
5263 service fee approved by the board of trustees of the Florida
5264 Community College System institution and in effect prior to
5265 October 26, 2007, in order to comply with the provisions of this
5266 subsection.

5267 (8) (a) Each Florida Community College System institution
5268 board of trustees is authorized to establish a separate fee for
5269 financial aid purposes in an additional amount up to, but not to
5270 exceed, 5 percent of the total student tuition or out-of-state
5271 fees collected. Each Florida Community College System
5272 institution board of trustees may collect up to an additional 2
5273 percent if the amount generated by the total financial aid fee
5274 is less than \$500,000. If the amount generated is less than
5275 \$500,000, a Florida Community College System institution that
5276 charges tuition and out-of-state fees at least equal to the
5277 average fees established by rule may transfer from the general
5278 current fund to the scholarship fund an amount equal to the

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5279 difference between \$500,000 and the amount generated by the
5280 total financial aid fee assessment. No other transfer from the
5281 general current fund to the loan, endowment, or scholarship
5282 fund, by whatever name known, is authorized.

5283 (b) All funds collected under this program shall be placed
5284 in the loan and endowment fund or scholarship fund of the
5285 college, by whatever name known. Such funds shall be disbursed
5286 to students as quickly as possible. An amount not greater than
5287 40 percent of the fees collected in a fiscal year may be carried
5288 forward unexpended to the following fiscal year. However, funds
5289 collected prior to July 1, 1989, and placed in an endowment fund
5290 may not be considered part of the balance of funds carried
5291 forward unexpended to the following fiscal year.

5292 (c) Up to 25 percent or \$600,000, whichever is greater, of
5293 the financial aid fees collected may be used to assist students
5294 who demonstrate academic merit; who participate in athletics,
5295 public service, cultural arts, and other extracurricular
5296 programs as determined by the institution; or who are identified
5297 as members of a targeted gender or ethnic minority population.
5298 The financial aid fee revenues allocated for athletic
5299 scholarships and any fee exemptions provided to athletes
5300 pursuant to s. 1009.25(2) must be distributed equitably as
5301 required by s. 1000.05(3)(d). A minimum of 75 percent of the
5302 balance of these funds for new awards shall be used to provide
5303 financial aid based on absolute need, and the remainder of the
5304 funds shall be used for academic merit purposes and other
5305 purposes approved by the boards of trustees. Such other purposes
5306 shall include the payment of child care fees for students with
5307 financial need. The State Board of Education shall develop

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5308 criteria for making financial aid awards. Each college shall
5309 report annually to the Department of Education on the revenue
5310 collected pursuant to this paragraph, the amount carried
5311 forward, the criteria used to make awards, the amount and number
5312 of awards for each criterion, and a delineation of the
5313 distribution of such awards. The report shall include an
5314 assessment by category of the financial need of every student
5315 who receives an award, regardless of the purpose for which the
5316 award is received. Awards that are based on financial need shall
5317 be distributed in accordance with a nationally recognized system
5318 of need analysis approved by the State Board of Education. An
5319 award for academic merit requires a minimum overall grade point
5320 average of 3.0 on a 4.0 scale or the equivalent for both initial
5321 receipt of the award and renewal of the award.

5322 (d) These funds may not be used for direct or indirect
5323 administrative purposes or salaries.

5324 (9) Any Florida Community College System institution that
5325 reports students who have not paid fees in an approved manner in
5326 calculations of full-time equivalent enrollments for state
5327 funding purposes shall be penalized at a rate equal to two times
5328 the value of such enrollments. Such penalty shall be charged
5329 against the following year's allocation from the Florida
5330 Community College System Program Fund and shall revert to the
5331 General Revenue Fund.

5332 (10) Each Florida Community College System institution
5333 board of trustees is authorized to establish a separate fee for
5334 technology, which may not exceed 5 percent of tuition per credit
5335 hour or credit-hour equivalent for resident students and may not
5336 exceed 5 percent of tuition and the out-of-state fee per credit

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5337 hour or credit-hour equivalent for nonresident students.
5338 Revenues generated from the technology fee shall be used to
5339 enhance instructional technology resources for students and
5340 faculty. The technology fee may apply to both college credit and
5341 developmental education and shall not be included in any award
5342 under the Florida Bright Futures Scholarship Program. Fifty
5343 percent of technology fee revenues may be pledged by a Florida
5344 Community College System institution board of trustees as a
5345 dedicated revenue source for the repayment of debt, including
5346 lease-purchase agreements, not to exceed the useful life of the
5347 asset being financed. Revenues generated from the technology fee
5348 may not be bonded.

5349 (11) (a) Each Florida Community College System institution
5350 board of trustees may establish a separate fee for capital
5351 improvements, technology enhancements, equipping student
5352 buildings, or the acquisition of improved real property which
5353 may not exceed 20 percent of tuition for resident students or 20
5354 percent of the sum of tuition and out-of-state fees for
5355 nonresident students. The fee for resident students shall be
5356 limited to an increase of \$2 per credit hour over the prior
5357 year. Funds collected by Florida Community College System
5358 institutions through the fee may be bonded only as provided in
5359 this subsection for the purpose of financing or refinancing new
5360 construction and equipment, renovation, remodeling of
5361 educational facilities, or the acquisition and renovation or
5362 remodeling of improved real property for use as educational
5363 facilities. The fee shall be collected as a component part of
5364 the tuition and fees, paid into a separate account, and expended
5365 only to acquire improved real property or construct and equip,

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5366 maintain, improve, or enhance the educational facilities of the
5367 Florida Community College System institution. Projects and
5368 acquisitions of improved real property funded through the use of
5369 the capital improvement fee shall meet the survey and
5370 construction requirements of chapter 1013. Pursuant to s.
5371 216.0158, each Florida Community College System institution
5372 shall identify each project, including maintenance projects,
5373 proposed to be funded in whole or in part by such fee.

5374 (b) Capital improvement fee revenues may be pledged by a
5375 board of trustees as a dedicated revenue source to the repayment
5376 of debt, including lease-purchase agreements, with an overall
5377 term of not more than 7 years, including renewals, extensions,
5378 and refundings, and revenue bonds with a term not exceeding 20
5379 annual maturities and not exceeding the useful life of the asset
5380 being financed, only for financing or refinancing of the new
5381 construction and equipment, renovation, or remodeling of
5382 educational facilities. Bonds authorized pursuant to this
5383 subsection shall be requested by the Florida Community College
5384 System institution board of trustees and shall be issued by the
5385 Division of Bond Finance in compliance with s. 11(d), Art. VII
5386 of the State Constitution and the State Bond Act. The Division
5387 of Bond Finance may pledge fees collected by one or more Florida
5388 Community College System institutions to secure such bonds. Any
5389 project included in the approved educational plant survey
5390 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.
5391 VII of the State Constitution.

5392 (c) Bonds issued pursuant to this subsection may be
5393 validated in the manner provided by chapter 75. Only the initial
5394 series of bonds is required to be validated. The complaint for

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5395 such validation shall be filed in the circuit court of the
5396 county where the seat of state government is situated, the
5397 notice required to be published by s. 75.06 shall be published
5398 only in the county where the complaint is filed, and the
5399 complaint and order of the circuit court shall be served only on
5400 the state attorney of the circuit in which the action is
5401 pending.

5402 (d) A maximum of 15 percent may be allocated from the
5403 capital improvement fee for child care centers conducted by the
5404 Florida Community College System institution. The use of capital
5405 improvement fees for such purpose shall be subordinate to the
5406 payment of any bonds secured by the fees.

5407 (e) The state does hereby covenant with the holders of the
5408 bonds issued under this subsection that it will not take any
5409 action that will materially and adversely affect the rights of
5410 such holders so long as the bonds authorized by this subsection
5411 are outstanding.

5412 (12) (a) In addition to tuition, out-of-state, financial
5413 aid, capital improvement, student activity and service, and
5414 technology fees authorized in this section, each Florida
5415 Community College System institution board of trustees is
5416 authorized to establish fee schedules for the following user
5417 fees and fines: laboratory fees, which do not apply to a
5418 distance learning course; parking fees and fines; library fees
5419 and fines; fees and fines relating to facilities and equipment
5420 use or damage; access or identification card fees; duplicating,
5421 photocopying, binding, or microfilming fees; standardized
5422 testing fees; diploma replacement fees; transcript fees;
5423 application fees; graduation fees; and late fees related to

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5424 registration and payment. Such user fees and fines shall not
5425 exceed the cost of the services provided and shall only be
5426 charged to persons receiving the service. A Florida Community
5427 College System institution may not charge any fee except as
5428 authorized by law. Parking fee revenues may be pledged by a
5429 Florida Community College System institution board of trustees
5430 as a dedicated revenue source for the repayment of debt,
5431 including lease-purchase agreements, with an overall term of not
5432 more than 7 years, including renewals, extensions, and
5433 refundings, and revenue bonds with a term not exceeding 20 years
5434 and not exceeding the useful life of the asset being financed.
5435 Florida Community College System institutions shall use the
5436 services of the Division of Bond Finance of the State Board of
5437 Administration to issue any revenue bonds authorized by this
5438 subsection. Any such bonds issued by the Division of Bond
5439 Finance shall be in compliance with the provisions of the State
5440 Bond Act. Bonds issued pursuant to the State Bond Act may be
5441 validated in the manner established in chapter 75. The complaint
5442 for such validation shall be filed in the circuit court of the
5443 county where the seat of state government is situated, the
5444 notice required to be published by s. 75.06 shall be published
5445 only in the county where the complaint is filed, and the
5446 complaint and order of the circuit court shall be served only on
5447 the state attorney of the circuit in which the action is
5448 pending.

5449 (b) The State Board of Community Colleges ~~Education~~ may
5450 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
5451 this subsection.

5452 (13) The State Board of Community Colleges ~~Education~~ shall

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5453 specify, as necessary, by rule, approved methods of student fee
5454 payment. Such methods shall include, but not be limited to,
5455 student fee payment; payment through federal, state, or
5456 institutional financial aid; and employer fee payments.

5457 (14) Each Florida Community College System institution
5458 board of trustees shall report only those students who have
5459 actually enrolled in instruction provided or supervised by
5460 instructional personnel under contract with the Florida
5461 Community College System institution in calculations of actual
5462 full-time equivalent enrollments for state funding purposes. No
5463 student who has been exempted from taking a course or who has
5464 been granted academic or career credit through means other than
5465 actual coursework completed at the granting institution shall be
5466 calculated for enrollment in the course from which he or she has
5467 been exempted or granted credit. Florida Community College
5468 System institutions that report enrollments in violation of this
5469 subsection shall be penalized at a rate equal to two times the
5470 value of such enrollments. Such penalty shall be charged against
5471 the following year's allocation from the Florida Community
5472 College System Program Fund and shall revert to the General
5473 Revenue Fund.

5474 (15) Each Florida Community College System institution may
5475 assess a service charge for the payment of tuition and fees in
5476 installments and a convenience fee for the processing of
5477 automated or online credit card payments. However, the amount of
5478 the convenience fee may not exceed the total cost charged by the
5479 credit card company to the Florida Community College System
5480 institution. Such service charge or convenience fee must be
5481 approved by the Florida Community College System institution

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5482 board of trustees.

5483 (16) (a) Each Florida Community College System institution
5484 may assess a student who enrolls in a course listed in the
5485 distance learning catalog, established pursuant to s. 1006.735,
5486 a per-credit-hour distance learning course user fee. For
5487 purposes of assessing this fee, a distance learning course is a
5488 course in which at least 80 percent of the direct instruction of
5489 the course is delivered using some form of technology when the
5490 student and instructor are separated by time or space, or both.

5491 (b) The amount of the distance learning course user fee may
5492 not exceed the additional costs of the services provided which
5493 are attributable to the development and delivery of the distance
5494 learning course. If a Florida Community College System
5495 institution assesses the distance learning course user fee, the
5496 institution may not assess any other fees to cover the
5497 additional costs. By September 1 of each year, each board of
5498 trustees shall report to the State Board of Community Colleges
5499 ~~Division of Florida Colleges~~ the total amount of revenue
5500 generated by the distance learning course user fee for the prior
5501 fiscal year and how the revenue was expended.

5502 (c) If an institution assesses the distance learning fee,
5503 the institution must provide a link to the catalog within the
5504 advising and distance learning sections of the institution's
5505 website, using a graphic and description provided by the
5506 Complete Florida Plus Program, to inform students of the
5507 catalog.

5508 (17) Each Florida Community College System institution that
5509 accepts transient students, pursuant to s. 1006.735, may
5510 establish a transient student fee not to exceed \$5 per course

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5511 for processing the transient student admissions application.

5512 (18) (a) The Board of Trustees of Santa Fe College may
5513 establish a transportation access fee. Revenue from the fee may
5514 be used only to provide or improve access to transportation
5515 services for students enrolled at Santa Fe College. The fee may
5516 not exceed \$6 per credit hour. An increase in the transportation
5517 access fee may occur only once each fiscal year and must be
5518 implemented beginning with the fall term. A referendum must be
5519 held by the student government to approve the application of the
5520 fee.

5521 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
5522 the transportation access fee authorized under paragraph (a) may
5523 not be included in calculating the amount a student receives for
5524 a Florida Academic Scholars award, a Florida Medallion Scholars
5525 award, or a Florida Gold Seal Vocational Scholars award.

5526 (19) The State Board of Community Colleges ~~Education~~ shall
5527 adopt a rule specifying the definitions and procedures to be
5528 used in the calculation of the percentage of cost paid by
5529 students. The rule must provide for the calculation of the full
5530 cost of educational programs based on the allocation of all
5531 funds provided through the general current fund to programs of
5532 instruction, and other activities as provided in the annual
5533 expenditure analysis. The rule shall be developed in
5534 consultation with the Legislature.

5535 (20) Each Florida Community College System institution
5536 shall publicly notice and notify all enrolled students of any
5537 proposal to increase tuition or fees at least 28 days before its
5538 consideration at a board of trustees meeting. The notice must:

5539 (a) Include the date and time of the meeting at which the

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5540 proposal will be considered.

5541 (b) Specifically outline the details of existing tuition
5542 and fees, the rationale for the proposed increase, and how the
5543 funds from the proposed increase will be used.

5544 (c) Be posted on the institution's website and issued in a
5545 press release.

5546 Section 79. Subsection (2) of section 1009.25, Florida
5547 Statutes, is amended to read:

5548 1009.25 Fee exemptions.—

5549 (2) Each Florida Community College System institution is
5550 authorized to grant student fee exemptions from all fees adopted
5551 by the State Board of Community Colleges ~~Education~~ and the
5552 Florida Community College System institution board of trustees
5553 for up to 54 full-time equivalent students or 1 percent of the
5554 institution's total full-time equivalent enrollment, whichever
5555 is greater, at each institution.

5556 Section 80. Paragraph (b) of subsection (12), paragraphs
5557 (c) and (d) of subsection (13), and paragraph (d) of subsection
5558 (14) of section 1009.26, Florida Statutes, are amended, to read:

5559 1009.26 Fee waivers.—

5560 (12)

5561 (b) Tuition and fees charged to a student who qualifies for
5562 the out-of-state fee waiver under this subsection may not exceed
5563 the tuition and fees charged to a resident student. The waiver
5564 is applicable for 110 percent of the required credit hours of
5565 the degree or certificate program for which the student is
5566 enrolled. Each state university, Florida Community College
5567 System institution, career center operated by a school district
5568 under s. 1001.44, and charter technical career center shall

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5569 report to the Board of Governors, the State Board of Community
5570 Colleges, and the State Board of Education, respectively, the
5571 number and value of all fee waivers granted annually under this
5572 subsection. By October 1 of each year, the Board of Governors,
5573 for the state universities; ~~and~~ the State Board of Community
5574 Colleges, ~~Education~~ for Florida Community College System
5575 institutions; ~~7~~ career centers operated by a school district
5576 under s. 1001.44; ~~7~~ and charter technical career centers shall
5577 annually report for the previous academic year the percentage of
5578 resident and nonresident students enrolled systemwide.

5579 (13)

5580 (c) Each state university, Florida Community College System
5581 institution, career center operated by a school district under
5582 s. 1001.44, and charter technical career center shall report to
5583 the Board of Governors, the State Board of Community, and the
5584 State Board of Education, respectively, the number and value of
5585 all fee waivers granted annually under this subsection.

5586 (d) The Board of Governors, the State Board of Community
5587 Colleges, and the State Board of Education shall respectively
5588 adopt regulations and rules to administer this subsection.

5589 (14)

5590 (d) The Board of Governors, the State Board of Community
5591 Colleges, and the State Board of Education shall respectively
5592 adopt regulations and rules to administer this subsection.

5593 Section 81. Section 1009.28, Florida Statutes, is amended
5594 to read:

5595 1009.28 Fees for repeated enrollment in developmental
5596 education classes.—A student enrolled in the same developmental
5597 education class more than twice shall pay 100 percent of the

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5598 full cost of instruction to support continuous enrollment of
5599 that student in the same class, and the student shall not be
5600 included in calculations of full-time equivalent enrollments for
5601 state funding purposes; however, students who withdraw or fail a
5602 class due to extenuating circumstances may be granted an
5603 exception only once for each class, provided approval is granted
5604 according to policy established by the board of trustees. Each
5605 Florida Community College System institution may review and
5606 reduce fees paid by students due to continued enrollment in a
5607 developmental education class on an individual basis contingent
5608 upon the student's financial hardship, pursuant to definitions
5609 and fee levels established by the State Board of Community
5610 Colleges Education.

5611 Section 82. Subsections (9) and (12) of section 1009.90,
5612 Florida Statutes, are amended to read:

5613 1009.90 Duties of the Department of Education.—The duties
5614 of the department shall include:

5615 (9) Development and submission of a report, annually, to
5616 the State Board of Education, the Board of Governors, the State
5617 Board of Community Colleges, the President of the Senate, and
5618 the Speaker of the House of Representatives, which shall
5619 include, but not be limited to, recommendations for the
5620 distribution of state financial aid funds.

5621 (12) Calculation of the amount of need-based student
5622 financial aid required to offset fee increases recommended by
5623 the State Board of Education, ~~and~~ the Board of Governors, and
5624 the State Board of Community Colleges, and inclusion of such
5625 amount within the legislative budget request for student
5626 assistance grant programs.

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5627 Section 83. Subsection (4) of section 1009.91, Florida
5628 Statutes, is amended to read:

5629 1009.91 Assistance programs and activities of the
5630 department.—

5631 (4) The department shall maintain records on the student
5632 loan default rate of each Florida postsecondary institution and
5633 report that information annually to both the institution and the
5634 State Board of Education. Information relating to state
5635 universities shall also be reported annually to the Board of
5636 Governors. Information relating to Florida Community College
5637 System institutions shall be reported annually to the State
5638 Board of Community Colleges.

5639 Section 84. Subsection (2) of section 1009.971, Florida
5640 Statutes, is amended to read:

5641 1009.971 Florida Prepaid College Board.—

5642 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
5643 shall consist of seven members to be composed of the Attorney
5644 General, the Chief Financial Officer, the Chancellor of the
5645 State University System, the Chancellor of the Florida Community
5646 College System ~~Division of Florida Colleges~~, and three members
5647 appointed by the Governor and subject to confirmation by the
5648 Senate. Each member appointed by the Governor shall possess
5649 knowledge, skill, and experience in the areas of accounting,
5650 actuary, risk management, or investment management. Each member
5651 of the board not appointed by the Governor may name a designee
5652 to serve on the board on behalf of the member; however, any
5653 designee so named shall meet the qualifications required of
5654 gubernatorial appointees to the board. Members appointed by the
5655 Governor shall serve terms of 3 years. Any person appointed to

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5656 fill a vacancy on the board shall be appointed in a like manner
5657 and shall serve for only the unexpired term. Any member shall be
5658 eligible for reappointment and shall serve until a successor
5659 qualifies. Members of the board shall serve without compensation
5660 but shall be reimbursed for per diem and travel in accordance
5661 with s. 112.061. Each member of the board shall file a full and
5662 public disclosure of his or her financial interests pursuant to
5663 s. 8, Art. II of the State Constitution and corresponding
5664 statute.

5665 Section 85. Section 1010.01, Florida Statutes, is amended
5666 to read:

5667 1010.01 Uniform records and accounts.—

5668 (1) (a) The financial records and accounts of each school
5669 district, ~~Florida College System institution,~~ and other
5670 institution or agency under the supervision of the State Board
5671 of Education shall be prepared and maintained as prescribed by
5672 law and rules of the State Board of Education.

5673 (b) The financial records and accounts of each state
5674 university under the supervision of the Board of Governors shall
5675 be prepared and maintained as prescribed by law and rules of the
5676 Board of Governors.

5677 (c) The financial records and accounts of each Florida
5678 Community College System institution under the supervision of
5679 the State Board of Community Colleges shall be prepared and
5680 maintained as prescribed by law and rules of the State Board of
5681 Community Colleges.

5682 (2) Rules of the State Board of Education, ~~and rules of the~~
5683 Board of Governors, and the State Board of Community Colleges
5684 shall incorporate the requirements of law and accounting

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5685 principles generally accepted in the United States. Such rules
5686 shall include a uniform classification of accounts.

5687 (3) Each state university shall annually file with the
5688 Board of Governors financial statements prepared in conformity
5689 with accounting principles generally accepted by the United
5690 States and the uniform classification of accounts prescribed by
5691 the Board of Governors. The Board of Governors' rules shall
5692 prescribe the filing deadline for the financial statements.

5693 (4) Required financial accounts and reports shall include
5694 provisions that are unique to each of the following: K-12 school
5695 districts, Florida Community College System institutions, and
5696 state universities, and shall provide for the data to be
5697 reported to the National Center of Educational Statistics and
5698 other governmental and professional educational data information
5699 services as appropriate.

5700 (5) Each Florida Community College System institution shall
5701 annually file with the State Board of Community Colleges
5702 financial statements prepared in conformity with accounting
5703 principles generally accepted by the United States and the
5704 uniform classification of accounts prescribed by the State Board
5705 of Community Colleges. The State Board of Community Colleges'
5706 rules shall prescribe the filing deadline for the financial
5707 statements.

5708 Section 86. Subsection (1) of section 1010.02, Florida
5709 Statutes, is amended, and subsection (3) is added to that
5710 section, to read:

5711 1010.02 Financial accounting and expenditures.—

5712 (1) All funds accruing to a school district ~~or a Florida~~
5713 ~~College System institution~~ must be received, accounted for, and

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5714 expended in accordance with law and rules of the State Board of
5715 Education.

5716 (3) All funds accruing to a Florida Community College
5717 System institution must be received, accounted for, and expended
5718 in accordance with law and rules of the State Board of Community
5719 Colleges.

5720 Section 87. Section 1010.04, Florida Statutes, is amended
5721 to read:

5722 1010.04 Purchasing.—

5723 (1) (a) Purchases and leases by school districts must ~~and~~
5724 ~~Florida College System institutions shall~~ comply with the
5725 requirements of law and rules of the State Board of Education.

5726 (b) Before purchasing nonacademic commodities and
5727 contractual services, each district school board and Florida
5728 Community College System institution board of trustees shall
5729 review the purchasing agreements and state term contracts
5730 available under s. 287.056 to determine whether it is in the
5731 school board's or the board of trustees' economic advantage to
5732 use the agreements and contracts. Each bid specification for
5733 nonacademic commodities and contractual services must include a
5734 statement indicating that the purchasing agreements and state
5735 term contracts available under s. 287.056 have been reviewed.
5736 Each district school board may also use the cooperative state
5737 purchasing programs managed through the regional consortium
5738 service organizations pursuant to their authority under s.
5739 1001.451(3). This paragraph does not apply to services that are
5740 eligible for reimbursement under the federal E-rate program
5741 administered by the Universal Service Administrative Company.

5742 (c) Purchases and leases by state universities must ~~shall~~

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5743 comply with the requirements of law and regulations of the Board
5744 of Governors.

5745 (d) Purchases and leases by Florida Community College
5746 System institutions must comply with the requirements of law and
5747 rules of the State Board of Community Colleges.

5748 (2) Each district school board and Florida Community
5749 College System institution board of trustees shall adopt rules,
5750 and each university board of trustees shall adopt regulations,
5751 to be followed in making purchases. Purchases may be made
5752 through an online procurement system, an electronic auction
5753 service, or other efficient procurement tool.

5754 (3) In districts in which the county purchasing agent is
5755 authorized by law to make purchases for the benefit of other
5756 governmental agencies within the county, the district school
5757 board and Florida Community College System institution board of
5758 trustees shall have the option to purchase from the current
5759 county contracts at the unit price stated therein if such
5760 purchase is to the economic advantage of the district school
5761 board or the Florida Community College System institution board
5762 of trustees; subject to confirmation of the items of purchase to
5763 the standards and specifications prescribed by the school
5764 district or Florida Community College System institution.

5765 (4) (a) The State Board of Education may, by rule, provide
5766 for alternative procedures for school districts ~~and Florida~~
5767 ~~College System institutions~~ for bidding or purchasing in cases
5768 in which the character of the item requested renders competitive
5769 bidding impractical.

5770 (b) The Board of Governors may, by regulation, provide for
5771 alternative procedures for state universities for bidding or

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5772 purchasing in cases in which the character of the item requested
5773 renders competitive bidding impractical.

5774 (c) The State Board of Community Colleges may, by rule,
5775 provide for alternative procedures for Florida Community College
5776 System institutions for bidding or purchasing in cases in which
5777 the character of the item requested renders competitive bidding
5778 impractical.

5779 Section 88. Section 1010.07, Florida Statutes, is amended
5780 to read:

5781 1010.07 Bonds or insurance required.—

5782 (1) Each district school board, Florida Community College
5783 System institution board of trustees, and university board of
5784 trustees shall ensure that each official and employee
5785 responsible for handling, expending, or authorizing the
5786 expenditure of funds shall be appropriately bonded or insured to
5787 protect the board and the funds involved.

5788 (2) (a) Contractors paid from school district ~~or Florida~~
5789 ~~College System institution~~ funds shall give bond for the
5790 faithful performance of their contracts in such amount and for
5791 such purposes as prescribed by s. 255.05 or by rules of the
5792 State Board of Education relating to the type of contract
5793 involved. It shall be the duty of the district school board ~~or~~
5794 ~~Florida College System institution board of trustees~~ to require
5795 from construction contractors a bond adequate to protect the
5796 board and the board's funds involved.

5797 (b) Contractors paid from university funds shall give bond
5798 for the faithful performance of their contracts in such amount
5799 and for such purposes as prescribed by s. 255.05 or by
5800 regulations of the Board of Governors relating to the type of

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5801 contract involved. It shall be the duty of the university board
5802 of trustees to require from construction contractors a bond
5803 adequate to protect the board and the board's funds involved.

5804 (c) Contractors paid from Florida Community College System
5805 institution funds shall give bonds for the faithful performance
5806 of their contracts in such amount and for such purposes as
5807 prescribed by s. 255.05 or by rules of the State Board of
5808 Community Colleges relating to the type of contract involved. It
5809 is the duty of the Florida Community College System institution
5810 board of trustees to require construction contractors to provide
5811 a bond adequate to protect the board and the board's funds
5812 involved.

5813 Section 89. Section 1010.08, Florida Statutes, is amended
5814 to read:

5815 1010.08 Promotion and public relations; funding.—

5816 (1) Each district school board and Florida College System
5817 institution board of trustees may budget and use a portion of
5818 the funds accruing to it from auxiliary enterprises and
5819 undesignated gifts for promotion and public relations as
5820 prescribed by rules of the State Board of Education. Such funds
5821 may be used to provide hospitality to business guests in the
5822 district or elsewhere. However, such hospitality expenses may
5823 not exceed the amount authorized for such contingency funds as
5824 prescribed by rules of the State Board of Education.

5825 (2) Each Florida Community College System institution board
5826 of trustees may budget and use a portion of the funds accruing
5827 to it from auxiliary enterprises and undesignated gifts for
5828 promotion and public relations as prescribed by rules of the
5829 State Board of Community Colleges. Such funds may be used to

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5830 provide hospitality to business guests in the district or
5831 elsewhere. However, such hospitality expenses may not exceed the
5832 amount authorized for such contingency funds as prescribed by
5833 rules of the State Board of Community Colleges.

5834 Section 90. Subsection (1) of section 1010.09, Florida
5835 Statutes, is amended and subsection (3) is added to that
5836 section, to read:

5837 1010.09 Direct-support organizations.—

5838 (1) ~~School district and Florida College System institution~~
5839 ~~direct-support organizations shall be organized and conducted~~
5840 ~~under the provisions of ss. 1001.453 and 1004.70 and rules of~~
5841 ~~the State Board of Education, as applicable.~~

5842 (3) Florida Community College System institution direct-
5843 support organizations shall be organized and conducted under the
5844 provisions of s. 1004.70 and rules of the State Board of
5845 Community Colleges.

5846 Section 91. Section 1010.22, Florida Statutes, is amended
5847 to read:

5848 1010.22 Cost accounting and reporting for workforce
5849 education.—

5850 (1) (a) ~~Each school district and each Florida College System~~
5851 ~~institution~~ shall account for expenditures of all state, local,
5852 federal, and other funds in the manner prescribed by the State
5853 Board of Education.

5854 (b) Each Florida Community College System institution shall
5855 account for expenditures of all state, local, federal, and other
5856 funds in the manner prescribed by the State Board of Community
5857 Colleges.

5858 (2) (a) ~~Each school district and each Florida College System~~

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5859 ~~institution~~ shall report expenditures for workforce education in
5860 accordance with requirements prescribed by the State Board of
5861 Education.

5862 (b) Each Florida Community College System institution shall
5863 report expenditures for workforce education in accordance with
5864 requirements prescribed by the State Board of Community
5865 Colleges.

5866 (3) The Department of Education, in cooperation with school
5867 districts and Florida Community College System institutions,
5868 shall develop and maintain a database of valid comparable
5869 information on workforce education which will meet both state
5870 and local needs.

5871 Section 92. Subsection (1) of section 1010.30, Florida
5872 Statutes, is amended to read:

5873 1010.30 Audits required.—

5874 (1) School districts, ~~Florida College System institutions,~~
5875 and other institutions and agencies under the supervision of the
5876 State Board of Education, Florida Community College System
5877 institutions under the supervision of the State Board of
5878 Community Colleges, and state universities under the supervision
5879 of the Board of Governors are subject to the audit provisions of
5880 ss. 11.45 and 218.39.

5881 Section 93. Section 1010.58, Florida Statutes, is amended
5882 to read:

5883 1010.58 Procedure for determining number of instruction
5884 units for Florida Community College System institutions.—The
5885 number of instruction units for Florida Community College System
5886 institutions shall be determined from the full-time equivalent
5887 students in the Florida Community College System institution,

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5888 provided that full-time equivalent students may not be counted
5889 more than once in determining instruction units. Instruction
5890 units for Florida Community College System institutions shall be
5891 computed as follows:

5892 (1) One unit for each 12 full-time equivalent students at a
5893 Florida Community College System institution for the first 420
5894 students and one unit for each 15 full-time equivalent students
5895 for all over 420 students, in other than career education
5896 programs as defined by rules of the State Board of Community
5897 Colleges Education, and one unit for each 10 full-time
5898 equivalent students in career education programs and
5899 compensatory education programs as defined by rules of the State
5900 Board of Community Colleges Education. Full-time equivalent
5901 students enrolled in a Florida Community College System
5902 institution shall be defined by rules of the State Board of
5903 Community Colleges Education.

5904 (2) For each 8 instruction units in a Florida Community
5905 College System institution, 1 instruction unit or proportionate
5906 fraction of a unit shall be allowed for administrative and
5907 special instructional services, and for each 20 instruction
5908 units, 1 instruction unit or proportionate fraction of a unit
5909 shall be allowed for student personnel services.

5910 Section 94. Section 1011.01, Florida Statutes, is amended
5911 to read:

5912 1011.01 Budget system established.—

5913 (1) The State Board of Education shall prepare and submit a
5914 coordinated K-20 education annual legislative budget request to
5915 the Governor and the Legislature on or before the date provided
5916 by the Governor and the Legislature. The board's legislative

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5917 budget request must clearly define the needs of school
5918 districts, Florida Community College System institutions,
5919 universities, other institutions, organizations, programs, and
5920 activities under the supervision of the board and that are
5921 assigned by law or the General Appropriations Act to the
5922 Department of Education.

5923 (2) (a) There is ~~shall be~~ established in each school
5924 district ~~and Florida College System institution~~ a budget system
5925 as prescribed by law and rules of the State Board of Education.

5926 (b) There is ~~shall be~~ established in each state university
5927 a budget system as prescribed by law and rules of the Board of
5928 Governors.

5929 (c) There is established in each Florida Community College
5930 System institution a budget system as prescribed by law and
5931 rules of the State Board of Community Colleges.

5932 (3) (a) Each district school board ~~and each Florida College~~
5933 ~~System institution board of trustees~~ shall prepare, adopt, and
5934 submit to the Commissioner of Education an annual operating
5935 budget. Operating budgets must ~~shall~~ be prepared and submitted
5936 in accordance with the provisions of law, rules of the State
5937 Board of Education, the General Appropriations Act, and for
5938 district school boards in accordance with the provisions of ss.
5939 200.065 and 1011.64.

5940 (b) Each state university board of trustees shall prepare,
5941 adopt, and submit to the Chancellor of the State University
5942 System for review an annual operating budget in accordance with
5943 provisions of law, rules of the Board of Governors, and the
5944 General Appropriations Act.

5945 (c) Each Florida Community College System institution board

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5946 of trustees shall prepare, adopt, and submit to the State Board
5947 of Community Colleges an annual operating budget in accordance
5948 with provisions of law, rules of the State Board of Community
5949 Colleges, and the General Appropriations Act.

5950 (4) The State Board of Education shall coordinate with the
5951 Board of Governors and the State Board of Community Colleges to
5952 facilitate the budget system requirements of this section. The
5953 State Board of Community College exclusively retains the review
5954 and approval powers of this section for Florida Community
5955 College System institutions. The Board of Governors exclusively
5956 retains the review and approval powers of this section for state
5957 universities.

5958 Section 95. Section 1011.011, Florida Statutes, is amended
5959 to read:

5960 1011.011 Legislative capital outlay budget request.—The
5961 State Board of Education shall submit an integrated,
5962 comprehensive budget request for educational facilities
5963 construction and fixed capital outlay needs for school
5964 districts, and, in conjunction with the State Board of Community
5965 Colleges for Florida Community College System institutions, ~~and~~
5966 ~~in conjunction~~ with the Board of Governors for state
5967 universities, pursuant to this section and s. 1013.46 and
5968 applicable provisions of chapter 216.

5969 Section 96. Section 1011.30, Florida Statutes, is amended
5970 to read:

5971 1011.30 Budgets for Florida Community College System
5972 institutions.—Each Florida Community College System institution
5973 president shall recommend to the Florida Community College
5974 System institution board of trustees a budget of income and

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5975 expenditures at such time and in such form as the State Board of
5976 Community Colleges ~~Education~~ may prescribe. Upon approval of a
5977 budget by the Florida Community College System institution board
5978 of trustees, such budget must ~~shall~~ be transmitted to the State
5979 Board of Community Colleges ~~Department of Education~~ for review.
5980 Rules of the State Board of Community Colleges must ~~Education~~
5981 ~~shall~~ prescribe procedures for effecting budget amendments
5982 subsequent to the final approval of a budget for a given year.

5983 Section 97. Section 1011.32, Florida Statutes, is amended
5984 to read:

5985 1011.32 Florida Community College System Institution
5986 Facility Enhancement Challenge Grant Program.—

5987 (1) The Legislature recognizes that ~~the~~ Florida Community
5988 College System institutions do not have sufficient physical
5989 facilities to meet the current demands of their instructional
5990 and community programs. It further recognizes that, to
5991 strengthen and enhance Florida Community College System
5992 institutions, it is necessary to provide facilities in addition
5993 to those currently available from existing revenue sources. It
5994 further recognizes that there are sources of private support
5995 that, if matched with state support, can assist in constructing
5996 much needed facilities and strengthen the commitment of citizens
5997 and organizations in promoting excellence at each Florida
5998 Community College System institution. Therefore, it is the
5999 intent of the Legislature to establish a program to provide the
6000 opportunity for each Florida Community College System
6001 institution through its direct-support organization to receive
6002 and match challenge grants for instructional and community-
6003 related capital facilities within the Florida Community College

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6004 System institution.

6005 (2) There is established the Florida Community College
6006 System Institution Facility Enhancement Challenge Grant Program
6007 for the purpose of assisting the Florida Community College
6008 System institutions in building high priority instructional and
6009 community-related capital facilities consistent with s. 1004.65,
6010 including common areas connecting such facilities. The direct-
6011 support organizations that serve the Florida Community College
6012 System institutions shall solicit gifts from private sources to
6013 provide matching funds for capital facilities. For the purposes
6014 of this section, private sources of funds shall not include any
6015 federal or state government funds that a Florida Community
6016 College System institution may receive.

6017 (3) The Florida Community College System Institution
6018 Capital Facilities Matching Program shall provide funds to match
6019 private contributions for the development of high priority
6020 instructional and community-related capital facilities,
6021 including common areas connecting such facilities, within the
6022 Florida Community College System institutions.

6023 (4) Within the direct-support organization of each Florida
6024 Community College System institution there must be established a
6025 separate capital facilities matching account for the purpose of
6026 providing matching funds from the direct-support organization's
6027 unrestricted donations or other private contributions for the
6028 development of high priority instructional and community-related
6029 capital facilities, including common areas connecting such
6030 facilities. The Legislature shall appropriate funds for
6031 distribution to a Florida Community College System institution
6032 after matching funds are certified by the direct-support

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6033 organization and Florida Community College System institution.
6034 The Public Education Capital Outlay and Debt Service Trust Fund
6035 shall not be used as the source of the state match for private
6036 contributions.

6037 (5) A project may not be initiated unless all private funds
6038 for planning, construction, and equipping the facility have been
6039 received and deposited in the direct-support organization's
6040 matching account for this purpose. However, this requirement
6041 does not preclude the Florida Community College System
6042 institution or direct-support organization from expending
6043 available funds from private sources to develop a prospectus,
6044 including preliminary architectural schematics or models, for
6045 use in its efforts to raise private funds for a facility and for
6046 site preparation, planning, and construction. The Legislature
6047 may appropriate the state's matching funds in one or more fiscal
6048 years for the planning, construction, and equipping of an
6049 eligible facility. Each Florida Community College System
6050 institution shall notify all donors of private funds of a
6051 substantial delay in the availability of state matching funds
6052 for this program.

6053 (6) To be eligible to participate in the Florida Community
6054 College System Institution Facility Enhancement Challenge Grant
6055 Program, a Florida Community College System institution, through
6056 its direct-support organization, shall raise a contribution
6057 equal to one-half of the total cost of a facilities construction
6058 project from private sources which shall be matched by a state
6059 appropriation equal to the amount raised for a facilities
6060 construction project, subject to the General Appropriations Act.

6061 (7) If the state's share of the required match is

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6062 insufficient to meet the requirements of subsection (6), the
6063 Florida Community College System institution shall renegotiate
6064 the terms of the contribution with the donors. If the project is
6065 terminated, each private donation, plus accrued interest,
6066 reverts to the direct-support organization for remittance to the
6067 donor.

6068 (8) By October 15 of each year, the State Board of
6069 Community Colleges ~~Education~~ shall transmit to the Governor and
6070 the Legislature a list of projects that meet all eligibility
6071 requirements to participate in the Florida Community College
6072 System Institution Facility Enhancement Challenge Grant Program
6073 and a budget request that includes the recommended schedule
6074 necessary to complete each project.

6075 (9) In order for a project to be eligible under this
6076 program, it must be survey recommended under the provisions of
6077 s. 1013.31 and included in the Florida Community College System
6078 institution's 5-year capital improvement plan, and it must
6079 receive approval from the State Board of Community Colleges
6080 ~~Education~~ or the Legislature.

6081 (10) A Florida Community College System institution project
6082 may not be removed from the approved 3-year PECO priority list
6083 because of its successful participation in this program until
6084 approved by the Legislature and provided for in the General
6085 Appropriations Act. When such a project is completed and removed
6086 from the list, all other projects shall move up on the 3-year
6087 PECO priority list.

6088 (11) Any private matching funds for a project which are
6089 unexpended after the project is completed shall revert to the
6090 Florida Community College System institution's direct-support

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6091 organization capital facilities matching account. The balance of
6092 any unexpended state matching funds shall be returned to the
6093 fund from which those funds were appropriated.

6094 (12) The surveys, architectural plans, facility, and
6095 equipment shall be the property of the participating Florida
6096 Community College System institution. A facility constructed
6097 under this section may be named in honor of a donor at the
6098 option of the Florida Community College System institution
6099 district board of trustees. A facility may not be named after a
6100 living person without prior approval by the State Board of
6101 Community Colleges Education.

6102 (13) Effective July 1, 2011, state matching funds are
6103 temporarily suspended for donations received for the program on
6104 or after June 30, 2011. Existing eligible donations remain
6105 eligible for future matching funds. The program may be restarted
6106 after \$200 million of the backlog for programs under this
6107 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

6108 Section 98. Subsection (2), paragraph (b) of subsection
6109 (5), and subsections (8), (9), and (11) of section 1011.80,
6110 Florida Statutes, are amended to read:

6111 1011.80 Funds for operation of workforce education
6112 programs.—

6113 (2) Any workforce education program may be conducted by a
6114 Florida Community College System institution or a school
6115 district, except that college credit in an associate in applied
6116 science or an associate in science degree may be awarded only by
6117 a Florida Community College System institution. However, if an
6118 associate in applied science or an associate in science degree
6119 program contains within it an occupational completion point that

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6120 confers a certificate or an applied technology diploma, that
6121 portion of the program may be conducted by a school district
6122 career center. Any instruction designed to articulate to a
6123 degree program is subject to guidelines and standards adopted by
6124 the State Board of Community Colleges ~~Education~~ pursuant to s.
6125 1007.25.

6126 (5) State funding and student fees for workforce education
6127 instruction shall be established as follows:

6128 (b) For all other workforce education programs, state
6129 funding shall equal 75 percent of the average cost of
6130 instruction with the remaining 25 percent made up from student
6131 fees. Fees for courses within a program shall not vary according
6132 to the cost of the individual program, but instead shall be
6133 based on a uniform fee calculated and set at the state level, as
6134 adopted by the State Board of Education, for school districts
6135 and the State Board of Community Colleges, for Florida Community
6136 College System institutions, unless otherwise specified in the
6137 General Appropriations Act.

6138 (8) The State Board of Education, the State Board of
6139 Community Colleges, and CareerSource Florida, Inc., shall
6140 provide the Legislature with recommended formulas, criteria,
6141 timeframes, and mechanisms for distributing performance funds.
6142 The commissioner shall consolidate the recommendations and
6143 develop a consensus proposal for funding. The Legislature shall
6144 adopt a formula and distribute the performance funds to the
6145 State Board of Community Colleges ~~Education~~ for Florida
6146 Community College System institutions and to the State Board of
6147 Education for school districts through the General
6148 Appropriations Act. These recommendations shall be based on

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6149 formulas that would discourage low-performing or low-demand
6150 programs and encourage through performance-funding awards:

6151 (a) Programs that prepare people to enter high-wage
6152 occupations identified by the Workforce Estimating Conference
6153 created by s. 216.136 and other programs as approved by
6154 CareerSource Florida, Inc. At a minimum, performance incentives
6155 shall be calculated for adults who reach completion points or
6156 complete programs that lead to specified high-wage employment
6157 and to their placement in that employment.

6158 (b) Programs that successfully prepare adults who are
6159 eligible for public assistance, economically disadvantaged,
6160 disabled, not proficient in English, or dislocated workers for
6161 high-wage occupations. At a minimum, performance incentives
6162 shall be calculated at an enhanced value for the completion of
6163 adults identified in this paragraph and job placement of such
6164 adults upon completion. In addition, adjustments may be made in
6165 payments for job placements for areas of high unemployment.

6166 (c) Programs that are specifically designed to be
6167 consistent with the workforce needs of private enterprise and
6168 regional economic development strategies, as defined in
6169 guidelines set by CareerSource Florida, Inc. CareerSource
6170 Florida, Inc., shall develop guidelines to identify such needs
6171 and strategies based on localized research of private employers
6172 and economic development practitioners.

6173 (d) Programs identified by CareerSource Florida, Inc., as
6174 increasing the effectiveness and cost efficiency of education.

6175 (9) School districts shall report full-time equivalent
6176 students by discipline category for the programs specified in
6177 subsection (1). There shall be an annual cost analysis for the

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6178 school district workforce education programs that reports cost
6179 by discipline category consistent with the reporting for full-
6180 time equivalent students. The annual financial reports submitted
6181 by the school districts must accurately report on the student
6182 fee revenues by fee type according to the programs specified in
6183 subsection (1). The Department of Education and the State Board
6184 of Community Colleges shall develop a plan for comparable
6185 reporting of program, student, facility, personnel, and
6186 financial data between the Florida Community College System
6187 institutions and the school district workforce education
6188 programs.

6189 (11) The State Board of Education and the State Board of
6190 Community Colleges may adopt rules to administer this section.

6191 Section 99. Section 1011.801, Florida Statutes, is amended
6192 to read:

6193 1011.801 Workforce Development Capitalization Incentive
6194 Grant Program.—The Legislature recognizes that the need for
6195 school districts and Florida Community College System
6196 institutions to be able to respond to emerging local or
6197 statewide economic development needs is critical to the
6198 workforce development system. The Workforce Development
6199 Capitalization Incentive Grant Program is created to provide
6200 grants to school districts and Florida Community College System
6201 institutions on a competitive basis to fund some or all of the
6202 costs associated with the creation or expansion of workforce
6203 development programs that serve specific employment workforce
6204 needs.

6205 (1) Funds awarded for a workforce development
6206 capitalization incentive grant may be used for instructional

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6207 equipment, laboratory equipment, supplies, personnel, student
6208 services, or other expenses associated with the creation or
6209 expansion of a workforce development program. Expansion of a
6210 program may include either the expansion of enrollments in a
6211 program or expansion into new areas of specialization within a
6212 program. No grant funds may be used for recurring instructional
6213 costs or for institutions' indirect costs.

6214 (2) The State Board of Education shall accept applications
6215 from school districts, and the State Board of Community Colleges
6216 shall accept applications from ~~or~~ Florida Community College
6217 System institutions, for workforce development capitalization
6218 incentive grants. Applications from school districts or Florida
6219 Community College System institutions must ~~shall~~ contain
6220 projected enrollments and projected costs for the new or
6221 expanded workforce development program. The State Board of
6222 Education or the State Board of Community Colleges, as
6223 appropriate, in consultation with CareerSource Florida, Inc.,
6224 shall review and rank each application for a grant according to
6225 subsection (3) and shall submit to the Legislature a list in
6226 priority order of applications recommended for a grant award.

6227 (3) The State Board of Education or the State Board of
6228 Community Colleges, as appropriate, shall give highest priority
6229 to programs that train people to enter high-skill, high-wage
6230 occupations identified by the Workforce Estimating Conference
6231 and other programs approved by CareerSource Florida, Inc. ;
6232 programs that train people to enter occupations under the
6233 welfare transition program; or programs that train for the
6234 workforce adults who are eligible for public assistance,
6235 economically disadvantaged, disabled, not proficient in English,

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6236 or dislocated workers. The State Board of Education or the State
6237 Board of Community Colleges, as appropriate, shall consider the
6238 statewide geographic dispersion of grant funds in ranking the
6239 applications and shall give priority to applications from
6240 education agencies that are making maximum use of their
6241 workforce development funding by offering high-performing, high-
6242 demand programs.

6243 Section 100. Section 1011.81, Florida Statutes, is amended
6244 to read:

6245 1011.81 Florida Community College System Program Fund.—

6246 (1) There is established a Florida Community College System
6247 Program Fund. This fund shall comprise all appropriations made
6248 by the Legislature for the support of the current operating
6249 program and shall be apportioned and distributed to the Florida
6250 Community College System institution districts of the state on
6251 the basis of procedures established by law and rules of the
6252 State Board of Education. The annual apportionment for each
6253 Florida Community College System institution district shall be
6254 distributed monthly in payments as nearly equal as possible.

6255 (2) Performance funding for industry certifications for
6256 Florida Community College System institutions is contingent upon
6257 specific appropriation in the General Appropriations Act and
6258 shall be determined as follows:

6259 (a) Occupational areas for which industry certifications
6260 may be earned, as established in the General Appropriations Act,
6261 are eligible for performance funding. Priority shall be given to
6262 the occupational areas emphasized in state, national, or
6263 corporate grants provided to Florida educational institutions.

6264 (b) The Chancellor of the Florida Community College System,

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6265 for the Florida Community College System institutions, shall
6266 identify the industry certifications eligible for funding on the
6267 CAPE Postsecondary Industry Certification Funding List approved
6268 by the State Board of Community Colleges ~~Education~~ pursuant to
6269 s. 1008.44, based on the occupational areas specified in the
6270 General Appropriations Act.

6271 (c) Each Florida Community College System institution shall
6272 be provided \$1,000 for each industry certification earned by a
6273 student. The maximum amount of funding appropriated for
6274 performance funding pursuant to this subsection shall be limited
6275 to \$15 million annually. If funds are insufficient to fully fund
6276 the calculated total award, such funds shall be prorated.

6277 (3) None of the funds made available in the Florida
6278 Community College System Program Fund, or funds made available
6279 to Florida Community College System institutions outside the
6280 Florida Community College System Program Fund, may be used to
6281 implement, organize, direct, coordinate, or administer, or to
6282 support the implementation, organization, direction,
6283 coordination, or administration of, activities related to, or
6284 involving, travel to a terrorist state. For purposes of this
6285 section, "terrorist state" is defined as any state, country, or
6286 nation designated by the United States Department of State as a
6287 state sponsor of terrorism.

6288 (4) State funds provided for the Florida Community College
6289 System Program Fund may not be expended for the education of
6290 state or federal inmates.

6291 Section 101. Section 1011.82, Florida Statutes, is amended
6292 to read:

6293 1011.82 Requirements for participation in Florida Community

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6294 College System Program Fund.—Each Florida Community College
6295 System institution district which participates in the state
6296 appropriations for the Florida Community College System Program
6297 Fund shall provide evidence of its effort to maintain an
6298 adequate Florida Community College System institution program
6299 which shall:

6300 (1) Meet the minimum standards prescribed by the State
6301 Board of Community Colleges ~~Education~~ in accordance with s.
6302 1001.602(5) ~~s. 1001.02(6)~~.

6303 (2) Effectively fulfill the mission of the Florida
6304 Community College System institutions in accordance with s.
6305 1004.65.

6306 Section 102. Section 1011.83, Florida Statutes, is amended
6307 to read:

6308 1011.83 Financial support of Florida Community College
6309 System institutions.—

6310 (1) Each Florida Community College System institution that
6311 ~~has been approved by the Department of Education and~~ meets the
6312 requirements of law and rules of the State Board of Community
6313 Colleges ~~Education~~ shall participate in the Florida Community
6314 College System Program Fund. However, funds to support workforce
6315 education programs conducted by Florida Community College System
6316 institutions shall be provided pursuant to s. 1011.80.

6317 (2) A student in a baccalaureate degree program approved
6318 pursuant to s. 1007.33 who is not classified as a resident for
6319 tuition purposes pursuant to s. 1009.21 may not be included in
6320 calculations of full-time equivalent enrollments for state
6321 funding purposes.

6322 Section 103. Section 1011.84, Florida Statutes, is amended

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6323 to read:

6324 1011.84 Procedure for determining state financial support
6325 and annual apportionment of state funds to each Florida
6326 Community College System institution district.—The procedure for
6327 determining state financial support and the annual apportionment
6328 to each Florida Community College System institution district
6329 authorized to operate a Florida Community College System
6330 institution under the provisions of s. 1001.61 shall be as
6331 follows:

6332 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
6333 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING
6334 PROGRAM.—

6335 (a) The State Board of Community Colleges ~~Department of~~
6336 ~~Education~~ shall determine annually, from an analysis of
6337 operating costs, prepared in the manner prescribed by rules of
6338 ~~the State Board of Education,~~ the costs per full-time equivalent
6339 student served in courses and fields of study offered in Florida
6340 Community College System institutions. This information and
6341 current college operating budgets shall be submitted to the
6342 Executive Office of the Governor with the legislative budget
6343 request prior to each regular session of the Legislature.

6344 (b) The allocation of funds for Florida Community College
6345 System institutions must ~~shall~~ be based on advanced and
6346 professional disciplines, developmental education, and other
6347 programs for adults funded pursuant to s. 1011.80.

6348 (c) The category of lifelong learning is for students
6349 enrolled pursuant to s. 1004.93. A student shall also be
6350 reported as a lifelong learning student for his or her
6351 enrollment in any course that he or she has previously taken,

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6352 unless it is a credit course in which the student earned a grade
6353 of D or F.

6354 (d) If an adult student has been determined to be a
6355 disabled student eligible for an approved educational program
6356 for disabled adults provided pursuant to s. 1004.93 and rules of
6357 the State Board of Community Colleges ~~Education~~ and is enrolled
6358 in a class with curriculum frameworks developed for the program,
6359 state funding for that student shall be provided at a level
6360 double that of a student enrolled in a special adult general
6361 education program provided by a Florida Community College System
6362 institution.

6363 (e) All state inmate education provided by Florida
6364 Community College System institutions shall be reported by
6365 program, FTE expenditure, and revenue source. These enrollments,
6366 expenditures, and revenues shall be reported and projected
6367 separately. Instruction of state inmates may ~~shall~~ not be
6368 included in the full-time equivalent student enrollment for
6369 funding through the Florida Community College System Program
6370 Fund.

6371 (f) When a public educational institution has been fully
6372 funded by an external agency for direct instructional costs of
6373 any course or program, the FTE generated may ~~shall~~ not be
6374 reported for state funding.

6375 (g) The State Board of Education shall adopt rules to
6376 implement s. 9(d)(8)f., Art. XII of the State Constitution.
6377 These rules shall provide for the use of the funds available
6378 under s. 9(d)(8)f., Art. XII by an individual Florida Community
6379 College System institution for operating expense in any fiscal
6380 year during which the State Board of Education has determined

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6381 that all major capital outlay needs have been met. Highest
6382 priority for the use of these funds for purposes other than
6383 financing approved capital outlay projects shall be for the
6384 proper maintenance and repair of existing facilities for
6385 projects approved by the State Board of Education. However, in
6386 any fiscal year in which funds from this source are authorized
6387 for operating expense other than approved maintenance and repair
6388 projects, the allocation of Florida Community College System
6389 institution program funds shall be reduced by an amount equal to
6390 the sum used for such operating expense for that Florida
6391 Community College System institution that year, and that amount
6392 shall not be released or allocated among the other Florida
6393 Community College System institutions that year.

6394 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
6395 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay
6396 and debt service shall be as determined and provided in s. 18,
6397 Art. XII of the State Constitution of 1885, as adopted by s.
6398 9(d), Art. XII of the 1968 revised State Constitution and State
6399 Board of Education rules.

6400 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6401 (a) By December 15 of each year, the State Board of
6402 Community Colleges ~~Department of Education~~ shall estimate the
6403 annual enrollment of each Florida Community College System
6404 institution for the current fiscal year and for the 3 subsequent
6405 fiscal years. These estimates shall be based upon prior years'
6406 enrollments, upon the initial fall term enrollments for the
6407 current fiscal year for each college, and upon each college's
6408 estimated current enrollment and demographic changes in the
6409 respective Florida Community College System institution

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6410 districts. Upper-division enrollment shall be estimated
6411 separately from lower-division enrollment.

6412 (b) The apportionment to each Florida Community College
6413 System institution from the Florida Community College System
6414 Program Fund shall be determined annually in the General
6415 Appropriations Act. In determining each college's apportionment,
6416 the Legislature shall consider the following components:

6417 1. Base budget, which includes the state appropriation to
6418 the Florida Community College System Program Fund in the current
6419 year plus the related student tuition and out-of-state fees
6420 assigned in the current General Appropriations Act.

6421 2. The cost-to-continue allocation, which consists of
6422 incremental changes to the base budget, including salaries,
6423 price levels, and other related costs allocated through a
6424 funding model approved by the Legislature which may recognize
6425 differing economic factors arising from the individual
6426 educational approaches of the various Florida Community College
6427 System institutions, including, but not limited to:

6428 a. Direct Instructional Funding, including class size,
6429 faculty productivity factors, average faculty salary, ratio of
6430 full-time to part-time faculty, costs of programs, and
6431 enrollment factors.

6432 b. Academic Support, including small colleges factor,
6433 multicampus factor, and enrollment factor.

6434 c. Student Services Support, including headcount of
6435 students as well as FTE count and enrollment factors.

6436 d. Library Support, including volume and other
6437 materials/audiovisual requirements.

6438 e. Special Projects.

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6439 f. Operations and Maintenance of Plant, including square
6440 footage and utilization factors.

6441 g. District Cost Differential.

6442 3. Students enrolled in a recreation and leisure program
6443 and students enrolled in a lifelong learning program who may not
6444 be counted as full-time equivalent enrollments for purposes of
6445 enrollment workload adjustments.

6446 4. Operating costs of new facilities adjustments, which
6447 shall be provided, from funds available, for each new facility
6448 that is owned by the college and is recommended in accordance
6449 with s. 1013.31.

6450 5. New and improved program enhancements, which shall be
6451 determined by the Legislature.

6452

6453 Student fees in the base budget plus student fee revenues
6454 generated by increases in fee rates shall be deducted from the
6455 sum of the components determined in subparagraphs 1.-5. The
6456 amount remaining shall be the net annual state apportionment to
6457 each college.

6458 (c) A ~~No~~ Florida Community College System institution may
6459 not ~~shall~~ commit funds for the employment of personnel or
6460 resources in excess of those required to continue the same level
6461 of support for either the previously approved enrollment or the
6462 revised enrollment, whichever is lower.

6463 (d) The apportionment to each Florida Community College
6464 System institution district for capital outlay and debt service
6465 shall be the amount determined in accordance with subsection
6466 (2). This amount, less any amount determined as necessary for
6467 administrative expense by the State Board of Education and any

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6468 amount necessary for debt service on bonds issued by the State
6469 Board of Education, shall be transmitted to the Florida
6470 Community College System institution board of trustees to be
6471 expended in a manner prescribed by rules of the State Board of
6472 Education.

6473 (e) If at any time the unencumbered balance in the general
6474 fund of the Florida Community College System institution board
6475 of trustees approved operating budget goes below 5 percent, the
6476 president shall provide written notification to the State Board
6477 of Education.

6478 (f) Expenditures for apprenticeship programs must ~~shall~~ be
6479 reported separately.

6480 (g) Expenditures for upper-division enrollment in a Florida
6481 Community College System institution that grants baccalaureate
6482 degrees must ~~shall~~ be reported separately from expenditures for
6483 lower-division enrollment, in accordance with law and State
6484 Board of Education rule.

6485 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
6486 herein to any Florida Community College System institution must
6487 ~~shall~~ be expended only for the purpose of supporting that
6488 Florida Community College System institution.

6489 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida
6490 Community College System institution board of trustees shall
6491 report, as a separate item in its annual cost accounting system,
6492 the volume and cost of developmental education options provided
6493 to help students attain the communication and computation skills
6494 that are essential for college-level work pursuant to s.
6495 1008.30.

6496 Section 104. Section 1011.85, Florida Statutes, is amended

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6497 to read:

6498 1011.85 Dr. Philip Benjamin Matching Grant Program for
6499 Florida Community College System Institutions.—

6500 (1) There is created the Dr. Philip Benjamin Matching Grant
6501 Program for Florida Community College System Institutions as a
6502 single matching gifts program that encompasses the goals
6503 originally set out in the Academic Improvement Program, the
6504 Scholarship Matching Program, and the Health Care Education
6505 Quality Enhancement Challenge Grant. The program shall be
6506 administered according to rules of the State Board of Community
6507 Colleges ~~Education~~ and used to encourage private support in
6508 enhancing Florida Community College System institutions by
6509 providing the Florida Community College System with the
6510 opportunity to receive and match challenge grants. Funds
6511 received prior to the effective date of this act for each of the
6512 three programs shall be retained in the separate account for
6513 which it was designated.

6514 (2) Each Florida Community College System institution board
6515 of trustees receiving state appropriations under this program
6516 shall approve each gift to ensure alignment with the unique
6517 mission of the Florida Community College System institution. The
6518 board of trustees must link all requests for a state match to
6519 the goals and mission statement. The Florida Community College
6520 System Institution Foundation Board receiving state
6521 appropriations under this program shall approve each gift to
6522 ensure alignment with its goals and mission statement. Funds
6523 received from community events and festivals are not eligible
6524 for state matching funds under this program.

6525 (3) Upon approval by the Florida Community College System

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6526 institution board of trustees and the State Board of Community
6527 Colleges Education, the ordering of donations for priority
6528 listing of unmatched gifts should be determined by the
6529 submitting Florida Community College System institution.

6530 (4) Each year, eligible contributions received by a Florida
6531 Community College System institution's foundation or the State
6532 Board of Community Colleges Education by February 1 shall be
6533 eligible for state matching funds.

6534 (a) Each Florida Community College System institution board
6535 of trustees and, when applicable, the Florida Community College
6536 System Institution Foundation Board, receiving state
6537 appropriations under this program shall also certify in an
6538 annual report to the State Board of Community Colleges Education
6539 the receipt of eligible cash contributions that were previously
6540 unmatched by the state. The State Board of Education shall adopt
6541 rules providing all Florida Community College System
6542 institutions with an opportunity to apply for excess funds
6543 before the awarding of such funds.

6544 (b) Florida Community College System institutions must
6545 submit to the State Board of Community Colleges Education an
6546 annual expenditure report tracking the use of all matching
6547 funds.

6548 (c) The audit of each foundation receiving state funds from
6549 this program must include a certification of accuracy in the
6550 amount reported for matching funds.

6551 (5) The matching ratio for donations that are specifically
6552 designated to support scholarships, including scholarships for
6553 first-generation-in-college students, student loans, or need-
6554 based grants shall be \$1 of state funds to \$1 of local private

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6555 funds.

6556 (6) Otherwise, funds must ~~shall~~ be proportionately
6557 allocated to the Florida Community College System institutions
6558 on the basis of matching each \$6 of local or private funds with
6559 \$4 of state funds. To be eligible, a minimum of \$4,500 must be
6560 raised from private sources.

6561 (7) The Florida Community College System institution board
6562 of trustees, in conjunction with the donor, shall determine ~~make~~
6563 ~~the determination of~~ whether scholarships established pursuant
6564 to this program are endowed.

6565 (8) (a) Funds sufficient to provide the match shall be
6566 transferred from the state appropriations to the local Florida
6567 Community College System institution foundation or the statewide
6568 Florida Community College System institution foundation upon
6569 notification that a proportionate amount has been received and
6570 deposited by a Florida Community College System institution in
6571 its own trust fund.

6572 (b) If state funds appropriated for the program are
6573 insufficient to match contributions, the amount allocated must
6574 ~~shall~~ be reduced in proportion to its share of the total
6575 eligible contributions. However, in making proportional
6576 reductions, every Florida Community College System institution
6577 shall receive a minimum of \$75,000 in state matching funds if
6578 its eligible contributions would have generated an amount at
6579 least equal to \$75,000. All unmet contributions must ~~shall~~ be
6580 eligible for state matching funds in subsequent fiscal years.

6581 (9) Each Florida Community College System institution
6582 entity shall establish its own matching grant program fund as a
6583 depository for the private contributions and matching state

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6584 funds provided under this section. Florida Community College
6585 System institution foundations are responsible for the
6586 maintenance, investment, and administration of their matching
6587 grant program funds.

6588 (10) The State Board of Community Colleges ~~Education~~ may
6589 receive submissions of requests for matching funds and
6590 documentation relating to those requests, may approve requests
6591 for matching funds, and may allocate such funds to the Florida
6592 Community College System institutions.

6593 (11) The board of trustees of the Florida Community College
6594 System institution and the State Board of Community Colleges
6595 ~~Education~~ are responsible for determining the uses for the
6596 proceeds of their respective trust funds. Such use of the
6597 proceeds shall include, but not be limited to, expenditure of
6598 the funds for:

6599 (a) Scientific and technical equipment.

6600 (b) Scholarships, loans, or need-based grants.

6601 (c) Other activities that will benefit future students as
6602 well as students currently enrolled at the Florida Community
6603 College System institution, will improve the quality of
6604 education at the Florida Community College System institution,
6605 or will enhance economic development in the community.

6606 (12) Each Florida Community College System institution
6607 shall notify all donors of private funds of a substantial delay
6608 in the availability of state matching funds for this program.

6609 (13) Effective July 1, 2011, state matching funds are
6610 temporarily suspended for donations received for this program on
6611 or after June 30, 2011. Existing eligible donations remain
6612 eligible for future matching funds. The program may be restarted

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6613 after \$200 million of the backlog for programs under this
6614 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6615 Section 105. Subsection (1) of section 1012.01, Florida
6616 Statutes, is amended to read:

6617 1012.01 Definitions.—As used in this chapter, the following
6618 terms have the following meanings:

6619 (1) SCHOOL OFFICERS.—The officers of the state system of
6620 public K-12 ~~and Florida College System institution~~ education
6621 shall be the Commissioner of Education and the members of the
6622 State Board of Education; for the Florida Community College
6623 System, the officers shall be the Chancellor of the Florida
6624 Community College System and the members of the State Board of
6625 Community Colleges; for each district school system, the
6626 officers shall be the district school superintendent and members
6627 of the district school board; and for each Florida Community
6628 College System institution, the officers shall be the Florida
6629 Community College System institution president and members of
6630 the Florida Community College System institution board of
6631 trustees.

6632 Section 106. Paragraph (a) of subsection (1) of section
6633 1012.80, Florida Statutes, is amended to read:

6634 1012.80 Participation by employees in disruptive activities
6635 at public postsecondary educational institutions; penalties.—

6636 (1) (a) Any person who accepts the privilege extended by the
6637 laws of this state of employment at any Florida Community
6638 College System institution shall, by working at such
6639 institution, be deemed to have given his or her consent to the
6640 policies of that institution, the policies of the State Board of
6641 Community Colleges Education, and the laws of this state. Such

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6642 policies shall include prohibition against disruptive activities
6643 at Florida Community College System institutions.

6644 Section 107. Subsection (1) of section 1012.81, Florida
6645 Statutes, is amended to read:

6646 1012.81 Personnel records.—

6647 (1) The State Board of Community Colleges ~~Education~~ shall
6648 adopt rules prescribing the content and custody of limited-
6649 access records that a Florida Community College System
6650 institution may maintain on its employees. Limited-access
6651 employee records are confidential and exempt from ~~the provisions~~
6652 ~~of~~ s. 119.07(1). Limited-access records include only the
6653 following:

6654 (a) Records containing information reflecting academic
6655 evaluations of employee performance; however, the employee and
6656 officials of the institution responsible for supervision of the
6657 employee shall have access to such records.

6658 (b) Records maintained for the purposes of any
6659 investigation of employee misconduct, including, but not limited
6660 to, a complaint against an employee and all information obtained
6661 pursuant to the investigation of such complaint; however, these
6662 records become public after the investigation ceases to be
6663 active or when the institution provides written notice to the
6664 employee who is the subject of the complaint that the
6665 institution has either:

6666 1. Concluded the investigation with a finding not to
6667 proceed with disciplinary action;

6668 2. Concluded the investigation with a finding to proceed
6669 with disciplinary action; or

6670 3. Issued a letter of discipline.

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6671
6672 For the purpose of this paragraph, an investigation shall be
6673 considered active as long as it is continuing with a reasonable,
6674 good faith anticipation that a finding will be made in the
6675 foreseeable future. An investigation shall be presumed to be
6676 inactive if no finding is made within 90 days after the
6677 complaint is filed.

6678 Section 108. Subsection (1) of section 1012.83, Florida
6679 Statutes, is amended to read:

6680 1012.83 Contracts with administrative and instructional
6681 staff.—

6682 (1) Each person employed in an administrative or
6683 instructional capacity in a Florida Community College System
6684 institution shall be entitled to a contract as provided by rules
6685 of the State Board of Community Colleges ~~Education~~.

6686 Section 109. Section 1012.855, Florida Statutes, is amended
6687 to read:

6688 1012.855 Employment of Florida Community College System
6689 institution personnel; discrimination in granting salary
6690 prohibited.—

6691 (1) (a) Employment of all personnel in each Florida
6692 Community College System institution shall be upon
6693 recommendation of the president, subject to rejection for cause
6694 by the Florida Community College System institution board of
6695 trustees; to the rules of the State Board of Community Colleges
6696 ~~Education~~ relative to certification, tenure, leaves of absence
6697 of all types, including sabbaticals, remuneration, and such
6698 other conditions of employment as the State Board of Community
6699 Colleges ~~Education~~ deems necessary and proper; and to policies

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6700 of the Florida Community College System institution board of
6701 trustees not inconsistent with law.

6702 (b) Any internal auditor employed by a Florida Community
6703 College System institution shall be hired by the Florida
6704 Community College System institution board of trustees and shall
6705 report directly to the board.

6706 (2) Each Florida Community College System institution board
6707 of trustees shall undertake a program to eradicate any
6708 discrimination on the basis of gender, race, or physical
6709 handicap in the granting of salaries to employees.

6710 Section 110. Section 1012.86, Florida Statutes, is amended
6711 to read:

6712 1012.86 Florida Community College System institution
6713 employment equity accountability program.—

6714 (1) Each Florida Community College System institution shall
6715 include in its annual equity update a plan for increasing the
6716 representation of women and minorities in senior-level
6717 administrative positions and in full-time faculty positions, and
6718 for increasing the representation of women and minorities who
6719 have attained continuing-contract status. Positions shall be
6720 defined in the personnel data element directory of the
6721 Department of Education. The plan must include specific
6722 measurable goals and objectives, specific strategies and
6723 timelines for accomplishing these goals and objectives, and
6724 comparable national standards as provided by the Department of
6725 Education. The goals and objectives shall be based on meeting or
6726 exceeding comparable national standards and shall be reviewed
6727 and recommended by the State Board of Community Colleges
6728 ~~Education~~ as appropriate. Such plans shall be maintained until

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6729 appropriate representation has been achieved and maintained for
6730 at least 3 consecutive reporting years.

6731 (2) (a) On or before May 1 of each year, each Florida
6732 Community College System institution president shall submit an
6733 annual employment accountability plan to the Chancellor of the
6734 Florida Community College System and the State Board of
6735 Community Colleges ~~Commissioner of Education and the State Board~~
6736 ~~of Education~~. The accountability plan must show faculty and
6737 administrator employment data according to requirements
6738 specified on the federal Equal Employment Opportunity (EEO-6)
6739 report.

6740 (b) The plan must show the following information for those
6741 positions including, but not limited to:

6742 1. Job classification title.

6743 2. Gender.

6744 3. Ethnicity.

6745 4. Appointment status.

6746 5. Salary information. At each Florida Community College
6747 System institution, salary information shall also include the
6748 salary ranges in which new hires were employed compared to the
6749 salary ranges for employees with comparable experience and
6750 qualifications.

6751 6. Other comparative information including, but not limited
6752 to, composite information regarding the total number of
6753 positions within the particular job title classification for the
6754 Florida Community College System institution by race, gender,
6755 and salary range compared to the number of new hires.

6756 7. A statement certifying diversity and balance in the
6757 gender and ethnic composition of the selection committee for

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6758 each vacancy, including a brief description of guidelines used
6759 for ensuring balanced and diverse membership on selection and
6760 review committees.

6761 (c) The annual employment accountability plan shall also
6762 include an analysis and an assessment of the Florida Community
6763 College System institution's attainment of annual goals and of
6764 long-range goals for increasing the number of women and
6765 minorities in faculty and senior-level administrative positions,
6766 and a corrective action plan for addressing underrepresentation.

6767 (d) Each Florida Community College System institution's
6768 employment accountability plan must also include:

6769 1. The requirements for receiving a continuing contract.

6770 2. A brief description of the process used to grant
6771 continuing-contract status.

6772 3. A brief description of the process used to annually
6773 apprise each eligible faculty member of progress toward
6774 attainment of continuing-contract status.

6775 (3) Florida Community College System institution presidents
6776 and the heads of each major administrative division shall be
6777 evaluated annually on the progress made toward meeting the goals
6778 and objectives of the Florida Community College System
6779 institution's employment accountability plan.

6780 (a) The Florida Community College System institution
6781 presidents, or the presidents' designees, shall annually
6782 evaluate each department chairperson, dean, provost, and vice
6783 president in achieving the annual and long-term goals and
6784 objectives. A summary of the results of such evaluations shall
6785 be reported annually by the Florida Community College System
6786 institution president to the Florida Community College System

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6787 institution board of trustees. Annual budget allocations by the
6788 Florida Community College System institution board of trustees
6789 for positions and funding must take into consideration these
6790 evaluations.

6791 (b) Florida Community College System institution boards of
6792 trustees shall annually evaluate the performance of the Florida
6793 Community College System institution presidents in achieving the
6794 annual and long-term goals and objectives. A summary of the
6795 results of such evaluations shall be reported to the State Board
6796 of Community Colleges ~~Commissioner of Education and the State~~
6797 ~~Board of Education~~ as part of the Florida Community College
6798 System institution's annual employment accountability plan, and
6799 to the Legislature as part of the annual equity progress report
6800 submitted by the State Board of Community Colleges ~~Education~~.

6801 (4) The State Board of Community Colleges ~~Education~~ shall
6802 submit an annual equity progress report to the President of the
6803 Senate and the Speaker of the House of Representatives on or
6804 before January 1 of each year.

6805 (5) Each Florida Community College System institution shall
6806 develop a budgetary incentive plan to support and ensure
6807 attainment of the goals developed pursuant to this section. The
6808 plan shall specify, at a minimum, how resources shall be
6809 allocated to support the achievement of goals and the
6810 implementation of strategies in a timely manner. After prior
6811 review and approval by the Florida Community College System
6812 institution president and the Florida Community College System
6813 institution board of trustees, the plan shall be submitted as
6814 part of the annual employment accountability plan submitted by
6815 each Florida Community College System institution to the State

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6816 Board of Community Colleges Education.

6817 (6) Subject to available funding, the Legislature shall
6818 provide an annual appropriation to the State Board of Community
6819 Colleges Education to be allocated to Florida Community College
6820 System institution presidents, faculty, and administrative
6821 personnel to further enhance equity initiatives and related
6822 priorities that support the mission of colleges and departments
6823 in recognition of the attainment of the equity goals and
6824 objectives.

6825 Section 111. Subsection (3) of section 1013.01, Florida
6826 Statutes, is amended to read:

6827 1013.01 Definitions.—The following terms shall be defined
6828 as follows for the purpose of this chapter:

6829 (3) "Board," unless otherwise specified, means a district
6830 school board, a Florida Community College System institution
6831 board of trustees, a university board of trustees, and the Board
6832 of Trustees for the Florida School for the Deaf and the Blind.
6833 The term "board" does not include the State Board of Education,
6834 ~~or~~ the Board of Governors, or the State Board of Community
6835 Colleges.

6836 Section 112. Subsection (2) of section 1013.02, Florida
6837 Statutes, is amended to read:

6838 1013.02 Purpose; rules and regulations.—

6839 (2) (a) The State Board of Education shall adopt rules
6840 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
6841 ~~provisions of this chapter for school districts and Florida~~
6842 ~~College System institutions~~.

6843 (b) The Board of Governors shall adopt regulations pursuant
6844 to its regulation development procedure to implement ~~the~~

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6845 ~~provisions of this chapter for state universities.~~

6846 (c) The State Board of Community Colleges shall adopt rules
6847 pursuant to ss. 120.536(1) and 120.54 to implement this chapter
6848 for Florida Community College System institutions.

6849 Section 113. Section 1013.03, Florida Statutes, is amended
6850 to read:

6851 1013.03 Functions of the department, the State Board of
6852 Community Colleges, and the Board of Governors.—The functions of
6853 the Department of Education as it pertains to educational
6854 facilities of school districts, of the State Board of Community
6855 Colleges as it pertains to educational facilities of ~~and~~ Florida
6856 Community College System institutions, and of the Board of
6857 Governors as it pertains to educational facilities of state
6858 universities shall include, but not be limited to, the
6859 following:

6860 (1) Establish recommended minimum and maximum square
6861 footage standards for different functions and areas and
6862 procedures for determining the gross square footage for each
6863 educational facility to be funded in whole or in part by the
6864 state, including public broadcasting stations but excluding
6865 postsecondary special purpose laboratory space. The gross square
6866 footage determination standards may be exceeded when the core
6867 facility space of an educational facility is constructed or
6868 renovated to accommodate the future addition of classrooms to
6869 meet projected increases in student enrollment. The department,
6870 the State Board of Community Colleges, and the Board of
6871 Governors shall encourage multiple use of facilities and spaces
6872 in educational plants.

6873 (2) Establish, for the purpose of determining need,

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6874 equitably uniform utilization standards for all types of like
6875 space, regardless of the level of education. These standards
6876 shall also establish, for postsecondary education classrooms, a
6877 minimum room utilization rate of 40 hours per week and a minimum
6878 station utilization rate of 60 percent. These rates shall be
6879 subject to increase based on national norms for utilization of
6880 postsecondary education classrooms.

6881 (3) Require boards to submit other educational plant
6882 inventories data and statistical data or information relevant to
6883 construction, capital improvements, and related costs.

6884 (4) Require each board and other appropriate agencies to
6885 submit complete and accurate financial data as to the amounts of
6886 funds from all sources that are available and spent for
6887 construction and capital improvements. The commissioner shall
6888 prescribe the format and the date for the submission of this
6889 data and any other educational facilities data. If any district
6890 does not submit the required educational facilities fiscal data
6891 by the prescribed date, the Commissioner of Education shall
6892 notify the district school board of this fact and, if
6893 appropriate action is not taken to immediately submit the
6894 required report, the district school board shall be directed to
6895 proceed pursuant to s. 1001.42(13)(b). If any Florida Community
6896 College System institution or university does not submit the
6897 required educational facilities fiscal data by the prescribed
6898 date, the same policy prescribed in this subsection for school
6899 districts shall be implemented.

6900 (5) Administer, under the supervision of the Commissioner
6901 of Education, the Public Education Capital Outlay and Debt
6902 Service Trust Fund and the School District and Community College

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6903 District Capital Outlay and Debt Service Trust Fund.

6904 (6) Develop, review, update, revise, and recommend a
6905 mandatory portion of the Florida Building Code for educational
6906 facilities construction and capital improvement by Florida
6907 Community College System institution boards and district school
6908 boards.

6909 (7) Provide training, technical assistance, and building
6910 code interpretation for requirements of the mandatory Florida
6911 Building Code for the educational facilities construction and
6912 capital improvement programs of ~~the Florida College System~~
6913 ~~institution boards and~~ district school boards and, upon request,
6914 approve phase III construction documents for remodeling,
6915 renovation, or new construction of educational plants or
6916 ancillary facilities, except that Florida Community College
6917 System institutions and university boards of trustees shall
6918 approve specifications and construction documents for their
6919 respective institutions pursuant to guidelines of the Board of
6920 Governors or State Board of Community Colleges, as applicable.
6921 The Department of Management Services may, upon request, provide
6922 similar services for the Florida School for the Deaf and the
6923 Blind and shall use the Florida Building Code and the Florida
6924 Fire Prevention Code.

6925 (8) Provide minimum criteria, procedures, and training to
6926 boards to conduct educational plant surveys and document the
6927 determination of future needs.

6928 (9) Make available to boards technical assistance,
6929 awareness training, and research and technical publications
6930 relating to lifesafety, casualty, sanitation, environmental,
6931 maintenance, and custodial issues; and, as needed, technical

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6932 assistance for survey, planning, design, construction,
6933 operation, and evaluation of educational and ancillary
6934 facilities and plants, facilities administrative procedures
6935 review, and training for new administrators.

6936 (10) (a) Review and validate surveys proposed or amended by
6937 the boards and recommend to the Commissioner of Education, the
6938 Chancellor of the Florida Community College System, or the
6939 Chancellor of the State University System, as appropriate, for
6940 approval, surveys that meet the requirements of this chapter.

6941 1. The term "validate" as applied to surveys by school
6942 districts means to review inventory data as submitted to the
6943 department by district school boards; provide for review and
6944 inspection, where required, of student stations and aggregate
6945 square feet of inventory changed from satisfactory to
6946 unsatisfactory or changed from unsatisfactory to satisfactory;
6947 compare new school inventory to allocation limits provided by
6948 this chapter; review cost projections for conformity with cost
6949 limits set by s. 1013.64(6); compare total capital outlay full-
6950 time equivalent enrollment projections in the survey with the
6951 department's projections; review facilities lists to verify that
6952 student station and auxiliary facility space allocations do not
6953 exceed the limits provided by this chapter and related rules;
6954 review and confirm the application of uniform facility
6955 utilization factors, where provided by this chapter or related
6956 rules; use ~~utilize~~ the documentation of programs offered per
6957 site, as submitted by the board, to analyze facility needs;
6958 confirm that need projections for career and adult educational
6959 programs comply with needs documented by the Department of
6960 Education; and confirm the assignment of full-time student

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6961 stations to all space except auxiliary facilities, which, for
6962 purposes of exemption from student station assignment, include
6963 the following:

6964 a. Cafeterias.

6965 b. Multipurpose dining areas.

6966 c. Media centers.

6967 d. Auditoriums.

6968 e. Administration.

6969 f. Elementary, middle, and high school resource rooms, up
6970 to the number of such rooms recommended for the applicable
6971 occupant and space design capacity of the educational plant in
6972 the State Requirements for Educational Facilities, beyond which
6973 student stations must be assigned.

6974 g. Elementary school skills labs, up to the number of such
6975 rooms recommended for the applicable occupant and space design
6976 capacity of the educational plant in the State Requirements for
6977 Educational Facilities, beyond which student stations must be
6978 assigned.

6979 h. Elementary school art and music rooms.

6980

6981 The Commissioner of Education may grant a waiver from the
6982 requirements of this subparagraph if a district school board
6983 determines that such waiver will make possible a substantial
6984 savings of funds or will be advantageous to the welfare of the
6985 educational system. The district school board shall present a
6986 full statement to the commissioner which sets forth the facts
6987 that warrant the waiver. If the commissioner denies a request
6988 for a waiver, the district school board may appeal such decision
6989 to the State Board of Education.

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6990 2. The term "validate" as applied to surveys by Florida
6991 Community College System institutions and universities means to
6992 review and document the approval of each new site and official
6993 designation, where applicable; review the inventory database as
6994 submitted by each board to the department, including noncareer,
6995 and total capital outlay full-time equivalent enrollment
6996 projections per site and per college; provide for the review and
6997 inspection, where required, of student stations and aggregate
6998 square feet of space changed from satisfactory to
6999 unsatisfactory; use ~~utilize~~ and review the documentation of
7000 programs offered per site submitted by the boards as accurate
7001 for analysis of space requirements and needs; confirm that needs
7002 projected for career and adult educational programs comply with
7003 needs documented by the Department of Education; compare new
7004 facility inventory to allocations limits as provided in this
7005 chapter; review cost projections for conformity with state
7006 averages or limits designated by this chapter; compare student
7007 enrollment projections in the survey to the department's
7008 projections; review facilities lists to verify that area
7009 allocations and space factors for generating space needs do not
7010 exceed the limits as provided by this chapter and related rules;
7011 confirm the application of facility utilization factors as
7012 provided by this chapter and related rules; and review, as
7013 submitted, documentation of how survey recommendations will
7014 implement the detail of current campus master plans and
7015 integrate with local comprehensive plans and development
7016 regulations.

7017 (b) Recommend priority of projects to be funded.

7018 (11) Prepare the commissioner's comprehensive fixed capital

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7019 outlay legislative budget request and provide annually an
7020 estimate of the funds available for developing required 3-year
7021 priority lists. This amount shall be based upon the average
7022 percentage for the 5 prior years of funds appropriated by the
7023 Legislature for fixed capital outlay to each level of public
7024 education: public schools, Florida Community College System
7025 institutions, and universities.

7026 (12) Perform any other functions that may be involved in
7027 educational facilities construction and capital improvement
7028 which shall ensure that the intent of the Legislature is
7029 implemented.

7030 Section 114. Section 1013.28, Florida Statutes, is amended
7031 to read:

7032 1013.28 Disposal of property.—

7033 (1) REAL PROPERTY.—

7034 (a) Subject to rules of the State Board of Education, a
7035 district school board or the Board of Trustees for the Florida
7036 School for the Deaf and the Blind, ~~or a Florida College System~~
7037 ~~institution board of trustees~~ may dispose of any land or real
7038 property to which the board holds title which is, by resolution
7039 of the board, determined to be unnecessary for educational
7040 purposes as recommended in an educational plant survey. A
7041 district school board or the Board of Trustees for the Florida
7042 School for the Deaf and the Blind, ~~or a Florida College System~~
7043 ~~institution board of trustees~~ shall take diligent measures to
7044 dispose of educational property only in the best interests of
7045 the public. However, appraisals may be obtained by the district
7046 school board or the Board of Trustees for the Florida School
7047 for the Deaf and the Blind before, ~~or the Florida College System~~

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7048 ~~institution board of trustees prior to~~ or simultaneously with
7049 the receipt of bids.

7050 (b) Subject to regulations of the Board of Governors, a
7051 state university board of trustees may dispose of any land or
7052 real property to which it holds valid title which is, by
7053 resolution of the state university board of trustees, determined
7054 to be unnecessary for educational purposes as recommended in an
7055 educational plant survey. A state university board of trustees
7056 shall take diligent measures to dispose of educational property
7057 only in the best interests of the public. However, appraisals
7058 may be obtained by the state university board of trustees prior
7059 to or simultaneously with the receipt of bids.

7060 (c) Subject to rules of the State Board of Community
7061 Colleges, a Florida Community College System institution board
7062 of trustees may dispose of any land or real property to which it
7063 holds valid title which is, by resolution of the Florida
7064 Community College System institution board of trustees,
7065 determined to be unnecessary for educational purposes as
7066 recommended in an educational plant survey. A Florida Community
7067 College System institution board of trustees shall take diligent
7068 measures to dispose of educational property only in the best
7069 interests of the public. However, appraisals may be obtained by
7070 the Florida Community College System institution board of
7071 trustees prior to or simultaneously with the receipt of bids.

7072 (2) TANGIBLE PERSONAL PROPERTY.—

7073 (a) Tangible personal property that has been properly
7074 classified as surplus by a district school board ~~or Florida~~
7075 ~~College System institution board of trustees~~ shall be disposed
7076 of in accordance with the procedure established by chapter 274.

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7077 However, the provisions of chapter 274 shall not be applicable
7078 to a motor vehicle used in driver education to which title is
7079 obtained for a token amount from an automobile dealer or
7080 manufacturer. In such cases, the disposal of the vehicle shall
7081 be as prescribed in the contractual agreement between the
7082 automotive agency or manufacturer and the board.

7083 (b) Tangible personal property that has been properly
7084 classified as surplus by a state university board of trustees
7085 shall be disposed of in accordance with the procedure
7086 established by chapter 273.

7087 (c) Tangible personal property that has been properly
7088 classified as surplus by a Florida Community College System
7089 institution board of trustees shall be disposed of in accordance
7090 with the procedure established by chapter 274.

7091 Section 115. Subsection (1) of section 1013.31, Florida
7092 Statutes, is amended to read:

7093 1013.31 Educational plant survey; localized need
7094 assessment; PECO project funding.—

7095 (1) At least every 5 years, each board shall arrange for an
7096 educational plant survey, to aid in formulating plans for
7097 housing the educational program and student population, faculty,
7098 administrators, staff, and auxiliary and ancillary services of
7099 the district or campus, including consideration of the local
7100 comprehensive plan. The Department of Education, for school
7101 districts, and the State Board of Community Colleges, for the
7102 Florida Community College System, shall document the need for
7103 additional career and adult education programs and the
7104 continuation of existing programs before facility construction
7105 or renovation related to career or adult education may be

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7106 included in the educational plant survey of a school district or
7107 Florida Community College System institution that delivers
7108 career or adult education programs. Information used by the
7109 Department of Education or State Board of Community Colleges to
7110 establish facility needs must include, but need not be limited
7111 to, labor market data, needs analysis, and information submitted
7112 by the school district or Florida Community College System
7113 institution.

7114 (a) *Survey preparation and required data.*—Each survey shall
7115 be conducted by the board or an agency employed by the board.
7116 Surveys shall be reviewed and approved by the board, and a file
7117 copy shall be submitted to the Department of Education, the
7118 Chancellor of the Florida Community College System, or the
7119 Chancellor of the State University System, as appropriate. The
7120 survey report shall include at least an inventory of existing
7121 educational and ancillary plants, including safe access
7122 facilities; recommendations for existing educational and
7123 ancillary plants; recommendations for new educational or
7124 ancillary plants, including the general location of each in
7125 coordination with the land use plan and safe access facilities;
7126 campus master plan update and detail for Florida Community
7127 College System institutions; the use ~~utilization~~ of school
7128 plants based on an extended school day or year-round operation;
7129 and such other information as may be required by the Department
7130 of Education. This report may be amended, if conditions warrant,
7131 at the request of the department or commissioner.

7132 (b) *Required need assessment criteria for district, Florida*
7133 *Community College System institution, state university, and*
7134 *Florida School for the Deaf and the Blind plant surveys.*—

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7135 Educational plant surveys must use uniform data sources and
7136 criteria specified in this paragraph. Each revised educational
7137 plant survey and each new educational plant survey supersedes
7138 previous surveys.

7139 1. The school district's survey must be submitted as a part
7140 of the district educational facilities plan defined in s.
7141 1013.35. To ensure that the data reported to the Department of
7142 Education as required by this section is correct, the department
7143 shall annually conduct an onsite review of 5 percent of the
7144 facilities reported for each school district completing a new
7145 survey that year. If the department's review finds the data
7146 reported by a district is less than 95 percent accurate, within
7147 1 year from the time of notification by the department the
7148 district must submit revised reports correcting its data. If a
7149 district fails to correct its reports, the commissioner may
7150 direct that future fixed capital outlay funds be withheld until
7151 such time as the district has corrected its reports so that they
7152 are not less than 95 percent accurate.

7153 2. Each survey of a special facility, joint-use facility,
7154 or cooperative career education facility must be based on
7155 capital outlay full-time equivalent student enrollment data
7156 prepared by the department for school districts and Florida
7157 Community College System institutions and by the Chancellor of
7158 the State University System for universities. A survey of space
7159 needs of a joint-use facility shall be based upon the respective
7160 space needs of the school districts, Florida Community College
7161 System institutions, and universities, as appropriate.
7162 Projections of a school district's facility space needs may not
7163 exceed the norm space and occupant design criteria established

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7164 by the State Requirements for Educational Facilities.

7165 3. Each Florida Community College System institution's
7166 survey must reflect the capacity of existing facilities as
7167 specified in the inventory maintained and validated by the
7168 Chancellor of the Florida Community College System ~~by the~~
7169 ~~Department of Education~~. Projections of facility space needs
7170 must comply with standards for determining space needs as
7171 specified by rule of the State Board of Community Colleges
7172 ~~Education~~. The 5-year projection of capital outlay student
7173 enrollment must be consistent with the annual report of capital
7174 outlay full-time student enrollment prepared by the Department
7175 of Education.

7176 4. Each state university's survey must reflect the capacity
7177 of existing facilities as specified in the inventory maintained
7178 and validated by the Chancellor of the State University System.
7179 Projections of facility space needs must be consistent with
7180 standards for determining space needs as specified by regulation
7181 of the Board of Governors. The projected capital outlay full-
7182 time equivalent student enrollment must be consistent with the
7183 5-year planned enrollment cycle for the State University System
7184 approved by the Board of Governors.

7185 5. The district educational facilities plan of a school
7186 district and the educational plant survey of a Florida Community
7187 College System institution, state university, or the Florida
7188 School for the Deaf and the Blind may include space needs that
7189 deviate from approved standards for determining space needs if
7190 the deviation is justified by the district or institution and
7191 approved by the department, the State Board of Community
7192 Colleges, or the Board of Governors, as appropriate, as

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7193 necessary for the delivery of an approved educational program.

7194 (c) *Review and validation.*—The Department of Education
7195 shall review and validate the surveys of school districts, the
7196 Chancellor of the Florida Community College System shall review
7197 and validate the surveys of ~~and~~ Florida Community College System
7198 institutions, and the Chancellor of the State University System
7199 shall review and validate the surveys of universities, and any
7200 amendments thereto for compliance with the requirements of this
7201 chapter and shall recommend those in compliance for approval by
7202 the State Board of Education, the State Board of Community
7203 Colleges, or the Board of Governors, as appropriate. Annually,
7204 the department shall perform an in-depth analysis of a
7205 representative sample of each survey of recommended needs for
7206 five districts selected by the commissioner from among districts
7207 with the largest need-to-revenue ratio. For the purpose of this
7208 subsection, the need-to-revenue ratio is determined by dividing
7209 the total 5-year cost of projects listed on the district survey
7210 by the total 5-year fixed capital outlay revenue projections
7211 from state and local sources as determined by the department.
7212 The commissioner may direct fixed capital outlay funds to be
7213 withheld from districts until such time as the survey accurately
7214 projects facilities needs.

7215 (d) *Periodic update of Florida Inventory of School Houses.*—
7216 School districts shall periodically update their inventory of
7217 educational facilities as new capacity becomes available and as
7218 unsatisfactory space is eliminated. The State Board of Education
7219 shall adopt rules to determine the timeframe in which districts
7220 must provide a periodic update.

7221 Section 116. Subsections (1) and (3) of section 1013.36,

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7222 Florida Statutes, are amended to read:

7223 1013.36 Site planning and selection.—

7224 (1) Before acquiring property for sites, each district
7225 school board and Florida Community College System institution
7226 board of trustees shall determine the location of proposed
7227 educational centers or campuses. In making this determination,
7228 the board shall consider existing and anticipated site needs and
7229 the most economical and practicable locations of sites. The
7230 board shall coordinate with the long-range or comprehensive
7231 plans of local, regional, and state governmental agencies to
7232 assure the consistency of such plans. Boards are encouraged to
7233 locate district educational facilities proximate to urban
7234 residential areas to the extent possible, and shall seek to
7235 collocate district educational facilities with other public
7236 facilities, such as parks, libraries, and community centers, to
7237 the extent possible and to encourage using elementary schools as
7238 focal points for neighborhoods.

7239 (3) Sites recommended for purchase or purchased must meet
7240 standards prescribed in law and such supplementary standards as
7241 the State Board of Education or State Board of Community
7242 Colleges, as appropriate, prescribes to promote the educational
7243 interests of the students. Each site must be well drained and
7244 suitable for outdoor educational purposes as appropriate for the
7245 educational program or collocated with facilities to serve this
7246 purpose. As provided in s. 333.03, the site must not be located
7247 within any path of flight approach of any airport. Insofar as is
7248 practicable, the site must not adjoin a right-of-way of any
7249 railroad or through highway and must not be adjacent to any
7250 factory or other property from which noise, odors, or other

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7251 disturbances, or at which conditions, would be likely to
7252 interfere with the educational program. To the extent
7253 practicable, sites must be chosen which will provide safe access
7254 from neighborhoods to schools.

7255 Section 117. Subsections (3) and (4) of section 1013.37,
7256 Florida Statutes, are amended to read:

7257 1013.37 State uniform building code for public educational
7258 facilities construction.—

7259 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
7260 Chancellor of the Florida Community College System, as
7261 appropriate, shall cooperate with the Florida Building
7262 Commission in addressing all questions, disputes, or
7263 interpretations involving the provisions of the Florida Building
7264 Code which govern the construction of public educational and
7265 ancillary facilities, and any objections to decisions made by
7266 the inspectors or the department must be submitted in writing.

7267 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
7268 department, for school districts, and the State Board of
7269 Community Colleges, for Florida Community College System
7270 institutions, shall biennially review and recommend to the
7271 Florida Building Commission updates and revisions to the
7272 provisions of the Florida Building Code which govern the
7273 construction of public educational and ancillary facilities. The
7274 department, for school districts, and the State Board of
7275 Community Colleges, for Florida Community College System
7276 institutions, shall publish and make available to each board at
7277 no cost copies of the State Requirements for Educational
7278 Facilities and each amendment and revision thereto. The
7279 department and state board shall make additional copies

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7280 available to all interested persons at a price sufficient to
7281 recover costs.

7282 Section 118. Section 1013.40, Florida Statutes, is amended
7283 to read:

7284 1013.40 Planning and construction of Florida Community
7285 College System institution facilities; property acquisition.—

7286 (1) The need for Florida Community College System
7287 institution facilities shall be established by a survey
7288 conducted pursuant to this chapter. The facilities recommended
7289 by such survey must be approved by the State Board of Community
7290 Colleges Education, and the projects must be constructed
7291 according to the provisions of this chapter and State Board of
7292 Community Colleges Education rules.

7293 (2) A ~~No~~ Florida Community College System institution may
7294 not expend public funds for the acquisition of additional
7295 property without the specific approval of the Legislature.

7296 (3) A ~~No~~ facility may not be acquired or constructed by a
7297 Florida Community College System institution or its direct-
7298 support organization if such facility requires general revenue
7299 funds for operation or maintenance upon project completion or in
7300 subsequent years of operation, unless prior approval is received
7301 from the Legislature.

7302 (4) The campus of a Florida Community College System
7303 institution within a municipality designated as an area of
7304 critical state concern, as defined in s. 380.05, and having a
7305 comprehensive plan and land development regulations containing a
7306 building permit allocation system that limits annual growth, may
7307 construct dormitories for up to 300 beds for Florida Community
7308 College System institution students. Such dormitories are exempt

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7309 from the building permit allocation system and may be
7310 constructed up to 45 feet in height if the dormitories are
7311 otherwise consistent with the comprehensive plan, the Florida
7312 Community College System institution has a hurricane evacuation
7313 plan that requires all dormitory occupants to be evacuated 48
7314 hours in advance of tropical force winds, and transportation is
7315 provided for dormitory occupants during an evacuation. State
7316 funds and tuition and fee revenues may not be used for
7317 construction, debt service payments, maintenance, or operation
7318 of such dormitories. Additional dormitory beds constructed after
7319 July 1, 2016, may not be financed through the issuance of a
7320 bond.

7321 Section 119. Section 1013.47, Florida Statutes, is amended
7322 to read:

7323 1013.47 Substance of contract; contractors to give bond;
7324 penalties.—Each board shall develop contracts consistent with
7325 this chapter and statutes governing public facilities. Such a
7326 contract must contain the drawings and specifications of the
7327 work to be done and the material to be furnished, the time limit
7328 in which the construction is to be completed, the time and
7329 method by which payments are to be made upon the contract, and
7330 the penalty to be paid by the contractor for a failure to comply
7331 with the terms of the contract. The board may require the
7332 contractor to pay a penalty for any failure to comply with the
7333 terms of the contract and may provide an incentive for early
7334 completion. Upon accepting a satisfactory bid, the board shall
7335 enter into a contract with the party or parties whose bid has
7336 been accepted. The contractor shall furnish the board with a
7337 performance and payment bond as set forth in s. 255.05. A board

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7338 or other public entity may not require a contractor to secure a
7339 surety bond under s. 255.05 from a specific agent or bonding
7340 company. A person, firm, or corporation that constructs any part
7341 of any educational plant, or addition thereto, on the basis of
7342 any unapproved plans or in violation of any plans approved in
7343 accordance with the provisions of this chapter and rules of the
7344 State Board of Education or State Board of Community Colleges or
7345 regulations of the Board of Governors relating to building
7346 standards or specifications is subject to forfeiture of the
7347 surety bond and unpaid compensation in an amount sufficient to
7348 reimburse the board for any costs that will need to be incurred
7349 in making any changes necessary to assure that all requirements
7350 are met and is also guilty of a misdemeanor of the second
7351 degree, punishable as provided in s. 775.082 or s. 775.083, for
7352 each separate violation.

7353 Section 120. Section 1013.52, Florida Statutes, is amended
7354 to read:

7355 1013.52 Cooperative development and joint use of facilities
7356 by two or more boards.—

7357 (1) Two or more boards, including district school boards,
7358 Florida Community College System institution boards of trustees,
7359 the Board of Trustees for the Florida School for the Deaf and
7360 the Blind, and university boards of trustees, desiring to
7361 cooperatively establish a common educational facility to
7362 accommodate students shall:

7363 (a) Jointly request a formal assessment by the Commissioner
7364 of Education, ~~or~~ the Chancellor of the State University System,
7365 or the Chancellor of the State Board of Community Colleges, as
7366 appropriate, of the academic program need and the need to build

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7367 new joint-use facilities to house approved programs. Completion
7368 of the assessment and approval of the project by the State Board
7369 of Education, the State Board of Community Colleges, the
7370 Chancellor of the Florida Community College System, the Board of
7371 Governors, the Chancellor of the State University System, or the
7372 Commissioner of Education, as appropriate, should be done prior
7373 to conducting an educational facilities survey.

7374 (b) Demonstrate the need for construction of new joint-use
7375 facilities involving postsecondary institutions by those
7376 institutions presenting evidence of the presence of sufficient
7377 actual full-time equivalent enrollments in the locale in leased,
7378 rented, or borrowed spaces to justify the requested facility for
7379 the programs identified in the formal assessment rather than
7380 using projected or anticipated future full-time equivalent
7381 enrollments as justification. If the decision is made to
7382 construct new facilities to meet this demonstrated need, then
7383 building plans should consider full-time equivalent enrollment
7384 growth facilitated by this new construction and subsequent new
7385 program offerings made possible by the existence of the new
7386 facilities.

7387 (c) Adopt and submit to the Commissioner of Education, the
7388 Chancellor of the Florida Community College System, or ~~and~~ the
7389 Chancellor of the State University System, as appropriate, if
7390 the joint request involves a state university, a joint
7391 resolution of the participating boards indicating their
7392 commitment to the utilization of the requested facility and
7393 designating the locale of the proposed facility. The joint
7394 resolution shall contain a statement of determination by the
7395 participating boards that alternate options, including the use

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7396 of leased, rented, or borrowed space, were considered and found
7397 less appropriate than construction of the proposed facility. The
7398 joint resolution shall contain assurance that the development of
7399 the proposed facility has been examined in conjunction with the
7400 programs offered by neighboring public educational facilities
7401 offering instruction at the same level. The joint resolution
7402 also shall contain assurance that each participating board shall
7403 provide for continuity of educational progression. All joint
7404 resolutions shall be submitted by August 1 for consideration of
7405 funding by the subsequent Legislature.

7406 (d) Submit requests for funding of joint-use facilities
7407 projects involving state universities and Florida Community
7408 College System institutions for approval by the Chancellor of
7409 the Florida Community College System ~~Commissioner of Education~~
7410 and the Chancellor of the State University System. The
7411 Chancellor of the Florida Community College System ~~Commissioner~~
7412 ~~of Education~~ and the Chancellor of the State University System
7413 shall jointly determine the priority for funding these projects
7414 in relation to the priority of all other capital outlay projects
7415 under their consideration. To be eligible for funding from the
7416 Public Education Capital Outlay and Debt Service Trust Fund
7417 under the provisions of this section, projects involving both
7418 state universities and Florida Community College System
7419 institutions shall appear on the 3-year capital outlay priority
7420 lists of Florida Community College System institutions and of
7421 universities required by s. 1013.64. Projects involving a state
7422 university, a Florida Community College System institution, and
7423 a public school, and in which the larger share of the proposed
7424 facility is for the use of the state university or the Florida

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7425 Community College System institution, shall appear on the 3-year
7426 capital outlay priority lists of the Florida Community College
7427 System institutions or of the universities, as applicable.

7428 (e) Include in their joint resolution for the joint-use
7429 facilities, comprehensive plans for the operation and management
7430 of the facility upon completion. Institutional responsibilities
7431 for specific functions shall be identified, including
7432 designation of one participating board as sole owner of the
7433 facility. Operational funding arrangements shall be clearly
7434 defined.

7435 (2) An educational plant survey must be conducted within 90
7436 days after submission of the joint resolution and substantiating
7437 data describing the benefits to be obtained, the programs to be
7438 offered, and the estimated cost of the proposed project. Upon
7439 completion of the educational plant survey, the participating
7440 boards may include the recommended projects in their plan as
7441 provided in s. 1013.31. Upon approval of the project by the
7442 commissioner, the Chancellor of the Florida Community College
7443 System, or the Chancellor of the State University System, as
7444 appropriate, 25 percent of the total cost of the project, or the
7445 pro rata share based on space utilization of 25 percent of the
7446 cost, must be included in the department's legislative capital
7447 outlay budget request as provided in s. 1013.60 for educational
7448 plants. The participating boards must include in their joint
7449 resolution a commitment to finance the remaining funds necessary
7450 to complete the planning, construction, and equipping of the
7451 facility. Funds from the Public Education Capital Outlay and
7452 Debt Service Trust Fund may not be expended on any project
7453 unless specifically authorized by the Legislature.

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7454 (3) Included in all proposals for joint-use facilities must
7455 be documentation that the proposed new campus or new joint-use
7456 facility has been reviewed by the State Board of Education, the
7457 State Board of Community Colleges, or the Board of Governors, as
7458 appropriate, and has been formally requested for authorization
7459 by the Legislature.

7460 (4) A ~~No~~ district school board, Florida Community College
7461 System institution, or state university may not ~~shall~~ receive
7462 funding for more than one approved joint-use facility per campus
7463 in any 3-year period.

7464 Section 121. Subsection (1) of section 1013.65, Florida
7465 Statutes, is amended to read:

7466 1013.65 Educational and ancillary plant construction funds;
7467 Public Education Capital Outlay and Debt Service Trust Fund;
7468 allocation of funds.—

7469 (1) The commissioner, through the department, shall
7470 administer the Public Education Capital Outlay and Debt Service
7471 Trust Fund. The commissioner shall allocate or reallocate funds
7472 as authorized by the Legislature. Copies of each allocation or
7473 reallocation shall be provided to members of the State Board of
7474 Education, the State Board of Community Colleges, and the Board
7475 of Governors and to the chairs of the House of Representatives
7476 and Senate appropriations committees. The commissioner shall
7477 provide for timely encumbrances of funds for duly authorized
7478 projects. Encumbrances may include proceeds to be received under
7479 a resolution approved by the State Board of Education
7480 authorizing the issuance of public education capital outlay
7481 bonds pursuant to s. 9(a)(2), Art. XII of the State
7482 Constitution, s. 215.61, and other applicable law. The

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7483 commissioner shall provide for the timely disbursement of moneys
7484 necessary to meet the encumbrance authorizations of the boards.
7485 Records shall be maintained by the department to identify
7486 legislative appropriations, allocations, encumbrance
7487 authorizations, disbursements, transfers, investments, sinking
7488 funds, and revenue receipts by source. The Department of
7489 Education shall pay the administrative costs of the Public
7490 Education Capital Outlay and Debt Service Trust Fund from the
7491 funds which comprise the trust fund.

7492 Section 122. The State Board of Community Colleges, in
7493 collaboration with the Board of Governors, shall evaluate and
7494 report on the status of Florida's "2+2" system of articulation
7495 using the accountability measures required pursuant to s.
7496 1008.38, Florida Statutes, and any other applicable state law.
7497 By December 31, 2017, the state board and the Board of Governors
7498 shall submit their report to the Governor, the President of the
7499 Senate, and the Speaker of the House of Representatives. The
7500 report must include findings regarding the effectiveness of
7501 Florida's "2+2" system of articulation and recommendations for
7502 improvement.

7503 Section 123. The Division of Law Revision and Information
7504 is directed to prepare a reviser's bill for the 2018 Regular
7505 Session to substitute the term "Florida Community College
7506 System" for "Florida College System" and the term "Florida
7507 Community College System institution" for "Florida College
7508 System institution" where those terms appear in the Florida
7509 Statutes.

7510 Section 124. Effective July 1, 2017, subsection (1) of
7511 section 1001.66, Florida Statutes, is amended to read:

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7512 1001.66 Florida Community College System Performance-Based
7513 Incentive.—

7514 (1) The State Board of Community Colleges shall adopt the
7515 following performance-based metrics for use in awarding a
7516 Florida Community College System Performance-Based Incentive
7517 ~~shall be awarded to a Florida Community College System~~
7518 ~~institution: institutions using performance-based metrics~~

7519 (a) A student retention rate, as calculated by the State
7520 Board of Community Colleges;

7521 (b) A 100 percent-of-normal-time program completion and
7522 graduation rate for full-time, first-time-in-college students,
7523 as calculated by the State Board of Community Colleges using a
7524 cohort definition of "full-time" based on a student's majority
7525 enrollment in full-time terms;

7526 (c) A continuing education or postgraduation job placement
7527 rate for workforce education programs, including workforce
7528 baccalaureate degree programs, as reported by the Florida
7529 Education and Training Placement Information Program, with wage
7530 thresholds that reflect the added value of the applicable
7531 certificate or degree. This paragraph does not apply to
7532 associate in arts degrees;

7533 (d) A graduation rate for first-time-in-college students
7534 enrolled in an associate of arts degree program who graduate
7535 with a baccalaureate degree in 4 years after initially enrolling
7536 in an associates of arts degree program; and

7537 (e) One performance-based metric on college affordability
7538 ~~adopted by the State Board of Education. The performance-based~~
7539 ~~metrics must include retention rates; program completion and~~
7540 ~~graduation rates; postgraduation employment, salaries, and~~

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7541 ~~continuing education for workforce education and baccalaureate~~
7542 ~~programs, with wage thresholds that reflect the added value of~~
7543 ~~the certificate or degree; and outcome measures appropriate for~~
7544 ~~associate of arts degree recipients.~~

7545
7546 The state board shall adopt benchmarks to evaluate each
7547 institution's performance on the metrics to measure the
7548 institution's achievement of institutional excellence or need
7549 for improvement and ~~the~~ minimum requirements for eligibility to
7550 receive performance funding.

7551 Section 125. Effective July 1, 2017, subsection (1) of
7552 section 1001.67, Florida Statutes, is amended to read:

7553 1001.67 Distinguished Florida Community College System
7554 Institution Program.—A collaborative partnership is established
7555 between the State Board of Community Colleges ~~Education~~ and the
7556 Legislature to recognize the excellence of Florida's highest-
7557 performing Florida Community College System institutions.

7558 (1) EXCELLENCE STANDARDS.—The following excellence
7559 standards are established for the program:

7560 (a) A 100 ~~150~~ percent-of-normal-time completion rate for
7561 full-time, first-time-in-college students of 50 percent or
7562 higher, as calculated by the State Board of Community ~~Division~~
7563 ~~of Florida~~ Colleges.

7564 (b) A 100 ~~150~~ percent-of-normal-time completion rate for
7565 full-time, first-time-in-college Pell Grant recipients of 40
7566 percent or higher, as calculated by the State Board of Community
7567 ~~Division of Florida~~ Colleges.

7568 (c) A retention rate of 70 percent or higher, as calculated
7569 by the State Board of Community ~~Division of Florida~~ Colleges.

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7570 (d) A continuing education, or transfer, rate of 72 percent
7571 or higher for students graduating with an associate of arts
7572 degree, as reported by the Florida Education and Training
7573 Placement Information Program (FETPIP).

7574 (e) A licensure passage rate on the National Council
7575 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
7576 percent or higher for first-time exam takers, as reported by the
7577 Board of Nursing.

7578 (f) A job placement or continuing education or job
7579 placement rate of 88 percent or higher for workforce programs,
7580 as reported by FETPIP, with wage thresholds that reflect the
7581 added value of the applicable certificate or degree. This
7582 paragraph does not apply to associate of arts degrees.

7583 (g) An excess hours rate of 40 percent or lower for A time-
7584 to-degree for students graduating with an associate of arts
7585 degree recipients who graduate with 72 or more credit hours, as
7586 calculated by the State Board of Community Colleges of 2.25
7587 years or less for first-time-in-college students with
7588 accelerated college credits, as reported by the Southern
7589 Regional Education Board.

7590 Section 126. Effective July 1, 2017, paragraph (b) of
7591 subsection (5) of section 1001.706, Florida Statutes, is amended
7592 to read:

7593 1001.706 Powers and duties of the Board of Governors.—

7594 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

7595 (b) The Board of Governors shall develop a strategic plan
7596 specifying goals and objectives for the State University System
7597 and each constituent university, including each university's
7598 contribution to overall system goals and objectives. The

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7599 strategic plan must:

7600 1. Include performance metrics and standards common for all
7601 institutions and metrics and standards unique to institutions
7602 depending on institutional core missions, including, but not
7603 limited to, student admission requirements, retention,
7604 graduation, percentage of graduates who have attained
7605 employment, percentage of graduates enrolled in continued
7606 education, licensure passage, average wages of employed
7607 graduates, average cost per graduate, excess hours, student loan
7608 burden and default rates, faculty awards, total annual research
7609 expenditures, patents, licenses and royalties, intellectual
7610 property, startup companies, annual giving, endowments, and
7611 well-known, highly respected national rankings for institutional
7612 and program achievements.

7613 2. Consider reports and recommendations of the Higher
7614 Education Coordinating Council pursuant to s. 1004.015 and the
7615 Articulation Coordinating Committee pursuant to s. 1007.01.

7616 3. Include student enrollment and performance data
7617 delineated by method of instruction, including, but not limited
7618 to, traditional, online, and distance learning instruction.

7619 4. Include criteria for designating baccalaureate degree
7620 and master's degree programs at specified universities as high-
7621 demand programs of emphasis. Fifty percent of the criteria for
7622 designation as high-demand programs of emphasis must be based on
7623 achievement of performance outcome thresholds determined by the
7624 Board of Governors, and 50 percent of the criteria must be based
7625 on achievement of performance outcome thresholds specifically
7626 linked to:

7627 a. Job placement in employment of 36 hours or more per week

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7628 and average full-time wages of graduates of the degree programs
7629 1 year and 5 years after graduation, based in part on data
7630 provided in the economic security report of employment and
7631 earning outcomes produced annually pursuant to s. 445.07.

7632 b. Data-driven gap analyses, conducted by the Board of
7633 Governors, of the state's job market demands and the outlook for
7634 jobs that require a baccalaureate or higher degree. Each state
7635 university must use the gap analyses to identify internship
7636 opportunities for students to benefit from mentorship by
7637 industry experts, earn industry certifications, and become
7638 employed in high-demand fields.

7639 Section 127. Effective July 1, 2017, paragraph (d) of
7640 subsection (2), paragraph (c) of subsection (5), and subsections
7641 (6), (7), and (8) of section 1001.7065, Florida Statutes, are
7642 amended to read:

7643 1001.7065 Preeminent state research universities program.—

7644 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
7645 following academic and research excellence standards are
7646 established for the preeminent state research universities
7647 program:

7648 (d) A 4-year ~~6-year~~ graduation rate of 50 ~~70~~ percent or
7649 higher for full-time, first-time-in-college students, as
7650 calculated by the Board of Governors ~~reported annually to the~~
7651 ~~IPEDS.~~

7652 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
7653 SUPPORT.—

7654 (c) The award of funds under this subsection is contingent
7655 upon funding provided in the General Appropriations Act to
7656 support the preeminent state research universities program

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7657 created under this section. Funding increases appropriated
7658 beyond the amounts funded in the previous fiscal year shall be
7659 distributed as follows:

7660 1. Each designated preeminent state research university
7661 that meets the criteria in paragraph (a) shall receive an equal
7662 amount of funding.

7663 2. Each designated emerging preeminent state research
7664 university that meets the criteria in paragraph (b) shall
7665 receive an amount of funding that is equal to one-fourth ~~one-~~
7666 ~~half~~ of the total increased amount awarded to each designated
7667 preeminent state research university.

7668 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~
7669 ~~REQUIREMENT AUTHORITY.—In order to provide a jointly shared~~
7670 ~~educational experience, a university that is designated a~~
7671 ~~preeminent state research university may require its incoming~~
7672 ~~first-time-in-college students to take a six-credit set of~~
7673 ~~unique courses specifically determined by the university and~~
7674 ~~published on the university's website. The university may~~
7675 ~~stipulate that credit for such courses may not be earned through~~
7676 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~
7677 ~~or any other transfer credit. All accelerated credits earned up~~
7678 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~
7679 ~~applied toward graduation at the student's request.~~

7680 (6) ~~(7)~~ PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
7681 AUTHORITY.—The Board of Governors is encouraged to identify and
7682 grant all reasonable, feasible authority and flexibility to
7683 ensure that each designated preeminent state research university
7684 and each designated emerging preeminent state research
7685 university is free from unnecessary restrictions.

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7686 ~~(7)-(8)~~ PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE
7687 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~
7688 establish standards and measures whereby individual
7689 undergraduate, graduate, and professional degree programs in
7690 state universities which ~~that~~ objectively reflect national
7691 excellence can be identified and make recommendations to the
7692 Legislature by September 1, 2017, as to how any such programs
7693 could be enhanced and promoted.

7694 Section 128. Effective July 1, 2017, subsection (1) of
7695 section 1001.92, Florida Statutes, is amended to read:

7696 1001.92 State University System Performance-Based
7697 Incentive.—

7698 (1) A State University System Performance-Based Incentive
7699 shall be awarded to state universities using performance-based
7700 metrics adopted by the Board of Governors of the State
7701 University System. The performance-based metrics must include 4-
7702 year graduation rates; retention rates; postgraduation education
7703 rates; degree production; affordability; postgraduation
7704 employment and salaries, including wage thresholds that reflect
7705 the added value of a baccalaureate degree; access, with
7706 benchmarks that reward institutions with access rates at or
7707 above 50 percent; and other metrics approved by the board in a
7708 formally noticed meeting. The board shall adopt benchmarks to
7709 evaluate each state university's performance on the metrics to
7710 measure the state university's achievement of institutional
7711 excellence or need for improvement and minimum requirements for
7712 eligibility to receive performance funding.

7713 Section 129. Effective July 1, 2017, section 1004.6497,
7714 Florida Statutes, is created to read:

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7715 1004.6497 World Class Faculty and Scholar Program.—

7716 (1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty
7717 and Scholar Program is established to fund and support the
7718 efforts of state universities to recruit and retain exemplary
7719 faculty and research scholars. It is the intent of the
7720 Legislature to elevate the national competitiveness of Florida's
7721 state universities through faculty and scholar recruitment and
7722 retention.

7723 (2) INVESTMENTS.—Retention, recruitment, and recognition
7724 efforts, activities, and investments may include, but are not
7725 limited to, investments in research-centric cluster hires,
7726 faculty research and research commercialization efforts,
7727 instructional and research infrastructure, undergraduate student
7728 participation in research, professional development, awards for
7729 outstanding performance, and postdoctoral fellowships.

7730 (3) FUNDING AND USE.—Funding for the program shall be as
7731 provided in the General Appropriations Act. Each state
7732 university shall use the funds only for the purpose and
7733 investments authorized under this section.

7734 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of
7735 Governors shall provide to the Governor, the President of the
7736 Senate, and the Speaker of the House of Representatives a report
7737 summarizing information from the universities in the State
7738 University System, including, but not limited to:

7739 (a) Specific expenditure information as it relates to the
7740 investments identified in subsection (2).

7741 (b) The impact of those investments in elevating the
7742 national competitiveness of the universities, specifically
7743 relating to:

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- 7744 1. The success in recruiting research faculty and the
7745 resulting research funding;
7746 2. The 4-year graduation rate;
7747 3. The number of undergraduate courses offered with fewer
7748 than 50 students; and
7749 4. The increased national academic standing of targeted
7750 programs, specifically advancement among top 50 universities in
7751 the targeted programs in well-known and highly respected
7752 national public university rankings, including, but not limited
7753 to, the U.S. News and World Report rankings, which reflect
7754 national preeminence, using the most recent rankings.

7755 Section 130. Effective July 1, 2017, section 1004.6498,
7756 Florida Statutes, is created to read:

7757 1004.6498 State University Professional and Graduate Degree
7758 Excellence Program.—

7759 (1) PURPOSE.—The State University Professional and Graduate
7760 Degree Excellence Program is established to fund and support the
7761 efforts of state universities to enhance the quality and
7762 excellence of professional and graduate schools and degree
7763 programs in medicine, law, and business and expand the economic
7764 impact of state universities.

7765 (2) INVESTMENTS.—Quality improvement efforts may include,
7766 but are not limited to, targeted investments in faculty,
7767 students, research, infrastructure, and other strategic
7768 endeavors to elevate the national and global prominence of state
7769 university medicine, law, and graduate-level business programs.

7770 (3) FUNDING AND USE.—Funding for the program shall be as
7771 provided in the General Appropriations Act. Each state
7772 university shall use the funds only for the purpose and

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7773 investments authorized under this section.

7774 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of
7775 Governors shall provide to the Governor, the President of the
7776 Senate, and the Speaker of the House of Representatives a report
7777 summarizing information from the universities in the State
7778 University System, including, but not limited to:

7779 (a) Specific expenditure information as it relates to the
7780 investments identified in subsection (2).

7781 (b) The impact of those investments in elevating the
7782 national and global prominence of the state university medicine,
7783 law, and graduate-level business programs, specifically relating
7784 to:

7785 1. The first-time pass rate on the United States Medical
7786 Licensing Examination;

7787 2. The first-time pass rate on The Florida Bar Examination;

7788 3. The percentage of graduates enrolled or employed at a
7789 wage threshold that reflects the added value of a graduate-level
7790 business degree;

7791 4. The advancement in the rankings of the state university
7792 medicine, law, and graduate-level programs in well-known and
7793 highly respected national graduate-level university rankings,
7794 including, but not limited to, the U.S. News and World Report
7795 rankings, which reflect national preeminence, using the most
7796 recent rankings; and

7797 5. The added economic benefit of the universities to the
7798 state.

7799 Section 131. Effective July 1, 2017, subsection (2) of
7800 section 1007.27, Florida Statutes, is amended to read:

7801 1007.27 Articulated acceleration mechanisms.—

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7802 (2) (a) The Department of Education shall annually identify
7803 and publish the minimum scores, maximum credit, and course or
7804 courses for which credit is to be awarded for each College Level
7805 Examination Program (CLEP) subject examination, College Board
7806 Advanced Placement Program examination, Advanced International
7807 Certificate of Education examination, International
7808 Baccalaureate examination, Excelsior College subject
7809 examination, Defense Activity for Non-Traditional Education
7810 Support (DANTES) subject standardized test, and Defense Language
7811 Proficiency Test (DLPT). The department shall use student
7812 performance data in subsequent postsecondary courses to
7813 determine the appropriate examination scores and courses for
7814 which credit is to be granted. Minimum scores may vary by
7815 subject area based on available performance data. In addition,
7816 the department shall identify such courses in the general
7817 education core curriculum of each state university and Florida
7818 Community College System institution.

7819 (b) Each district school board shall notify students who
7820 enroll in articulated acceleration mechanism courses or take
7821 examinations pursuant to this section of the credit-by-
7822 examination equivalency list adopted by rule by the State Board
7823 of Education and the dual enrollment course and high school
7824 subject area equivalencies approved by the state board pursuant
7825 to s. 1007.271(9).

7826 Section 132. Effective July 1, 2017, paragraph (c) of
7827 subsection (5) of section 1008.30, Florida Statutes, is amended
7828 to read:

7829 1008.30 Common placement testing for public postsecondary
7830 education.—

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7831 (5)
7832 (c) A university board of trustees may contract with a
7833 Florida Community College System institution board of trustees
7834 for the Florida Community College System institution to provide
7835 developmental education on the state university campus. Any
7836 state university in which the percentage of incoming students
7837 requiring developmental education equals or exceeds the average
7838 percentage of such students for the Florida Community College
7839 System may offer developmental education without contracting
7840 with a Florida Community College System institution; however,
7841 any state university offering college-preparatory instruction as
7842 of January 1, 1996, may continue to provide developmental
7843 education instruction pursuant to s. 1008.02(1) ~~such services.~~

7844 Section 133. Effective July 1, 2017, subsection (7) of
7845 section 1009.22, Florida Statutes, is amended to read:

7846 1009.22 Workforce education postsecondary student fees.—

7847 (7) Each district school board and Florida Community
7848 College System institution board of trustees is authorized to
7849 establish a separate fee for technology, not to exceed 5 percent
7850 of tuition per credit hour or credit-hour equivalent for
7851 resident students and not to exceed 5 percent of tuition and the
7852 out-of-state fee per credit hour or credit-hour equivalent for
7853 nonresident students. Revenues generated from the technology fee
7854 shall be used to enhance instructional technology resources for
7855 students and faculty and may ~~shall~~ not be included in an ~~any~~
7856 award under the Florida Bright Futures Scholarship Program,
7857 except as authorized for the Florida Academic Scholars award
7858 under s. 1009.534. Fifty percent of technology fee revenues may
7859 be pledged by a Florida Community College System institution

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7860 board of trustees as a dedicated revenue source for the
7861 repayment of debt, including lease-purchase agreements, not to
7862 exceed the useful life of the asset being financed. Revenues
7863 generated from the technology fee may not be bonded.

7864 Section 134. Effective July 1, 2017, subsection (10) of
7865 section 1009.23, Florida Statutes, is amended to read:

7866 1009.23 Florida Community College System institution
7867 student fees.—

7868 (10) Each Florida Community College System institution
7869 board of trustees is authorized to establish a separate fee for
7870 technology, which may not exceed 5 percent of tuition per credit
7871 hour or credit-hour equivalent for resident students and may not
7872 exceed 5 percent of tuition and the out-of-state fee per credit
7873 hour or credit-hour equivalent for nonresident students.

7874 Revenues generated from the technology fee shall be used to
7875 enhance instructional technology resources for students and
7876 faculty. The technology fee may apply to both college credit and
7877 developmental education and may ~~shall~~ not be included in an ~~any~~
7878 award under the Florida Bright Futures Scholarship Program,
7879 except as authorized for the Florida Academic Scholars award
7880 under s. 1009.534. Fifty percent of technology fee revenues may
7881 be pledged by a Florida Community College System institution
7882 board of trustees as a dedicated revenue source for the
7883 repayment of debt, including lease-purchase agreements, not to
7884 exceed the useful life of the asset being financed. Revenues
7885 generated from the technology fee may not be bonded.

7886 Section 135. Effective July 1, 2017, subsection (13),
7887 paragraphs (a) and (b) of subsection (15), and paragraph (b) of
7888 subsection (16) of section 1009.24, Florida Statutes, are

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7889 amended to read:

7890 1009.24 State university student fees.—

7891 (13) Each university board of trustees may establish a
7892 technology fee of up to 5 percent of the tuition per credit
7893 hour. The revenue from this fee shall be used to enhance
7894 instructional technology resources for students and faculty. The
7895 technology fee may not be included in an any award under the
7896 Florida Bright Futures Scholarship Program established pursuant
7897 to ss. 1009.53-1009.538, except as authorized for the Florida
7898 Academic Scholars award under s. 1009.534.

7899 (15) (a) The Board of Governors may approve:

7900 1. A proposal from a university board of trustees to
7901 establish a new student fee that is not specifically authorized
7902 by this section.

7903 2. A proposal from a university board of trustees to
7904 increase the current cap for an existing fee authorized pursuant
7905 to paragraphs (14) (a)-(g).

7906 3. A proposal from a university board of trustees to
7907 implement flexible tuition policies, such as undergraduate or
7908 graduate block tuition, block tuition differential, or market
7909 tuition rates for graduate-level online courses or graduate-
7910 level courses offered through a university's continuing
7911 education program. A block tuition policy for resident
7912 undergraduate students or undergraduate-level courses must shall
7913 be adopted by each university board of trustees for
7914 implementation by the fall 2018 academic semester and must be
7915 based on the per-credit-hour undergraduate tuition established
7916 under subsection (4). A block tuition policy for nonresident
7917 undergraduate students must shall be adopted by each university

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7918 board of trustees for implementation by the fall 2018 academic
7919 semester and must be based on the per-credit-hour undergraduate
7920 tuition and out-of-state fee established under subsection (4).
7921 Flexible tuition policies, including block tuition, may not
7922 increase the state's fiscal liability or obligation.

7923 (b) A proposal developed pursuant to paragraph (a) shall be
7924 submitted in accordance with the public notification
7925 requirements of subsection (20) and guidelines established by
7926 the Board of Governors. Approval by the Board of Governors of
7927 such proposals ~~proposal~~ must be made in accordance with ~~the~~
7928 ~~provisions of~~ this subsection. By October 1, 2017, each state
7929 university board of trustees shall adopt a block tuition and fee
7930 policy, pursuant to subparagraph (a)3., for implementation by
7931 the fall 2018 academic semester and submit the policy,
7932 including, but not limited to, information on the potential
7933 impact of the policy on students, to the Board of Governors. By
7934 December 1, 2017, the Chancellor of the State University System
7935 shall submit to the Governor, the President of the Senate, and
7936 the Speaker of the House of Representatives a summary report of
7937 such policies, the status of the board's review and approval of
7938 such policies, and the board's recommendations for improving
7939 block tuition and fee benefits for students.

7940 (16) Each university board of trustees may establish a
7941 tuition differential for undergraduate courses upon receipt of
7942 approval from the Board of Governors. However, beginning July 1,
7943 2014, the Board of Governors may only approve the establishment
7944 of or an increase in tuition differential for a state research
7945 university designated as a preeminent state research university
7946 pursuant to s. 1001.7065(3). The tuition differential shall

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7947 promote improvements in the quality of undergraduate education
7948 and shall provide financial aid to undergraduate students who
7949 exhibit financial need.

7950 (b) Each tuition differential is subject to the following
7951 conditions:

7952 1. The tuition differential may be assessed on one or more
7953 undergraduate courses or on all undergraduate courses at a state
7954 university.

7955 2. The tuition differential may vary by course or courses,
7956 by campus or center location, and by institution. Each
7957 university board of trustees shall strive to maintain and
7958 increase enrollment in degree programs related to math, science,
7959 high technology, and other state or regional high-need fields
7960 when establishing tuition differentials by course.

7961 3. For each state university that is designated as a
7962 preeminent state research university by the Board of Governors,
7963 pursuant to s. 1001.7065, the aggregate sum of tuition and the
7964 tuition differential may be increased by no more than 6 percent
7965 of the total charged for the aggregate sum of these fees in the
7966 preceding fiscal year. The tuition differential may be increased
7967 if the university meets or exceeds performance standard targets
7968 for that university established annually by the Board of
7969 Governors for the following performance standards, amounting to
7970 no more than a 2-percent increase in the tuition differential
7971 for each performance standard:

7972 a. An increase in the 4-year ~~6-year~~ graduation rate for
7973 full-time, first-time-in-college students, as calculated by the
7974 Board of Governors ~~reported annually to the Integrated~~
7975 ~~Postsecondary Education Data System.~~

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7976 b. An increase in the total annual research expenditures.
7977 c. An increase in the total patents awarded by the United
7978 States Patent and Trademark Office for the most recent years.
7979 4. The aggregate sum of undergraduate tuition and fees per
7980 credit hour, including the tuition differential, may not exceed
7981 the national average of undergraduate tuition and fees at 4-year
7982 degree-granting public postsecondary educational institutions.
7983 5. The tuition differential shall not be included in an any
7984 award under the Florida Bright Futures Scholarship Program
7985 established pursuant to ss. 1009.53-1009.538, except as
7986 authorized for the Florida Academic Scholars award under s.
7987 1009.534.
7988 6. Beneficiaries having prepaid tuition contracts pursuant
7989 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and
7990 which remain in effect, are exempt from the payment of the
7991 tuition differential.
7992 7. The tuition differential may not be charged to any
7993 student who was in attendance at the university before July 1,
7994 2007, and who maintains continuous enrollment.
7995 8. The tuition differential may be waived by the university
7996 for students who meet the eligibility requirements for the
7997 Florida public student assistance grant established in s.
7998 1009.50.
7999 9. Subject to approval by the Board of Governors, the
8000 tuition differential authorized pursuant to this subsection may
8001 take effect with the 2009 fall term.
8002 Section 136. Effective July 1, 2017, subsection (9) of
8003 section 1009.53, Florida Statutes, is amended to read:
8004 1009.53 Florida Bright Futures Scholarship Program.—

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8005 (9) A student may use an award for summer term enrollment
8006 if funds are available, including funds appropriated in the
8007 General Appropriations Act to support, at a minimum, summer term
8008 enrollment for a Florida Academic Scholars award.

8009 Section 137. Effective July 1, 2017, subsection (2) of
8010 section 1009.534, Florida Statutes, is amended to read:

8011 1009.534 Florida Academic Scholars award.—

8012 (2) A Florida Academic Scholar who is enrolled in a
8013 certificate, diploma, associate, or baccalaureate degree program
8014 at a public or nonpublic postsecondary education institution is
8015 eligible, beginning in the fall 2017 academic semester, for an
8016 award equal to the amount required to pay 100 percent of tuition
8017 and fees established under ss. 1009.22(3), (5), (6), and (7);
8018 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
8019 (13), (14)(r), and (16), as applicable, and is eligible for an
8020 additional \$300 each fall and spring academic semester or the
8021 equivalent for textbooks and college-related ~~specified in the~~
8022 General Appropriations Act to assist with the payment of
8023 educational expenses.

8024 Section 138. Effective July 1, 2017, subsection (2) of
8025 section 1009.701, Florida Statutes, is amended to read:

8026 1009.701 First Generation Matching Grant Program.—

8027 (2) Funds appropriated by the Legislature for the program
8028 shall be allocated by the Office of Student Financial Assistance
8029 to match private contributions at a ratio of \$2 of state
8030 funds to \$1 of private contributions ~~dollar-for-dollar basis.~~
8031 Contributions made to a state university and pledged for the
8032 purposes of this section are eligible for state matching funds
8033 appropriated for this program and are not eligible for any other

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8034 state matching grant program. Pledged contributions are not
8035 eligible for matching prior to the actual collection of the
8036 total funds. The Office of Student Financial Assistance shall
8037 reserve a proportionate allocation of the total appropriated
8038 funds for each state university on the basis of full-time
8039 equivalent enrollment. Funds that remain unmatched as of
8040 December 1 shall be reallocated to state universities that have
8041 remaining unmatched private contributions for the program on the
8042 basis of full-time equivalent enrollment.

8043 Section 139. Effective July 1, 2017, section 1009.89,
8044 Florida Statutes, is amended to read:

8045 1009.89 The William L. Boyd, IV, Effective Access to
8046 Student Education ~~Florida resident access~~ grants.—

8047 (1) The Legislature finds and declares that independent
8048 nonprofit colleges and universities eligible to participate in
8049 the William L. Boyd, IV, Effective Access to Student Education
8050 ~~Florida Resident Access~~ Grant Program are an integral part of
8051 the higher education system in this state and that a significant
8052 number of state residents choose this form of higher education.
8053 The Legislature further finds that a strong and viable system of
8054 independent nonprofit colleges and universities reduces the tax
8055 burden on the citizens of the state. Because the William L.
8056 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
8057 ~~Access~~ Grant Program is not related to a student's financial
8058 need or other criteria upon which financial aid programs are
8059 based, it is the intent of the Legislature that the William L.
8060 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
8061 ~~Access~~ Grant Program not be considered a financial aid program
8062 but rather a tuition assistance program for its citizens.

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8063 (2) The William L. Boyd, IV, Effective Access to Student
8064 Education ~~Florida Resident Access~~ Grant Program shall be
8065 administered by the Department of Education. The State Board of
8066 Education shall adopt rules for the administration of the
8067 program.

8068 (3) The department shall issue through the program a
8069 William L. Boyd, IV, Effective Access to Student Education
8070 ~~Florida resident access~~ grant to any full-time degree-seeking
8071 undergraduate student registered at an independent nonprofit
8072 college or university which is located in and chartered by the
8073 state; which is accredited by the Commission on Colleges of the
8074 Southern Association of Colleges and Schools; which grants
8075 baccalaureate degrees; which is not a state university or
8076 Florida Community College System institution; and which has a
8077 secular purpose, so long as the receipt of state aid by students
8078 at the institution would not have the primary effect of
8079 advancing or impeding religion or result in an excessive
8080 entanglement between the state and any religious sect. Any
8081 independent college or university that was eligible to receive
8082 tuition vouchers on January 1, 1989, and which continues to meet
8083 the criteria under which its eligibility was established, shall
8084 remain eligible to receive William L. Boyd, IV, Effective Access
8085 to Student Education ~~Florida resident access~~ grant payments.

8086 (4) A person is eligible to receive such William L. Boyd,
8087 IV, Effective Access to Student Education ~~Florida resident~~
8088 ~~access~~ grant if:

8089 (a) He or she meets the general requirements, including
8090 residency, for student eligibility as provided in s. 1009.40,
8091 except as otherwise provided in this section; and

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8092 (b)1. He or she is enrolled as a full-time undergraduate
8093 student at an eligible college or university;

8094 2. He or she is not enrolled in a program of study leading
8095 to a degree in theology or divinity; and

8096 3. He or she is making satisfactory academic progress as
8097 defined by the college or university in which he or she is
8098 enrolled.

8099 (5) (a) Funding for the William L. Boyd, IV, Effective
8100 Access to Student Education ~~Florida Resident Access~~ Grant
8101 Program for eligible institutions shall be as provided in the
8102 General Appropriations Act. The William L. Boyd, IV, Effective
8103 Access to Student Education ~~Florida resident access~~ grant may be
8104 paid on a prorated basis in advance of the registration period.
8105 The department shall make such payments to the college or
8106 university in which the student is enrolled for credit to the
8107 student's account for payment of tuition and fees. Institutions
8108 shall certify to the department the amount of funds disbursed to
8109 each student and shall remit to the department any undisbursed
8110 advances or refunds within 60 days of the end of regular
8111 registration. A student is not eligible to receive the award for
8112 more than 9 semesters or 14 quarters, except as otherwise
8113 provided in s. 1009.40(3).

8114 (b) If the combined amount of the William L. Boyd, IV,
8115 Effective Access to Student Education ~~Florida resident access~~
8116 grant issued pursuant to this act and all other scholarships and
8117 grants for tuition or fees exceeds the amount charged to the
8118 student for tuition and fees, the department shall reduce the
8119 William L. Boyd, IV, Effective Access to Student Education
8120 ~~Florida resident access~~ grant issued pursuant to this act by an

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8121 amount equal to such excess.

8122 (6) If the number of eligible students exceeds the total
8123 authorized in the General Appropriations Act, an institution may
8124 use its own resources to assure that each eligible student
8125 receives the full benefit of the grant amount authorized.

8126 Section 140. Effective July 1, 2017, subsections (2), (4),
8127 and (5) of section 1009.893, Florida Statutes, are amended to
8128 read:

8129 1009.893 Benacquisto Scholarship Program.—

8130 (2) The Benacquisto Scholarship Program is created to
8131 reward a ~~any Florida~~ high school graduate who receives
8132 recognition as a National Merit Scholar or National Achievement
8133 Scholar and who initially enrolls in the 2014-2015 academic year
8134 or, later, in a baccalaureate degree program at an eligible
8135 Florida public or independent postsecondary educational
8136 institution.

8137 (4) In order to be eligible for an award under the
8138 scholarship program, a student must meet the requirements of
8139 paragraph (a) or paragraph (b).÷

8140 (a) A student who is a resident of the state, ~~Be a state~~
8141 ~~resident~~ as determined in s. 1009.40 and rules of the State
8142 Board of Education, must:÷

8143 1. ~~(b)~~ Earn a standard Florida high school diploma or its
8144 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
8145 or s. 1003.435 unless:

8146 a.1. The student completes a home education program
8147 according to s. 1002.41; or

8148 b.2. The student earns a high school diploma from a non-
8149 Florida school while living with a parent who is on military or

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8150 public service assignment out of this state;

8151 2.~~(e)~~ Be accepted by and enroll in a Florida public or
8152 independent postsecondary educational institution that is
8153 regionally accredited; and

8154 3.~~(d)~~ Be enrolled full-time in a baccalaureate degree
8155 program at an eligible regionally accredited Florida public or
8156 independent postsecondary educational institution during the
8157 fall academic term following high school graduation.

8158 (b) A student who initially enrolls in a baccalaureate
8159 degree program in the 2017-2018 academic year or later and who
8160 is not a resident of this state, as determined pursuant to s.
8161 1009.40 and rules of the State Board of Education, must:

8162 1. Physically reside in this state on or near the campus of
8163 the postsecondary educational institution in which the student
8164 is enrolled;

8165 2. Earn a high school diploma from a school outside Florida
8166 which is comparable to a standard Florida high school diploma or
8167 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.
8168 1003.4282, or s. 1003.435 or must complete a home education
8169 program in another state; and

8170 3. Be accepted by and enrolled full-time in a baccalaureate
8171 degree program at an eligible regionally accredited Florida
8172 public or independent postsecondary educational institution
8173 during the fall academic term following high school graduation.

8174 (5) (a) 1. An eligible student who meets the requirements of
8175 paragraph (4) (a), who is a National Merit Scholar or National
8176 Achievement Scholar, and who attends a Florida public
8177 postsecondary educational institution shall receive a
8178 scholarship award equal to the institutional cost of attendance

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8179 minus the sum of the student's Florida Bright Futures
8180 Scholarship and National Merit Scholarship or National
8181 Achievement Scholarship.

8182 2. An eligible student who meets the requirements under
8183 paragraph (4) (b), who is a National Merit Scholar, and who
8184 attends a Florida public postsecondary educational institution
8185 shall receive a scholarship award equal to the institutional
8186 cost of attendance for a resident of this state less the
8187 student's National Merit Scholarship. Such student is exempt
8188 from the payment of out-of-state fees.

8189 (b) An eligible student who is a National Merit Scholar or
8190 National Achievement Scholar and who attends a Florida
8191 independent postsecondary educational institution shall receive
8192 a scholarship award equal to the highest cost of attendance for
8193 a resident of this state enrolled at a Florida public
8194 university, as reported by the Board of Governors of the State
8195 University System, minus the sum of the student's Florida Bright
8196 Futures Scholarship and National Merit Scholarship or National
8197 Achievement Scholarship.

8198 Section 141. Effective July 1, 2017, section 1009.894,
8199 Florida Statutes, is created to read:

8200 1009.894 Florida Farmworker Student Scholarship Program.—
8201 The Legislature recognizes the vital contribution of farmworkers
8202 to the economy of this state. The Florida Farmworker Student
8203 Scholarship Program is created to provide scholarships for
8204 farmworkers, as defined in s. 420.503, and the children of such
8205 farmworkers.

8206 (1) The Department of Education shall administer the
8207 Florida Farmworker Student Scholarship Program according to

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8208 rules and procedures established by the State Board of
8209 Education. Up to 50 scholarships shall be awarded annually
8210 according to the criteria established in subsection (2) and
8211 contingent upon an appropriation in the General Appropriations
8212 Act.

8213 (2) (a) To be eligible for an initial scholarship, a student
8214 must, at a minimum:

8215 1. Have a resident status as required by s. 1009.40 and
8216 rules of the State Board of Education;

8217 2. Earn a minimum cumulative 3.5 weighted grade point
8218 average for all high school courses creditable towards a
8219 diploma;

8220 3. Complete a minimum of 30 hours of community service; and

8221 4. Have at least a 90 percent attendance rate and not have
8222 had any disciplinary action brought against him or her, as
8223 documented on the student's high school transcript.

8224 (b) The department shall rank eligible initial applicants
8225 for the purposes of awarding scholarships based on need, as
8226 determined by the department.

8227 (c) In order to renew a scholarship awarded pursuant to
8228 this section, a student must maintain at least a cumulative
8229 grade point average of 2.5 or higher on a 4.0 scale for college
8230 coursework.

8231 (3) A scholarship recipient must enroll in a minimum of 12
8232 credit hours per term, or the equivalent, at a public
8233 postsecondary educational institution in this state to receive
8234 funding.

8235 (4) A scholarship recipient may receive an award for a
8236 maximum of 100 percent of the number of credit hours required to

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8237 complete an associate or baccalaureate degree program or receive
8238 an award for a maximum of 100 percent of the credit hours or
8239 clock hours required to complete up to 90 credit hours of a
8240 program that terminates in a career certificate. The scholarship
8241 recipient is eligible for an award equal to the amount required
8242 to pay the tuition and fees established under ss. 1009.22(3),
8243 (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11);
8244 and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a
8245 public postsecondary educational institution in this state.
8246 Renewal scholarships must take precedence over new awards in a
8247 year in which funds are not sufficient to accommodate both
8248 initial and renewal awards. The scholarship must be prorated for
8249 any such year.

8250 (5) Subject to appropriation in the General Appropriations
8251 Act, the department shall annually issue awards from the
8252 scholarship program. Before the registration period each
8253 semester, the department shall transmit payment for each award
8254 to the president or director of the postsecondary educational
8255 institution, or his or her representative. However, the
8256 department may withhold payment if the receiving institution
8257 fails to submit the following reports or make the following
8258 refunds to the department:

8259 (a) Each institution shall certify to the department the
8260 eligibility status of each student to receive a disbursement
8261 within 30 days before the end of its regular registration
8262 period, inclusive of a drop and add period. An institution is
8263 not required to reevaluate the student eligibility after the end
8264 of the drop and add period.

8265 (b) An institution that receives funds from the scholarship

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8266 program must certify to the department the amount of funds
8267 disbursed to each student and remit to the department any
8268 undisbursed advance within 60 days after the end of the regular
8269 registration period.

8270 (6) The department shall allocate funds to the appropriate
8271 institutions and collect and maintain data regarding the
8272 scholarship program within the student financial assistance
8273 database as specified in s. 1009.94.

8274 (7) Funding for this program shall be as provided in the
8275 General Appropriations Act.

8276 Section 142. Effective July 1, 2017, present paragraphs (e)
8277 and (f) of subsection (10) of section 1009.98, Florida Statutes,
8278 are redesignated as paragraphs (f) and (g), respectively, and a
8279 new paragraph (e) is added to that subsection, to read:

8280 1009.98 Stanley G. Tate Florida Prepaid College Program.—

8281 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

8282 (e) Notwithstanding the number of credit hours used by a
8283 state university to assess the amount for registration fees, the
8284 tuition differential, or local fees, the amount paid by the
8285 board to any state university on behalf of a qualified
8286 beneficiary of an advance payment contract purchased before July
8287 1, 2024, may not exceed the number of credit hours taken by that
8288 qualified beneficiary at a state university.

8289 Section 143. Effective July 1, 2017, section 1013.79,
8290 Florida Statutes, is amended to read:

8291 1013.79 University Facility Enhancement Challenge Grant
8292 Program.—

8293 (1) The Legislature recognizes that the universities do not
8294 have sufficient physical facilities to meet the current demands

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8295 of their instructional and research programs. It further
8296 recognizes that, to strengthen and enhance universities, it is
8297 necessary to provide facilities in addition to those currently
8298 available from existing revenue sources. It further recognizes
8299 that there are sources of private support that, if matched with
8300 state support, can assist in constructing much-needed facilities
8301 and strengthen the commitment of citizens and organizations in
8302 promoting excellence throughout the state universities.

8303 ~~Therefore, it is the intent of the Legislature to establish a~~
8304 ~~trust fund to provide the opportunity for each university to~~
8305 ~~receive support for challenge grants for instructional and~~
8306 ~~research-related capital facilities within the university.~~

8307 (2) There is established the Alec P. Courtelis University
8308 Facility Enhancement Challenge Grant Program for the purpose of
8309 assisting universities build high priority instructional and
8310 research-related capital facilities, including common areas
8311 connecting such facilities. The associated foundations that
8312 serve the universities shall solicit gifts from private sources
8313 to provide matching funds for capital facilities. For the
8314 purposes of this act, private sources of funds may ~~shall~~ not
8315 include any federal, state, or local government funds that a
8316 university may receive.

8317 ~~(3) (a) There is established the Alec P. Courtelis Capital~~
8318 ~~Facilities Matching Trust Fund to facilitate the development of~~
8319 ~~high priority instructional and research-related capital~~
8320 ~~facilities, including common areas connecting such facilities,~~
8321 ~~within a university. All appropriated funds deposited into the~~
8322 ~~trust fund shall be invested pursuant to s. 17.61. Interest~~
8323 ~~income accruing to that portion of the trust fund shall increase~~

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8324 ~~the total funds available for the challenge grant program.~~

8325 ~~(b) Effective July 1, 2009, the Alec P. Courtelis Capital~~
8326 ~~Facilities Matching Trust Fund is terminated.~~

8327 ~~(c) The State Board of Education shall pay any outstanding~~
8328 ~~debts and obligations of the terminated fund as soon as~~
8329 ~~practicable, and the Chief Financial Officer shall close out and~~
8330 ~~remove the terminated funds from various state accounting~~
8331 ~~systems using generally accepted accounting principles~~
8332 ~~concerning warrants outstanding, assets, and liabilities.~~

8333 ~~(d) By June 30, 2008, all private funds and associated~~
8334 ~~interest earnings held in the Alec P. Courtelis Capital~~
8335 ~~Facilities Matching Trust Fund shall be transferred to the~~
8336 ~~originating university's individual program account.~~

8337 ~~(3)~~(4) Each university shall establish, pursuant to s.
8338 1011.42, a facilities matching grant program account as a
8339 depository for private contributions provided under this
8340 section. Once a project is under contract, funds appropriated as
8341 state matching funds may be transferred to the university's
8342 account once the Board of Governors certifies receipt of the
8343 private matching funds pursuant to subsection (4) ~~(5)~~. State
8344 funds that are not needed as matching funds for the project for
8345 which appropriated shall be transferred, together with any
8346 accrued interest, back to the state fund from which such funds
8347 were appropriated. The transfer of unneeded state funds must
8348 ~~shall~~ occur within 30 days after final completion of the project
8349 or within 30 days after a determination that the project will
8350 not be completed. The Public Education Capital Outlay and Debt
8351 Service Trust Fund or the Capital Improvement Trust Fund may
8352 ~~shall~~ not be used as the source of the state match for private

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8353 contributions. Interest income accruing from the private
8354 donations shall be returned to the participating foundation upon
8355 completion of the project.

8356 (4)~~(5)~~ A project may not be initiated unless all private
8357 funds for planning, construction, and equipping the facility
8358 have been received and deposited in the separate university
8359 program account designated for this purpose. However, these
8360 requirements do not preclude the university from expending funds
8361 derived from private sources to develop a prospectus, including
8362 preliminary architectural schematics or models, for use in its
8363 efforts to raise private funds for a facility, and for site
8364 preparation, planning, and construction. The Board of Governors
8365 shall establish a method for validating the receipt and deposit
8366 of private matching funds. The Legislature may appropriate the
8367 state's matching funds in one or more fiscal years for the
8368 planning, construction, and equipping of an eligible facility.
8369 Each university shall notify all donors of private funds of a
8370 substantial delay in the availability of state matching funds
8371 for this program.

8372 (5)~~(6)~~ To be eligible to participate in the Alec P.
8373 Courtelis University Facility Enhancement Challenge Grant
8374 Program, a university must ~~shall~~ raise a contribution equal to
8375 one-half of the total cost of a facilities construction project
8376 from private nongovernmental sources which must ~~shall~~ be matched
8377 by a state appropriation equal to the amount raised for a
8378 facilities construction project subject to the General
8379 Appropriations Act.

8380 (6)~~(7)~~ If the state's share of the required match is
8381 insufficient to meet the requirements of subsection (5) ~~(6)~~, the

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8382 university must ~~shall~~ renegotiate the terms of the contribution
8383 with the donors. If the project is terminated, each private
8384 donation, plus accrued interest, reverts to the foundation for
8385 remittance to the donor.

8386 (7)~~(8)~~ By October 15 of each year, the Board of Governors
8387 shall transmit to the Legislature a list of projects that meet
8388 all eligibility requirements to participate in the Alec P.
8389 Courtelis University Facility Enhancement Challenge Grant
8390 Program and a budget request that includes the recommended
8391 schedule necessary to complete each project.

8392 (8)~~(9)~~ In order for a project to be eligible under this
8393 program, it must be included in the university 5-year capital
8394 improvement plan and must receive approval from the Board of
8395 Governors or the Legislature.

8396 (9)~~(10)~~ A university's project may not be removed from the
8397 approved 3-year PECO priority list because of its successful
8398 participation in this program until approved by the Legislature
8399 and provided for in the General Appropriations Act. When such a
8400 project is completed and removed from the list, all other
8401 projects shall move up on the 3-year PECO priority list. A
8402 university may ~~shall~~ not use PECO funds, including the Capital
8403 Improvement Trust Fund fee and the building fee, to complete a
8404 project under this section.

8405 (10)~~(11)~~ The surveys, architectural plans, facility, and
8406 equipment are ~~shall be~~ the property of the State of Florida. A
8407 facility constructed pursuant to this section may be named in
8408 honor of a donor at the option of the university and the Board
8409 of Governors. A ~~No~~ facility may not ~~shall~~ be named after a
8410 living person without prior approval by the Legislature.

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8411 (11)~~(12)~~ Effective July 1, 2011, state matching funds are
8412 temporarily suspended for donations received for this program on
8413 or after June 30, 2011. Existing eligible donations remain
8414 eligible for future matching funds. The program may be restarted
8415 after \$200 million of the backlog for programs under ss.
8416 1011.32, 1011.85, 1011.94, and this section have been matched.

8417 (12) Notwithstanding the suspension provision under
8418 subsection (11), for the 2017-2018 fiscal year and subject to
8419 the General Appropriations Act, the Legislature may choose to
8420 prioritize funding for those projects that have matching funds
8421 available before June 30, 2011, and that have not yet been
8422 constructed.

8423 Section 144. Effective July 1, 2017, subsection (3) of
8424 section 267.062, Florida Statutes, is amended to read:

8425 267.062 Naming of state buildings and other facilities.—

8426 (3) Notwithstanding ~~the provisions of~~ subsection (1) or s.
8427 1013.79(10) s. 1013.79(11), any state building, road, bridge,
8428 park, recreational complex, or other similar facility of a state
8429 university may be named for a living person by the university
8430 board of trustees in accordance with regulations adopted by the
8431 Board of Governors of the State University System.

8432 Section 145. The Division of Law Revision and Information
8433 is directed to prepare a reviser's bill for the 2018 Regular
8434 Session to substitute the term "Effective Access to Student
8435 Education Grant Program" for "Florida Resident Access Grant
8436 Program" and the term "Effective Access to Student Education
8437 grant" for "Florida resident access grant" wherever those terms
8438 appear in the Florida Statutes.

8439 Section 146. Except as otherwise expressly provided in this

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8440 act and except for this section, which shall take effect upon
8441 becoming a law, this act shall take effect October 1, 2017.