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1
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 1001.44, F.S.; providing the primary mission of a
66 career center operated by a district school board;
67 amending s. 1001.60, F.S.; conforming provisions to
68 changes made by the act; creating s. 1001.601, F.S.;
69 establishing the State Board of Community Colleges;
70 providing the membership of the board; creating s.
71 1001.602, F.S.; providing the responsibilities and
72 duties of the State Board of Community Colleges;
73 requiring the board to coordinate with the State Board
74 of Education; amending ss. 1001.61, 1001.64, and
75 1001.65, F.S.; conforming provisions to changes made
76 by the act; amending s. 1002.34, F.S.; providing the
77 primary mission of a charter technical career center;
78 requiring the State Board of Education to adopt rules;
79 amending s. 1003.491, F.S.; revising the Florida
80 Career and Professional Education Act to require the
81 State Board of Community Colleges to recommend,
82 jointly with the Board of Governors and the
83 Commissioner of Education, certain deadlines for new
84 core courses; amending s. 1003.493, F.S.; revising
85 department duties regarding articulation and the
86 transfer of credits to postsecondary institutions to
87 include consultation with the State Board of Community

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88 Colleges; amending s. 1004.015, F.S.; providing that
89 the Higher Education Coordinating Council serves as an
90 advisory board to, in addition to other bodies, the
91 State Board of Community Colleges; revising council
92 reporting requirements to include a report to the
93 State Board of Community Colleges; requiring the State
94 Board of Community Colleges, in addition to other
95 entities, to provide administrative support for the
96 council; amending ss. 1004.02 and 1004.03, F.S.;
97 conforming provisions to changes made by the act;
98 amending s. 1004.04, F.S.; revising department
99 reporting requirements regarding teacher preparation
100 programs to require a report to the State Board of
101 Community Colleges; amending s. 1004.07, F.S.;
102 providing that the State Board of Community Colleges,
103 instead of the State Board of Education, provide
104 guidelines for Florida Community College System
105 institution boards of trustees' policies; amending ss.
106 1004.084, 1004.085, 1004.096, and 1004.0961, F.S.;
107 conforming provisions to changes made by the act;
108 amending s. 1004.28, F.S.; prohibiting a state
109 university board of trustees from authorizing a
110 university direct-support organization to use personal
111 services or state funds for travel expenses;
112 requiring, rather than authorizing, the chair of the
113 board of trustees to appoint at least one
114 representative to the board of directors and executive
115 committee of a university direct-support organization;
116 requiring the articles of incorporation or bylaws of a

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117 university direct-support organization to include
118 certain requirements regarding appointments to the
119 board of directors and executive committee; deleting
120 an exception to the prohibition on gifts to a
121 political committee by a university direct-support
122 organization; amending ss. 1004.35, and 1004.6495,
123 F.S.; conforming provisions to changes made by the
124 act; amending s. 1004.65, F.S.; revising Florida
125 Community College System institution governance,
126 mission, and responsibilities to provide authority and
127 duties to the State Board of Community Colleges,
128 instead of the State Board of Education; providing
129 that offering upper-level instruction and awarding
130 baccalaureate degrees are a secondary and not a
131 primary role of a Florida Community College System
132 institution; amending s. 1004.67, F.S.; conforming
133 provisions to changes made by the act; amending s.
134 1004.70, F.S.; prohibiting a community college board
135 of trustees from authorizing a Florida Community
136 College System institution direct-support organization
137 to use personal services and state funds for travel
138 expenses; deleting an exception to the prohibition on
139 gifts to a political committee from a Florida
140 Community College System institution direct-support
141 organization; conforming provisions to changes made by
142 the act; amending s. 1004.71, F.S.; conforming
143 provisions to changes made by the act; amending s.
144 1004.74, F.S.; requiring the Chancellor of the Florida
145 Community College System, jointly with the

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146 Commissioner of Education, to appoint members of the
147 Council for the Florida School for the Arts; amending
148 ss. 1004.78 and 1004.80, F.S.; conforming provisions
149 to changes made by the act; amending s. 1004.91, F.S.;
150 requiring the State Board of Community Colleges to
151 collaborate with the State Board of Education to
152 provide certain rules for Florida Community College
153 System institutions regarding requirements for career
154 education program basic skills; amending s. 1004.92,
155 F.S.; providing accountability for career education
156 for the State Board of Community Colleges; revising
157 the department's accountability for career education;
158 requiring the department and the State Board of
159 Community Colleges to collaborate to develop certain
160 standards and benchmarks; requiring the State Board of
161 Education and the State Board of Community Colleges to
162 collaborate to adopt rules; amending s. 1004.925,
163 F.S.; revising industry certification requirements for
164 automotive service technology education programs to
165 include the State Board of Community Colleges;
166 amending s. 1004.93, F.S.; conforming provisions to
167 changes made by the act; amending s. 1006.60, F.S.;
168 authorizing sanctions for violations of certain rules
169 of the State Board of Community Colleges, instead of
170 the State Board of Education; amending ss. 1006.61,
171 1006.62, and 1006.71, F.S.; conforming provisions to
172 changes made by the act; amending s. 1007.01, F.S.;
173 revising the role of the State Board of Education and
174 the Board of Governors in the statewide articulation

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175 system to include the State Board of Community
176 Colleges and the Chancellor of the Florida Community
177 College System; amending s. 1007.23, F.S.; requiring
178 each Florida Community College System institution to
179 execute at least one "2+2" targeted pathway
180 articulation agreement by a specified time; providing
181 requirements and student eligibility for the
182 agreements; requiring the State Board of Community
183 Colleges and the Board of Governors to collaborate to
184 eliminate barriers for the agreements; amending s.
185 1007.24, F.S.; revising the statewide course numbering
186 system to include participation by and input from the
187 State Board of Community Colleges and the Chancellor
188 of the Florida Community College System; amending ss.
189 1007.25, 1007.262, 1007.263, 1007.264, and 1007.265,
190 F.S.; conforming provisions to changes made by the
191 act; amending s. 1007.271, F.S.; requiring the State
192 Board of Education to collaborate with the State Board
193 of Community Colleges regarding certain articulation
194 agreements; amending s. 1007.273, F.S.; requiring the
195 State Board of Community Colleges to enforce
196 compliance with certain provisions relating to the
197 collegiate high school program by a specified date
198 each year; amending s. 1007.33, F.S.; prohibiting
199 Florida Community College System institutions from
200 offering bachelor of arts degree programs; deleting
201 provisions relating to an authorization for the Board
202 of Trustees of St. Petersburg College to establish
203 certain baccalaureate degree programs; revising the

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204 approval process for baccalaureate degree programs
205 proposed by Florida Community College System
206 institutions; requiring a Florida Community College
207 System institution to annually report certain
208 information to the State Board of Community Colleges,
209 the Chancellor of the State University System, and the
210 Legislature; revising the circumstances under which a
211 baccalaureate degree program may be required to be
212 modified or terminated; requiring the termination of a
213 baccalaureate degree program under certain
214 circumstances; restricting total upper-level,
215 undergraduate full-time equivalent enrollment at
216 Florida Community College System institutions under
217 certain circumstances; amending s. 1008.31, F.S.;
218 revising the legislative intent of Florida's K-20
219 education performance and accountability system to
220 include recommendations from and reports to the State
221 Board of Community Colleges; amending s. 1008.32,
222 F.S.; removing the oversight enforcement authority of
223 the State Board of Education relating to the Florida
224 Community College System; amending s. 1008.345, F.S.;
225 removing provisions requiring the department to
226 maintain a listing of certain skills associated with
227 the system of educational accountability; amending s.
228 1008.37, F.S.; revising certain student reporting
229 requirements of the Commissioner of Education to also
230 require a report to the State Board of Community
231 Colleges; amending s. 1008.38, F.S.; revising the
232 articulation accountability process to include

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233 participation by the State Board of Community
234 Colleges; amending s. 1008.405, F.S.; requiring the
235 State Board of Community Colleges to adopt rules for
236 the maintaining of specific information by Florida
237 Community College System institutions; amending ss.
238 1008.44, 1008.45, 1009.21, and 1009.25, F.S.;
239 conforming provisions to changes made by the act;
240 amending s. 1009.26, F.S.; requiring that certain
241 information regarding fee waivers be reported to the
242 State Board of Community Colleges; requiring the State
243 Board of Community Colleges to adopt rules; amending
244 s. 1009.28, F.S.; conforming provisions to changes
245 made by the act; amending ss. 1009.90 and 1009.91,
246 F.S.; revising the duties of the department to include
247 reports to the State Board of Community Colleges;
248 amending s. 1009.971, F.S.; conforming provisions to
249 changes made by the act; amending s. 1010.01, F.S.;
250 requiring the financial records and accounts of
251 Florida Community College System institutions to
252 follow rules of the State Board of Community Colleges,
253 instead of the State Board of Education; requiring
254 each Florida Community College System institution to
255 annually file specified financial statements with the
256 State Board of Community Colleges; amending ss.
257 1010.02 and 1010.04, F.S.; requiring the funds
258 accruing to and purchases and leases by Florida
259 Community College System institutions to follow rules
260 of the State Board of Community Colleges, instead of
261 the State Board of Education; amending s. 1010.07,

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262 F.S.; requiring certain contractors to give bonds in
263 an amount set by the State Board of Community
264 Colleges; amending s. 1010.08, F.S.; authorizing
265 Florida Community College System board of trustees to
266 budget for promotion and public relations from certain
267 funds; amending ss. 1010.09, 1010.22, 1010.30, and
268 1010.58, F.S.; conforming provisions to changes made
269 by the act; amending s. 1011.01, F.S.; requiring each
270 Florida Community College System institution board of
271 trustees to submit an annual operating budget
272 according to rules of the State Board of Community
273 Colleges; amending s. 1011.011, F.S.; requiring the
274 State Board of Education to collaborate with the State
275 Board of Community Colleges for legislative budget
276 requests relating to Florida Community College System
277 institutions; amending ss. 1011.30 and 1011.32, F.S.;;
278 conforming provisions to changes made by the act;
279 amending s. 1011.80, F.S.; conforming provisions to
280 changes made by the act; authorizing the State Board
281 of Community Colleges to adopt rules; amending s.
282 1011.801, F.S.; specifying duties of the State Board
283 of Community Colleges regarding funds for the
284 operation of workforce education programs and the
285 Workforce Development Capitalization Incentive Grant
286 Program; amending ss. 1011.81, 1011.82, 1011.83,
287 1011.84, and 1011.85, F.S.; conforming provisions to
288 changes made by the act; amending s. 1012.01, F.S.;;
289 redefining the term "school officers"; amending ss.
290 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,

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291 F.S.; conforming provisions to changes made by the
292 act; amending s. 1013.01, F.S.; providing that the
293 term "board" does not include the State Board of
294 Community Colleges when used in the context of certain
295 educational facilities provisions; amending ss.
296 1013.02 and 1013.03, F.S.; requiring the State Board
297 of Community Colleges to adopt rules for and provide
298 functions relating to educational facilities; amending
299 s. 1013.28, F.S.; authorizing Florida Community
300 College System institution boards of trustees to
301 dispose of land or real property subject to rules of
302 the State Board of Community Colleges; amending s.
303 1013.31, F.S.; specifying the role of the State Board
304 of Community Colleges in educational plant surveys for
305 Florida Community College System institutions;
306 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
307 conforming provisions to changes made by the act;
308 amending s. 1013.47, F.S.; providing that certain
309 contractors are subject to rules of the State Board of
310 Community Colleges; amending s. 1013.52, F.S.;
311 specifying duties of the State Board of Community
312 Colleges with regard to the cooperative development
313 and joint use of facilities; amending s. 1013.65,
314 F.S.; requiring the State Board of Community Colleges
315 to be provided with copies of authorized allocations
316 or reallocations for the Public Education Capital
317 Outlay and Debt Service Trust Fund; requiring the
318 Board of Governors to conduct a study of state
319 investment allocation methodologies for the

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320 performance-based funding model; prescribing study and
321 reporting requirements; providing a directive to the
322 Division of Law Revision and Information; amending s.
323 1001.66, F.S.; revising requirements for the
324 performance-based metrics used to award Florida
325 Community College System institutions with
326 performance-based incentives; amending s. 1001.67,
327 F.S.; revising the Distinguished Florida Community
328 College System Institution Program excellence
329 standards requirements; amending s. 1001.706, F.S.;
330 requiring state universities to use gap analyses to
331 identify internship opportunities in high-demand
332 fields; revising cooperation duties of the Board of
333 Governors to include requirements for working with the
334 State Board of Community Colleges; amending s.
335 1001.7065, F.S.; revising the preeminent state
336 research universities program graduation rate
337 requirements and funding distributions; deleting the
338 authority for such universities to stipulate a special
339 course requirement for incoming students; requiring
340 the Board of Governors to establish certain standards
341 by a specified date; amending s. 1001.92, F.S.;
342 requiring certain performance-based metrics to include
343 specified graduation rates and access benchmarks;
344 creating s. 1004.6497, F.S.; establishing the World
345 Class Faculty and Scholar Program; providing the
346 purpose and intent of the program; authorizing
347 investments in certain faculty retention, recruitment,
348 and recognition activities; specifying funding as

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349 provided in the General Appropriations Act; requiring
350 the funds to be used only for authorized purposes and
351 investments; requiring the Board of Governors to
352 submit an annual report to the Governor and the
353 Legislature by a specified date; creating s.
354 1004.6498, F.S.; establishing the State University
355 Professional and Graduate Degree Excellence Program;
356 providing the purpose of the program; listing the
357 quality improvement efforts that may be used to
358 elevate the prominence of state university medicine,
359 law, and graduate-level business programs; specifying
360 funding as provided in the General Appropriations Act;
361 requiring the funds to be used only for authorized
362 purposes and investments; requiring the Board of
363 Governors to submit an annual report to the Governor
364 and the Legislature by a specified date; amending s.
365 1007.27, F.S.; requiring school districts to notify
366 students about certain lists and equivalencies;
367 amending s. 1008.30, F.S.; providing that certain
368 state universities may continue to provide
369 developmental education instruction; requiring the
370 State Board of Community Colleges, rather than the
371 State Board of Education, to develop and implement a
372 specified common placement test and approve a
373 specified series of meta-majors and academic pathways
374 with the Board of Governors; amending ss. 1009.22 and
375 1009.23, F.S.; revising the prohibition on the
376 inclusion of a technology fee in the Florida Bright
377 Futures Scholarship Program award; amending s.

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378 1009.24, F.S.; revising the prohibition on the
379 inclusion of a technology fee in the Florida Bright
380 Futures Scholarship Program award; requiring a state
381 university board of trustees to implement a block
382 tuition policy for certain students by a specified
383 time; prescribing criteria for such block tuition
384 policies; requiring the Chancellor of the State
385 University System to submit a report to the Governor
386 and the Legislature by a specified date; revising the
387 conditions for differential tuition; amending s.
388 1009.53, F.S.; authorizing a student to use funds
389 appropriated in the General Appropriations Act for
390 summer term enrollment for Florida Academic Scholars
391 awards; amending s. 1009.534, F.S.; specifying Florida
392 Academic Scholars award amounts to cover tuition,
393 fees, textbooks, and other college-related expenses;
394 amending s. 1009.701, F.S.; revising the state-to-
395 private match requirement for contributions to the
396 First Generation Matching Grant Program; amending s.
397 1009.89, F.S.; renaming the Florida Resident Access
398 Grant Program; amending s. 1009.893, F.S.; extending
399 coverage of Benacquisto Scholarships to include
400 tuition and fees for qualified nonresident students;
401 creating s. 1009.894, F.S.; creating the Florida
402 Farmworker Student Scholarship Program; providing a
403 purpose; requiring the Department of Education to
404 administer the scholarship program; providing initial
405 and renewal scholarship student eligibility criteria;
406 specifying award amounts and distributions; requiring

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407 the department to issue the awards annually; requiring
408 institutions to certify certain information and remit
409 any remaining funds to the department by a specified
410 timeframe; requiring the department to maintain
411 program data; providing for funding as specified in
412 the General Appropriations Act; amending s. 1009.98,
413 F.S.; providing that certain payments from the Florida
414 Prepaid College Board to a state university on behalf
415 of a qualified beneficiary may not exceed a specified
416 amount; amending s. 1013.79, F.S.; revising the intent
417 of the Alec P. Courtelis University Facility
418 Enhancement Challenge Grant Program; deleting the Alec
419 P. Courtelis Capital Facilities Matching Trust Fund;
420 authorizing the Legislature to prioritize certain
421 funds for the 2017-2018 fiscal year; amending s.
422 267.062, F.S.; conforming a cross-reference; providing
423 a directive to the Division of Law Revision and
424 Information; providing effective dates.

425
426 Be It Enacted by the Legislature of the State of Florida:

427
428 Section 1. This act shall be cited as the "Florida
429 Excellence in Higher Education Act of 2017."

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

432 1001.6001 Florida Community College System governance.—

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

435 (2) The State Board of Community Colleges is created

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436 pursuant to s. 20.156 to oversee and coordinate the Florida
437 Community College System. The Governor shall appoint the
438 membership of the State Board of Community Colleges, subject to
439 confirmation by the Senate, in time for the members to convene
440 for the board's organizational meeting pursuant to s. 20.156(5).

441 (3) The Division of Florida Colleges shall provide
442 administrative support to the State Board of Community Colleges
443 until September 30, 2017.

444 (4) On October 1, 2017, all powers, duties, functions,
445 records, offices, personnel, property, pending issues and
446 existing contracts, administrative authority, administrative
447 rules, and unexpended balances of appropriations, allocations,
448 and other funds related to the Florida College System and the
449 Division of Florida Colleges are transferred by a type two
450 transfer, as defined in s. 20.06(2), from the State Board of
451 Education to the State Board of Community Colleges.

452 (5) The State Board of Community Colleges shall appoint a
453 Chancellor of the Florida Community College System by November
454 1, 2017, to aid the board in the implementation of its
455 responsibilities.

456 (6) Any State Board of Education approval, policy,
457 guidance, and appointment in effect on October 1, 2017, remain
458 effective unless acted upon by the State Board of Community
459 Colleges.

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

462 20.15 Department of Education.—There is created a
463 Department of Education.

464 (3) DIVISIONS.—The following divisions of the Department of

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465 Education are established:

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

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

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

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

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

471 (e)~~(f)~~ Division of Accountability, Research, and
472 Measurement.

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

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

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

477 1. The Office of Early Learning, which shall be
478 administered by an executive director who is fully accountable
479 to the Commissioner of Education. The executive director shall,
480 pursuant to s. 1001.213, administer the early learning programs,
481 including the school readiness program and the Voluntary
482 Prekindergarten Education Program at the state level.

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

486 (8) SUPPORT SERVICES.—The Department of Education shall
487 continue to provide support to the Board of Governors of the
488 State University System and to the State Board of Community
489 Colleges of the Florida Community College System. At a minimum,
490 support services provided to the Board of Governors and the
491 State Board of Community Colleges shall include accounting,
492 printing, computer and Internet support, personnel and human
493 resources support, support for accountability initiatives, and

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494 administrative support as needed for trust funds under the
495 jurisdiction of the Board of Governors and the State Board of
496 Community Colleges.

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

499 20.156 State Board of Community Colleges.—

500 (1) GENERAL PROVISIONS.—The State Board of Community
501 Colleges is created. For the purposes of s. 6, Art. IV of the
502 State Constitution, the state board shall be assigned to and
503 administratively housed within the Department of Education.
504 However, the state board shall independently exercise the powers
505 and duties in s. 1001.602; is a separate budget program; and is
506 not subject to control, supervision, or direction by the
507 department. For purposes of this section, the State Board of
508 Community Colleges is referred to as the "state board."

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

513 (3) PERSONNEL.—The state board shall appoint a Chancellor
514 of the Florida Community College System by November 1, 2017, to
515 aid in carrying out the state board's duties. The chancellor is
516 the chief executive officer and secretary to the state board and
517 directs the activities of the staff of the state board. The
518 Chancellor of the Division of Florida Colleges shall serve as
519 the Chancellor of the Florida Community College System until the
520 state board selects a chancellor.

521 (4) POWERS AND DUTIES.—Effective October 1, 2017, the state
522 board shall regulate, control, and be responsible for the

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523 management of the Florida Community College System.

524 (5) ORGANIZATION.—The state board shall, by September 30,
525 2017, conduct an organizational meeting to adopt bylaws, elect a
526 chair and vice chair from the membership, and fix dates and
527 places for regular meetings.

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

530 112.313 Standards of conduct for public officers, employees
531 of agencies, and local government attorneys.—

532 (18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF
533 TRUSTEES.—A citizen member of the State Board of Community
534 Colleges or a citizen member of a Florida Community College
535 System institution board of trustees may not have or hold an
536 employment or contractual relationship as a legislative lobbyist
537 requiring annual registration and reporting pursuant to s.
538 11.045.

539 Section 6. Paragraph (c) of subsection (1) of section
540 112.3145, Florida Statutes, is amended to read:

541 112.3145 Disclosure of financial interests and clients
542 represented before agencies.—

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

545 (c) "State officer" means:

546 1. Any elected public officer, excluding those elected to
547 the United States Senate and House of Representatives, not
548 covered elsewhere in this part and any person who is appointed
549 to fill a vacancy for an unexpired term in such an elective
550 office.

551 2. An appointed member of each board, commission,

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552 authority, or council having statewide jurisdiction, excluding a
553 member of an advisory body.

554 3. A member of the Board of Governors of the State
555 University System or a state university board of trustees, the
556 Chancellor and Vice Chancellors of the State University System,
557 and the president of a state university; or a member of the
558 State Board of Community Colleges and the Chancellor of the
559 Florida Community College System.

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

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

564 1000.03 Function, mission, and goals of the Florida K-20
565 education system.—

566 (2)(a) The Legislature shall establish education policy,
567 enact education laws, and appropriate and allocate education
568 resources.

569 (b) With the exception of matters relating to the State
570 University System and the Florida Community College System, the
571 State Board of Education shall oversee the enforcement of all
572 laws and rules, and the timely provision of direction,
573 resources, assistance, intervention when needed, and strong
574 incentives and disincentives to force accountability for
575 results.

576 (c) The Board of Governors shall oversee the enforcement of
577 all state university laws and rules and regulations and the
578 timely provision of direction, resources, assistance,
579 intervention when needed, and strong incentives and
580 disincentives to force accountability for results.

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581 (d) The State Board of Community Colleges shall oversee the
582 enforcement of all Florida Community College System laws and
583 rules and the timely provision of direction, resources,
584 assistance, intervention when needed, and strong incentives and
585 disincentives to force accountability for results.

586 (4) The mission of Florida's K-20 education system is to
587 allow its students to increase their proficiency by allowing
588 them the opportunity to expand their knowledge and skills
589 through rigorous and relevant learning opportunities, in
590 accordance with the mission of the applicable career center or
591 system ~~statement~~ and the accountability requirements of s.
592 1008.31, and to avoid wasteful duplication of programs offered
593 by state universities, Florida Community College System
594 institutions, and career centers and charter technical career
595 centers that are operated by a district school board or a
596 Florida Community College System institution board of trustees.

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

600 1000.05 Discrimination against students and employees in
601 the Florida K-20 public education system prohibited; equality of
602 access required.—

603 (3)

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

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

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610 2. The Commissioner of Education, for school districts, and
611 the Chancellor of the Florida Community College System, for
612 Florida Community College System institutions, shall determine
613 whether equal opportunities are available in school districts
614 and Florida Community College System institutions. In
615 determining whether equal opportunities are available in school
616 districts and Florida Community College System institutions, the
617 Commissioner of Education and the Chancellor of the Florida
618 Community College System shall consider, among other factors:

619 a. Whether the selection of sports and levels of
620 competition effectively accommodate the interests and abilities
621 of members of both genders.

622 b. The provision of equipment and supplies.

623 c. Scheduling of games and practice times.

624 d. Travel and per diem allowances.

625 e. Opportunities to receive coaching and academic tutoring.

626 f. Assignment and compensation of coaches and tutors.

627 g. Provision of locker room, practice, and competitive
628 facilities.

629 h. Provision of medical and training facilities and
630 services.

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

632 j. Publicity.

633
634 Unequal aggregate expenditures for members of each gender or
635 unequal expenditures for male and female teams if a public
636 school or Florida Community College System institution operates
637 or sponsors separate teams do not constitute nonimplementation
638 of this subsection, but the Commissioner of Education shall

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639 consider the failure to provide necessary funds for teams for
640 one gender in assessing equality of opportunity for members of
641 each gender.

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

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

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

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

654 (a) Requiring all district school boards and Florida
655 Community College System institution boards of trustees to
656 develop and submit plans for the implementation of this section
657 to the Department of Education.

658 (b) Conducting periodic reviews of school districts and
659 Florida Community College System institutions to determine
660 compliance with this section and, after a finding that a school
661 district or a Florida Community College System institution is
662 not in compliance with this section, notifying the entity of the
663 steps that it must take to attain compliance and performing
664 followup monitoring.

665 (c) Providing technical assistance, including assisting
666 school districts or Florida Community College System
667 institutions in identifying unlawful discrimination and

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668 instructing them in remedies for correction and prevention of
669 such discrimination and performing followup monitoring.

670 (d) Conducting studies of the effectiveness of methods and
671 strategies designed to increase the participation of students in
672 programs and courses in which students of a particular race,
673 ethnicity, national origin, gender, disability, or marital
674 status have been traditionally underrepresented and monitoring
675 the success of students in such programs or courses, including
676 performing followup monitoring.

677 (e) Requiring all district school boards and Florida
678 Community College System institution boards of trustees to
679 submit data and information necessary to determine compliance
680 with this section. The Commissioner of Education, for school
681 districts, and the Chancellor of the Florida Community College
682 System, for Florida Community College System institutions, shall
683 prescribe the format and the date for submission of such data
684 and any other educational equity data. If any board does not
685 submit the required compliance data or other required
686 educational equity data by the prescribed date, the commissioner
687 shall notify the board of this fact and, if the board does not
688 take appropriate action to immediately submit the required
689 report, the State Board of Education shall impose monetary
690 sanctions.

691 (f) Based upon rules of the State Board of Education, for
692 school districts, and the State Board of Community Colleges, for
693 Florida Community College System institutions, developing and
694 implementing enforcement mechanisms with appropriate penalties
695 to ensure that public K-12 schools and Florida Community College
696 System institutions comply with Title IX of the Education

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697 Amendments of 1972 and subsection (3) of this section. However,
698 the State Board of Education may not force a public school or
699 Florida Community College System institution to conduct, nor
700 penalize such entity for not conducting, a program of athletic
701 activity or athletic scholarship for female athletes unless it
702 is an athletic activity approved for women by a recognized
703 association whose purpose is to promote athletics and a
704 conference or league exists to promote interscholastic or
705 intercollegiate competition for women in that athletic activity.

706 (g) Reporting to the Commissioner of Education, for school
707 districts, or to the Chancellor of the Florida Community College
708 System, for Florida Community College System institutions, any
709 district school board or Florida Community College System
710 institution board of trustees found to be out of compliance with
711 rules of the State Board of Education or the State Board of
712 Community Colleges adopted as required by paragraph (f) or
713 paragraph (3)(d). To penalize the respective board, the State
714 Board of Education or the State Board of Community Colleges, as
715 applicable, shall:

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

718 2. Notwithstanding the provisions of s. 216.192, direct the
719 Chief Financial Officer to withhold general revenue funds
720 sufficient to obtain compliance from the school district or
721 Florida Community College System institution.

722
723 The school district or Florida Community College System
724 institution shall remain ineligible and the funds may ~~shall~~ not
725 be paid until the institution comes into compliance or the State

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726 Board of Education or the State Board of Community Colleges, as
727 applicable, approves a plan for compliance.

728 Section 9. Section 1001.02, Florida Statutes, is amended to
729 read:

730 1001.02 General powers of State Board of Education.—

731 (1) The State Board of Education is the chief implementing
732 and coordinating body of public education in Florida except for
733 the State University System and the Florida Community College
734 System, and it shall focus on high-level policy decisions. It
735 has authority to adopt rules pursuant to ss. 120.536(1) and
736 120.54 to implement the provisions of law conferring duties upon
737 it for the improvement of the state system of K-20 public
738 education except for the State University System and the Florida
739 Community College System. Except as otherwise provided herein,
740 it may, as it finds appropriate, delegate its general powers to
741 the Commissioner of Education or the directors of the divisions
742 of the department.

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

744 (a) To adopt comprehensive educational objectives for
745 public education except for the State University System and the
746 Florida Community College System.

747 (b) To adopt comprehensive long-range plans and short-range
748 programs for the development of the state system of public
749 education except for the State University System and the Florida
750 Community College System.

751 (c) To exercise general supervision over the divisions of
752 the Department of Education as necessary to ensure coordination
753 of educational plans and programs and resolve controversies and
754 to minimize problems of articulation and student transfers, to

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755 ensure that students moving from one level of education to the
756 next have acquired competencies necessary for satisfactory
757 performance at that level, and to ensure maximum utilization of
758 facilities.

759 (d) To adopt, in consultation with the Board of Governors
760 and the State Board of Community Colleges, and from time to time
761 modify, minimum and uniform standards of college-level
762 communication and computation skills generally associated with
763 successful performance and progression through the baccalaureate
764 level and to identify college-preparatory high school coursework
765 and postsecondary-level coursework that prepares students with
766 the academic skills necessary to succeed in postsecondary
767 education.

768 (e) To adopt and submit to the Governor and Legislature, as
769 provided in s. 216.023, a coordinated K-20 education budget that
770 estimates the expenditure requirements for the Board of
771 Governors, as provided in s. 1001.706, the State Board of
772 Education, including the Department of Education and the
773 Commissioner of Education, and all of the boards, institutions,
774 agencies, and services under the general supervision of the
775 Board of Governors, as provided in s. 1001.706, the State Board
776 of Community Colleges, as provided in s. 1001.602, or the State
777 Board of Education for the ensuing fiscal year. The State Board
778 of Education may not amend the budget request submitted by the
779 Board of Governors or the State Board of Community Colleges. Any
780 program recommended by the Board of Governors, the State Board
781 of Community Colleges, or the State Board of Education which
782 will require increases in state funding for more than 1 year
783 must be presented in a multiyear budget plan.

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

788 (g) To approve plans for cooperating with the Federal
789 Government.

790 (h) To approve plans for cooperating with other public
791 agencies in the development of rules and in the enforcement of
792 laws for which the state board and such agencies are jointly
793 responsible.

794 (i) To review plans for cooperating with appropriate
795 nonpublic agencies for the improvement of conditions relating to
796 the welfare of schools.

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

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

802 (l) To assist in the economic development of the state by
803 developing a state-level planning process to identify future
804 training needs for industry, especially high-technology
805 industry.

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

809 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
810 120.54, within statutory authority.

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

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813 (p) To contract with independent institutions accredited by
814 an agency whose standards are comparable to the minimum
815 standards required to operate a postsecondary career center
816 ~~educational institution at that level in the state.~~ The purpose
817 of the contract is to provide those educational programs and
818 facilities which will meet needs unfulfilled by the state system
819 of public postsecondary education.

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

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

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

828 (t) To establish accountability standards for existing
829 legislative performance goals, standards, and measures, and
830 order the development of mechanisms to implement new legislative
831 goals, standards, and measures.

832 (u) To adopt criteria and implementation plans for future
833 growth issues, ~~such as new Florida College System institutions~~
834 ~~and Florida College System institution campus mergers,~~ and to
835 provide for cooperative agreements between and within public and
836 private education sectors.

837 (v) To develop, in conjunction with the Board of Governors
838 and the State Board of Community Colleges, and periodically
839 review for adjustment, a coordinated 5-year plan for
840 postsecondary enrollment, identifying enrollment and graduation
841 expectations by baccalaureate degree program, and annually

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842 submit the plan to the Legislature as part of its legislative
843 budget request.

844 ~~(w) Beginning in the 2014-2015 academic year and annually~~
845 ~~thereafter, to require each Florida College System institution~~
846 ~~prior to registration to provide each enrolled student~~
847 ~~electronic access to the economic security report of employment~~
848 ~~and earning outcomes prepared by the Department of Economic~~
849 ~~Opportunity pursuant to s. 445.07.~~

850 (3) (a) The State Board of Education shall adopt a strategic
851 plan that specifies goals and objectives for the state's public
852 schools ~~and Florida College System institutions~~. The plan shall
853 be formulated in conjunction with plans of the Board of
854 Governors and the State Board of Community Colleges in order to
855 provide for the roles of the universities and Florida Community
856 College System institutions to be coordinated to best meet state
857 needs and reflect cost-effective use of state resources. The
858 strategic plan must clarify the mission statements of each
859 Florida Community College System institution and the system as a
860 whole and identify degree programs, including baccalaureate
861 degree programs, to be offered at each Florida Community College
862 System institution in accordance with the objectives provided in
863 this subsection and the coordinated 5-year plan pursuant to
864 paragraph (2) (v). The strategic plan must cover a period of 5
865 years, with modification of the program lists after 2 years.
866 Development of each 5-year plan must be coordinated with and
867 initiated after completion of the master plan. The strategic
868 plans must specifically include programs and procedures for
869 responding to the educational needs of teachers and students in
870 the public schools of this state and consider reports and

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871 recommendations of the Higher Education Coordinating Council
872 pursuant to s. 1004.015 and the Articulation Coordinating
873 Committee pursuant to s. 1007.01. The state board shall submit a
874 report to the President of the Senate and the Speaker of the
875 House of Representatives upon modification of the plan and as
876 part of its legislative budget request.

877 (b) The State Board of Education, and the Board of
878 Governors, and the State Board of Community Colleges shall
879 jointly develop long-range plans and annual reports for
880 financial aid in this state. The long-range plans shall
881 establish goals and objectives for a comprehensive program of
882 financial aid for Florida students and shall be updated every 5
883 years. The annual report shall include programs administered by
884 the department as well as awards made from financial aid fee
885 revenues, any other funds appropriated by the Legislature for
886 financial assistance, and the value of tuition and fees waived
887 for students enrolled in a dual enrollment course at a public
888 postsecondary educational institution. The annual report shall
889 include an assessment of progress made in achieving goals and
890 objectives established in the long-range plans and
891 recommendations for repealing or modifying existing financial
892 aid programs or establishing new programs. A long-range plan
893 shall be submitted by January 1, 2004, and every 5 years
894 thereafter. An annual report shall be submitted on January 1,
895 2004, and in each successive year that a long-range plan is not
896 submitted, to the President of the Senate and the Speaker of the
897 House of Representatives.

898 (4) The State Board of Education shall~~+~~

899 ~~(a) Provide for each Florida College System institution to~~

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900 ~~offer educational training and service programs designed to meet~~
901 ~~the needs of both students and the communities served.~~

902 ~~(b) Specify, by rule, procedures to be used by the Florida~~
903 ~~College System institution boards of trustees in the annual~~
904 ~~evaluations of presidents and review the evaluations of~~
905 ~~presidents by the boards of trustees, including the extent to~~
906 ~~which presidents serve both institutional and system goals.~~

907 ~~(c) Establish, in conjunction with the Board of Governors,~~
908 ~~an effective information system that will provide composite data~~
909 ~~concerning the Florida College System institutions and state~~
910 ~~universities and ensure that special analyses and studies~~
911 ~~concerning the institutions are conducted, as necessary, for~~
912 ~~provision of accurate and cost-effective information concerning~~
913 ~~the institutions.~~

914 ~~(d) Establish criteria for making recommendations for~~
915 ~~modifying district boundary lines for Florida College System~~
916 ~~institutions, including criteria for service delivery areas of~~
917 ~~Florida College System institutions authorized to grant~~
918 ~~baccalaureate degrees.~~

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

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

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

928 ~~(5) The State Board of Education is responsible for~~

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929 ~~reviewing and administering the state program of support for the~~
930 ~~Florida College System institutions and, subject to existing~~
931 ~~law, shall establish the tuition and out-of-state fees for~~
932 ~~developmental education and for credit instruction that may be~~
933 ~~counted toward an associate in arts degree, an associate in~~
934 ~~applied science degree, or an associate in science degree.~~

935 ~~(6) The State Board of Education shall prescribe minimum~~
936 ~~standards, definitions, and guidelines for Florida College~~
937 ~~System institutions that will ensure the quality of education,~~
938 ~~coordination among the Florida College System institutions and~~
939 ~~state universities, and efficient progress toward accomplishing~~
940 ~~the Florida College System institution mission. At a minimum,~~
941 ~~these rules must address:~~

942 ~~(a) Personnel.~~

943 ~~(b) Contracting.~~

944 ~~(c) Program offerings and classification, including~~
945 ~~college-level communication and computation skills associated~~
946 ~~with successful performance in college and with tests and other~~
947 ~~assessment procedures that measure student achievement of those~~
948 ~~skills. The performance measures must provide that students~~
949 ~~moving from one level of education to the next acquire the~~
950 ~~necessary competencies for that level.~~

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

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

957 ~~2. Require all of the credits accepted for the associate in~~

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958 ~~arts degree to be in the statewide course numbering system as~~
959 ~~credits toward a baccalaureate degree offered by a state~~
960 ~~university or a Florida College System institution.~~

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

964
965 ~~The rules should encourage Florida College System institutions~~
966 ~~to enter into agreements with state universities that allow~~
967 ~~Florida College System institution students to complete upper-~~
968 ~~division-level courses at a Florida College System institution.~~
969 ~~An agreement may provide for concurrent enrollment at the~~
970 ~~Florida College System institution and the state university and~~
971 ~~may authorize the Florida College System institution to offer an~~
972 ~~upper-division-level course or distance learning.~~

973 ~~(e) Student admissions, conduct and discipline,~~
974 ~~nonclassroom activities, and fees.~~

975 ~~(f) Budgeting.~~

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

977 ~~(h) Student services.~~

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

980 Section 10. Subsections (7) through (17) of section
981 1001.03, Florida Statutes, are amended to read:

982 1001.03 Specific powers of State Board of Education.—

983 (7) ARTICULATION ACCOUNTABILITY.—The State Board of
984 Education shall develop articulation accountability measures
985 that assess the status of systemwide articulation processes, in
986 conjunction with the Board of Governors regarding the State

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987 University System and the State Board of Community Colleges
988 regarding the Florida Community College System, and shall
989 establish an articulation accountability process in accordance
990 with the provisions of chapter 1008, in conjunction with the
991 Board of Governors regarding the State University System and the
992 State Board of Community Colleges regarding the Florida
993 Community College System.

994 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
995 shall enforce compliance with law and state board rule by all
996 school districts and public postsecondary educational
997 institutions, except for institutions within the State
998 University System and the Florida Community College System, in
999 accordance with the provisions of s. 1008.32.

1000 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
1001 Education, in conjunction with the Board of Governors regarding
1002 the State University System and the State Board of Community
1003 Colleges regarding the Florida Community College System, shall
1004 continue to collect and maintain, at a minimum, the management
1005 information databases for state universities, community
1006 colleges, and all other components of the public K-20 education
1007 system as such databases existed on June 30, 2002.

1008 ~~(10) COMMON PLACEMENT TESTING FOR PUBLIC POSTSECONDARY~~
1009 ~~EDUCATION. The State Board of Education, in conjunction with the~~
1010 ~~Board of Governors, shall develop and implement a common~~
1011 ~~placement test to assess the basic computation and communication~~
1012 ~~skills of students who intend to enter a degree program at any~~
1013 ~~Florida College System institution or state university.~~

1014 (10) ~~(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY
1015 EDUCATION.—The State Board of Education shall adopt minimum

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1016 standards relating to nonpublic postsecondary education and
1017 institutions, in accordance with the provisions of chapter 1005.

1018 ~~(12) COMMON POSTSECONDARY DEFINITIONS. The State Board of~~
1019 ~~Education shall adopt, by rule, common definitions for associate~~
1020 ~~in science degrees and for certificates.~~

1021 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS. The~~
1022 ~~State Board of Education shall provide for the cyclic review of~~
1023 ~~all academic programs in Florida College System institutions at~~
1024 ~~least every 7 years. Program reviews shall document how~~
1025 ~~individual academic programs are achieving stated student~~
1026 ~~learning and program objectives within the context of the~~
1027 ~~institution's mission. The results of the program reviews shall~~
1028 ~~inform strategic planning, program development, and budgeting~~
1029 ~~decisions at the institutional level.~~

1030 (11)~~(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
1031 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of
1032 Education shall maintain a uniform classification system for
1033 school district administrative and management personnel that
1034 will facilitate the uniform coding of administrative and
1035 management personnel to total district employees.

1036 ~~(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE~~
1037 ~~DEGREE PROGRAMS. The State Board of Education shall provide for~~
1038 ~~the review and approval of proposals by Florida College System~~
1039 ~~institutions to offer baccalaureate degree programs pursuant to~~
1040 ~~s. 1007.33. A Florida College System institution, as defined in~~
1041 ~~s. 1000.21, that is approved to offer baccalaureate degrees~~
1042 ~~pursuant to s. 1007.33 remains under the authority of the State~~
1043 ~~Board of Education and the Florida College System institution's~~
1044 ~~board of trustees. The State Board of Education may not approve~~

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1045 ~~Florida College System institution baccalaureate degree program~~
1046 ~~proposals from March 31, 2014, through May 31, 2015.~~

1047 ~~(16) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1, 2013,~~
1048 ~~the State Board of Education shall identify performance metrics~~
1049 ~~for the Florida College System and develop a plan that specifies~~
1050 ~~goals and objectives for each Florida College System~~
1051 ~~institution. The plan must include:~~

1052 ~~(a) Performance metrics and standards common for all~~
1053 ~~institutions and metrics and standards unique to institutions~~
1054 ~~depending on institutional core missions, including, but not~~
1055 ~~limited to, remediation success, retention, graduation,~~
1056 ~~employment, transfer rates, licensure passage, excess hours,~~
1057 ~~student loan burden and default rates, job placement, faculty~~
1058 ~~awards, and highly respected rankings for institution and~~
1059 ~~program achievements.~~

1060 ~~(b) Student enrollment and performance data delineated by~~
1061 ~~method of instruction, including, but not limited to,~~
1062 ~~traditional, online, and distance learning instruction.~~

1063 ~~(12)~~(17) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,
1064 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of
1065 Education, in consultation with the Board of Governors, the
1066 State Board of Community Colleges, and the Department of
1067 Economic Opportunity, shall adopt a unified state plan to
1068 improve K-20 STEM education and prepare students for high-skill,
1069 high-wage, and high-demand employment in STEM and STEM-related
1070 fields.

1071 Section 11. Subsection (1), paragraphs (g) and (j) of
1072 subsection (6), and subsection (7) of section 1001.10, Florida
1073 Statutes, are amended to read:

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1074 1001.10 Commissioner of Education; general powers and
1075 duties.—

1076 (1) The Commissioner of Education is the chief educational
1077 officer of the state and the sole custodian of the K-20 data
1078 warehouse, and is responsible for giving full assistance to the
1079 State Board of Education in enforcing compliance with the
1080 mission and goals of the K-20 education system except for the
1081 State University System and the Florida Community College
1082 System.

1083 (6) Additionally, the commissioner has the following
1084 general powers and duties:

1085 (g) To submit to the State Board of Education, on or before
1086 October 1 of each year, recommendations for a coordinated K-20
1087 education budget that estimates the expenditures for the Board
1088 of Governors, the State Board of Community Colleges, the State
1089 Board of Education, including the Department of Education and
1090 the Commissioner of Education, and all of the boards,
1091 institutions, agencies, and services under the general
1092 supervision of the Board of Governors, the State Board of
1093 Community Colleges, or the State Board of Education for the
1094 ensuing fiscal year. Any program recommended to the State Board
1095 of Education that will require increases in state funding for
1096 more than 1 year must be presented in a multiyear budget plan.

1097 (j) To implement a program of school improvement and
1098 education accountability designed to provide all students the
1099 opportunity to make adequate learning gains in each year of
1100 school as provided by statute and State Board of Education rule
1101 based upon the achievement of the state education goals,
1102 recognizing the following:

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1103 1. The district school board is responsible for school and
1104 student performance.

1105 2. The individual school is the unit for education
1106 accountability.

1107 ~~3. The Florida College System institution board of trustees~~
1108 ~~is responsible for Florida College System institution~~
1109 ~~performance and student performance.~~

1110 ~~(7) The commissioner, or the commissioner's designee, may~~
1111 ~~conduct a review or investigation of practices, procedures, or~~
1112 ~~actions at any Florida College System institution which appear~~
1113 ~~to be inconsistent with sound financial, management, or academic~~
1114 ~~practice.~~

1115 Section 12. Paragraphs (c) through (f) of subsection (1)
1116 and subsection (3) of section 1001.11, Florida Statutes, are
1117 amended to read:

1118 1001.11 Commissioner of Education; other duties.—

1119 (1) The Commissioner of Education must independently
1120 perform the following duties:

1121 (c) In cooperation with the Board of Governors and the
1122 State Board of Community Colleges, develop and implement a
1123 process for receiving and processing requests, in conjunction
1124 with the Legislature, for the allocation of PECO funds for
1125 qualified postsecondary education projects.

1126 ~~(d) Integrally work with the boards of trustees of the~~
1127 ~~Florida College System institutions.~~

1128 (d) ~~(e)~~ Monitor the activities of the State Board of
1129 Education and provide information related to current and pending
1130 policies to the members of the boards of trustees of the Florida
1131 Community College System institutions and state universities.

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1132 (e)~~(f)~~ Ensure the timely provision of information requested
1133 by the Legislature from the State Board of Education, the
1134 commissioner's office, and the Department of Education.

1135 (3) Notwithstanding any other provision of law to the
1136 contrary, the Commissioner of Education, in conjunction with the
1137 Legislature, and the Board of Governors regarding the State
1138 University System, and the State Board of Community Colleges
1139 regarding the Florida Community College System, must recommend
1140 funding priorities for the distribution of capital outlay funds
1141 for public postsecondary educational institutions, based on
1142 priorities that include, but are not limited to, the following
1143 criteria:

1144 (a) Growth at the institutions.

1145 (b) Need for specific skills statewide.

1146 (c) Need for maintaining and repairing existing facilities.

1147 Section 13. Paragraph (e) of subsection (4) of section
1148 1001.20, Florida Statutes, is amended to read:

1149 1001.20 Department under direction of state board.—

1150 (4) The Department of Education shall establish the
1151 following offices within the Office of the Commissioner of
1152 Education which shall coordinate their activities with all other
1153 divisions and offices:

1154 (e) *Office of Inspector General*.—Organized using existing
1155 resources and funds and responsible for promoting
1156 accountability, efficiency, and effectiveness and detecting
1157 fraud and abuse within school districts and~~7~~ the Florida School
1158 for the Deaf and the Blind, ~~and Florida College System~~
1159 ~~institutions in Florida~~. If the Commissioner of Education
1160 determines that a district school board or~~7~~ the Board of

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1161 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~
1162 ~~Florida College System institution board of trustees~~ is
1163 unwilling or unable to address substantiated allegations made by
1164 any person relating to waste, fraud, or financial mismanagement
1165 within the school district or, the Florida School for the Deaf
1166 and the Blind, ~~or the Florida College System institution~~, the
1167 office shall conduct, coordinate, or request investigations into
1168 such substantiated allegations. The office shall have access to
1169 all information and personnel necessary to perform its duties
1170 and shall have all of its current powers, duties, and
1171 responsibilities authorized in s. 20.055.

1172 Section 14. Section 1001.28, Florida Statutes, is amended
1173 to read:

1174 1001.28 Distance learning duties.—The duties of the
1175 Department of Education concerning distance learning include,
1176 but are not limited to, the duty to:

1177 (1) Facilitate the implementation of a statewide
1178 coordinated system and resource system for cost-efficient
1179 advanced telecommunications services and distance education
1180 which will increase overall student access to education.

1181 (2) Coordinate the use of existing resources, including,
1182 but not limited to, the state's satellite transponders, the
1183 Florida Information Resource Network (FIRN), and distance
1184 learning initiatives.

1185 (3) Assist in the coordination of the utilization of the
1186 production and uplink capabilities available through Florida's
1187 public television stations, eligible facilities, independent
1188 colleges and universities, private firms, and others as needed.

1189 (4) Seek the assistance and cooperation of Florida's cable

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1190 television providers in the implementation of the statewide
1191 advanced telecommunications services and distance learning
1192 network.

1193 (5) Seek the assistance and cooperation of Florida's
1194 telecommunications carriers to provide affordable student access
1195 to advanced telecommunications services and to distance
1196 learning.

1197 (6) Coordinate partnerships for development, acquisition,
1198 use, and distribution of distance learning.

1199 (7) Secure and administer funding for programs and
1200 activities for distance learning from federal, state, local, and
1201 private sources and from fees derived from services and
1202 materials.

1203 (8) Hire appropriate staff which may include a position
1204 that shall be exempt from part II of chapter 110 and is included
1205 in the Senior Management Service in accordance with s. 110.205.

1206
1207 Nothing in this section shall be construed to abrogate,
1208 supersede, alter, or amend the powers and duties of any state
1209 agency, district school board, Florida Community College System
1210 institution board of trustees, university board of trustees, the
1211 Board of Governors, the State Board of Community Colleges, or
1212 the State Board of Education.

1213 Section 15. Effective July 1, 2017, section 1001.44,
1214 Florida Statutes, is amended to read:

1215 1001.44 Career centers; governance, mission, and
1216 responsibilities.—

1217 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
1218 CENTERS.—Any district school board, after first obtaining the

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1219 approval of the Department of Education, may, as a part of the
1220 district school system, organize, establish and operate a career
1221 center, or acquire and operate a career center previously
1222 established. The primary mission of a career center that is
1223 operated by a district school board is to promote advances and
1224 innovations in workforce preparation and economic development. A
1225 career center may provide a learning environment that serves the
1226 needs of a specific population group or group of occupations,
1227 thus promoting diversity and choices within the public technical
1228 education community in this state.

1229 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
1230 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards
1231 of any two or more contiguous districts may, upon first
1232 obtaining the approval of the department, enter into an
1233 agreement to organize, establish and operate, or acquire and
1234 operate, a career center under this section.

1235 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED
1236 BY A DIRECTOR.—

1237 (a) A career center established or acquired under
1238 provisions of law and minimum standards prescribed by the
1239 commissioner shall comprise a part of the district school system
1240 and shall mean an educational institution offering terminal
1241 courses of a technical nature, and courses for out-of-school
1242 youth and adults; shall be subject to all applicable provisions
1243 of this code; shall be under the control of the district school
1244 board of the school district in which it is located; and shall
1245 be directed by a director responsible through the district
1246 school superintendent to the district school board of the school
1247 district in which the center is located.

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1248 (b) Each career center shall maintain an academic
1249 transcript for each student enrolled in the center. Such
1250 transcript shall delineate each course completed by the student.
1251 Courses shall be delineated by the course prefix and title
1252 assigned pursuant to s. 1007.24. The center shall make a copy of
1253 a student's transcript available to any student who requests it.

1254 Section 16. Effective July 1, 2017, section 1001.60,
1255 Florida Statutes, is amended to read:

1256 1001.60 Florida Community College System.—

1257 (1) PURPOSES.—In order to maximize open access for
1258 students, respond to community needs for postsecondary academic
1259 education and career degree education, and provide associate and
1260 baccalaureate degrees that will best meet the state's employment
1261 needs, the Legislature establishes a system of governance for
1262 the Florida Community College System.

1263 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a
1264 single Florida Community College System comprised of the Florida
1265 Community College System institutions identified in s.
1266 1000.21(3). A Florida Community College System institution may
1267 not offer graduate degree programs.

1268 (a) The programs and services offered by Florida Community
1269 College System institutions in providing associate and
1270 baccalaureate degrees shall be delivered in a cost-effective
1271 manner that demonstrates substantial savings to the student and
1272 to the state over the cost of providing the degree at a state
1273 university.

1274 (b)1. With the approval of its district board of trustees,
1275 a Florida Community College System institution may change the
1276 institution's name set forth in s. 1000.21(3) and use the

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1277 designation "college" or "state college" if it has been
1278 authorized to grant baccalaureate degrees pursuant to s. 1007.33
1279 and has been accredited as a baccalaureate-degree-granting
1280 institution by the Commission on Colleges of the Southern
1281 Association of Colleges and Schools.

1282 2. With the approval of its district board of trustees, a
1283 Florida Community College System institution that does not meet
1284 the criteria in subparagraph 1. may request approval from the
1285 State Board of Education to change the institution's name set
1286 forth in s. 1000.21(3) and use the designation "college." The
1287 State Board of Community Colleges ~~Education~~ may approve the
1288 request if the Florida Community College System institution
1289 enters into an agreement with the State Board of Community
1290 Colleges ~~Education~~ to do the following:

1291 a. Maintain as its primary mission responsibility for
1292 responding to community needs for postsecondary academic
1293 education and career degree education as prescribed in s.
1294 1004.65(5).

1295 b. Maintain an open-door admissions policy for associate-
1296 level degree programs and workforce education programs.

1297 c. Continue to provide outreach to underserved populations.

1298 d. Continue to provide remedial education.

1299 e. Comply with all provisions of the statewide articulation
1300 agreement that relate to 2-year and 4-year public degree-
1301 granting institutions as adopted by the State Board of Community
1302 Colleges ~~Education~~ pursuant to s. 1007.23.

1303 (c) A district board of trustees that approves a change to
1304 the name of an institution under paragraph (b) must seek
1305 statutory codification of such name change in s. 1000.21(3)

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1306 during the next regular legislative session.

1307 (d) A Florida Community College System institution may not
1308 use the designation "university."

1309 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the
1310 Florida Community College System shall be governed by a local
1311 board of trustees as provided in s. 1001.64. The membership of
1312 each local board of trustees shall be as provided in s. 1001.61.

1313 Section 17. Effective July 1, 2017, section 1001.601,
1314 Florida Statutes, is created to read:

1315 1001.601 State Board of Community Colleges of the Florida
1316 Community College System.—

1317 (1) The State Board of Community Colleges is established as
1318 a body corporate consisting of 13 members, which shall consist
1319 of the Commissioner of Education and 12 citizen members who are
1320 appointed by the Governor in a manner that provides equitable
1321 geographical representation.

1322 (a) The 12 appointed citizen members must include a student
1323 enrolled in a Florida Community College System institution and a
1324 faculty member employed at a Florida Community College System
1325 institution.

1326 (b) Except for the student member, each citizen member must
1327 be confirmed by the Senate and must reside and be registered to
1328 vote in this state.

1329 (c) Except for the student member, who shall serve a 1-year
1330 term, appointed citizen members shall serve staggered 4-year
1331 terms. In order to achieve staggered terms, beginning September
1332 1, 2017, of the initial appointments, 3 members shall serve 2-
1333 year terms, 4 members shall serve 3-year terms, and 4 members
1334 shall serve 4-year terms.

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1335 (2) Members of the State Board of Community Colleges may
1336 not receive compensation but may be reimbursed for travel and
1337 per diem expenses as provided in s. 112.061.

1338 Section 18. Section 1001.602, Florida Statutes, is created
1339 to read:

1340 1001.602 Powers and duties of the State Board of Community
1341 Colleges.—

1342 (1) RESPONSIBILITIES.—The State Board of Community Colleges
1343 is responsible for the efficient and effective operation and
1344 maintenance of the Florida Community College System, as defined
1345 in s. 1001.60. The State Board of Community Colleges may adopt
1346 rules pursuant to ss. 120.536(1) and 120.54 to implement
1347 provisions of law for the Florida Community College System. For
1348 the purposes of this section, the State Board of Community
1349 Colleges is referred to as the "state board."

1350 (2) DUTIES.—The state board has the following duties:

1351 (a) Ensure Florida Community College System institutions
1352 operate consistent with the mission of the system, pursuant to
1353 s. 1004.65.

1354 (b) Oversee the Florida Community College System and
1355 coordinate with the Board of Governors and the State Board of
1356 Education to avoid wasteful duplication of facilities or
1357 programs.

1358 (c) Provide for each Florida Community College System
1359 institution to offer educational training and service programs
1360 designed to meet the needs of both students and the communities
1361 served.

1362 (d) Hold meetings, transact business, keep records, and,
1363 except as otherwise provided by law, perform such other duties

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1364 as may be necessary for the enforcement of laws and rules
1365 relating to the Florida Community College System.

1366 (e) Provide for the coordination of educational plans and
1367 programs to resolve controversies, minimize problems of
1368 articulation and student transfers, ensure that students moving
1369 from one level of education to the next have acquired
1370 competencies necessary for satisfactory performance at that
1371 level, and ensure maximum utilization of facilities.

1372 (f) Establish and review, in consultation with the State
1373 Board of Education and the Board of Governors, minimum and
1374 uniform standards of college-level communication and computation
1375 skills generally associated with successful performance and
1376 progression through the baccalaureate level, to identify
1377 college-preparatory high school coursework and postsecondary-
1378 level coursework that prepares students with the academic skills
1379 necessary to succeed in postsecondary education.

1380 (g) Approve plans for cooperating with the Federal
1381 Government.

1382 (h) Approve plans for cooperating with other public
1383 agencies in the development of rules and in the enforcement of
1384 laws for which the state board and the agencies are jointly
1385 responsible.

1386 (i) Create subordinate advisory bodies if required by law
1387 or as necessary for the improvement of the Florida Community
1388 College System.

1389 (j) Coordinate with the State Board of Education to collect
1390 and maintain data for the Florida Community College System.

1391 (k) Establish, in conjunction with the State Board of
1392 Education and the Board of Governors, an effective information

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1393 system that will provide composite data concerning the Florida
1394 Community College System institutions and state universities and
1395 that will ensure that special analyses and studies concerning
1396 the institutions are conducted, as necessary, for provision of
1397 accurate and cost-effective information concerning the
1398 institutions.

1399 (l) Establish accountability standards for existing
1400 legislative performance goals, standards, and measures, and
1401 order the development of mechanisms to implement new legislative
1402 goals, standards, and measures.

1403 (m) Require each Florida Community College System
1404 institution, before registration, to provide each enrolled
1405 student electronic access to the economic security report of
1406 employment and earning outcomes prepared by the Department of
1407 Economic Opportunity pursuant to s. 445.07.

1408 (n) Specify, by rule, procedures to be used by Florida
1409 Community College System institution boards of trustees in the
1410 annual evaluation of presidents, and review the evaluations of
1411 presidents by the boards of trustees, including the extent to
1412 which presidents serve both institutional and system goals.

1413 (o) Establish, subject to existing law, the tuition and
1414 out-of-state fees for developmental education and for credit
1415 instruction that may be counted toward an associate in arts
1416 degree, an associate in applied science degree, or an associate
1417 in science degree.

1418 (p) Develop, in conjunction with the Board of Governors and
1419 the State Board of Education, and implement a common placement
1420 test to assess the basic computation and communication skills of
1421 students who intend to enter a degree program at a Florida

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1422 Community College System institution or state university.
1423 (q) May direct the Chancellor of the Florida Community
1424 College System to conduct investigations of practices,
1425 procedures, or actions at a Florida Community College System
1426 institution which appear to be inconsistent with sound
1427 financial, management, or academic practice.
1428 (r) Examine the annual administrative review of each
1429 Florida Community College System institution.
1430 (s) Through the Chancellor of the Florida Community College
1431 System, integrally work with the boards of trustees of the
1432 Florida Community College System institutions.
1433 (t) Establish criteria for making recommendations
1434 concerning all proposals to establish additional centers or
1435 campuses for a Florida Community College System institution.
1436 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
1437 the requirements under subsection (4) and the performance
1438 metrics and standards adopted under ss. 1001.66 and 1001.67, the
1439 state board shall identify performance metrics for the Florida
1440 Community College System and develop a plan that specifies goals
1441 and objectives for each Florida Community College System
1442 institution. The plan must include:
1443 (a) Performance metrics and standards common for all
1444 institutions and metrics and standards unique to institutions
1445 depending on institutional core missions, including, but not
1446 limited to, remediation success, retention, graduation,
1447 employment, transfer rates, licensure passage, excess hours,
1448 student loan burden and default rates, job placement, faculty
1449 awards, and highly respected rankings for institution and
1450 program achievements.

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1451 (b) Student enrollment and performance data delineated by
1452 method of instruction, including, but not limited to,
1453 traditional, online, and distance learning instruction.

1454 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1455 (a) The state board shall adopt a strategic plan that
1456 specifies goals and objectives for the Florida Community College
1457 System. The plan must be formulated in conjunction with plans of
1458 the State Board of Education and the Board of Governors in order
1459 to coordinate the roles of the school districts and universities
1460 to best meet state needs and reflect cost-effective use of state
1461 resources. The strategic plan must clarify the mission
1462 statements of the Florida Community College System and each
1463 Florida Community College System institution and identify degree
1464 programs, including baccalaureate degree programs, to be offered
1465 at each Florida Community College System institution in
1466 accordance with the objectives provided in this subsection and
1467 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The
1468 strategic plan must cover a period of 5 years, with modification
1469 of the program lists after 2 years. Development of each 5-year
1470 plan must be coordinated with and initiated after completion of
1471 the master plan. The strategic plan must consider reports and
1472 recommendations of the Higher Education Coordinating Council
1473 pursuant to s. 1004.015 and the Articulation Coordinating
1474 Committee pursuant to s. 1007.01. Upon modification of the plan,
1475 the state board shall submit a report to the President of the
1476 Senate and the Speaker of the House of Representatives as part
1477 of its legislative budget request.

1478 (b) The state board, the State Board of Education, and the
1479 Board of Governors shall jointly develop long-range plans and

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1480 annual reports for financial aid in this state. The long-range
1481 plans must establish goals and objectives for a comprehensive
1482 program of financial aid for students and shall be updated every
1483 5 years. The annual report must include programs administered by
1484 the department as well as awards made from financial aid fee
1485 revenues, other funds appropriated by the Legislature for
1486 financial assistance, and the value of tuition and fees waived
1487 for students enrolled in a dual enrollment course at a public
1488 postsecondary educational institution. The annual report must
1489 include an assessment of the progress made in achieving goals
1490 and objectives established in the long-range plans and must
1491 include recommendations for repealing or modifying existing
1492 financial aid programs or establishing new programs. The state
1493 board, the State Board of Education, and the Board of Governors
1494 shall submit their long-range plans by July 1, 2018, and every 5
1495 years thereafter and shall submit their annual reports on July
1496 1, 2018, and in each successive year that a long-range plan is
1497 not submitted, to the President of the Senate and the Speaker of
1498 the House of Representatives.

1499 (c) The state board shall also:

1500 1. Adopt comprehensive long-range plans and short-range
1501 programs for the development of the Florida Community College
1502 System.

1503 2. Assist in the economic development of the state by
1504 developing a state-level planning process to identify future
1505 training needs for industry, especially high-technology
1506 industry.

1507 3. Adopt criteria and implementation plans for future
1508 growth issues, such as new Florida Community College System

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1509 institutions and Florida Community College System institution
1510 campus mergers, and provide for cooperative agreements between
1511 and within public and private education sectors.

1512 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
1513 prescribe minimum standards, definitions, and guidelines for
1514 Florida Community College System institutions which will ensure
1515 the quality of education, coordination among the Florida
1516 Community College System institutions and state universities,
1517 and efficient progress toward accomplishing the Florida
1518 Community College System institution's mission. At a minimum,
1519 these rules must address all of the following:

1520 (a) Personnel.

1521 (b) Contracting.

1522 (c) Program offerings and classification, including
1523 college-level communication and computation skills associated
1524 with successful performance in college and with tests and other
1525 assessment procedures that measure student achievement of those
1526 skills. The performance measures must provide that students
1527 moving from one level of education to the next acquire the
1528 necessary competencies for that level.

1529 (d) Provisions for curriculum development, graduation
1530 requirements, college calendars, and program service areas.

1531 These provisions must include rules that:

1532 1. Provide for the award of an associate in arts degree to
1533 a student who successfully completes 60 semester credit hours at
1534 the Florida Community College System institution.

1535 2. Require all of the credits accepted for the associate in
1536 arts degree to be in the statewide course numbering system as
1537 credits toward a baccalaureate degree offered by a state

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1538 university or a Florida Community College System institution.

1539 3. Require no more than 36 semester credit hours in general
1540 education courses in the subject areas of communication,
1541 mathematics, social sciences, humanities, and natural sciences.

1542
1543 The rules under this paragraph should encourage Florida
1544 Community College System institutions to enter into agreements
1545 with state universities which allow a Florida Community College
1546 System institution student to complete upper-division-level
1547 courses at a Florida Community College System institution. An
1548 agreement may provide for concurrent enrollment at the Florida
1549 Community College System institution and the state university
1550 and may authorize the Florida Community College System
1551 institution to offer an upper-division-level course or distance
1552 learning.

1553 (e) Student admissions, conduct and discipline;
1554 nonclassroom activities; and fees.

1555 (f) Budgeting.

1556 (g) Business and financial matters.

1557 (h) Student services.

1558 (i) Reports, surveys, and information systems, including
1559 forms and dates of submission.

1560 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
1561 shall provide for the cyclic review of all academic programs in
1562 Florida Community College System institutions at least every 7
1563 years. Program reviews must document how individual academic
1564 programs are achieving stated student learning and program
1565 objectives within the context of the institution's mission. The
1566 results of the program reviews must inform strategic planning,

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1567 program development, and budgeting decisions at the
1568 institutional level.

1569 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION
1570 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for
1571 the review and approval of proposals by Florida Community
1572 College System institutions to offer baccalaureate degree
1573 programs pursuant to s. 1007.33. A Florida Community College
1574 System institution, as defined in s. 1000.21, which is approved
1575 to offer baccalaureate degrees pursuant to s. 1007.33 remains
1576 under the authority of the state board and the Florida Community
1577 College System institution's board of trustees.

1578 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall
1579 establish criteria for making recommendations for modifying
1580 district boundary lines for a Florida Community College System
1581 institution, including criteria for service delivery areas of a
1582 Florida Community College System institution authorized to grant
1583 baccalaureate degrees.

1584 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee
1585 the performance of Florida Community College System institution
1586 boards of trustees in enforcement of all laws and rules. Florida
1587 Community College System institution boards of trustees are
1588 primarily responsible for compliance with law and state board
1589 rule.

1590 (a) In order to ensure compliance with law or state board
1591 rule, the state board has the authority to request and receive
1592 information, data, and reports from Florida Community College
1593 System institutions. The Florida Community College System
1594 institution president is responsible for the accuracy of the
1595 information and data reported to the state board.

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1596 (b) The Chancellor of the Florida Community College System
1597 may investigate allegations of noncompliance with law or state
1598 board rule and determine probable cause. The Chancellor shall
1599 report determinations of probable cause to the State Board of
1600 Community Colleges who shall require the Florida Community
1601 College System institution board of trustees to document
1602 compliance with law or state board rule.

1603 (c) If the Florida Community College System institution
1604 board of trustees cannot satisfactorily document compliance, the
1605 state board may order compliance within a specified timeframe.

1606 (d) If the state board determines that a Florida Community
1607 College System institution board of trustees is unwilling or
1608 unable to comply with law or state board rule within the
1609 specified time, the state board has the authority to initiate
1610 any of the following actions:

1611 1. Report to the Legislature that the Florida Community
1612 College System institution is unwilling or unable to comply with
1613 law or state board rule and recommend that the Legislature take
1614 action against the institution;

1615 2. Withhold the transfer of state funds, discretionary
1616 grant funds, discretionary lottery funds, or any other funds
1617 specified as eligible for this purpose by the Legislature until
1618 the Florida Community College System institution complies with
1619 the law or state board rule;

1620 3. Declare the Florida Community College System institution
1621 ineligible for competitive grants; or

1622 4. Require monthly or periodic reporting on the situation
1623 related to noncompliance until it is remedied.

1624 (e) This section may not be construed to create a private

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1625 cause of action or create any rights for individuals or entities
1626 in addition to those provided elsewhere in law or rule.

1627 (10) INSPECTOR GENERAL.—The inspector general is
1628 responsible for promoting accountability, efficiency, and
1629 effectiveness and detecting fraud and abuse within Florida
1630 Community College System institutions. If the Chancellor of the
1631 Florida Community College System determines that a Florida
1632 Community College System institution board of trustees is
1633 unwilling or unable to address substantiated allegations made by
1634 any person relating to waste, fraud, or financial mismanagement
1635 within the Florida Community College System institution, the
1636 inspector general shall conduct, coordinate, or request
1637 investigations into such substantiated allegations. The
1638 inspector general shall have access to all information and
1639 personnel necessary to perform its duties and shall have all of
1640 his or her current powers, duties, and responsibilities
1641 authorized in s. 20.055.

1642 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
1643 state board shall coordinate with the State Board of Education:

1644 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
1645 education budget.

1646 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
1647 the Legislature a 3-year list of priorities for fixed-capital-
1648 outlay projects.

1649 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in
1650 collaboration with the State Board of Education, by rule,
1651 definitions for associate in science degrees and for
1652 certificates offered by Florida Community College System
1653 institutions.

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1654 Section 19. Section 1001.61, Florida Statutes, is amended
1655 to read:

1656 1001.61 Florida Community College System institution boards
1657 of trustees; membership.—

1658 (1) Florida Community College System institution boards of
1659 trustees shall be comprised of five members when a Florida
1660 Community College System institution district is confined to one
1661 school board district; seven members when a Florida Community
1662 College System institution district is confined to one school
1663 board district and the board of trustees so elects; and not more
1664 than nine members when the district contains two or more school
1665 board districts, as provided by rules of the State Board of
1666 Community Colleges Education. However, Florida State College at
1667 Jacksonville shall have an odd number of trustees, and St. Johns
1668 River State College shall have seven trustees from the three-
1669 county area that the college serves.

1670 (2) Trustees shall be appointed by the Governor to
1671 staggered 4-year terms, subject to confirmation by the Senate in
1672 regular session.

1673 (3) Members of the board of trustees shall receive no
1674 compensation but may receive reimbursement for expenses as
1675 provided in s. 112.061.

1676 (4) At its first regular meeting after July 1 of each year,
1677 each Florida Community College System institution board of
1678 trustees shall organize by electing a chair, whose duty as such
1679 is to preside at all meetings of the board, to call special
1680 meetings thereof, and to attest to actions of the board, and a
1681 vice chair, whose duty as such is to act as chair during the
1682 absence or disability of the elected chair. It is the further

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1683 duty of the chair of each board of trustees to notify the
1684 Governor, in writing, whenever a board member fails to attend
1685 three consecutive regular board meetings in any one fiscal year,
1686 which absences may be grounds for removal.

1687 (5) A Florida Community College System institution
1688 president shall serve as the executive officer and corporate
1689 secretary of the board of trustees and shall be responsible to
1690 the board of trustees for setting the agenda for meetings of the
1691 board of trustees in consultation with the chair. The president
1692 also serves as the chief administrative officer of the Florida
1693 Community College System institution, and all the components of
1694 the institution and all aspects of its operation are responsible
1695 to the board of trustees through the president.

1696 Section 20. Section 1001.64, Florida Statutes, is amended
1697 to read:

1698 1001.64 Florida Community College System institution boards
1699 of trustees; powers and duties.—

1700 (1) The boards of trustees shall be responsible for cost-
1701 effective policy decisions appropriate to the Florida Community
1702 College System institution's mission, the implementation and
1703 maintenance of high-quality education programs within law and
1704 rules of the State Board of Community Colleges ~~Education~~, the
1705 measurement of performance, the reporting of information, and
1706 the provision of input regarding state policy, budgeting, and
1707 education standards.

1708 (2) Each board of trustees is vested with the
1709 responsibility to govern its respective Florida Community
1710 College System institution and with such necessary authority as
1711 is needed for the proper operation and improvement thereof in

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1712 accordance with rules of the State Board of Community Colleges
1713 ~~Education~~.

1714 (3) A board of trustees shall have the power to take action
1715 without a recommendation from the president and shall have the
1716 power to require the president to deliver to the board of
1717 trustees all data and information required by the board of
1718 trustees in the performance of its duties. A board of trustees
1719 shall ask the Chancellor of the Florida Community College System
1720 ~~Commissioner of Education~~ to authorize an investigation of the
1721 president's actions by the State Board of Community College's
1722 ~~department's~~ inspector general if the board considers such
1723 investigation necessary. The inspector general shall provide a
1724 report detailing each issue under investigation and shall
1725 recommend corrective action. If the inspector general identifies
1726 potential legal violations, he or she shall refer the potential
1727 legal violations to the Commission on Ethics, the Department of
1728 Law Enforcement, the Attorney General, or another appropriate
1729 authority.

1730 (4) (a) The board of trustees, after considering
1731 recommendations submitted by the Florida Community College
1732 System institution president, may adopt rules pursuant to ss.
1733 120.536(1) and 120.54 to implement the provisions of law
1734 conferring duties upon it. These rules may supplement those
1735 prescribed by the State Board of Community Colleges ~~Education~~ if
1736 they will contribute to the more orderly and efficient operation
1737 of Florida Community College System institutions.

1738 (b) Each board of trustees is specifically authorized to
1739 adopt rules, procedures, and policies, consistent with law and
1740 rules of the State Board of Community Colleges ~~Education~~,

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1741 related to its mission and responsibilities as set forth in s.
1742 1004.65, its governance, personnel, budget and finance,
1743 administration, programs, curriculum and instruction, buildings
1744 and grounds, travel and purchasing, technology, students,
1745 contracts and grants, or college property.

1746 (5) Each board of trustees shall have responsibility for
1747 the use, maintenance, protection, and control of Florida
1748 Community College System institution owned or Florida Community
1749 College System institution controlled buildings and grounds,
1750 property and equipment, name, trademarks and other proprietary
1751 marks, and the financial and other resources of the Florida
1752 Community College System institution. Such authority may include
1753 placing restrictions on activities and on access to facilities,
1754 firearms, food, tobacco, alcoholic beverages, distribution of
1755 printed materials, commercial solicitation, animals, and sound.

1756 (6) Each board of trustees has responsibility for the
1757 establishment and discontinuance of program and course offerings
1758 in accordance with law and rule; provision for instructional and
1759 noninstructional community services, location of classes, and
1760 services provided; and dissemination of information concerning
1761 such programs and services. New programs must be approved
1762 pursuant to s. 1004.03.

1763 (7) Each board of trustees has responsibility for~~+~~ ensuring
1764 that students have access to general education courses as
1765 identified in rule; requiring no more than 60 semester hours of
1766 degree program coursework, including 36 semester hours of
1767 general education coursework, for an associate in arts degree;
1768 notifying students that earned hours in excess of 60 semester
1769 hours may not be accepted by state universities; notifying

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1770 students of unique program prerequisites; and ensuring that
1771 degree program coursework beyond general education coursework is
1772 consistent with degree program prerequisite requirements adopted
1773 pursuant to s. 1007.25(5).

1774 (8) Each board of trustees has authority for policies
1775 related to students, enrollment of students, student records,
1776 student activities, financial assistance, and other student
1777 services.

1778 (a) Each board of trustees shall govern admission of
1779 students pursuant to s. 1007.263 and rules of the State Board of
1780 Community Colleges Education. A board of trustees may establish
1781 additional admissions criteria, which shall be included in the
1782 dual enrollment articulation agreement developed according to s.
1783 1007.271(21), to ensure student readiness for postsecondary
1784 instruction. Each board of trustees may consider the past
1785 actions of any person applying for admission or enrollment and
1786 may deny admission or enrollment to an applicant because of
1787 misconduct if determined to be in the best interest of the
1788 Florida Community College System institution.

1789 (b) Each board of trustees shall adopt rules establishing
1790 student performance standards for the award of degrees and
1791 certificates pursuant to s. 1004.68.

1792 (c) Boards of trustees are authorized to establish
1793 intrainstitutional and interinstitutional programs to maximize
1794 articulation pursuant to s. 1007.22.

1795 (d) Boards of trustees shall identify their general
1796 education curricula pursuant to s. 1007.25(6).

1797 (e) Each board of trustees must adopt a written antihazing
1798 policy, provide a program for the enforcement of such rules, and

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1799 adopt appropriate penalties for violations of such rules
1800 pursuant to the provisions of s. 1006.63.

1801 (f) Each board of trustees may establish a uniform code of
1802 conduct and appropriate penalties for violation of its rules by
1803 students and student organizations, including rules governing
1804 student academic honesty. Such penalties, unless otherwise
1805 provided by law, may include fines, the withholding of diplomas
1806 or transcripts pending compliance with rules or payment of
1807 fines, and the imposition of probation, suspension, or
1808 dismissal.

1809 (g) Each board of trustees pursuant to s. 1006.53 shall
1810 adopt a policy in accordance with rules of the State Board of
1811 Community Colleges Education that reasonably accommodates the
1812 religious observance, practice, and belief of individual
1813 students in regard to admissions, class attendance, and the
1814 scheduling of examinations and work assignments.

1815 (9) A board of trustees may contract with the board of
1816 trustees of a state university for the Florida Community College
1817 System institution to provide developmental education on the
1818 state university campus.

1819 (10) Each board of trustees shall establish fees pursuant
1820 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1821 (11) Each board of trustees shall submit an institutional
1822 budget request, including a request for fixed capital outlay,
1823 and an operating budget to the State Board of Community Colleges
1824 ~~Education~~ for review in accordance with guidelines established
1825 by the State Board of Community Colleges Education.

1826 (12) Each board of trustees shall account for expenditures
1827 of all state, local, federal, and other funds in the manner

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1828 described by the State Board of Community Colleges ~~Department of~~
1829 ~~Education.~~

1830 (13) Each board of trustees is responsible for the uses for
1831 the proceeds of academic improvement trust funds pursuant to s.
1832 1011.85.

1833 (14) Each board of trustees shall develop a strategic plan
1834 specifying institutional goals and objectives for the Florida
1835 Community College System institution for recommendation to the
1836 State Board of Community Colleges ~~Education.~~

1837 (15) Each board of trustees shall develop an accountability
1838 plan pursuant to s. 1008.45.

1839 (16) Each board of trustees must expend performance funds
1840 provided for workforce education pursuant to the provisions of
1841 s. 1011.80.

1842 (17) Each board of trustees is accountable for performance
1843 in certificate career education and diploma programs pursuant to
1844 s. 1008.43.

1845 (18) Each board of trustees shall establish the personnel
1846 program for all employees of the Florida Community College
1847 System institution, including the president, pursuant to the
1848 provisions of chapter 1012 and rules and guidelines of the State
1849 Board of Community Colleges ~~Education~~, including: compensation
1850 and other conditions of employment; recruitment and selection;
1851 nonreappointment; standards for performance and conduct;
1852 evaluation; benefits and hours of work; leave policies;
1853 recognition; inventions and work products; travel; learning
1854 opportunities; exchange programs; academic freedom and
1855 responsibility; promotion; assignment; demotion; transfer;
1856 ethical obligations and conflict of interest; restrictive

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1857 covenants; disciplinary actions; complaints; appeals and
1858 grievance procedures; and separation and termination from
1859 employment.

1860 (19) Each board of trustees shall appoint, suspend, or
1861 remove the president of the Florida Community College System
1862 institution. The board of trustees may appoint a search
1863 committee. The board of trustees shall conduct annual
1864 evaluations of the president in accordance with rules of the
1865 State Board of Community Colleges ~~Education~~ and submit such
1866 evaluations to the State Board of Community Colleges ~~Education~~
1867 for review. The evaluation must address the achievement of the
1868 performance goals established by the accountability process
1869 implemented pursuant to s. 1008.45 and the performance of the
1870 president in achieving the annual and long-term goals and
1871 objectives established in the Florida Community College System
1872 institution's employment accountability program implemented
1873 pursuant to s. 1012.86.

1874 (20) Each board of trustees is authorized to enter into
1875 contracts to provide a State Community College System Optional
1876 Retirement Program pursuant to s. 1012.875 and to enter into
1877 consortia with other boards of trustees for this purpose.

1878 (21) Each board of trustees is authorized to purchase
1879 annuities for its Florida Community College System institution
1880 personnel who have 25 or more years of creditable service and
1881 who have reached age 55 and have applied for retirement under
1882 the Florida Retirement System pursuant to the provisions of s.
1883 1012.87.

1884 (22) A board of trustees may defray all costs of defending
1885 civil actions against officers, employees, or agents of the

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1886 board of trustees pursuant to s. 1012.85.

1887 (23) Each board of trustees has authority for risk
1888 management, safety, security, and law enforcement operations.
1889 Each board of trustees is authorized to employ personnel,
1890 including police officers pursuant to s. 1012.88, to carry out
1891 the duties imposed by this subsection.

1892 (24) Each board of trustees shall provide rules governing
1893 parking and the direction and flow of traffic within campus
1894 boundaries. Except for sworn law enforcement personnel, persons
1895 employed to enforce campus parking rules have no authority to
1896 arrest or issue citations for moving traffic violations. The
1897 board of trustees may adopt a uniform code of appropriate
1898 penalties for violations. Such penalties, unless otherwise
1899 provided by law, may include the levying of fines, the
1900 withholding of diplomas or transcripts pending compliance with
1901 rules or payment of fines, and the imposition of probation,
1902 suspension, or dismissal. Moneys collected from parking rule
1903 infractions shall be deposited in appropriate funds at each
1904 Florida Community College System institution for student
1905 financial aid purposes.

1906 (25) Each board of trustees constitutes the contracting
1907 agent of the Florida Community College System institution. It
1908 may when acting as a body make contracts, sue, and be sued in
1909 the name of the board of trustees. In any suit, a change in
1910 personnel of the board of trustees shall not abate the suit,
1911 which shall proceed as if such change had not taken place.

1912 (26) Each board of trustees is authorized to contract for
1913 the purchase, sale, lease, license, or acquisition in any
1914 manner, including purchase by installment or lease-purchase

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1915 contract which may provide for the payment of interest on the
1916 unpaid portion of the purchase price and for the granting of a
1917 security interest in the items purchased, subject to the
1918 provisions of subsection (38) and ss. 1009.22 and 1009.23, of
1919 goods, materials, equipment, and services required by the
1920 Florida Community College System institution. The board of
1921 trustees may choose to consolidate equipment contracts under
1922 master equipment financing agreements made pursuant to s.
1923 287.064.

1924 (27) Each board of trustees shall be responsible for
1925 managing and protecting real and personal property acquired or
1926 held in trust for use by and for the benefit of such Florida
1927 Community College System institution. To that end, any board of
1928 trustees is authorized to be self-insured, to enter into risk
1929 management programs, or to purchase insurance for whatever
1930 coverage it may choose, or to have any combination thereof, in
1931 anticipation of any loss, damage, or destruction. A board of
1932 trustees may contract for self-insurance services pursuant to s.
1933 1004.725.

1934 (28) Each board of trustees is authorized to enter into
1935 agreements for, and accept, credit card, charge card, and debit
1936 card payments as compensation for goods, services, tuition, and
1937 fees. Each Florida Community College System institution is
1938 further authorized to establish accounts in credit card, charge
1939 card, and debit card banks for the deposit of sales invoices.

1940 (29) Each board of trustees may provide incubator
1941 facilities to eligible small business concerns pursuant to s.
1942 1004.79.

1943 (30) Each board of trustees may establish a technology

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1944 transfer center for the purpose of providing institutional
1945 support to local business and industry and governmental agencies
1946 in the application of new research in technology pursuant to the
1947 provisions of s. 1004.78.

1948 (31) Each board of trustees may establish economic
1949 development centers for the purpose of serving as liaisons
1950 between Florida Community College System institutions and the
1951 business sector pursuant to the provisions of s. 1004.80.

1952 (32) Each board of trustees may establish a child
1953 development training center pursuant to s. 1004.81.

1954 (33) Each board of trustees is authorized to develop and
1955 produce work products relating to educational endeavors that are
1956 subject to trademark, copyright, or patent statutes pursuant to
1957 chapter 1004.

1958 (34) Each board of trustees shall administer the facilities
1959 program pursuant to chapter 1013, including but not limited to:
1960 the construction of public educational and ancillary plants; the
1961 acquisition and disposal of property; compliance with building
1962 and life safety codes; submission of data and information
1963 relating to facilities and construction; use of buildings and
1964 grounds; establishment of safety and sanitation programs for the
1965 protection of building occupants; and site planning and
1966 selection.

1967 (35) Each board of trustees may exercise the right of
1968 eminent domain pursuant to the provisions of chapter 1013.

1969 (36) Each board of trustees may enter into lease-purchase
1970 arrangements with private individuals or corporations for
1971 necessary grounds and buildings for Florida Community College
1972 System institution purposes, other than dormitories, or for

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1973 buildings other than dormitories to be erected for Florida
1974 Community College System institution purposes. Such arrangements
1975 shall be paid from capital outlay and debt service funds as
1976 provided by s. 1011.84(2), with terms not to exceed 30 years at
1977 a stipulated rate. The provisions of such contracts, including
1978 building plans, are subject to approval by the Department of
1979 Education, and no such contract may be entered into without such
1980 approval.

1981 (37) Each board of trustees may purchase, acquire, receive,
1982 hold, own, manage, lease, sell, dispose of, and convey title to
1983 real property, in the best interests of the Florida Community
1984 College System institution.

1985 (38) Each board of trustees is authorized to enter into
1986 short-term loans and installment, lease-purchase, and other
1987 financing contracts for a term of not more than 5 years,
1988 including renewals, extensions, and refundings. Payments on
1989 short-term loans and installment, lease-purchase, and other
1990 financing contracts pursuant to this subsection shall be subject
1991 to annual appropriation by the board of trustees. Each board of
1992 trustees is authorized to borrow funds and incur long-term debt,
1993 including promissory notes, installment sales agreements, lease-
1994 purchase agreements, certificates of participation, and other
1995 similar long-term financing arrangements, only as specifically
1996 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At
1997 the option of the board of trustees, bonds issued pursuant to
1998 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured
1999 by a combination of revenues authorized to be pledged to bonds
2000 pursuant to such subsections. Revenue bonds may not be secured
2001 by or paid from, directly or indirectly, tuition, financial aid

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2002 fees, the Florida Community College System Program Fund, or any
2003 other operating revenues of a Florida Community College System
2004 institution. Lease-purchase agreements may be secured by a
2005 combination of revenues as specifically authorized pursuant to
2006 ss. 1009.22(7) and 1009.23(10).

2007 (39) Each board of trustees shall prescribe conditions for
2008 direct-support organizations to be certified and to use Florida
2009 Community College System institution property and services.
2010 Conditions relating to certification must provide for audit
2011 review and oversight by the board of trustees.

2012 (40) Each board of trustees may adopt policies pursuant to
2013 s. 1010.02 that provide procedures for transferring to the
2014 direct-support organization of that Florida Community College
2015 System institution for administration by such organization
2016 contributions made to the Florida Community College System
2017 institution.

2018 (41) The board of trustees shall exert every effort to
2019 collect all delinquent accounts pursuant to s. 1010.03.

2020 (42) Each board of trustees shall implement a plan, in
2021 accordance with guidelines of the State Board of Community
2022 Colleges Education, for working on a regular basis with the
2023 other Florida Community College System institution boards of
2024 trustees, representatives of the university boards of trustees,
2025 and representatives of the district school boards to achieve the
2026 goals of the seamless education system.

2027 (43) Each board of trustees has responsibility for
2028 compliance with state and federal laws, rules, regulations, and
2029 requirements.

2030 (44) Each board of trustees may adopt rules, procedures,

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2031 and policies related to institutional governance,
2032 administration, and management in order to promote orderly and
2033 efficient operation, including, but not limited to, financial
2034 management, budget management, physical plant management, and
2035 property management.

2036 (45) Each board of trustees may adopt rules and procedures
2037 related to data or technology, including, but not limited to,
2038 information systems, communications systems, computer hardware
2039 and software, and networks.

2040 (46) Each board of trustees may consider the past actions
2041 of any person applying for employment and may deny employment to
2042 a person because of misconduct if determined to be in the best
2043 interest of the Florida Community College System institution.

2044 (47) Each contract or employment agreement, or renewal or
2045 renegotiation of an existing contract or employment agreement,
2046 containing a provision for severance pay with an officer, agent,
2047 employee, or contractor must include the provisions required in
2048 s. 215.425.

2049 (48) Each board of trustees shall use purchasing agreements
2050 and state term contracts pursuant to s. 287.056 or enter into
2051 consortia and cooperative agreements to maximize the purchasing
2052 power for goods and services. A consortium or cooperative
2053 agreement may be statewide, regional, or a combination of
2054 institutions, as appropriate to achieve the lowest cost, with
2055 the goal of achieving a 5-percent savings on existing contract
2056 prices through the use of new cooperative arrangements or new
2057 consortium contracts.

2058 Section 21. Section 1001.65, Florida Statutes, is amended
2059 to read:

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2060 1001.65 Florida Community College System institution
2061 presidents; powers and duties.—The president is the chief
2062 executive officer of the Florida Community College System
2063 institution, shall be corporate secretary of the Florida
2064 Community College System institution board of trustees, and is
2065 responsible for the operation and administration of the Florida
2066 Community College System institution. Each Florida Community
2067 College System institution president shall:

2068 (1) Recommend the adoption of rules, as appropriate, to the
2069 Florida Community College System institution board of trustees
2070 to implement provisions of law governing the operation and
2071 administration of the Florida Community College System
2072 institution, which shall include the specific powers and duties
2073 enumerated in this section. Such rules shall be consistent with
2074 law, the mission of the Florida Community College System
2075 institution, and the rules and policies of the State Board of
2076 Community Colleges Education.

2077 (2) Prepare a budget request and an operating budget
2078 pursuant to s. 1011.30 for approval by the Florida Community
2079 College System institution board of trustees at such time and in
2080 such format as the State Board of Community Colleges Education
2081 may prescribe.

2082 (3) Establish and implement policies and procedures to
2083 recruit, appoint, transfer, promote, compensate, evaluate,
2084 reward, demote, discipline, and remove personnel, within law and
2085 rules of the State Board of Community College Education and in
2086 accordance with rules or policies approved by the Florida
2087 Community College System institution board of trustees.

2088 (4) Govern admissions, subject to law and rules or policies

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2089 of the Florida Community College System institution board of
2090 trustees and the State Board of Community Colleges ~~Education~~.

2091 (5) Approve, execute, and administer contracts for and on
2092 behalf of the Florida Community College System institution board
2093 of trustees for licenses; the acquisition or provision of
2094 commodities, goods, equipment, and services; leases of real and
2095 personal property; and planning and construction to be rendered
2096 to or by the Florida Community College System institution,
2097 provided such contracts are within law and guidelines of the
2098 State Board of Community Colleges ~~Education~~ and in conformance
2099 with policies of the Florida Community College System
2100 institution board of trustees, and are for the implementation of
2101 approved programs of the Florida Community College System
2102 institution.

2103 (6) Act for the Florida Community College System
2104 institution board of trustees as custodian of all Florida
2105 Community College System institution property and financial
2106 resources. The authority vested in the Florida Community College
2107 System institution president under this subsection includes the
2108 authority to prioritize the use of Florida Community College
2109 System institution space, property, equipment, and resources and
2110 the authority to impose charges for the use of those items.

2111 (7) Establish the internal academic calendar of the Florida
2112 Community College System institution within general guidelines
2113 of the State Board of Community Colleges ~~Education~~.

2114 (8) Administer the Florida Community College System
2115 institution's program of intercollegiate athletics.

2116 (9) Recommend to the board of trustees the establishment
2117 and termination of programs within the approved role and scope

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2118 of the Florida Community College System institution.

2119 (10) Award degrees.

2120 (11) Recommend to the board of trustees a schedule of
2121 tuition and fees to be charged by the Florida Community College
2122 System institution, within law and rules of the State Board of
2123 Community Colleges ~~Education~~.

2124 (12) Organize the Florida Community College System
2125 institution to efficiently and effectively achieve the goals of
2126 the Florida Community College System institution.

2127 (13) Review periodically the operations of the Florida
2128 Community College System institution in order to determine how
2129 effectively and efficiently the Florida Community College System
2130 institution is being administered and whether it is meeting the
2131 goals of its strategic plan adopted by the State Board of
2132 Community Colleges ~~Education~~.

2133 (14) Enter into agreements for student exchange programs
2134 that involve students at the Florida Community College System
2135 institution and students in other institutions of higher
2136 learning.

2137 (15) Approve the internal procedures of student government
2138 organizations and provide purchasing, contracting, and budgetary
2139 review processes for these organizations.

2140 (16) Ensure compliance with federal and state laws, rules,
2141 regulations, and other requirements that are applicable to the
2142 Florida Community College System institution.

2143 (17) Maintain all data and information pertaining to the
2144 operation of the Florida Community College System institution,
2145 and report on the attainment by the Florida Community College
2146 System institution of institutional and statewide performance

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2147 accountability goals.

2148 (18) Certify to the department a project's compliance with
2149 the requirements for expenditure of PECO funds prior to release
2150 of funds pursuant to ~~the provisions of~~ chapter 1013.

2151 (19) Provide to the law enforcement agency and fire
2152 department that has jurisdiction over the Florida Community
2153 College System institution a copy of the floor plans and other
2154 relevant documents for each educational facility as defined in
2155 s. 1013.01(6). After the initial submission of the floor plans
2156 and other relevant documents, the Florida Community College
2157 System institution president shall submit, by October 1 of each
2158 year, revised floor plans and other relevant documents for each
2159 educational facility that was modified during the preceding
2160 year.

2161 (20) Develop and implement jointly with school
2162 superintendents a comprehensive dual enrollment articulation
2163 agreement for the students enrolled in their respective school
2164 districts and service areas pursuant to s. 1007.271(21).

2165 (21) Have authority, after notice to the student of the
2166 charges and after a hearing thereon, to expel, suspend, or
2167 otherwise discipline any student who is found to have violated
2168 any law, ordinance, or rule or regulation of the State Board of
2169 Community Colleges ~~Education~~ or of the board of trustees of the
2170 Florida Community College System institution pursuant to the
2171 provisions of s. 1006.62.

2172 (22) Submit an annual employment accountability plan to the
2173 State Board of Community Colleges ~~Department of Education~~
2174 pursuant to the provisions of s. 1012.86.

2175 (23) Annually evaluate, or have a designee annually

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2176 evaluate, each department chairperson, dean, provost, and vice
2177 president in achieving the annual and long-term goals and
2178 objectives of the Florida Community College System institution's
2179 employment accountability plan.

2180 (24) Have vested with the president or the president's
2181 designee the authority that is vested with the Florida Community
2182 College System institution.

2183 Section 22. Subsections (1) and (18) of section 1002.34,
2184 Florida Statutes, are amended to read:

2185 1002.34 Charter technical career centers; governance,
2186 mission, and responsibilities.—

2187 (1) MISSION AND AUTHORIZATION.—The primary mission of a
2188 charter technical career center is to promote ~~The Legislature~~
2189 ~~finds that the establishment of charter technical career centers~~
2190 ~~can assist in promoting~~ advances and innovations in workforce
2191 preparation and economic development. A charter technical career
2192 center may provide a learning environment that ~~better~~ serves the
2193 needs of a specific population group or a group of occupations,
2194 thus promoting diversity and choices within the public education
2195 and public postsecondary technical education community in this
2196 state. Therefore, the creation of such centers is authorized as
2197 part of the state's program of public education. A charter
2198 technical career center may be formed by creating a new school
2199 or converting an existing school district or Florida Community
2200 College System institution program to charter technical status.

2201 (18) RULES.—The State Board of Education, for technical
2202 centers operated by school districts, and the State Board of
2203 Community Colleges, for technical centers operated by Florida
2204 Community College System institutions, shall adopt rules,

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2205 pursuant to ss. 120.536(1) and 120.54, relating to the
2206 implementation of charter technical career centers, including
2207 rules to implement a charter model application form and an
2208 evaluation instrument in accordance with this section.

2209 Section 23. Paragraph (b) of subsection (4) of section
2210 1003.491, Florida Statutes, is amended to read:

2211 1003.491 Florida Career and Professional Education Act.—The
2212 Florida Career and Professional Education Act is created to
2213 provide a statewide planning partnership between the business
2214 and education communities in order to attract, expand, and
2215 retain targeted, high-value industry and to sustain a strong,
2216 knowledge-based economy.

2217 (4) The State Board of Education shall establish a process
2218 for the continual and uninterrupted review of newly proposed
2219 core secondary courses and existing courses requested to be
2220 considered as core courses to ensure that sufficient rigor and
2221 relevance is provided for workforce skills and postsecondary
2222 education and aligned to state curriculum standards.

2223 (b) The curriculum review committee shall review newly
2224 proposed core courses electronically. Each proposed core course
2225 shall be approved or denied within 30 days after submission by a
2226 district school board or local workforce development board. All
2227 courses approved as core courses for purposes of middle school
2228 promotion and high school graduation shall be immediately added
2229 to the Course Code Directory. Approved core courses shall also
2230 be reviewed and considered for approval for dual enrollment
2231 credit. The Board of Governors, the State Board of Community
2232 Colleges, and the Commissioner of Education shall jointly
2233 recommend an annual deadline for approval of new core courses to

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2234 be included for purposes of postsecondary admissions and dual
2235 enrollment credit the following academic year. The State Board
2236 of Education shall establish an appeals process in the event
2237 that a proposed course is denied which shall require a consensus
2238 ruling by the Department of Economic Opportunity and the
2239 Commissioner of Education within 15 days.

2240 Section 24. Paragraph (b) of subsection (4) of section
2241 1003.493, Florida Statutes, is amended to read:

2242 1003.493 Career and professional academies and career-
2243 themed courses.—

2244 (4) Each career and professional academy and secondary
2245 school providing a career-themed course must:

2246 (b) Include one or more partnerships with postsecondary
2247 institutions, businesses, industry, employers, economic
2248 development organizations, or other appropriate partners from
2249 the local community. Such partnerships with postsecondary
2250 institutions shall be delineated in articulation agreements and
2251 include any career and professional academy courses or career-
2252 themed courses that earn postsecondary credit. Such agreements
2253 may include articulation between the secondary school and public
2254 or private 2-year and 4-year postsecondary institutions and
2255 technical centers. The Department of Education, in consultation
2256 with the Board of Governors and the State Board of Community
2257 Colleges, shall establish a mechanism to ensure articulation and
2258 transfer of credits to postsecondary institutions in this state.
2259 Such partnerships must provide opportunities for:

2260 1. Instruction from highly skilled professionals who
2261 possess industry-certification credentials for courses they are
2262 teaching.

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- 2263 2. Internships, externships, and on-the-job training.
2264 3. A postsecondary degree, diploma, or certificate.
2265 4. The highest available level of industry certification.
2266 5. Maximum articulation of credits pursuant to s. 1007.23

2267 upon program completion.

2268 Section 25. Subsections (4), (5), and (6) of section
2269 1004.015, Florida Statutes, are amended to read:

2270 1004.015 Higher Education Coordinating Council.—

2271 (4) The council shall serve as an advisory board to the
2272 Legislature, the State Board of Education, ~~and~~ the Board of
2273 Governors, and the State Board of Community Colleges.

2274 Recommendations of the council shall be consistent with the
2275 following guiding principles:

2276 (a) To achieve within existing resources a seamless
2277 academic educational system that fosters an integrated continuum
2278 of kindergarten through graduate school education for Florida's
2279 students.

2280 (b) To promote consistent education policy across all
2281 educational delivery systems, focusing on students.

2282 (c) To promote substantially improved articulation across
2283 all educational delivery systems.

2284 (d) To promote a system that maximizes educational access
2285 and allows the opportunity for a high-quality education for all
2286 Floridians.

2287 (e) To promote a system of coordinated and consistent
2288 transfer of credit and data collection for improved
2289 accountability purposes between the educational delivery
2290 systems.

2291 (5) The council shall annually by December 31 submit to the

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2292 Governor, the President of the Senate, the Speaker of the House
2293 of Representatives, the Board of Governors, the State Board of
2294 Community Colleges, and the State Board of Education a report
2295 outlining its recommendations relating to:

2296 (a) The primary core mission of public and nonpublic
2297 postsecondary education institutions in the context of state
2298 access demands and economic development goals.

2299 (b) Performance outputs and outcomes designed to meet
2300 annual and long-term state goals, including, but not limited to,
2301 increased student access, preparedness, retention, transfer, and
2302 completion. Performance measures must be consistent across
2303 sectors and allow for a comparison of the state's performance to
2304 that of other states.

2305 (c) The state's articulation policies and practices to
2306 ensure that cost benefits to the state are maximized without
2307 jeopardizing quality. The recommendations shall consider return
2308 on investment for both the state and students and propose
2309 systems to facilitate and ensure institutional compliance with
2310 state articulation policies.

2311 (d) Workforce development education, specifically
2312 recommending improvements to the consistency of workforce
2313 education data collected and reported by Florida Community
2314 College System institutions and school districts, including the
2315 establishment of common elements and definitions for any data
2316 that is used for state and federal funding and program
2317 accountability.

2318 (6) The Office of K-20 Articulation, in collaboration with
2319 the Board of Governors and the State Board of Community Division
2320 ~~of Florida~~ Colleges, shall provide administrative support for

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2321 the council.

2322 Section 26. Subsection (7) of section 1004.02, Florida
2323 Statutes, is amended to read:

2324 1004.02 Definitions.—As used in this chapter:

2325 (7) "Applied technology diploma program" means a course of
2326 study that is part of a technical degree program, is less than
2327 60 credit hours, and leads to employment in a specific
2328 occupation. An applied technology diploma program may consist of
2329 either technical credit or college credit. A public school
2330 district may offer an applied technology diploma program only as
2331 technical credit, with college credit awarded to a student upon
2332 articulation to a Florida Community College System institution.
2333 Statewide articulation among public schools and Florida
2334 Community College System institutions is guaranteed by s.
2335 1007.23, and is subject to guidelines and standards adopted by
2336 the State Board of Community Colleges ~~Education~~ pursuant to ss.
2337 1007.24 and 1007.25.

2338 Section 27. Subsection (2) of section 1004.03, Florida
2339 Statutes, is amended to read:

2340 1004.03 Program approval.—

2341 (2) The State Board of Community Colleges ~~Education~~ shall
2342 establish criteria for the approval of new programs at Florida
2343 Community College System institutions, which criteria include,
2344 but are not limited to, the following:

2345 (a) New programs may not be approved unless the same
2346 objectives cannot be met through use of educational technology.

2347 (b) Unnecessary duplication of programs offered by
2348 independent institutions shall be avoided.

2349 (c) Cooperative programs, particularly within regions,

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2350 should be encouraged.

2351 (d) New programs may be approved only if they are
2352 consistent with the ~~state master~~ plan adopted by the State Board
2353 of Community Colleges Education.

2354 Section 28. Paragraph (f) of subsection (4) of section
2355 1004.04, Florida Statutes, is amended to read:

2356 1004.04 Public accountability and state approval for
2357 teacher preparation programs.—

2358 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
2359 teacher preparation program shall be based upon evidence that
2360 the program continues to implement the requirements for initial
2361 approval and upon significant, objective, and quantifiable
2362 measures of the program and the performance of the program
2363 completers.

2364 (f) By January 1 of each year, the Department of Education
2365 shall report the results of each approved program's annual
2366 progress on the performance measures in paragraph (a) as well as
2367 the current approval status of each program to:

- 2368 1. The Governor.
- 2369 2. The President of the Senate.
- 2370 3. The Speaker of the House of Representatives.
- 2371 4. The State Board of Education.
- 2372 5. The Board of Governors.
- 2373 6. The State Board of Community Colleges.
- 2374 7. The Commissioner of Education.
- 2375 8. ~~7.~~ Each Florida postsecondary teacher preparation
2376 program.
- 2377 9. ~~8.~~ Each district school superintendent.
- 2378 10. ~~9.~~ The public.

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

Section 29. Section 1004.07, Florida Statutes, is amended to read:

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

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

(2) Such policies must ~~shall~~ provide that any student enrolled in a postsecondary course or courses at a career center, a Florida Community College System institution, or a state university may ~~shall~~ not incur academic or financial penalties by virtue of performing military service on behalf of our country. Such student shall be permitted the option of either completing the course or courses at a later date without penalty or withdrawing from the course or courses with a full refund of fees paid. If the student chooses to withdraw, the student's record shall reflect that the withdrawal is due to active military service.

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

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2408 (4) Policies of state university boards of trustees must
2409 ~~shall~~ be established by regulation and pursuant to guidelines of
2410 the Board of Governors.

2411 (5) Policies of Florida Community College System
2412 institution boards of trustees must be established by rule and
2413 pursuant to guidelines of the State Board of Community Colleges.

2414 Section 30. Section 1004.084, Florida Statutes, is amended
2415 to read:

2416 1004.084 College affordability.—

2417 (1) The Board of Governors and the State Board of Community
2418 Colleges Education shall annually identify strategies to promote
2419 college affordability for all Floridians by evaluating, at a
2420 minimum, the impact of:

2421 (a) Tuition and fees on undergraduate, graduate, and
2422 professional students at public colleges and universities and
2423 graduate assistants employed by public universities.

2424 (b) Federal, state, and institutional financial aid
2425 policies on the actual cost of attendance for students and their
2426 families.

2427 (c) The costs of textbooks and instructional materials.

2428 (2) By December 31 of each year, ~~beginning in 2016,~~ the
2429 Board of Governors and the State Board of Community Colleges
2430 Education shall submit a report on their respective college
2431 affordability initiatives to the Governor, the President of the
2432 Senate, and the Speaker of the House of Representatives.

2433 Section 31. Paragraph (d) of subsection (3) and subsections
2434 (6), (7), and (8) of section 1004.085, Florida Statutes, are
2435 amended to read:

2436 1004.085 Textbook and instructional materials

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2437 affordability.—

2438 (3) An employee may receive:

2439 (d) Fees associated with activities such as reviewing,
2440 critiquing, or preparing support materials for textbooks or
2441 instructional materials pursuant to guidelines adopted by the
2442 State Board of Community Colleges Education or the Board of
2443 Governors.

2444 (6) Each Florida Community College System institution and
2445 state university shall post prominently in the course
2446 registration system and on its website, as early as is feasible,
2447 but at least 45 days before the first day of class for each
2448 term, a hyperlink to lists of required and recommended textbooks
2449 and instructional materials for at least 95 percent of all
2450 courses and course sections offered at the institution during
2451 the upcoming term. The lists must include the International
2452 Standard Book Number (ISBN) for each required and recommended
2453 textbook and instructional material or other identifying
2454 information, which must include, at a minimum, all of the
2455 following: the title, all authors listed, publishers, edition
2456 number, copyright date, published date, and other relevant
2457 information necessary to identify the specific textbooks or
2458 instructional materials required and recommended for each
2459 course. The State Board of Community Colleges Education and the
2460 Board of Governors shall include in the policies, procedures,
2461 and guidelines adopted under subsection (7) certain limited
2462 exceptions to this notification requirement for classes added
2463 after the notification deadline.

2464 (7) After receiving input from students, faculty,
2465 bookstores, and publishers, the State Board of Community

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2466 Colleges ~~Education~~ and the Board of Governors each shall adopt
2467 textbook and instructional materials affordability policies,
2468 procedures, and guidelines for implementation by Florida
2469 Community College System institutions and state universities,
2470 respectively, that further efforts to minimize the cost of
2471 textbooks and instructional materials for students attending
2472 such institutions while maintaining the quality of education and
2473 academic freedom. The policies, procedures, and guidelines shall
2474 address:

2475 (a) The establishment of deadlines for an instructor or
2476 department to notify the bookstore of required and recommended
2477 textbooks and instructional materials so that the bookstore may
2478 verify availability, source lower cost options when practicable,
2479 explore alternatives with faculty when academically appropriate,
2480 and maximize the availability of used textbooks and
2481 instructional materials.

2482 (b) Confirmation by the course instructor or academic
2483 department offering the course, before the textbook or
2484 instructional materials adoption is finalized, of the intent to
2485 use all items ordered, particularly each individual item sold as
2486 part of a bundled package.

2487 (c) Determination by a course instructor or the academic
2488 department offering the course, before a textbook or
2489 instructional material is adopted, of the extent to which a new
2490 edition differs significantly and substantively from earlier
2491 versions and the value to the student of changing to a new
2492 edition or the extent to which an open-access textbook or
2493 instructional material is available.

2494 (d) The availability of required and recommended textbooks

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2495 and instructional materials to students otherwise unable to
2496 afford the cost, including consideration of the extent to which
2497 an open-access textbook or instructional material may be used.

2498 (e) Participation by course instructors and academic
2499 departments in the development, adaptation, and review of open-
2500 access textbooks and instructional materials and, in particular,
2501 open-access textbooks and instructional materials for high-
2502 demand general education courses.

2503 (f) Consultation with school districts to identify
2504 practices that impact the cost of dual enrollment textbooks and
2505 instructional materials to school districts, including, but not
2506 limited to, the length of time that textbooks and instructional
2507 materials remain in use.

2508 (g) Selection of textbooks and instructional materials
2509 through cost-benefit analyses that enable students to obtain the
2510 highest-quality product at the lowest available price, by
2511 considering:

2512 1. Purchasing digital textbooks in bulk.

2513 2. Expanding the use of open-access textbooks and
2514 instructional materials.

2515 3. Providing rental options for textbooks and instructional
2516 materials.

2517 4. Increasing the availability and use of affordable
2518 digital textbooks and learning objects.

2519 5. Developing mechanisms to assist in buying, renting,
2520 selling, and sharing textbooks and instructional materials.

2521 6. The length of time that textbooks and instructional
2522 materials remain in use.

2523 7. An evaluation of cost savings for textbooks and

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2524 instructional materials which a student may realize if
2525 individual students are able to exercise opt-in provisions for
2526 the purchase of the materials.

2527 (8) The board of trustees of each Florida Community College
2528 System institution and state university shall report, by
2529 September 30 of each year, beginning in 2016, to the Chancellor
2530 of the Florida Community College System or the Chancellor of the
2531 State University System, as applicable, the textbook and
2532 instructional materials selection process for general education
2533 courses with a wide cost variance identified pursuant to
2534 subsection (4) and high-enrollment courses; specific initiatives
2535 of the institution designed to reduce the costs of textbooks and
2536 instructional materials; policies implemented in accordance with
2537 subsection (6); the number of courses and course sections that
2538 were not able to meet the textbook and instructional materials
2539 posting deadline for the previous academic year; and any
2540 additional information determined by the chancellors. By
2541 November 1 of each year, ~~beginning in 2016~~, each chancellor
2542 shall provide a summary of the information provided by
2543 institutions to the State Board of Community Colleges ~~Education~~
2544 and the Board of Governors, as applicable.

2545 Section 32. Section 1004.096, Florida Statutes, is amended
2546 to read:

2547 1004.096 College credit for military training and education
2548 courses.—The Board of Governors shall adopt regulations and the
2549 State Board of Community Colleges ~~Education~~ shall adopt rules
2550 that enable eligible servicemembers or veterans of the United
2551 States Armed Forces to earn academic college credit at public
2552 postsecondary educational institutions for college-level

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2553 training and education acquired in the military. The regulations
2554 and rules shall include procedures for credential evaluation and
2555 the award of academic college credit, including, but not limited
2556 to, equivalency and alignment of military coursework with
2557 appropriate college courses, course descriptions, type and
2558 amount of college credit that may be awarded, and transfer of
2559 credit.

2560 Section 33. Section 1004.0961, Florida Statutes, is amended
2561 to read:

2562 1004.0961 Credit for online courses. ~~Beginning in the 2015-~~
2563 ~~2016 school year,~~ The State Board of Community Colleges
2564 ~~Education~~ shall adopt rules and the Board of Governors shall
2565 adopt regulations that enable students to earn academic credit
2566 for online courses, including massive open online courses,
2567 before initial enrollment at a postsecondary institution. The
2568 rules of the State Board of Community Colleges ~~Education~~ and
2569 regulations of the Board of Governors must include procedures
2570 for credential evaluation and the award of credit, including,
2571 but not limited to, recommendations for credit by the American
2572 Council on Education; equivalency and alignment of coursework
2573 with appropriate courses; course descriptions; type and amount
2574 of credit that may be awarded; and transfer of credit.

2575 Section 34. Subsections (2), (3), (4), and paragraph (b) of
2576 subsection (5) of section 1004.28, Florida Statutes, are amended
2577 to read:

2578 1004.28 Direct-support organizations; use of property;
2579 board of directors; activities; audit; facilities.—

2580 (2) USE OF PROPERTY.—

2581 (a) Each state university board of trustees is authorized

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2582 to permit the use of property, facilities, and personal services
2583 at any state university by any university direct-support
2584 organization, and, subject to the provisions of this section,
2585 direct-support organizations may establish accounts with the
2586 State Board of Administration for investment of funds pursuant
2587 to part IV of chapter 218. Beginning July 1, 2022, a state
2588 university board of trustees may not permit any university
2589 direct-support organization to use personal services.

2590 (b) The board of trustees, in accordance with regulations
2591 ~~rules~~ and guidelines of the Board of Governors, shall prescribe
2592 by regulation ~~rule~~ conditions with which a university direct-
2593 support organization must comply in order to use property,
2594 facilities, or personal services at any state university. Such
2595 regulations ~~rules~~ shall provide for budget and audit review and
2596 oversight by the board of trustees.

2597 (c) The board of trustees shall not permit the use of
2598 property, facilities, or personal services at any state
2599 university by any university direct-support organization that
2600 does not provide equal employment opportunities to all persons
2601 regardless of race, color, religion, gender, age, or national
2602 origin.

2603 (d) The board of trustees may not permit the use of state
2604 funds for travel expenses by any university direct-support
2605 organization.

2606 (3) BOARD OF DIRECTORS.—The chair of the university board
2607 of trustees shall ~~may~~ appoint at least one ~~a~~ representative to
2608 the board of directors and the executive committee of any
2609 direct-support organization established under this section. The
2610 president of the university for which the direct-support

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2611 organization is established, or his or her designee, shall also
2612 serve on the board of directors and the executive committee of
2613 any direct-support organization established to benefit that
2614 university.

2615 (4) ACTIVITIES; RESTRICTION.—A university direct-support
2616 organization is prohibited from giving, either directly or
2617 indirectly, any gift to a political committee as defined in s.
2618 106.011 for any purpose ~~other than those certified by a majority~~
2619 ~~roll call vote of the governing board of the direct-support~~
2620 ~~organization at a regularly scheduled meeting as being directly~~
2621 ~~related to the educational mission of the university.~~

2622 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC MEETINGS
2623 EXEMPTION.—

2624 (b) All records of the organization other than the
2625 auditor's report, management letter, any information related to
2626 the expenditure of state funds, any information related to the
2627 expenditure of private funds for travel, and any supplemental
2628 data requested by the Board of Governors, the university board
2629 of trustees, the Auditor General, and the Office of Program
2630 Policy Analysis and Government Accountability shall be
2631 confidential and exempt from s. 119.07(1).

2632 Section 35. Section 1004.35, Florida Statutes, is amended
2633 to read:

2634 1004.35 Broward County campuses of Florida Atlantic
2635 University; coordination with other institutions.—The State
2636 Board of Community Colleges Education, the Board of Governors,
2637 and Florida Atlantic University shall consult with Broward
2638 College and Florida International University in coordinating
2639 course offerings at the postsecondary level in Broward County.

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2640 Florida Atlantic University may contract with the Board of
2641 Trustees of Broward College and with Florida International
2642 University to provide instruction in courses offered at the
2643 Southeast Campus. Florida Atlantic University shall increase
2644 course offerings at the Southeast Campus as facilities become
2645 available.

2646 Section 36. Paragraphs (c) and (d) of subsection (5) and
2647 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2648 are amended to read:

2649 1004.6495 Florida Postsecondary Comprehensive Transition
2650 Program and Florida Center for Students with Unique Abilities.—

2651 (5) CENTER RESPONSIBILITIES.—The Florida Center for
2652 Students with Unique Abilities is established within the
2653 University of Central Florida. At a minimum, the center shall:

2654 (c) Create the application for the initial approval and
2655 renewal of approval as an FPCTP for use by an eligible
2656 institution which, at a minimum, must align with the federal
2657 comprehensive transition and postsecondary program application
2658 requirements. Notwithstanding the program approval requirements
2659 of s. 1004.03, the director shall review applications for the
2660 initial approval of an application for, or renewal of approval
2661 of, an FPCTP.

2662 1. Within 30 days after receipt of an application, the
2663 director shall issue his or her recommendation regarding
2664 approval to the Chancellor of the State University System, ~~or~~
2665 the Chancellor of the Florida Community College System, or the
2666 Commissioner of Education, as applicable, or shall give written
2667 notice to the applicant of any deficiencies in the application,
2668 which the eligible institution must be given an opportunity to

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2669 correct. Within 15 days after receipt of a notice of
2670 deficiencies, an eligible institution that chooses to continue
2671 to seek program approval shall correct the application
2672 deficiencies and return the application to the center. Within 30
2673 days after receipt of a revised application, the director shall
2674 recommend approval or disapproval of the revised application to
2675 the applicable chancellor ~~or the commissioner, as applicable.~~
2676 Within 15 days after receipt of the director's recommendation,
2677 the applicable chancellor ~~or the commissioner~~ shall approve or
2678 disapprove the recommendation. If the applicable chancellor ~~or~~
2679 ~~the commissioner~~ does not act on the director's recommendation
2680 within 15 days after receipt of such recommendation, the
2681 comprehensive transition program proposed by the institution
2682 shall be considered approved.

2683 2. Initial approval of an application for an FPCTP that
2684 meets the requirements of this section is valid for the 3
2685 academic years immediately following the academic year during
2686 which the approval is granted. An eligible institution may
2687 submit an application to the center requesting that the initial
2688 approval be renewed. If the approval is granted and the FPCTP
2689 continues to meet the requirements of this section, including,
2690 but not limited to, program and student performance outcomes,
2691 and federal requirements, a renewal is valid for the 5 academic
2692 years immediately following the academic year during which the
2693 renewal is granted.

2694 3. An application must, at a minimum:

2695 a. Identify a credential associated with the proposed
2696 program which will be awarded to eligible students upon
2697 completion of the FPCTP.

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2698 b. Outline the program length and design, including, at a
2699 minimum, inclusive and successful experiential education
2700 practices relating to curricular, assessment, and advising
2701 structure and internship and employment opportunities, which
2702 must support students with intellectual disabilities who are
2703 seeking to continue academic, career and technical, and
2704 independent living instruction at an eligible institution,
2705 including, but not limited to, opportunities to earn industry
2706 certifications, to prepare students for gainful employment. If
2707 an eligible institution offers a credit-bearing degree program,
2708 the institution is responsible for maintaining the rigor and
2709 effectiveness of a comprehensive transition degree program at
2710 the same level as other comparable degree programs offered by
2711 the institution pursuant to applicable accreditation standards.

2712 c. Outline a plan for students with intellectual
2713 disabilities to be integrated socially and academically with
2714 nondisabled students, to the maximum extent possible, and to
2715 participate on not less than a half-time basis, as determined by
2716 the eligible institution, with such participation focusing on
2717 academic components and occurring through one or more of the
2718 following activities with nondisabled students:

2719 (I) Regular enrollment in credit-bearing courses offered by
2720 the institution.

2721 (II) Auditing or participating in courses offered by the
2722 institution for which the student does not receive academic
2723 credit.

2724 (III) Enrollment in noncredit-bearing, nondegree courses.

2725 (IV) Participation in internships or work-based training.

2726 d. Outline a plan for partnerships with businesses to

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2727 promote experiential training and employment opportunities for
2728 students with intellectual disabilities.

2729 e. Identify performance indicators pursuant to subsection
2730 (8) and other requirements identified by the center.

2731 f. Outline a 5-year plan incorporating enrollment and
2732 operational expectations for the program.

2733 (d) Provide technical assistance regarding programs and
2734 services for students with intellectual disabilities to
2735 administrators, instructors, staff, and others, as applicable,
2736 at eligible institutions by:

2737 1. Holding meetings and annual workshops to share
2738 successful practices and to address issues or concerns.

2739 2. Facilitating collaboration between eligible institutions
2740 and school districts, private schools operating pursuant to s.
2741 1002.42, and parents of students enrolled in home education
2742 programs operating pursuant to s. 1002.41 in assisting students
2743 with intellectual disabilities and their parents to plan for the
2744 transition of such students into an FPCTP or another program at
2745 an eligible institution.

2746 3. Assisting eligible institutions with FPCTP and federal
2747 comprehensive transition and postsecondary program applications.

2748 4. Assisting eligible institutions with the identification
2749 of funding sources for an FPCTP and for student financial
2750 assistance for students enrolled in an FPCTP.

2751 5. Monitoring federal and state law relating to the
2752 comprehensive transition program and notifying the Legislature,
2753 the Governor, the Board of Governors, the State Board of
2754 Community Colleges, and the State Board of Education of any
2755 change in law which may impact the implementation of this

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2756 section.

2757 (8) ACCOUNTABILITY.—

2758 (a) The center, in collaboration with the Board of
2759 Governors and the State Board of Community Colleges ~~Education~~,
2760 shall identify indicators for the satisfactory progress of a
2761 student in an FPCTP and for the performance of such programs.
2762 Each eligible institution must address the indicators identified
2763 by the center in its application for the approval of a proposed
2764 program and for the renewal of an FPCTP and in the annual report
2765 that the institution submits to the center.

2766 (b) By October 1 of each year, the center shall provide to
2767 the Governor, the President of the Senate, the Speaker of the
2768 House of Representatives, the Chancellor of the State University
2769 System, and the Chancellor of the Florida Community College
2770 System ~~Commissioner of Education~~ a report summarizing
2771 information including, but not limited to:

2772 1. The status of the statewide coordination of FPCTPs and
2773 the implementation of FPCTPs at eligible institutions including,
2774 but not limited to:

2775 a. The number of applications approved and disapproved and
2776 the reasons for each disapproval and no action taken by the
2777 chancellor or the commissioner.

2778 b. The number and value of all scholarships awarded to
2779 students and undisbursed advances remitted to the center
2780 pursuant to subsection (7).

2781 2. Indicators identified by the center pursuant to
2782 paragraph (a) and the performance of each eligible institution
2783 based on the indicators identified in paragraph (6)(c).

2784 3. The projected number of students with intellectual

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2785 disabilities who may be eligible to enroll in the FPCTPs within
2786 the next academic year.

2787 4. Education programs and services for students with
2788 intellectual disabilities which are available at eligible
2789 institutions.

2790 (c) Beginning in the 2016-2017 fiscal year, the center, in
2791 collaboration with the Board of Governors, State Board of
2792 Community Colleges Education, Higher Education Coordinating
2793 Council, and other stakeholders, by December 1 of each year,
2794 shall submit to the Governor, the President of the Senate, and
2795 the Speaker of the House of Representatives statutory and budget
2796 recommendations for improving the implementation and delivery of
2797 FPCTPs and other education programs and services for students
2798 with disabilities.

2799 (9) RULES.—The Board of Governors and the State Board of
2800 Community Colleges Education, in consultation with the center,
2801 shall expeditiously adopt any necessary regulations and rules,
2802 as applicable, to allow the center to perform its
2803 responsibilities pursuant to this section beginning in the 2016-
2804 2017 fiscal year.

2805 Section 37. Section 1004.65, Florida Statutes, is amended
2806 to read:

2807 1004.65 Florida Community College System institutions;
2808 governance, mission, and responsibilities.—

2809 (1) Each Florida Community College System institution shall
2810 be governed by a district board of trustees under statutory
2811 authority and rules of the State Board of Community Colleges
2812 Education.

2813 (2) Each Florida Community College System institution

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2814 district shall:

2815 (a) Consist of the county or counties served by the Florida
2816 Community College System institution pursuant to s. 1000.21(3).

2817 (b) Be an independent, separate, legal entity created for
2818 the operation of a Florida Community College System institution.

2819 (3) Florida Community College System institutions are
2820 locally based and governed entities with statutory and funding
2821 ties to state government. As such, the mission for Florida
2822 Community College System institutions reflects a commitment to
2823 be responsive to local educational needs and challenges. In
2824 achieving this mission, Florida Community College System
2825 institutions strive to maintain sufficient local authority and
2826 flexibility while preserving appropriate legal accountability to
2827 the state.

2828 (4) As comprehensive institutions, Florida Community
2829 College System institutions shall provide high-quality,
2830 affordable education and training opportunities, shall foster a
2831 climate of excellence, and shall provide opportunities to all
2832 while combining high standards with an open-door admission
2833 policy for lower-division programs. Florida Community College
2834 System institutions shall, as open-access institutions, serve
2835 all who can benefit, without regard to age, race, gender, creed,
2836 or ethnic or economic background, while emphasizing the
2837 achievement of social and educational equity so that all can be
2838 prepared for full participation in society.

2839 (5) The primary mission and responsibility of Florida
2840 Community College System institutions is responding to community
2841 needs for postsecondary academic education and career degree
2842 education. This mission and responsibility includes being

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2843 responsible for:

2844 (a) Providing lower-level ~~lower-level~~ undergraduate
2845 instruction and awarding associate degrees.

2846 (b) Preparing students directly for careers requiring less
2847 than baccalaureate degrees. This may include preparing for job
2848 entry, supplementing of skills and knowledge, and responding to
2849 needs in new areas of technology. Career education in a Florida
2850 Community College System institution consists ~~shall consist~~ of
2851 career certificates, nationally recognized industry
2852 certifications, credit courses leading to associate in science
2853 degrees and associate in applied science degrees, and other
2854 programs in fields requiring substantial academic work,
2855 background, or qualifications. A Florida Community College
2856 System institution may offer career education programs in fields
2857 having lesser academic or technical requirements.

2858 (c) Providing student development services, including
2859 assessment, student tracking, support for disabled students,
2860 advisement, counseling, financial aid, career development, and
2861 remedial and tutorial services, to ensure student success.

2862 (d) Promoting economic development for the state within
2863 each Florida Community College System institution district
2864 through the provision of special programs, including, but not
2865 limited to, the:

- 2866 1. Enterprise Florida-related programs.
2867 2. Technology transfer centers.
2868 3. Economic development centers.
2869 4. Workforce literacy programs.

2870 (e) Providing dual enrollment instruction.

2871 ~~(f) Providing upper level instruction and awarding~~

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2872 ~~baccalaureate degrees as specifically authorized by law.~~

2873 (6) A separate and secondary role for Florida Community
2874 College System institutions includes ~~the offering of programs~~
2875 ~~in:~~

2876 (a) Programs in community services that are not directly
2877 related to academic or occupational advancement.

2878 (b) Programs in adult education services, including adult
2879 basic education, adult general education, adult secondary
2880 education, and high school equivalency examination instruction.

2881 (c) Programs in recreational and leisure services.

2882 (d) Upper-level instruction and awarding baccalaureate
2883 degrees as specifically authorized by law.

2884 (7) Funding for Florida Community College System
2885 institutions must ~~shall~~ reflect their mission as follows:

2886 (a) Postsecondary academic and career education programs
2887 and adult general education programs must ~~shall~~ have first
2888 priority in Florida Community College System institution
2889 funding.

2890 (b) Community service programs shall be presented to the
2891 Legislature with rationale for state funding. The Legislature
2892 may identify priority areas for use of these funds.

2893 (c) The resources of a Florida Community College System
2894 institution, including staff, faculty, land, and facilities, may
2895 ~~shall~~ not be used to support the establishment of a new
2896 independent nonpublic educational institution. If any
2897 institution uses resources for such purpose, the State Board of
2898 Community ~~Division of Florida~~ Colleges shall notify the
2899 President of the Senate and the Speaker of the House of
2900 Representatives.

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2901 (8) Florida Community College System institutions are
2902 authorized to:

2903 (a) Offer such programs and courses as are necessary to
2904 fulfill their mission.

2905 (b) Grant associate in arts degrees, associate in science
2906 degrees, associate in applied science degrees, certificates,
2907 awards, and diplomas.

2908 (c) Make provisions for the high school equivalency
2909 examination.

2910 (d) Provide access to and award baccalaureate degrees in
2911 accordance with law.

2912
2913 Authority to offer one or more baccalaureate degree programs
2914 does not alter the governance relationship of the Florida
2915 Community College System institution with its district board of
2916 trustees or the State Board of Community Colleges ~~Education~~.

2917 Section 38. Section 1004.67, Florida Statutes, is amended
2918 to read:

2919 1004.67 Florida Community College System institutions;
2920 legislative intent.—It is The legislative intent that Florida
2921 Community College System institutions, constituted as political
2922 subdivisions of the state, continue to be operated by Florida
2923 Community College System institution boards of trustees as
2924 provided in s. 1001.63 and that no department, bureau, division,
2925 agency, or subdivision of the state exercise any responsibility
2926 and authority to operate any Florida Community College System
2927 institution of the state except as specifically provided by law
2928 or rules of the State Board of Community Colleges ~~Education~~.

2929 Section 39. Section 1004.70, Florida Statutes, is amended

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2930 to read:

2931 1004.70 Florida Community College System institution
2932 direct-support organizations.—

2933 (1) DEFINITIONS.—For the purposes of this section:

2934 (a) "Florida Community College System institution direct-
2935 support organization" means an organization that is:

2936 1. A Florida corporation not for profit, incorporated under
2937 the provisions of chapter 617 and approved by the Department of
2938 State.

2939 2. Organized and operated exclusively to receive, hold,
2940 invest, and administer property and to make expenditures to, or
2941 for the benefit of, a Florida Community College System
2942 institution in this state.

2943 3. An organization that the Florida Community College
2944 System institution board of trustees, after review, has
2945 certified to be operating in a manner consistent with the goals
2946 of the Florida Community College System institution and in the
2947 best interest of the state. Any organization that is denied
2948 certification by the board of trustees may not use the name of
2949 the Florida Community College System institution that it serves.

2950 (b) "Personal services" includes full-time or part-time
2951 personnel as well as payroll processing.

2952 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
2953 shall appoint at least one ~~a~~ representative to the board of
2954 directors and the executive committee of each direct-support
2955 organization established under this section, including those
2956 established before July 1, 1998. The president of the Florida
2957 Community College System institution for which the direct-
2958 support organization is established, or the president's

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2959 designee, shall also serve on the board of directors and the
2960 executive committee of the direct-support organization,
2961 including any direct-support organization established before
2962 July 1, 1998.

2963 (3) USE OF PROPERTY.—

2964 (a) The board of trustees is authorized to permit the use
2965 of property, facilities, and personal services at any Florida
2966 Community College System institution by any Florida Community
2967 College System institution direct-support organization, subject
2968 to the provisions of this section. Beginning July 1, 2022, a
2969 community college board of trustees may not permit any Florida
2970 Community College System institution direct-support organization
2971 to use personal services.

2972 (b) The board of trustees is authorized to prescribe by
2973 rule any condition with which a Florida Community College System
2974 institution direct-support organization must comply in order to
2975 use property, facilities, or personal services at any Florida
2976 Community College System institution.

2977 (c) The board of trustees may not permit the use of
2978 property, facilities, or personal services at any Florida
2979 Community College System institution by any Florida Community
2980 College System institution direct-support organization that does
2981 not provide equal employment opportunities to all persons
2982 regardless of race, color, national origin, gender, age, or
2983 religion.

2984 (d) The board of trustees may not permit the use of state
2985 funds for travel expenses by any Florida Community College
2986 System institution direct-support organization.

2987 (4) ACTIVITIES; RESTRICTIONS.—

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

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

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

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

3008 (e) A Florida Community College System institution board of
3009 trustees must authorize all debt, including lease-purchase
3010 agreements, incurred by a direct-support organization.
3011 Authorization for approval of short-term loans and lease-
3012 purchase agreements for a term of not more than 5 years,
3013 including renewals, extensions, and refundings, for goods,
3014 materials, equipment, and services may be delegated by the board
3015 of trustees to the board of directors of the direct-support
3016 organization. Trustees shall evaluate proposals for debt

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3017 according to guidelines issued by the State Board of Community
3018 ~~Division of Florida~~ Colleges. Revenues of the Florida Community
3019 College System institution may not be pledged to debt issued by
3020 direct-support organizations.

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

3027 (6) ANNUAL AUDIT.—Each direct-support organization shall
3028 provide for an annual financial audit in accordance with rules
3029 adopted by the Auditor General pursuant to s. 11.45(8). The
3030 annual audit report must be submitted, within 9 months after the
3031 end of the fiscal year, to the Auditor General, the State Board
3032 of Community Colleges ~~Education~~, and the board of trustees for
3033 review. The board of trustees, the Auditor General, and the
3034 Office of Program Policy Analysis and Government Accountability
3035 may require and receive from the organization or from its
3036 independent auditor any detail or supplemental data relative to
3037 the operation of the organization. The identity of donors who
3038 desire to remain anonymous shall be protected, and that
3039 anonymity shall be maintained in the auditor's report. All
3040 records of the organization, other than the auditor's report,
3041 any information necessary for the auditor's report, any
3042 information related to the expenditure of funds, and any
3043 supplemental data requested by the board of trustees, the
3044 Auditor General, and the Office of Program Policy Analysis and
3045 Government Accountability, shall be confidential and exempt from

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3046 the provisions of s. 119.07(1).

3047 Section 40. Section 1004.71, Florida Statutes, is amended
3048 to read:

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

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

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

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

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

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

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

3068 (2) BOARD OF DIRECTORS.—The chair of the State Board of
3069 Community Colleges Education may appoint a representative to the
3070 board of directors and the executive committee of any statewide,
3071 direct-support organization established under this section or s.
3072 1004.70. The chair of the State Board of Community Colleges
3073 Education, or the chair's designee, shall also serve on the
3074 board of directors and the executive committee of any direct-

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3075 support organization established to benefit Florida Community
3076 College System institutions.

3077 (3) USE OF PROPERTY.—

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

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

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

3094 (4) RESTRICTIONS.—

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

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

3102 (c) A statewide Florida Community College System
3103 institution direct-support organization is prohibited from

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

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

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

3125 Section 41. Subsection (4) of section 1004.74, Florida
3126 Statutes, is amended to read:

3127 1004.74 Florida School of the Arts.—

3128 (4) The Council for the Florida School of the Arts shall be
3129 established to advise the Florida Community College System
3130 institution district board of trustees on matters pertaining to
3131 the operation of the school. The council shall consist of nine
3132 members, appointed jointly by the Chancellor of the Florida

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3133 Community College System and the Commissioner of Education for
3134 4-year terms. A member may serve three terms and may serve until
3135 replaced.

3136 Section 42. Section 1004.78, Florida Statutes, is amended
3137 to read:

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

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

3153 (2) The Florida Community College System institution board
3154 of trustees shall set such policies to regulate the activities
3155 of the technology transfer center as it may consider necessary
3156 to effectuate the purposes of this section and to administer the
3157 programs of the center in a manner which assures efficiency and
3158 effectiveness, producing the maximum benefit for the educational
3159 programs and maximum service to the state. To this end,
3160 materials that relate to methods of manufacture or production,
3161 potential trade secrets, potentially patentable material, actual

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

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

3184 (4) The board of trustees of the Florida Community College
3185 System institution in which a technology transfer center is
3186 created, or its designee, may negotiate, enter into, and execute
3187 contracts; solicit and accept grants and donations; and fix and
3188 collect fees, other payments, and donations that may accrue by
3189 reason thereof for technology transfer activities. The board of
3190 trustees or its designee may negotiate, enter into, and execute

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3191 contracts on a cost-reimbursement basis and may provide
3192 temporary financing of such costs prior to reimbursement from
3193 moneys on deposit in the technology transfer fund, except as may
3194 be prohibited elsewhere by law.

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

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

3212 (7) Moneys deposited in the permanent technology transfer
3213 fund of a Florida Community College System institution shall be
3214 disbursed in accordance with the terms of the contract, grant,
3215 or donation under which they are received. Moneys received for
3216 overhead or indirect costs and other moneys not required for the
3217 payment of direct costs shall be applied to the cost of
3218 operating the technology transfer center.

3219 (8) All purchases of a technology transfer center shall be

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3220 made in accordance with the policies and procedures of the
3221 Florida Community College System institution.

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

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

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

3244 (b) Grants to centers funded with state revenues
3245 appropriated specifically for technology transfer activities
3246 shall be reviewed and approved by the State Board of Community
3247 Colleges ~~Education~~ using proposal solicitation, evaluation, and
3248 selection procedures established by the state board in

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3249 consultation with Enterprise Florida, Inc. Such procedures may
3250 include designation of specific areas or applications of
3251 technology as priorities for the receipt of funding.

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

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

3264 Section 43. Subsection (4) of section 1004.80, Florida
3265 Statutes, is amended to read:

3266 1004.80 Economic development centers.—

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

3272 Section 44. Section 1004.91, Florida Statutes, is amended
3273 to read:

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

3276 (1) The State Board of Education, for career centers
3277 operated by district school boards, and the State Board of

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

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

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

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

3306 1. A student who possesses a college degree at the

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3307 associate in applied science level or higher.

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

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

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

3320 Section 45. Paragraph (b) of subsection (2) of section
3321 1004.92, Florida Statutes, is amended, and subsection (4) is
3322 added to that section, to read:

3323 1004.92 Purpose and responsibilities for career education.—

3324 (2)

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

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

3333 2. The provision of timely, accurate information to the
3334 State Board of Education, the Legislature, and the public.

3335 3. The development of policies, rules, and procedures that

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3336 facilitate institutional attainment of the accountability
3337 standards and coordinate the efforts of all divisions within the
3338 department.

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

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

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

3359 (4) The State Board of Education, for career education
3360 provided by school districts, and the State Board of Community
3361 Colleges, for career education provided by Florida Community
3362 College System institutions, shall collaborate to adopt rules to
3363 administer this section.

3364 Section 46. Subsection (1) of section 1004.925, Florida

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3365 Statutes, is amended to read:

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

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

3372 Section 47. Paragraphs (c) and (d) of subsection (4) and
3373 subsections (6) and (9) of section 1004.93, Florida Statutes,
3374 are amended to read:

3375 1004.93 Adult general education.—

3376 (4)

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

3388 (d) Expenditures for developmental education and lifelong
3389 learning students shall be reported separately. Allocations for
3390 developmental education shall be based on proportional full-time
3391 equivalent enrollment. Program review results shall be included
3392 in the determination of subsequent allocations. A student shall
3393 be funded to enroll in the same developmental education class

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

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

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

3419 Section 48. Subsection (3) of section 1006.60, Florida
3420 Statutes, is amended to read:

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

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

3432 Section 49. Subsection (1) of section 1006.61, Florida
3433 Statutes, is amended to read:

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

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

3446 Section 50. Section 1006.62, Florida Statutes, is amended
3447 to read:

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

3450 (1) Each student in a Florida Community College System
3451 institution or state university is subject to federal and state

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3452 law, respective county and municipal ordinances, and all rules
3453 and regulations of the State Board of Community Colleges
3454 regarding the Florida Community College System ~~Education~~, the
3455 Board of Governors regarding the State University System, or the
3456 board of trustees of the institution.

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

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

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

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

3477 (c) If the student commits himself or herself, or is
3478 referred by the court in lieu of sentence, to a state-licensed
3479 drug abuse program and successfully completes the program.

3480 Section 51. Paragraphs (c) and (g) of subsection (1),

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3481 paragraph (b) of subsection (2), and subsection (3) of section
3482 1006.71, Florida Statutes, are amended to read:

3483 1006.71 Gender equity in intercollegiate athletics.—

3484 (1) GENDER EQUITY PLAN.—

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

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

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

3496 b. Withhold funds sufficient to obtain compliance.

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

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

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

3508 b. Withhold funds sufficient to obtain compliance.

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

3514 (2) FUNDING.—

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

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

3537 (a) In conjunction with the State Board of Education,
3538 guidelines for reporting of intercollegiate athletics data

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3539 concerning financial, program, and facilities information for
3540 review by the State Board of Community Colleges ~~Education~~
3541 annually.

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

3543 (c) Criteria for determining and assuring equity.

3544 Section 52. Section 1007.01, Florida Statutes, is amended
3545 to read:

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

3550 (1) It is the intent of the Legislature to facilitate
3551 articulation and seamless integration of the K-20 education
3552 system by building, sustaining, and strengthening relationships
3553 among K-20 public organizations, between public and private
3554 organizations, and between the education system as a whole and
3555 Florida's communities. The purpose of building, sustaining, and
3556 strengthening these relationships is to provide for the
3557 efficient and effective progression and transfer of students
3558 within the education system and to allow students to proceed
3559 toward their educational objectives as rapidly as their
3560 circumstances permit. The Legislature further intends that
3561 articulation policies and budget actions be implemented
3562 consistently in the practices of the Department of Education and
3563 postsecondary educational institutions and expressed in the
3564 collaborative policy efforts of the State Board of Education,
3565 ~~and~~ the Board of Governors, and the State Board of Community
3566 Colleges.

3567 (2) To preserve Florida's "2+2" system of articulation and

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

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

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

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

3586 (d) Dual enrollment course equivalencies.

3587 (e) Articulation agreements.

3588 (3) The Commissioner of Education, in consultation with the
3589 Chancellor of the Florida Community College System and the
3590 Chancellor of the State University System, shall establish the
3591 Articulation Coordinating Committee, which shall make
3592 recommendations related to statewide articulation policies and
3593 issues regarding access, quality, and reporting of data
3594 maintained by the K-20 data warehouse, established pursuant to
3595 ss. 1001.10 and 1008.31, to the Higher Education Coordination
3596 Council, the State Board of Education, ~~and~~ the Board of

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

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

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

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

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

3619 (e) Annually review the statewide course numbering system,
3620 the levels of courses, and the application of transfer credit
3621 requirements among public and nonpublic institutions
3622 participating in the statewide course numbering system and
3623 identify instances of student transfer and admissions
3624 difficulties.

3625 (f) Annually publish a list of courses that meet common

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3626 general education and common degree program prerequisite
3627 requirements at public postsecondary institutions identified
3628 pursuant to s. 1007.25.

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

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

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

3647 Section 53. Subsections (1) and (6) of section 1007.23,
3648 Florida Statutes, are amended, and subsection (7) is added to
3649 that section, to read:

3650 1007.23 Statewide articulation agreement.—

3651 (1) The State Board of Education, and the Board of
3652 Governors, and the State Board of Community Colleges shall enter
3653 into a statewide articulation agreement which the State Board of
3654 Education and the State Board of Community Colleges shall adopt

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3655 by rule. The agreement must preserve Florida's "2+2" system of
3656 articulation, facilitate the seamless articulation of student
3657 credit across and among Florida's educational entities, and
3658 reinforce the provisions of this chapter by governing:

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

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

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

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

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

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

3675 (g) Articulation among programs in nursing.

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

3681 (a) Award a child development associate credential issued
3682 by the National Credentialing Program of the Council for
3683 Professional Recognition or award a credential approved under s.

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3684 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
3685 child development associate credential; and

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

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

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

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

3706 2. Complete an associate in arts degree; and

3707 3. Meet the university's transfer requirements.

3708 (b) A state university that executes a "2+2" targeted
3709 pathway articulation agreement must meet the following
3710 requirements in order to implement a "2+2" targeted pathway
3711 program in collaboration with its partner Florida Community
3712 College System institution:

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

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

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

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

3731 Section 54. Subsections (1), (2), and (3) of section
3732 1007.24, Florida Statutes, are amended to read:

3733 1007.24 Statewide course numbering system.—

3734 (1) The Department of Education, in conjunction with the
3735 Board of Governors and the State Board of Community Colleges,
3736 shall develop, coordinate, and maintain a statewide course
3737 numbering system for postsecondary and dual enrollment education
3738 in school districts, public postsecondary educational
3739 institutions, and participating nonpublic postsecondary
3740 educational institutions that will improve program planning,
3741 increase communication among all delivery systems, and

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3742 facilitate student acceleration and the transfer of students and
3743 credits between public school districts, public postsecondary
3744 educational institutions, and participating nonpublic
3745 educational institutions. The continuing maintenance of the
3746 system shall be accomplished with the assistance of appropriate
3747 faculty committees representing public and participating
3748 nonpublic educational institutions.

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

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

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

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

3766 (3) The Commissioner of Education shall recommend to the
3767 State Board of Education the levels for the courses. The State
3768 Board of Education, with input from the Board of Governors and
3769 the State Board of Community Colleges, shall approve the levels
3770 for the courses.

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3771 Section 55. Subsections (3), (5), and (8) through (11) of
3772 section 1007.25, Florida Statutes, are amended to read:

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

3775 (3) The chair of the State Board of Community Colleges
3776 ~~Education~~ and the chair of the Board of Governors, or their
3777 designees, shall jointly appoint faculty committees to identify
3778 statewide general education core course options. General
3779 education core course options shall consist of a maximum of five
3780 courses within each of the subject areas of communication,
3781 mathematics, social sciences, humanities, and natural sciences.
3782 The core courses may be revised, or the five-course maximum
3783 within each subject area may be exceeded, if approved by the
3784 State Board of Community Colleges ~~Education~~ and the Board of
3785 Governors, as recommended by the subject area faculty committee
3786 and approved by the Articulation Coordinating Committee as
3787 necessary for a subject area. Each general education core course
3788 option must contain high-level academic and critical thinking
3789 skills and common competencies that students must demonstrate to
3790 successfully complete the course. Beginning with students
3791 initially entering a Florida Community College System
3792 institution or state university in 2015-2016 and thereafter,
3793 each student must complete at least one identified core course
3794 in each subject area as part of the general education course
3795 requirements. All public postsecondary educational institutions
3796 shall accept these courses as meeting general education core
3797 course requirements. The remaining general education course
3798 requirements shall be identified by each institution and
3799 reported to the department by their statewide course number. The

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3800 general education core course options shall be adopted in rule
3801 by the State Board of Community Colleges ~~Education~~ and in
3802 regulation by the Board of Governors.

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

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

3822 (9) A student who received an associate in arts degree for
3823 successfully completing 60 semester credit hours may continue to
3824 earn ~~additional~~ credits at a Florida Community College System
3825 institution. The university must provide credit toward the
3826 student's baccalaureate degree for a ~~an additional~~ Florida
3827 Community College System institution course if, according to the
3828 statewide course numbering, the Florida Community College System

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

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

3851 (11) The Commissioner of Education and the Chancellor of
3852 the Florida Community College System shall jointly appoint
3853 faculty committees representing both Florida Community College
3854 System institution and public school faculties to recommend to
3855 the commissioner, or the Chancellor of the Florida Community
3856 College System, as applicable, for approval by the State Board
3857 of Education and the State Board of Community Colleges, as

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3858 applicable, a standard program length and appropriate
3859 occupational completion points for each postsecondary career
3860 certificate program, diploma, and degree offered by a school
3861 district or a Florida Community College System institution.

3862 Section 56. Section 1007.262, Florida Statutes, is amended
3863 to read:

3864 1007.262 Foreign language competence; equivalence
3865 determinations.—The Department of Education shall identify the
3866 competencies demonstrated by students upon the successful
3867 completion of 2 credits of sequential high school foreign
3868 language instruction. For the purpose of determining
3869 postsecondary equivalence, the State Board of Community Colleges
3870 ~~department~~ shall develop rules through which Florida Community
3871 College System institutions correlate such competencies to the
3872 competencies required of students in the colleges' respective
3873 courses. Based on this correlation, each Florida Community
3874 College System institution shall identify the minimum number of
3875 postsecondary credits that students must earn in order to
3876 demonstrate a level of competence in a foreign language at least
3877 equivalent to that of students who have completed 2 credits of
3878 such instruction in high school. The department may also specify
3879 alternative means by which students can demonstrate equivalent
3880 foreign language competence, including means by which a student
3881 whose native language is not English may demonstrate proficiency
3882 in the native language. A student who demonstrates proficiency
3883 in a native language other than English is exempt from a
3884 requirement of completing foreign language courses at the
3885 secondary or Florida Community College System level.

3886 Section 57. Section 1007.263, Florida Statutes, is amended

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3887 to read:

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

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

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

3909 (a) A standard high school diploma, a high school
3910 equivalency diploma as prescribed in s. 1003.435, previously
3911 demonstrated competency in college credit postsecondary
3912 coursework, or, in the case of a student who is home educated, a
3913 signed affidavit submitted by the student's parent or legal
3914 guardian attesting that the student has completed a home
3915 education program pursuant to the requirements of s. 1002.41.

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3916 Students who are enrolled in a dual enrollment or early
3917 admission program pursuant to s. 1007.271 are exempt from this
3918 requirement.

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

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

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

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

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

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

3939 Section 58. Subsection (2) of section 1007.264, Florida
3940 Statutes, is amended to read:

3941 1007.264 Persons with disabilities; admission to
3942 postsecondary educational institutions; substitute requirements;
3943 rules and regulations.-

3944 (2) The State Board of Community Colleges ~~Education~~, in

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3945 consultation with the Board of Governors, shall adopt rules to
3946 implement this section for Florida Community College System
3947 institutions and shall develop substitute admission requirements
3948 where appropriate.

3949 Section 59. Subsections (2) and (3) of section 1007.265,
3950 Florida Statutes, are amended to read:

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

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

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

3963 Section 60. Subsections (3) and (22) of section 1007.271,
3964 Florida Statutes, are amended to read:

3965 1007.271 Dual enrollment programs.—

3966 (3) Student eligibility requirements for initial enrollment
3967 in college credit dual enrollment courses must include a 3.0
3968 unweighted high school grade point average and the minimum score
3969 on a common placement test adopted by the State Board of
3970 Education which indicates that the student is ready for college-
3971 level coursework. Student eligibility requirements for continued
3972 enrollment in college credit dual enrollment courses must
3973 include the maintenance of a 3.0 unweighted high school grade

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3974 point average and the minimum postsecondary grade point average
3975 established by the postsecondary institution. Regardless of
3976 meeting student eligibility requirements for continued
3977 enrollment, a student may lose the opportunity to participate in
3978 a dual enrollment course if the student is disruptive to the
3979 learning process such that the progress of other students or the
3980 efficient administration of the course is hindered. Student
3981 eligibility requirements for initial and continued enrollment in
3982 career certificate dual enrollment courses must include a 2.0
3983 unweighted high school grade point average. Exceptions to the
3984 required grade point averages may be granted on an individual
3985 student basis if the educational entities agree and the terms of
3986 the agreement are contained within the dual enrollment
3987 articulation agreement established pursuant to subsection (21).
3988 Florida Community College System institution boards of trustees
3989 may establish additional initial student eligibility
3990 requirements, which shall be included in the dual enrollment
3991 articulation agreement, to ensure student readiness for
3992 postsecondary instruction. Additional requirements included in
3993 the agreement may not arbitrarily prohibit students who have
3994 demonstrated the ability to master advanced courses from
3995 participating in dual enrollment courses.

3996 (22) The Department of Education shall develop an
3997 electronic submission system for dual enrollment articulation
3998 agreements and shall review, for compliance, each dual
3999 enrollment articulation agreement submitted pursuant to
4000 subsections (13), (21), and (24). The Commissioner of Education
4001 shall notify the district school superintendent and the Florida
4002 Community College System institution president if the dual

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4003 enrollment articulation agreement does not comply with statutory
4004 requirements and shall submit any dual enrollment articulation
4005 agreement with unresolved issues of noncompliance to the State
4006 Board of Education. The State Board of Education shall
4007 collaborate with the State Board of Community Colleges to
4008 resolve unresolved issues of noncompliance.

4009 Section 61. Subsection (6) of section 1007.273, Florida
4010 Statutes, is amended to read:

4011 1007.273 Collegiate high school program.—

4012 (6) The collegiate high school program shall be funded
4013 pursuant to ss. 1007.271 and 1011.62. The State Board of
4014 Education shall enforce compliance with this section by
4015 withholding the transfer of funds for the school districts ~~and~~
4016 ~~the Florida College System institutions~~ in accordance with s.
4017 1008.32. Annually by December 31, the State Board of Community
4018 Colleges shall enforce compliance with this section by
4019 withholding the transfer of funds for the Florida Community
4020 College System institutions in accordance with s. 1001.602.

4021 Section 62. Section 1007.33, Florida Statutes, is amended
4022 to read:

4023 1007.33 Site-determined baccalaureate degree access.—

4024 (1) (a) The Legislature recognizes that public and private
4025 postsecondary educational institutions play an essential role in
4026 improving the quality of life and economic well-being of the
4027 state and its residents. The Legislature also recognizes that
4028 economic development needs and the educational needs of place-
4029 bound, nontraditional students have increased the demand for
4030 local access to baccalaureate degree programs. It is therefore
4031 the intent of the Legislature to further expand access to

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4032 baccalaureate degree programs through the use of Florida
4033 Community College System institutions.

4034 (b) For purposes of this section, the term "district"
4035 refers to the county or counties served by a Florida Community
4036 College System institution pursuant to s. 1000.21(3).

4037 (2) Any Florida Community College System institution that
4038 offers one or more baccalaureate degree programs must:

4039 (a) Maintain as its primary mission:

4040 1. Responsibility for responding to community needs for
4041 postsecondary academic education and career degree education as
4042 prescribed in s. 1004.65(5).

4043 2. The provision of associate degrees that provide access
4044 to a university.

4045 (b) Maintain an open-door admission policy for associate-
4046 level degree programs and workforce education programs.

4047 (c) Continue to provide outreach to underserved
4048 populations.

4049 (d) Continue to provide remedial education pursuant to s.
4050 1008.30.

4051 (e) Comply with all provisions of the statewide
4052 articulation agreement which relate to 2-year and 4-year public
4053 degree-granting institutions as adopted by the State Board of
4054 Education or the State Board of Community Colleges, as
4055 applicable, pursuant to s. 1007.23.

4056 (f) Not award graduate credit.

4057 (g) Not participate in intercollegiate athletics beyond the
4058 2-year level.

4059 (3) A Florida Community College System institution may not
4060 terminate its associate in arts or associate in science degree

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4061 programs as a result of being authorized to offer one or more
4062 baccalaureate degree programs. The Legislature intends that the
4063 primary responsibility of a Florida Community College System
4064 institution, including a Florida Community College System
4065 institution that offers baccalaureate degree programs, continues
4066 to be the provision of associate degrees that provide access to
4067 a university.

4068 (4) A Florida Community College System institution may:

4069 (a) Offer specified baccalaureate degree programs through
4070 formal agreements between the Florida Community College System
4071 institution and other regionally accredited postsecondary
4072 educational institutions pursuant to s. 1007.22.

4073 (b) Offer baccalaureate degree programs that are ~~were~~
4074 authorized by law ~~prior to July 1, 2009.~~

4075 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~
4076 ~~baccalaureate degree program for purposes of meeting district,~~
4077 ~~regional, or statewide workforce needs if approved by the State~~
4078 ~~Board of Community Colleges ~~Education~~ under this section.~~
4079 However, a Florida Community College System institution may not
4080 offer a bachelor of arts degree program.

4081
4082 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
4083 ~~College is authorized to establish one or more bachelor of~~
4084 ~~applied science degree programs based on an analysis of~~
4085 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
4086 ~~other counties approved by the Department of Education. For each~~
4087 ~~program selected, St. Petersburg College must offer a related~~
4088 ~~associate in science or associate in applied science degree~~
4089 ~~program, and the baccalaureate degree level program must be~~

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4090 ~~designed to articulate fully with at least one associate in~~
4091 ~~science degree program. The college is encouraged to develop~~
4092 ~~articulation agreements for enrollment of graduates of related~~
4093 ~~associate in applied science degree programs. The Board of~~
4094 ~~Trustees of St. Petersburg College is authorized to establish~~
4095 ~~additional baccalaureate degree programs if it determines a~~
4096 ~~program is warranted and feasible based on each of the factors~~
4097 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~
4098 ~~Petersburg College may not establish any new baccalaureate~~
4099 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~
4100 ~~to developing or proposing a new baccalaureate degree program,~~
4101 ~~St. Petersburg College shall engage in need, demand, and impact~~
4102 ~~discussions with the state university in its service district~~
4103 ~~and other local and regional, accredited postsecondary providers~~
4104 ~~in its region. Documentation, data, and other information from~~
4105 ~~inter institutional discussions regarding program need, demand,~~
4106 ~~and impact shall be provided to the college's board of trustees~~
4107 ~~to inform the program approval process. Employment at St.~~
4108 ~~Petersburg College is governed by the same laws that govern~~
4109 ~~Florida College System institutions, except that upper division~~
4110 ~~faculty are eligible for continuing contracts upon the~~
4111 ~~completion of the fifth year of teaching. Employee records for~~
4112 ~~all personnel shall be maintained as required by s. 1012.81.~~

4113 (5) The approval process for baccalaureate degree programs
4114 requires ~~shall require~~:

4115 (a) Each Florida Community College System institution to
4116 submit a notice of interest at least 180 days before submitting
4117 a notice of ~~its~~ intent to propose a baccalaureate degree program
4118 ~~to the Division of Florida Colleges at least 100 days before the~~

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4119 ~~submission of its proposal under paragraph (d).~~ The notice of
4120 interest must be submitted into a shared postsecondary database
4121 that allows other postsecondary institutions to preview and
4122 provide feedback on the notice of interest. A written notice of
4123 intent must be submitted to the Chancellor of the Florida
4124 Community College System at least 100 days before the submission
4125 of a baccalaureate degree program proposal under paragraph (c).
4126 The notice of intent must include a brief description of the
4127 program, the workforce demand and unmet need for graduates of
4128 the program to include evidence from entities independent of the
4129 institution, the geographic region to be served, and an
4130 estimated timeframe for implementation. Notices of interest and
4131 intent may be submitted by a Florida Community College System
4132 institution at any time throughout the year. The notice of
4133 intent must also include evidence that the Florida Community
4134 College System institution engaged in need, demand, and impact
4135 discussions with the state university and other regionally
4136 accredited postsecondary education providers in its service
4137 district.

4138 (b) The Chancellor of the Florida Community College System
4139 ~~Division of Florida Colleges~~ to forward the notice of intent
4140 submitted pursuant to paragraph (a) and the justification for
4141 the proposed baccalaureate degree program required under
4142 paragraph (c) within 10 business days after receiving such
4143 notice and justification to the Chancellor of the State
4144 University System, the president of the Independent Colleges and
4145 Universities of Florida, and the Executive Director of the
4146 Commission for Independent Education. State universities ~~shall~~
4147 have 60 days following receipt of the notice of intent and

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4148 justification by the Chancellor of the State University System
4149 to submit an objection and a reason for the objection to the
4150 proposed baccalaureate degree program, which may include
4151 ~~objections to the proposed new program or submit~~ an alternative
4152 proposal to offer the baccalaureate degree program. The
4153 Chancellor of the State University System shall review the
4154 objection raised by a state university and inform the Board of
4155 Governors of the objection before a state university submits its
4156 objection to the Chancellor of the Florida Community College
4157 System. The Chancellor of the Florida Community College System
4158 must consult with the Chancellor of the State University System
4159 to consider the objection raised by the state university before
4160 the State Board of Community Colleges approves or denies a
4161 Florida Community College System institution's proposal
4162 submitted pursuant to paragraph (c). ~~If a proposal from a state~~
4163 ~~university is not received within the 60-day period,~~ The
4164 Chancellor of the Florida Community College System ~~State Board~~
4165 ~~of Education~~ shall also provide regionally accredited private
4166 colleges and universities 60 ~~30~~ days to submit an objection and
4167 a reason for the objection to the proposed baccalaureate degree
4168 program, which may include an alternative proposal to offer a
4169 baccalaureate degree program ~~objections to the proposed new~~
4170 ~~program or submit an alternative proposal.~~ Objections by a
4171 regionally accredited private college or university ~~or~~
4172 ~~alternative proposals~~ shall be submitted to the Chancellor of
4173 the Florida Community College System, and the state board must
4174 consider such objections before ~~Division of Florida Colleges and~~
4175 ~~must be considered by the State Board of Education in~~ making its
4176 decision to approve or deny a Florida Community College System

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4177 institution's proposal submitted pursuant to paragraph (c).

4178 ~~(c) An alternative proposal submitted by a state university~~
4179 ~~or private college or university to adequately address:~~

4180 ~~1. The extent to which the workforce demand and unmet need~~
4181 ~~described in the notice of intent will be met.~~

4182 ~~2. The extent to which students will be able to complete~~
4183 ~~the degree in the geographic region proposed to be served by the~~
4184 ~~Florida College System institution.~~

4185 ~~3. The level of financial commitment of the college or~~
4186 ~~university to the development, implementation, and maintenance~~
4187 ~~of the specified degree program, including timelines.~~

4188 ~~4. The extent to which faculty at both the Florida College~~
4189 ~~System institution and the college or university will~~
4190 ~~collaborate in the development and offering of the curriculum.~~

4191 ~~5. The ability of the Florida College System institution~~
4192 ~~and the college or university to develop and approve the~~
4193 ~~curriculum for the specified degree program within 6 months~~
4194 ~~after an agreement between the Florida College System~~
4195 ~~institution and the college or university is signed.~~

4196 ~~6. The extent to which the student may incur additional~~
4197 ~~costs above what the student would expect to incur if the~~
4198 ~~program were offered by the Florida College System institution.~~

4199 ~~(c)(d)~~ Each Florida Community College System institution to
4200 submit a baccalaureate degree program proposal at least 100 days
4201 after submitting the notice of intent. Each proposal must
4202 ~~submitted by a Florida College System institution to, at a~~
4203 ~~minimum, include:~~

4204 ~~1. A description of the planning process and timeline for~~
4205 ~~implementation.~~

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4206 2. A justification for the proposed baccalaureate degree
4207 program, including, at a minimum, a data-driven ~~An~~ analysis of
4208 workforce demand and unmet need for graduates of the program on
4209 a district, regional, or statewide basis, as appropriate, and
4210 the extent to which the proposed program will meet the workforce
4211 demand and unmet need. The analysis must include workforce and
4212 employment data for the most recent years and projections by the
4213 Department of Economic Opportunity for future years, and a
4214 summary of degree programs similar to the proposed degree
4215 program which are currently offered by state universities or by
4216 independent nonprofit colleges or universities that are eligible
4217 to participate in a grant program pursuant to s. 1009.89 and
4218 which are located in the Florida Community College System
4219 institution's regional service area. The analysis and evidence
4220 must be verified by the Chancellor of the Florida Community
4221 College System including evidence from entities independent of
4222 ~~the institution.~~

4223 3. Identification of the facilities, equipment, and library
4224 and academic resources that will be used to deliver the program.

4225 4. The program cost analysis of creating a new
4226 baccalaureate degree when compared to ~~alternative proposals and~~
4227 other program delivery options.

4228 5. The program's admission requirements, academic content,
4229 curriculum, faculty credentials, student-to-teacher ratios, and
4230 accreditation plan.

4231 6. The program's student enrollment ~~projections~~ and funding
4232 requirements, including:

4233 a. The impact of the program's enrollment projections on
4234 compliance with the upper-level enrollment provisions under

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4235 subsection (6); and

4236 b. The institution's efforts to sustain the program at the
4237 cost of tuition and fees for students who are classified as
4238 residents for tuition purposes under s. 1009.21, not to exceed
4239 \$10,000 for the entire degree program, including flexible
4240 tuition and fee rates, and the use of waivers pursuant to s.
4241 1009.26(11).

4242 7. A plan of action if the program is terminated.

4243 (d)(e) The State Board of Community Division of Florida
4244 Colleges to review the proposal, notify the Florida Community
4245 College System institution of any deficiencies in writing within
4246 30 days following receipt of the proposal, and provide the
4247 Florida Community College System institution with an opportunity
4248 to correct the deficiencies. Within 45 days following receipt of
4249 a completed proposal by the State Board of Community Division of
4250 Florida Colleges, the Chancellor of the Florida Community
4251 College System Commissioner of Education shall recommend
4252 approval or disapproval of the proposal to the State Board of
4253 Community Colleges Education. The State Board of Community
4254 Colleges Education shall consider such recommendation, the
4255 proposal, input from the Chancellor of the State University
4256 System and the president of the Independent Colleges and
4257 Universities of Florida, and any objections or alternative
4258 proposals at its next meeting. If the State Board of Community
4259 Colleges Education disapproves the Florida Community College
4260 System institution's proposal, it shall provide the Florida
4261 Community College System institution with written reasons for
4262 that determination.

4263 (e)(f) The Florida Community College System institution to

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4264 obtain from the Commission on Colleges of the Southern
4265 Association of Colleges and Schools accreditation as a
4266 baccalaureate-degree-granting institution if approved by the
4267 State Board of Community Colleges ~~Education~~ to offer its first
4268 baccalaureate degree program.

4269 ~~(f)-(g)~~ The Florida Community College System institution to
4270 notify the Commission on Colleges of the Southern Association of
4271 Colleges and Schools of subsequent degree programs that are
4272 approved by the State Board of Community Colleges ~~Education~~ and
4273 to comply with the association's required substantive change
4274 protocols for accreditation purposes.

4275 ~~(g)-(h)~~ The Florida Community College System institution to
4276 annually report to the State Board of Community Colleges, the
4277 Chancellor of the State University System, and ~~upon request of~~
4278 ~~the State Board of Education, the Commissioner of Education, the~~
4279 ~~Chancellor of the Florida College System, or the Legislature,~~
4280 ~~report~~ its status using the following performance and compliance
4281 indicators:

- 4282 1. Obtaining and maintaining appropriate Southern
- 4283 Association of Colleges and Schools accreditation;
- 4284 2. Maintaining qualified faculty and institutional
- 4285 resources;
- 4286 3. Maintaining student enrollment in previously approved
- 4287 programs;
- 4288 4. Managing fiscal resources appropriately;
- 4289 5. Complying with the primary mission and responsibility
- 4290 requirements in subsections (2) and (3); ~~and~~
- 4291 6. Other indicators of success, including program
- 4292 completions, employment and earnings outcomes, student

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4293 acceptance into and performance in graduate programs ~~placements,~~
4294 ~~and surveys of graduates and employers;~~

4295 7. Continuing to meet workforce demand, as provided in
4296 subparagraph (c)2., as demonstrated through a data-driven needs
4297 assessment by the Florida Community College System institution
4298 which is verified by more than one third-party professional
4299 entity that is independent of the institution; and

4300 8. Complying with the upper-level enrollment provisions
4301 under subsection (6).

4302
4303 The State Board of Community Colleges ~~Education~~, upon annual
4304 review of the baccalaureate degree program performance and
4305 compliance indicators and needs assessment, may require a
4306 Florida Community College System institution's board of trustees
4307 to modify or terminate a baccalaureate degree program authorized
4308 under this section. If the annual review indicates negative
4309 program performance and compliance results, and if the needs
4310 assessment fails to demonstrate a need for the program, the
4311 State Board of Community Colleges must require a Florida
4312 Community College System institution's board of trustees to
4313 terminate that baccalaureate degree program.

4314 (6) (a) If the 2015-2016 total upper-level, undergraduate
4315 full-time equivalent enrollment at a Florida Community College
4316 System institution is at or above 10 percent of the 2015-2016
4317 combined total lower-level and upper-level full-time equivalent
4318 enrollment at that institution, the total upper-level
4319 enrollment, as a percentage of the combined enrollment, may not
4320 increase by more than 4 percentage points unless the institution
4321 obtains prior legislative approval.

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4322 (b) If the 2015-2016 total upper-level, undergraduate full-
4323 time equivalent enrollment at a Florida Community College System
4324 institution is below 10 percent of the 2015-2016 combined total
4325 lower-level and upper-level full-time equivalent enrollment at
4326 that institution, the total upper-level enrollment, as a
4327 percentage of the combined enrollment, may not increase by more
4328 than 8 percentage points unless the institution obtains prior
4329 legislative approval.

4330 (c) Notwithstanding enrollment provisions in paragraphs (a)
4331 and (b), the upper-level, undergraduate full-time equivalent
4332 enrollment at a Florida Community College System institution may
4333 not exceed 15 percent of the combined total lower-level and
4334 upper-level full-time equivalent enrollment at that institution.

4335 (d) Within the 4 percent or 8 percent growth authorized
4336 under paragraph (a) or paragraph (b), for any planned and
4337 purposeful expansion of existing baccalaureate degree programs
4338 or creation of a new baccalaureate program, a community college
4339 must demonstrate satisfactory performance in fulfilling its
4340 primary mission pursuant to s. 1004.65, executing at least one
4341 "2+2" targeted pathway articulation agreement pursuant to s.
4342 1007.23, and meeting or exceeding the performance standards
4343 related to on-time completion and graduation rates under s.
4344 1001.66 for students earning associate of arts or baccalaureate
4345 degrees. The State Board of Community Colleges may not approve a
4346 new baccalaureate degree program proposal for a community
4347 college that does not meet the conditions specified in this
4348 subsection in addition to the other requirements for approval
4349 under this section. Each community college that offers a
4350 baccalaureate degree must annually review each baccalaureate

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4351 degree program and annually report to the State Board of
4352 Community Colleges, in a format prescribed by the state board,
4353 current and projected student enrollment for such program,
4354 justification for continuation of each baccalaureate degree
4355 program, and a plan to comply with the upper-level enrollment
4356 provisions of this subsection. A Florida Community College
4357 System institution that does not comply with the requirements of
4358 this section is subject to s. 1001.602(9) and may not report for
4359 funding, the upper-level, undergraduate full-time equivalent
4360 enrollment that exceeds the upper-level enrollment percent
4361 provision of this subsection.

4362 (7) ~~(6)~~ The State Board of Community Colleges Education
4363 shall adopt rules to prescribe format and content requirements
4364 and submission procedures for notices of interest and intent,
4365 baccalaureate degree program proposals, objections alternative
4366 proposals, and compliance reviews under subsection (5).

4367 Section 63. Paragraphs (d) and (e) of subsection (1) and
4368 paragraphs (a) and (c) of subsection (3) of section 1008.31,
4369 Florida Statutes, are amended to read:

4370 1008.31 Florida's K-20 education performance accountability
4371 system; legislative intent; mission, goals, and systemwide
4372 measures; data quality improvements.-

4373 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
4374 that:

4375 (d) The State Board of Education, ~~and~~ the Board of
4376 Governors of the State University System, and the State Board of
4377 Community Colleges of the Florida Community College System
4378 recommend to the Legislature systemwide performance standards;
4379 the Legislature establish systemwide performance measures and

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4380 standards; and the systemwide measures and standards provide
4381 Floridians with information on what the public is receiving in
4382 return for the funds it invests in education and how well the K-
4383 20 system educates its students.

4384 (e)1. The State Board of Education establish performance
4385 measures and set performance standards for individual public
4386 schools ~~and Florida College System institutions~~, with measures
4387 and standards based primarily on student achievement.

4388 2. The Board of Governors of the State University System
4389 establish performance measures and set performance standards for
4390 individual state universities, including actual completion
4391 rates.

4392 3. The State Board of Community Colleges establish
4393 performance measures and set performance standards for
4394 individual Florida Community College System institutions.

4395 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4396 data required to implement education performance accountability
4397 measures in state and federal law, the Commissioner of Education
4398 shall initiate and maintain strategies to improve data quality
4399 and timeliness. The Board of Governors shall make available to
4400 the department all data within the State University Database
4401 System to be integrated into the K-20 data warehouse. The
4402 commissioner shall have unlimited access to such data for the
4403 purposes of conducting studies, reporting annual and
4404 longitudinal student outcomes, and improving college readiness
4405 and articulation. All public educational institutions shall
4406 annually provide data from the prior year to the K-20 data
4407 warehouse in a format based on data elements identified by the
4408 commissioner.

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4409 (a) School districts and public postsecondary educational
4410 institutions shall maintain information systems that will
4411 provide the State Board of Education, the Board of Governors of
4412 the State University System, the State Board of Community
4413 Colleges of the Florida Community College System, and the
4414 Legislature with information and reports necessary to address
4415 the specifications of the accountability system. The level of
4416 comprehensiveness and quality must be no less than that which
4417 was available as of June 30, 2001.

4418 (c) The Commissioner of Education shall determine the
4419 standards for the required data, monitor data quality, and
4420 measure improvements. The commissioner shall report annually to
4421 the State Board of Education, the Board of Governors of the
4422 State University System, the State Board of Community Colleges
4423 of the Florida Community College System, the President of the
4424 Senate, and the Speaker of the House of Representatives data
4425 quality indicators and ratings for all school districts and
4426 public postsecondary educational institutions.

4427 Section 64. Section 1008.32, Florida Statutes, is amended
4428 to read:

4429 1008.32 State Board of Education oversight enforcement
4430 authority.—The State Board of Education shall oversee the
4431 performance of district school boards ~~and Florida College System~~
4432 ~~institution boards of trustees~~ in enforcement of all laws and
4433 rules. District school boards ~~and Florida College System~~
4434 ~~institution boards of trustees~~ shall be primarily responsible
4435 for compliance with law and state board rule.

4436 (1) In order to ensure compliance with law or state board
4437 rule, the State Board of Education shall have the authority to

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4438 request and receive information, data, and reports from school
4439 districts and ~~Florida College System~~ institutions. District
4440 school superintendents and ~~Florida College System~~ institution
4441 ~~presidents~~ are responsible for the accuracy of the information
4442 and data reported to the state board.

4443 (2) The Commissioner of Education may investigate
4444 allegations of noncompliance with law or state board rule and
4445 determine probable cause. The commissioner shall report
4446 determinations of probable cause to the State Board of Education
4447 which shall require the district school board ~~or Florida College~~
4448 ~~System institution board of trustees~~ to document compliance with
4449 law or state board rule.

4450 (3) If the district school board ~~or Florida College System~~
4451 ~~institution board of trustees~~ cannot satisfactorily document
4452 compliance, the State Board of Education may order compliance
4453 within a specified timeframe.

4454 (4) If the State Board of Education determines that a
4455 district school board ~~or Florida College System institution~~
4456 ~~board of trustees~~ is unwilling or unable to comply with law or
4457 state board rule within the specified time, the state board
4458 shall have the authority to initiate any of the following
4459 actions:

4460 (a) Report to the Legislature that the school district ~~or~~
4461 ~~Florida College System institution~~ is unwilling or unable to
4462 comply with law or state board rule and recommend action to be
4463 taken by the Legislature.

4464 (b) Withhold the transfer of state funds, discretionary
4465 grant funds, discretionary lottery funds, or any other funds
4466 specified as eligible for this purpose by the Legislature until

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4467 the school district ~~or Florida College System institution~~
4468 complies with the law or state board rule.

4469 (c) Declare the school district ~~or Florida College System~~
4470 ~~institution~~ ineligible for competitive grants.

4471 (d) Require monthly or periodic reporting on the situation
4472 related to noncompliance until it is remedied.

4473 (5) Nothing in this section shall be construed to create a
4474 private cause of action or create any rights for individuals or
4475 entities in addition to those provided elsewhere in law or rule.

4476 Section 65. Paragraphs (e) and (f) of subsection (7) of
4477 section 1008.345, Florida Statutes, are amended to read:

4478 1008.345 Implementation of state system of school
4479 improvement and education accountability.—

4480 (7) As a part of the system of educational accountability,
4481 the Department of Education shall:

4482 (e) Maintain a listing of college-level communication and
4483 mathematics skills associated with successful student
4484 performance through the baccalaureate level and submit it to the
4485 State Board of Education, ~~and~~ the Board of Governors, and the
4486 State Board of Community Colleges for approval.

4487 (f) Perform any other functions that may be involved in
4488 educational planning, research, and evaluation or that may be
4489 required by the commissioner, the State Board of Education, the
4490 State Board of Community Colleges, the Board of Governors, or
4491 law.

4492 Section 66. Subsections (1) and (2) of section 1008.37,
4493 Florida Statutes, are amended to read:

4494 1008.37 Postsecondary feedback of information to high
4495 schools.—

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4496 (1) The Commissioner of Education shall report to the State
4497 Board of Education, the Board of Governors, the State Board of
4498 Community Colleges, the Legislature, and the district school
4499 boards on the performance of each first-time-in-postsecondary
4500 education student from each public high school in this state who
4501 is enrolled in a public postsecondary institution or public
4502 career center. Such reports must be based on information
4503 databases maintained by the Department of Education. In
4504 addition, the public postsecondary educational institutions and
4505 career centers shall provide district school boards access to
4506 information on student performance in regular and preparatory
4507 courses and shall indicate students referred for remediation
4508 pursuant to s. 1004.91 or s. 1008.30.

4509 (2) The Commissioner of Education shall report, by high
4510 school, to the State Board of Education, the Board of Governors,
4511 the State Board of Community Colleges, and the Legislature, no
4512 later than November 30 of each year, on the number of prior year
4513 Florida high school graduates who enrolled for the first time in
4514 public postsecondary education in this state during the previous
4515 summer, fall, or spring term, indicating the number of students
4516 whose scores on the common placement test indicated the need for
4517 developmental education under s. 1008.30 or for applied
4518 academics for adult education under s. 1004.91.

4519 Section 67. Section 1008.38, Florida Statutes, is amended
4520 to read:

4521 1008.38 Articulation accountability process.—The State
4522 Board of Education, in conjunction with the Board of Governors
4523 and the State Board of Community Colleges, shall develop
4524 articulation accountability measures which assess the status of

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4525 systemwide articulation processes authorized under s. 1007.23
4526 and establish an articulation accountability process which at a
4527 minimum shall address:

4528 (1) The impact of articulation processes on ensuring
4529 educational continuity and the orderly and unobstructed
4530 transition of students between public secondary and
4531 postsecondary education systems and facilitating the transition
4532 of students between the public and private sectors.

4533 (2) The adequacy of preparation of public secondary
4534 students to smoothly articulate to a public postsecondary
4535 institution.

4536 (3) The effectiveness of articulated acceleration
4537 mechanisms available to secondary students.

4538 (4) The smooth transfer of Florida Community College System
4539 associate degree graduates to a Florida Community College System
4540 institution or a state university.

4541 (5) An examination of degree requirements that exceed the
4542 parameters of 60 credit hours for an associate degree and 120
4543 hours for a baccalaureate degree in public postsecondary
4544 programs.

4545 (6) The relationship between student attainment of college-
4546 level academic skills and articulation to the upper division in
4547 public postsecondary institutions.

4548 Section 68. Section 1008.405, Florida Statutes, is amended
4549 to read:

4550 1008.405 Adult student information.—Each school district
4551 and Florida Community College System institution shall maintain
4552 sufficient information for each student enrolled in workforce
4553 education to allow local and state administrators to locate such

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4554 student upon the termination of instruction and to determine the
4555 appropriateness of student placement in specific instructional
4556 programs. The State Board of Education and the State Board of
4557 Community Colleges shall adopt, by rule, specific information
4558 that must be maintained and acceptable means of maintaining that
4559 information.

4560 Section 69. Subsection (2) of section 1008.44, Florida
4561 Statutes, is amended to read:

4562 1008.44 CAPE Industry Certification Funding List and CAPE
4563 Postsecondary Industry Certification Funding List.—

4564 (2) The State Board of Education, for school districts, and
4565 the State Board of Community Colleges, for Florida Community
4566 College System institutions, shall collaborate to approve, at
4567 least annually, the CAPE Postsecondary Industry Certification
4568 Funding List pursuant to this section. The Commissioner of
4569 Education and the Chancellor of the Florida Community College
4570 System shall recommend, at least annually, the CAPE
4571 Postsecondary Industry Certification Funding List to the State
4572 Board of Education and the State Board of Community Colleges,
4573 respectively, and may at any time recommend adding
4574 certifications. The Chancellor of the State University System,
4575 the Chancellor of the Florida Community College System, and the
4576 Chancellor of Career and Adult Education shall work with local
4577 workforce boards, other postsecondary institutions, businesses,
4578 and industry to identify, create, and recommend to the
4579 Commissioner of Education industry certifications to be placed
4580 on the funding list. The list shall be used to determine annual
4581 performance funding distributions to school districts or Florida
4582 Community College System institutions as specified in ss.

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4583 1011.80 and 1011.81, respectively. The chancellors shall review
4584 results of the economic security report of employment and
4585 earning outcomes produced annually pursuant to s. 445.07 when
4586 determining recommended certifications for the list, as well as
4587 other reports and indicators available regarding certification
4588 needs.

4589 Section 70. Section 1008.45, Florida Statutes, is amended
4590 to read:

4591 1008.45 Florida Community College System institution
4592 accountability process.—

4593 (1) It is the intent of the Legislature that a management
4594 and accountability process be implemented which provides for the
4595 systematic, ongoing improvement and assessment of the
4596 improvement of the quality and efficiency of the Florida
4597 Community College System institutions. Accordingly, the State
4598 Board of Community Colleges ~~Education~~ and the Florida Community
4599 College System institution boards of trustees shall develop and
4600 implement an accountability plan to improve and evaluate the
4601 instructional and administrative efficiency and effectiveness of
4602 the Florida Community College System. This plan shall be
4603 designed in consultation with staff of the Governor and the
4604 Legislature and must address the following issues:

4605 (a) Graduation rates of A.A. and A.S. degree-seeking
4606 students compared to first-time-enrolled students seeking the
4607 associate degree.

4608 (b) Minority student enrollment and retention rates.

4609 (c) Student performance, including student performance in
4610 college-level academic skills, mean grade point averages for
4611 Florida Community College System institution A.A. transfer

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4612 students, and Florida Community College System institution
4613 student performance on state licensure examinations.

4614 (d) Job placement rates of Florida Community College System
4615 institution career students.

4616 (e) Student progression by admission status and program.

4617 (f) Career accountability standards identified in s.
4618 1008.42.

4619 (g) Institutional assessment efforts related to the
4620 requirements of s. III in the Criteria for Accreditation of the
4621 Commission on Colleges of the Southern Association of Colleges
4622 and Schools.

4623 (h) Other measures approved by the State Board of Community
4624 Colleges Education.

4625 (2) The State Board of Community Colleges ~~Education~~ shall
4626 submit an annual report, to coincide with the submission of the
4627 state board's ~~agency~~ strategic plan required by law, providing
4628 the results of initiatives taken during the prior year and the
4629 initiatives and related objective performance measures proposed
4630 for the next year.

4631 (3) The State Board of Community Colleges ~~Education~~ shall
4632 address within the annual evaluation of the performance of the
4633 chancellor ~~executive director~~, and the Florida Community College
4634 System institution boards of trustees shall address within the
4635 annual evaluation of the presidents, the achievement of the
4636 performance goals established by the accountability process.

4637 Section 71. Section 1009.21, Florida Statutes, is amended
4638 to read:

4639 1009.21 Determination of resident status for tuition
4640 purposes.—Students shall be classified as residents or

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4641 nonresidents for the purpose of assessing tuition in
4642 postsecondary educational programs offered by charter technical
4643 career centers or career centers operated by school districts,
4644 in Florida Community College System institutions, and in state
4645 universities.

4646 (1) As used in this section, the term:

4647 (a) "Dependent child" means any person, whether or not
4648 living with his or her parent, who is eligible to be claimed by
4649 his or her parent as a dependent under the federal income tax
4650 code.

4651 (b) "Initial enrollment" means the first day of class at an
4652 institution of higher education.

4653 (c) "Institution of higher education" means any charter
4654 technical career center as defined in s. 1002.34, career center
4655 operated by a school district as defined in s. 1001.44, Florida
4656 Community College System institution as defined in s.
4657 1000.21(3), or state university as defined in s. 1000.21(6).

4658 (d) "Legal resident" or "resident" means a person who has
4659 maintained his or her residence in this state for the preceding
4660 year, has purchased a home which is occupied by him or her as
4661 his or her residence, or has established a domicile in this
4662 state pursuant to s. 222.17.

4663 (e) "Nonresident for tuition purposes" means a person who
4664 does not qualify for the in-state tuition rate.

4665 (f) "Parent" means either or both parents of a student, any
4666 guardian of a student, or any person in a parental relationship
4667 to a student.

4668 (g) "Resident for tuition purposes" means a person who
4669 qualifies as provided in this section for the in-state tuition

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4670 rate.

4671 (2) (a) To qualify as a resident for tuition purposes:

4672 1. A person or, if that person is a dependent child, his or
4673 her parent or parents must have established legal residence in
4674 this state and must have maintained legal residence in this
4675 state for at least 12 consecutive months immediately prior to
4676 his or her initial enrollment in an institution of higher
4677 education.

4678 2. Every applicant for admission to an institution of
4679 higher education shall be required to make a statement as to his
4680 or her length of residence in the state and, further, shall
4681 establish that his or her presence or, if the applicant is a
4682 dependent child, the presence of his or her parent or parents in
4683 the state currently is, and during the requisite 12-month
4684 qualifying period was, for the purpose of maintaining a bona
4685 fide domicile, rather than for the purpose of maintaining a mere
4686 temporary residence or abode incident to enrollment in an
4687 institution of higher education.

4688 (b) However, with respect to a dependent child living with
4689 an adult relative other than the child's parent, such child may
4690 qualify as a resident for tuition purposes if the adult relative
4691 is a legal resident who has maintained legal residence in this
4692 state for at least 12 consecutive months immediately before the
4693 child's initial enrollment in an institution of higher
4694 education, provided the child has resided continuously with such
4695 relative for the 3 years immediately before the child's initial
4696 enrollment in an institution of higher education, during which
4697 time the adult relative has exercised day-to-day care,
4698 supervision, and control of the child.

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4699 (c) The legal residence of a dependent child whose parents
4700 are divorced, separated, or otherwise living apart will be
4701 deemed to be this state if either parent is a legal resident of
4702 this state, regardless of which parent is entitled to claim, and
4703 does in fact claim, the minor as a dependent pursuant to federal
4704 individual income tax provisions.

4705 (d) A dependent child who is a United States citizen may
4706 not be denied classification as a resident for tuition purposes
4707 based solely upon the immigration status of his or her parent.

4708 (3) (a) An individual shall not be classified as a resident
4709 for tuition purposes and, thus, shall not be eligible to receive
4710 the in-state tuition rate until he or she has provided such
4711 evidence related to legal residence and its duration or, if that
4712 individual is a dependent child, evidence of his or her parent's
4713 legal residence and its duration, as may be required by law and
4714 by officials of the institution of higher education from which
4715 he or she seeks the in-state tuition rate.

4716 (b) Except as otherwise provided in this section, evidence
4717 of legal residence and its duration shall include clear and
4718 convincing documentation that residency in this state was for a
4719 minimum of 12 consecutive months prior to a student's initial
4720 enrollment in an institution of higher education.

4721 (c) Each institution of higher education shall
4722 affirmatively determine that an applicant who has been granted
4723 admission to that institution as a Florida resident meets the
4724 residency requirements of this section at the time of initial
4725 enrollment. The residency determination must be documented by
4726 the submission of written or electronic verification that
4727 includes two or more of the documents identified in this

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4728 paragraph. No single piece of evidence shall be conclusive.

4729 1. The documents must include at least one of the
4730 following:

4731 a. A Florida voter's registration card.

4732 b. A Florida driver license.

4733 c. A State of Florida identification card.

4734 d. A Florida vehicle registration.

4735 e. Proof of a permanent home in Florida which is occupied
4736 as a primary residence by the individual or by the individual's
4737 parent if the individual is a dependent child.

4738 f. Proof of a homestead exemption in Florida.

4739 g. Transcripts from a Florida high school for multiple
4740 years if the Florida high school diploma or high school
4741 equivalency diploma was earned within the last 12 months.

4742 h. Proof of permanent full-time employment in Florida for
4743 at least 30 hours per week for a 12-month period.

4744 2. The documents may include one or more of the following:

4745 a. A declaration of domicile in Florida.

4746 b. A Florida professional or occupational license.

4747 c. Florida incorporation.

4748 d. A document evidencing family ties in Florida.

4749 e. Proof of membership in a Florida-based charitable or
4750 professional organization.

4751 f. Any other documentation that supports the student's
4752 request for resident status, including, but not limited to,
4753 utility bills and proof of 12 consecutive months of payments; a
4754 lease agreement and proof of 12 consecutive months of payments;
4755 or an official state, federal, or court document evidencing
4756 legal ties to Florida.

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4757 (4) With respect to a dependent child, the legal residence
4758 of the dependent child's parent or parents is prima facie
4759 evidence of the dependent child's legal residence, which
4760 evidence may be reinforced or rebutted, relative to the age and
4761 general circumstances of the dependent child, by the other
4762 evidence of legal residence required of or presented by the
4763 dependent child. However, the legal residence of a dependent
4764 child's parent or parents who are domiciled outside this state
4765 is not prima facie evidence of the dependent child's legal
4766 residence if that dependent child has lived in this state for 5
4767 consecutive years prior to enrolling or reregistering at the
4768 institution of higher education at which resident status for
4769 tuition purposes is sought.

4770 (5) A person who physically resides in this state may be
4771 classified as a resident for tuition purposes if he or she
4772 marries a person who meets the 12-month residency requirement
4773 under subsection (2) and who is a legal resident of this state.

4774 (6) (a) Except as otherwise provided in this section, a
4775 person who is classified as a nonresident for tuition purposes
4776 may become eligible for reclassification as a resident for
4777 tuition purposes if that person or, if that person is a
4778 dependent child, his or her parent presents clear and convincing
4779 documentation that supports permanent legal residency in this
4780 state for at least 12 consecutive months rather than temporary
4781 residency for the purpose of pursuing an education, such as
4782 documentation of full-time permanent employment for the prior 12
4783 months or the purchase of a home in this state and residence
4784 therein for the prior 12 months while not enrolled in an
4785 institution of higher education.

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4786 (b) If a person who is a dependent child and his or her
4787 parent move to this state while such child is a high school
4788 student and the child graduates from a high school in this
4789 state, the child may become eligible for reclassification as a
4790 resident for tuition purposes when the parent submits evidence
4791 that the parent qualifies for permanent residency.

4792 (c) If a person who is a dependent child and his or her
4793 parent move to this state after such child graduates from high
4794 school, the child may become eligible for reclassification as a
4795 resident for tuition purposes after the parent submits evidence
4796 that he or she has established legal residence in the state and
4797 has maintained legal residence in the state for at least 12
4798 consecutive months.

4799 (d) A person who is classified as a nonresident for tuition
4800 purposes and who marries a legal resident of the state or
4801 marries a person who becomes a legal resident of the state may,
4802 upon becoming a legal resident of the state, become eligible for
4803 reclassification as a resident for tuition purposes upon
4804 submitting evidence of his or her own legal residency in the
4805 state, evidence of his or her marriage to a person who is a
4806 legal resident of the state, and evidence of the spouse's legal
4807 residence in the state for at least 12 consecutive months
4808 immediately preceding the application for reclassification.

4809 (7) A person shall not lose his or her resident status for
4810 tuition purposes solely by reason of serving, or, if such person
4811 is a dependent child, by reason of his or her parent's or
4812 parents' serving, in the Armed Forces outside this state.

4813 (8) A person who has been properly classified as a resident
4814 for tuition purposes but who, while enrolled in an institution

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4815 of higher education in this state, loses his or her resident
4816 tuition status because the person or, if he or she is a
4817 dependent child, the person's parent or parents establish
4818 domicile or legal residence elsewhere shall continue to enjoy
4819 the in-state tuition rate for a statutory grace period, which
4820 period shall be measured from the date on which the
4821 circumstances arose that culminated in the loss of resident
4822 tuition status and shall continue for 12 months. However, if the
4823 12-month grace period ends during a semester or academic term
4824 for which such former resident is enrolled, such grace period
4825 shall be extended to the end of that semester or academic term.

4826 (9) Any person who ceases to be enrolled at or who
4827 graduates from an institution of higher education while
4828 classified as a resident for tuition purposes and who
4829 subsequently abandons his or her domicile in this state shall be
4830 permitted to reenroll at an institution of higher education in
4831 this state as a resident for tuition purposes without the
4832 necessity of meeting the 12-month durational requirement of this
4833 section if that person has reestablished his or her domicile in
4834 this state within 12 months of such abandonment and continuously
4835 maintains the reestablished domicile during the period of
4836 enrollment. The benefit of this subsection shall not be accorded
4837 more than once to any one person.

4838 (10) The following persons shall be classified as residents
4839 for tuition purposes:

4840 (a) Active duty members of the Armed Services of the United
4841 States residing or stationed in this state, their spouses, and
4842 dependent children, and active drilling members of the Florida
4843 National Guard.

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4844 (b) Active duty members of the Armed Services of the United
4845 States and their spouses and dependents attending a Florida
4846 Community College System institution or state university within
4847 50 miles of the military establishment where they are stationed,
4848 if such military establishment is within a county contiguous to
4849 Florida.

4850 (c) United States citizens living on the Isthmus of Panama,
4851 who have completed 12 consecutive months of college work at the
4852 Florida State University Panama Canal Branch, and their spouses
4853 and dependent children.

4854 (d) Full-time instructional and administrative personnel
4855 employed by state public schools and institutions of higher
4856 education and their spouses and dependent children.

4857 (e) Students from Latin America and the Caribbean who
4858 receive scholarships from the federal or state government. Any
4859 student classified pursuant to this paragraph shall attend, on a
4860 full-time basis, a Florida institution of higher education.

4861 (f) Southern Regional Education Board's Academic Common
4862 Market graduate students attending Florida's state universities.

4863 (g) Full-time employees of state agencies or political
4864 subdivisions of the state when the student fees are paid by the
4865 state agency or political subdivision for the purpose of job-
4866 related law enforcement or corrections training.

4867 (h) McKnight Doctoral Fellows and Finalists who are United
4868 States citizens.

4869 (i) United States citizens living outside the United States
4870 who are teaching at a Department of Defense Dependent School or
4871 in an American International School and who enroll in a graduate
4872 level education program which leads to a Florida teaching

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4873 certificate.

4874 (j) Active duty members of the Canadian military residing
4875 or stationed in this state under the North American Air Defense
4876 (NORAD) agreement, and their spouses and dependent children,
4877 attending a Florida Community College System institution or
4878 state university within 50 miles of the military establishment
4879 where they are stationed.

4880 (k) Active duty members of a foreign nation's military who
4881 are serving as liaison officers and are residing or stationed in
4882 this state, and their spouses and dependent children, attending
4883 a Florida Community College System institution or state
4884 university within 50 miles of the military establishment where
4885 the foreign liaison officer is stationed.

4886 (11) Once a student has been classified as a resident for
4887 tuition purposes, an institution of higher education to which
4888 the student transfers is not required to reevaluate the
4889 classification unless inconsistent information suggests that an
4890 erroneous classification was made or the student's situation has
4891 changed. However, the student must have attended the institution
4892 making the initial classification within the prior 12 months,
4893 and the residency classification must be noted on the student's
4894 transcript. The Higher Education Coordinating Council shall
4895 consider issues related to residency determinations and make
4896 recommendations relating to efficiency and effectiveness of
4897 current law.

4898 (12) Each institution of higher education shall establish a
4899 residency appeal committee comprised of at least three members
4900 to consider student appeals of residency determinations, in
4901 accordance with the institution's official appeal process. The

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4902 residency appeal committee must render to the student the final
4903 residency determination in writing. The institution must advise
4904 the student of the reasons for the determination.

4905 (13) The State Board of Education, ~~and~~ the Board of
4906 Governors, and the State Board of Community Colleges shall adopt
4907 rules to implement this section.

4908 Section 72. Subsection (2) of section 1009.25, Florida
4909 Statutes, is amended to read:

4910 1009.25 Fee exemptions.—

4911 (2) Each Florida Community College System institution is
4912 authorized to grant student fee exemptions from all fees adopted
4913 by the State Board of Community Colleges ~~Education~~ and the
4914 Florida Community College System institution board of trustees
4915 for up to 54 full-time equivalent students or 1 percent of the
4916 institution's total full-time equivalent enrollment, whichever
4917 is greater, at each institution.

4918 Section 73. Paragraph (b) of subsection (12), paragraphs
4919 (c) and (d) of subsection (13), and paragraph (d) of subsection
4920 (14) of section 1009.26, Florida Statutes, are amended, to read:

4921 1009.26 Fee waivers.—

4922 (12)

4923 (b) Tuition and fees charged to a student who qualifies for
4924 the out-of-state fee waiver under this subsection may not exceed
4925 the tuition and fees charged to a resident student. The waiver
4926 is applicable for 110 percent of the required credit hours of
4927 the degree or certificate program for which the student is
4928 enrolled. Each state university, Florida Community College
4929 System institution, career center operated by a school district
4930 under s. 1001.44, and charter technical career center shall

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4931 report to the Board of Governors, the State Board of Community
4932 Colleges, and the State Board of Education, respectively, the
4933 number and value of all fee waivers granted annually under this
4934 subsection. By October 1 of each year, the Board of Governors,
4935 for the state universities; ~~and~~ the State Board of Community
4936 Colleges, ~~Education~~ for Florida Community College System
4937 institutions; ~~;~~ career centers operated by a school district
4938 under s. 1001.44; ~~;~~ and charter technical career centers shall
4939 annually report for the previous academic year the percentage of
4940 resident and nonresident students enrolled systemwide.

4941 (13)

4942 (c) Each state university, Florida Community College System
4943 institution, career center operated by a school district under
4944 s. 1001.44, and charter technical career center shall report to
4945 the Board of Governors, the State Board of Community, and the
4946 State Board of Education, respectively, the number and value of
4947 all fee waivers granted annually under this subsection.

4948 (d) The Board of Governors, the State Board of Community
4949 Colleges, and the State Board of Education shall respectively
4950 adopt regulations and rules to administer this subsection.

4951 (14)

4952 (d) The Board of Governors, the State Board of Community
4953 Colleges, and the State Board of Education shall respectively
4954 adopt regulations and rules to administer this subsection.

4955 Section 74. Section 1009.28, Florida Statutes, is amended
4956 to read:

4957 1009.28 Fees for repeated enrollment in developmental
4958 education classes.—A student enrolled in the same developmental
4959 education class more than twice shall pay 100 percent of the

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4960 full cost of instruction to support continuous enrollment of
4961 that student in the same class, and the student shall not be
4962 included in calculations of full-time equivalent enrollments for
4963 state funding purposes; however, students who withdraw or fail a
4964 class due to extenuating circumstances may be granted an
4965 exception only once for each class, provided approval is granted
4966 according to policy established by the board of trustees. Each
4967 Florida Community College System institution may review and
4968 reduce fees paid by students due to continued enrollment in a
4969 developmental education class on an individual basis contingent
4970 upon the student's financial hardship, pursuant to definitions
4971 and fee levels established by the State Board of Community
4972 Colleges Education.

4973 Section 75. Subsections (9) and (12) of section 1009.90,
4974 Florida Statutes, are amended to read:

4975 1009.90 Duties of the Department of Education.—The duties
4976 of the department shall include:

4977 (9) Development and submission of a report, annually, to
4978 the State Board of Education, the Board of Governors, the State
4979 Board of Community Colleges, the President of the Senate, and
4980 the Speaker of the House of Representatives, which shall
4981 include, but not be limited to, recommendations for the
4982 distribution of state financial aid funds.

4983 (12) Calculation of the amount of need-based student
4984 financial aid required to offset fee increases recommended by
4985 the State Board of Education, ~~and~~ the Board of Governors, ~~and~~
4986 the State Board of Community Colleges, and inclusion of such
4987 amount within the legislative budget request for student
4988 assistance grant programs.

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4989 Section 76. Subsection (4) of section 1009.91, Florida
4990 Statutes, is amended to read:

4991 1009.91 Assistance programs and activities of the
4992 department.—

4993 (4) The department shall maintain records on the student
4994 loan default rate of each Florida postsecondary institution and
4995 report that information annually to both the institution and the
4996 State Board of Education. Information relating to state
4997 universities shall also be reported annually to the Board of
4998 Governors. Information relating to Florida Community College
4999 System institutions shall be reported annually to the State
5000 Board of Community Colleges.

5001 Section 77. Subsection (2) of section 1009.971, Florida
5002 Statutes, is amended to read:

5003 1009.971 Florida Prepaid College Board.—

5004 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
5005 shall consist of seven members to be composed of the Attorney
5006 General, the Chief Financial Officer, the Chancellor of the
5007 State University System, the Chancellor of the Florida Community
5008 College System ~~Division of Florida Colleges~~, and three members
5009 appointed by the Governor and subject to confirmation by the
5010 Senate. Each member appointed by the Governor shall possess
5011 knowledge, skill, and experience in the areas of accounting,
5012 actuary, risk management, or investment management. Each member
5013 of the board not appointed by the Governor may name a designee
5014 to serve on the board on behalf of the member; however, any
5015 designee so named shall meet the qualifications required of
5016 gubernatorial appointees to the board. Members appointed by the
5017 Governor shall serve terms of 3 years. Any person appointed to

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5018 fill a vacancy on the board shall be appointed in a like manner
5019 and shall serve for only the unexpired term. Any member shall be
5020 eligible for reappointment and shall serve until a successor
5021 qualifies. Members of the board shall serve without compensation
5022 but shall be reimbursed for per diem and travel in accordance
5023 with s. 112.061. Each member of the board shall file a full and
5024 public disclosure of his or her financial interests pursuant to
5025 s. 8, Art. II of the State Constitution and corresponding
5026 statute.

5027 Section 78. Section 1010.01, Florida Statutes, is amended
5028 to read:

5029 1010.01 Uniform records and accounts.—

5030 (1) (a) The financial records and accounts of each school
5031 district, ~~Florida College System institution,~~ and other
5032 institution or agency under the supervision of the State Board
5033 of Education shall be prepared and maintained as prescribed by
5034 law and rules of the State Board of Education.

5035 (b) The financial records and accounts of each state
5036 university under the supervision of the Board of Governors shall
5037 be prepared and maintained as prescribed by law and rules of the
5038 Board of Governors.

5039 (c) The financial records and accounts of each Florida
5040 Community College System institution under the supervision of
5041 the State Board of Community Colleges shall be prepared and
5042 maintained as prescribed by law and rules of the State Board of
5043 Community Colleges.

5044 (2) Rules of the State Board of Education, and rules of the
5045 Board of Governors, and the State Board of Community Colleges
5046 shall incorporate the requirements of law and accounting

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5047 principles generally accepted in the United States. Such rules
5048 shall include a uniform classification of accounts.

5049 (3) Each state university shall annually file with the
5050 Board of Governors financial statements prepared in conformity
5051 with accounting principles generally accepted by the United
5052 States and the uniform classification of accounts prescribed by
5053 the Board of Governors. The Board of Governors' rules shall
5054 prescribe the filing deadline for the financial statements.

5055 (4) Required financial accounts and reports shall include
5056 provisions that are unique to each of the following: K-12 school
5057 districts, Florida Community College System institutions, and
5058 state universities, and shall provide for the data to be
5059 reported to the National Center of Educational Statistics and
5060 other governmental and professional educational data information
5061 services as appropriate.

5062 (5) Each Florida Community College System institution shall
5063 annually file with the State Board of Community Colleges
5064 financial statements prepared in conformity with accounting
5065 principles generally accepted by the United States and the
5066 uniform classification of accounts prescribed by the State Board
5067 of Community Colleges. The State Board of Community Colleges'
5068 rules shall prescribe the filing deadline for the financial
5069 statements.

5070 Section 79. Subsection (1) of section 1010.02, Florida
5071 Statutes, is amended, and subsection (3) is added to that
5072 section, to read:

5073 1010.02 Financial accounting and expenditures.—

5074 (1) All funds accruing to a school district ~~or a Florida~~
5075 ~~College System institution~~ must be received, accounted for, and

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5076 expended in accordance with law and rules of the State Board of
5077 Education.

5078 (3) All funds accruing to a Florida Community College
5079 System institution must be received, accounted for, and expended
5080 in accordance with law and rules of the State Board of Community
5081 Colleges.

5082 Section 80. Section 1010.04, Florida Statutes, is amended
5083 to read:

5084 1010.04 Purchasing.—

5085 (1) (a) Purchases and leases by school districts must ~~and~~
5086 ~~Florida College System institutions shall~~ comply with the
5087 requirements of law and rules of the State Board of Education.

5088 (b) Before purchasing nonacademic commodities and
5089 contractual services, each district school board and Florida
5090 Community College System institution board of trustees shall
5091 review the purchasing agreements and state term contracts
5092 available under s. 287.056 to determine whether it is in the
5093 school board's or the board of trustees' economic advantage to
5094 use the agreements and contracts. Each bid specification for
5095 nonacademic commodities and contractual services must include a
5096 statement indicating that the purchasing agreements and state
5097 term contracts available under s. 287.056 have been reviewed.
5098 Each district school board may also use the cooperative state
5099 purchasing programs managed through the regional consortium
5100 service organizations pursuant to their authority under s.
5101 1001.451(3). This paragraph does not apply to services that are
5102 eligible for reimbursement under the federal E-rate program
5103 administered by the Universal Service Administrative Company.

5104 (c) Purchases and leases by state universities must ~~shall~~

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5105 comply with the requirements of law and regulations of the Board
5106 of Governors.

5107 (d) Purchases and leases by Florida Community College
5108 System institutions must comply with the requirements of law and
5109 rules of the State Board of Community Colleges.

5110 (2) Each district school board and Florida Community
5111 College System institution board of trustees shall adopt rules,
5112 and each university board of trustees shall adopt regulations,
5113 to be followed in making purchases. Purchases may be made
5114 through an online procurement system, an electronic auction
5115 service, or other efficient procurement tool.

5116 (3) In districts in which the county purchasing agent is
5117 authorized by law to make purchases for the benefit of other
5118 governmental agencies within the county, the district school
5119 board and Florida Community College System institution board of
5120 trustees shall have the option to purchase from the current
5121 county contracts at the unit price stated therein if such
5122 purchase is to the economic advantage of the district school
5123 board or the Florida Community College System institution board
5124 of trustees; subject to confirmation of the items of purchase to
5125 the standards and specifications prescribed by the school
5126 district or Florida Community College System institution.

5127 (4) (a) The State Board of Education may, by rule, provide
5128 for alternative procedures for school districts ~~and Florida~~
5129 ~~College System institutions~~ for bidding or purchasing in cases
5130 in which the character of the item requested renders competitive
5131 bidding impractical.

5132 (b) The Board of Governors may, by regulation, provide for
5133 alternative procedures for state universities for bidding or

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5134 purchasing in cases in which the character of the item requested
5135 renders competitive bidding impractical.

5136 (c) The State Board of Community Colleges may, by rule,
5137 provide for alternative procedures for Florida Community College
5138 System institutions for bidding or purchasing in cases in which
5139 the character of the item requested renders competitive bidding
5140 impractical.

5141 Section 81. Section 1010.07, Florida Statutes, is amended
5142 to read:

5143 1010.07 Bonds or insurance required.—

5144 (1) Each district school board, Florida Community College
5145 System institution board of trustees, and university board of
5146 trustees shall ensure that each official and employee
5147 responsible for handling, expending, or authorizing the
5148 expenditure of funds shall be appropriately bonded or insured to
5149 protect the board and the funds involved.

5150 (2) (a) Contractors paid from school district ~~or Florida~~
5151 ~~College System institution~~ funds shall give bond for the
5152 faithful performance of their contracts in such amount and for
5153 such purposes as prescribed by s. 255.05 or by rules of the
5154 State Board of Education relating to the type of contract
5155 involved. It shall be the duty of the district school board ~~or~~
5156 ~~Florida College System institution board of trustees~~ to require
5157 from construction contractors a bond adequate to protect the
5158 board and the board's funds involved.

5159 (b) Contractors paid from university funds shall give bond
5160 for the faithful performance of their contracts in such amount
5161 and for such purposes as prescribed by s. 255.05 or by
5162 regulations of the Board of Governors relating to the type of

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5163 contract involved. It shall be the duty of the university board
5164 of trustees to require from construction contractors a bond
5165 adequate to protect the board and the board's funds involved.

5166 (c) Contractors paid from Florida Community College System
5167 institution funds shall give bonds for the faithful performance
5168 of their contracts in such amount and for such purposes as
5169 prescribed by s. 255.05 or by rules of the State Board of
5170 Community Colleges relating to the type of contract involved. It
5171 is the duty of the Florida Community College System institution
5172 board of trustees to require construction contractors to provide
5173 a bond adequate to protect the board and the board's funds
5174 involved.

5175 Section 82. Section 1010.08, Florida Statutes, is amended
5176 to read:

5177 1010.08 Promotion and public relations; funding.-

5178 (1) Each district school board and Florida College System
5179 institution board of trustees may budget and use a portion of
5180 the funds accruing to it from auxiliary enterprises and
5181 undesignated gifts for promotion and public relations as
5182 prescribed by rules of the State Board of Education. Such funds
5183 may be used to provide hospitality to business guests in the
5184 district or elsewhere. However, such hospitality expenses may
5185 not exceed the amount authorized for such contingency funds as
5186 prescribed by rules of the State Board of Education.

5187 (2) Each Florida Community College System institution board
5188 of trustees may budget and use a portion of the funds accruing
5189 to it from auxiliary enterprises and undesignated gifts for
5190 promotion and public relations as prescribed by rules of the
5191 State Board of Community Colleges. Such funds may be used to

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5192 provide hospitality to business guests in the district or
5193 elsewhere. However, such hospitality expenses may not exceed the
5194 amount authorized for such contingency funds as prescribed by
5195 rules of the State Board of Community Colleges.

5196 Section 83. Subsection (1) of section 1010.09, Florida
5197 Statutes, is amended, and subsection (3) is added to that
5198 section, to read:

5199 1010.09 Direct-support organizations.—

5200 (1) ~~School district and Florida College System institution~~
5201 direct-support organizations shall be organized and conducted
5202 under the provisions of ss. 1001.453 and 1004.70 and rules of
5203 the State Board of Education, as applicable.

5204 (3) Florida Community College System institution direct-
5205 support organizations shall be organized and conducted under the
5206 provisions of s. 1004.70 and rules of the State Board of
5207 Community Colleges.

5208 Section 84. Section 1010.22, Florida Statutes, is amended
5209 to read:

5210 1010.22 Cost accounting and reporting for workforce
5211 education.—

5212 (1) (a) ~~Each school district and each Florida College System~~
5213 ~~institution~~ shall account for expenditures of all state, local,
5214 federal, and other funds in the manner prescribed by the State
5215 Board of Education.

5216 (b) Each Florida Community College System institution shall
5217 account for expenditures of all state, local, federal, and other
5218 funds in the manner prescribed by the State Board of Community
5219 Colleges.

5220 (2) (a) ~~Each school district and each Florida College System~~

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5221 ~~institution~~ shall report expenditures for workforce education in
5222 accordance with requirements prescribed by the State Board of
5223 Education.

5224 (b) Each Florida Community College System institution shall
5225 report expenditures for workforce education in accordance with
5226 requirements prescribed by the State Board of Community
5227 Colleges.

5228 (3) The Department of Education, in cooperation with school
5229 districts and Florida Community College System institutions,
5230 shall develop and maintain a database of valid comparable
5231 information on workforce education which will meet both state
5232 and local needs.

5233 Section 85. Subsection (1) of section 1010.30, Florida
5234 Statutes, is amended to read:

5235 1010.30 Audits required.—

5236 (1) School districts, ~~Florida College System institutions,~~
5237 and other institutions and agencies under the supervision of the
5238 State Board of Education, Florida Community College System
5239 institutions under the supervision of the State Board of
5240 Community Colleges, and state universities under the supervision
5241 of the Board of Governors are subject to the audit provisions of
5242 ss. 11.45 and 218.39.

5243 Section 86. Section 1010.58, Florida Statutes, is amended
5244 to read:

5245 1010.58 Procedure for determining number of instruction
5246 units for Florida Community College System institutions.—The
5247 number of instruction units for Florida Community College System
5248 institutions shall be determined from the full-time equivalent
5249 students in the Florida Community College System institution,

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5250 provided that full-time equivalent students may not be counted
5251 more than once in determining instruction units. Instruction
5252 units for Florida Community College System institutions shall be
5253 computed as follows:

5254 (1) One unit for each 12 full-time equivalent students at a
5255 Florida Community College System institution for the first 420
5256 students and one unit for each 15 full-time equivalent students
5257 for all over 420 students, in other than career education
5258 programs as defined by rules of the State Board of Community
5259 Colleges ~~Education~~, and one unit for each 10 full-time
5260 equivalent students in career education programs and
5261 compensatory education programs as defined by rules of the State
5262 Board of Community Colleges ~~Education~~. Full-time equivalent
5263 students enrolled in a Florida Community College System
5264 institution shall be defined by rules of the State Board of
5265 Community Colleges ~~Education~~.

5266 (2) For each 8 instruction units in a Florida Community
5267 College System institution, 1 instruction unit or proportionate
5268 fraction of a unit shall be allowed for administrative and
5269 special instructional services, and for each 20 instruction
5270 units, 1 instruction unit or proportionate fraction of a unit
5271 shall be allowed for student personnel services.

5272 Section 87. Section 1011.01, Florida Statutes, is amended
5273 to read:

5274 1011.01 Budget system established.—

5275 (1) The State Board of Education shall prepare and submit a
5276 coordinated K-20 education annual legislative budget request to
5277 the Governor and the Legislature on or before the date provided
5278 by the Governor and the Legislature. The board's legislative

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5279 budget request must clearly define the needs of school
5280 districts, Florida Community College System institutions,
5281 universities, other institutions, organizations, programs, and
5282 activities under the supervision of the board and that are
5283 assigned by law or the General Appropriations Act to the
5284 Department of Education.

5285 (2) (a) There is ~~shall be~~ established in each school
5286 district and ~~Florida College System institution~~ a budget system
5287 as prescribed by law and rules of the State Board of Education.

5288 (b) There is ~~shall be~~ established in each state university
5289 a budget system as prescribed by law and rules of the Board of
5290 Governors.

5291 (c) There is established in each Florida Community College
5292 System institution a budget system as prescribed by law and
5293 rules of the State Board of Community Colleges.

5294 (3) (a) Each district school board and ~~each Florida College~~
5295 ~~System institution board of trustees~~ shall prepare, adopt, and
5296 submit to the Commissioner of Education an annual operating
5297 budget. Operating budgets must ~~shall~~ be prepared and submitted
5298 in accordance with the provisions of law, rules of the State
5299 Board of Education, the General Appropriations Act, and for
5300 district school boards in accordance with the provisions of ss.
5301 200.065 and 1011.64.

5302 (b) Each state university board of trustees shall prepare,
5303 adopt, and submit to the Chancellor of the State University
5304 System for review an annual operating budget in accordance with
5305 provisions of law, rules of the Board of Governors, and the
5306 General Appropriations Act.

5307 (c) Each Florida Community College System institution board

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5308 of trustees shall prepare, adopt, and submit to the State Board
5309 of Community Colleges an annual operating budget in accordance
5310 with provisions of law, rules of the State Board of Community
5311 Colleges, and the General Appropriations Act.

5312 (4) The State Board of Education shall coordinate with the
5313 Board of Governors and the State Board of Community Colleges to
5314 facilitate the budget system requirements of this section. The
5315 State Board of Community College exclusively retains the review
5316 and approval powers of this section for Florida Community
5317 College System institutions. The Board of Governors exclusively
5318 retains the review and approval powers of this section for state
5319 universities.

5320 Section 88. Section 1011.011, Florida Statutes, is amended
5321 to read:

5322 1011.011 Legislative capital outlay budget request.—The
5323 State Board of Education shall submit an integrated,
5324 comprehensive budget request for educational facilities
5325 construction and fixed capital outlay needs for school
5326 districts, and, in conjunction with the State Board of Community
5327 Colleges for Florida Community College System institutions, ~~and~~
5328 ~~in conjunction~~ with the Board of Governors for state
5329 universities, pursuant to this section and s. 1013.46 and
5330 applicable provisions of chapter 216.

5331 Section 89. Section 1011.30, Florida Statutes, is amended
5332 to read:

5333 1011.30 Budgets for Florida Community College System
5334 institutions.—Each Florida Community College System institution
5335 president shall recommend to the Florida Community College
5336 System institution board of trustees a budget of income and

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5337 expenditures at such time and in such form as the State Board of
5338 Community Colleges ~~Education~~ may prescribe. Upon approval of a
5339 budget by the Florida Community College System institution board
5340 of trustees, such budget must ~~shall~~ be transmitted to the State
5341 Board of Community Colleges ~~Department of Education~~ for review.
5342 Rules of the State Board of Community Colleges must ~~Education~~
5343 ~~shall~~ prescribe procedures for effecting budget amendments
5344 subsequent to the final approval of a budget for a given year.

5345 Section 90. Section 1011.32, Florida Statutes, is amended
5346 to read:

5347 1011.32 Florida Community College System Institution
5348 Facility Enhancement Challenge Grant Program.—

5349 (1) The Legislature recognizes that ~~the~~ Florida Community
5350 College System institutions do not have sufficient physical
5351 facilities to meet the current demands of their instructional
5352 and community programs. It further recognizes that, to
5353 strengthen and enhance Florida Community College System
5354 institutions, it is necessary to provide facilities in addition
5355 to those currently available from existing revenue sources. It
5356 further recognizes that there are sources of private support
5357 that, if matched with state support, can assist in constructing
5358 much needed facilities and strengthen the commitment of citizens
5359 and organizations in promoting excellence at each Florida
5360 Community College System institution. Therefore, it is the
5361 intent of the Legislature to establish a program to provide the
5362 opportunity for each Florida Community College System
5363 institution through its direct-support organization to receive
5364 and match challenge grants for instructional and community-
5365 related capital facilities within the Florida Community College

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5366 System institution.

5367 (2) There is established the Florida Community College
5368 System Institution Facility Enhancement Challenge Grant Program
5369 for the purpose of assisting the Florida Community College
5370 System institutions in building high priority instructional and
5371 community-related capital facilities consistent with s. 1004.65,
5372 including common areas connecting such facilities. The direct-
5373 support organizations that serve the Florida Community College
5374 System institutions shall solicit gifts from private sources to
5375 provide matching funds for capital facilities. For the purposes
5376 of this section, private sources of funds shall not include any
5377 federal or state government funds that a Florida Community
5378 College System institution may receive.

5379 (3) The Florida Community College System Institution
5380 Capital Facilities Matching Program shall provide funds to match
5381 private contributions for the development of high priority
5382 instructional and community-related capital facilities,
5383 including common areas connecting such facilities, within the
5384 Florida Community College System institutions.

5385 (4) Within the direct-support organization of each Florida
5386 Community College System institution there must be established a
5387 separate capital facilities matching account for the purpose of
5388 providing matching funds from the direct-support organization's
5389 unrestricted donations or other private contributions for the
5390 development of high priority instructional and community-related
5391 capital facilities, including common areas connecting such
5392 facilities. The Legislature shall appropriate funds for
5393 distribution to a Florida Community College System institution
5394 after matching funds are certified by the direct-support

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5395 organization and Florida Community College System institution.
5396 The Public Education Capital Outlay and Debt Service Trust Fund
5397 shall not be used as the source of the state match for private
5398 contributions.

5399 (5) A project may not be initiated unless all private funds
5400 for planning, construction, and equipping the facility have been
5401 received and deposited in the direct-support organization's
5402 matching account for this purpose. However, this requirement
5403 does not preclude the Florida Community College System
5404 institution or direct-support organization from expending
5405 available funds from private sources to develop a prospectus,
5406 including preliminary architectural schematics or models, for
5407 use in its efforts to raise private funds for a facility and for
5408 site preparation, planning, and construction. The Legislature
5409 may appropriate the state's matching funds in one or more fiscal
5410 years for the planning, construction, and equipping of an
5411 eligible facility. Each Florida Community College System
5412 institution shall notify all donors of private funds of a
5413 substantial delay in the availability of state matching funds
5414 for this program.

5415 (6) To be eligible to participate in the Florida Community
5416 College System Institution Facility Enhancement Challenge Grant
5417 Program, a Florida Community College System institution, through
5418 its direct-support organization, shall raise a contribution
5419 equal to one-half of the total cost of a facilities construction
5420 project from private sources which shall be matched by a state
5421 appropriation equal to the amount raised for a facilities
5422 construction project, subject to the General Appropriations Act.

5423 (7) If the state's share of the required match is

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5424 insufficient to meet the requirements of subsection (6), the
5425 Florida Community College System institution shall renegotiate
5426 the terms of the contribution with the donors. If the project is
5427 terminated, each private donation, plus accrued interest,
5428 reverts to the direct-support organization for remittance to the
5429 donor.

5430 (8) By October 15 of each year, the State Board of
5431 Community Colleges ~~Education~~ shall transmit to the Governor and
5432 the Legislature a list of projects that meet all eligibility
5433 requirements to participate in the Florida Community College
5434 System Institution Facility Enhancement Challenge Grant Program
5435 and a budget request that includes the recommended schedule
5436 necessary to complete each project.

5437 (9) In order for a project to be eligible under this
5438 program, it must be survey recommended under the provisions of
5439 s. 1013.31 and included in the Florida Community College System
5440 institution's 5-year capital improvement plan, and it must
5441 receive approval from the State Board of Community Colleges
5442 ~~Education~~ or the Legislature.

5443 (10) A Florida Community College System institution project
5444 may not be removed from the approved 3-year PECO priority list
5445 because of its successful participation in this program until
5446 approved by the Legislature and provided for in the General
5447 Appropriations Act. When such a project is completed and removed
5448 from the list, all other projects shall move up on the 3-year
5449 PECO priority list.

5450 (11) Any private matching funds for a project which are
5451 unexpended after the project is completed shall revert to the
5452 Florida Community College System institution's direct-support

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5453 organization capital facilities matching account. The balance of
5454 any unexpended state matching funds shall be returned to the
5455 fund from which those funds were appropriated.

5456 (12) The surveys, architectural plans, facility, and
5457 equipment shall be the property of the participating Florida
5458 Community College System institution. A facility constructed
5459 under this section may be named in honor of a donor at the
5460 option of the Florida Community College System institution
5461 district board of trustees. A facility may not be named after a
5462 living person without prior approval by the State Board of
5463 Community Colleges ~~Education~~.

5464 (13) Effective July 1, 2011, state matching funds are
5465 temporarily suspended for donations received for the program on
5466 or after June 30, 2011. Existing eligible donations remain
5467 eligible for future matching funds. The program may be restarted
5468 after \$200 million of the backlog for programs under this
5469 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

5470 Section 91. Subsection (2), paragraph (b) of subsection
5471 (5), and subsections (8), (9), and (11) of section 1011.80,
5472 Florida Statutes, are amended to read:

5473 1011.80 Funds for operation of workforce education
5474 programs.—

5475 (2) Any workforce education program may be conducted by a
5476 Florida Community College System institution or a school
5477 district, except that college credit in an associate in applied
5478 science or an associate in science degree may be awarded only by
5479 a Florida Community College System institution. However, if an
5480 associate in applied science or an associate in science degree
5481 program contains within it an occupational completion point that

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5482 confers a certificate or an applied technology diploma, that
5483 portion of the program may be conducted by a school district
5484 career center. Any instruction designed to articulate to a
5485 degree program is subject to guidelines and standards adopted by
5486 the State Board of Community Colleges Education pursuant to s.
5487 1007.25.

5488 (5) State funding and student fees for workforce education
5489 instruction shall be established as follows:

5490 (b) For all other workforce education programs, state
5491 funding shall equal 75 percent of the average cost of
5492 instruction with the remaining 25 percent made up from student
5493 fees. Fees for courses within a program shall not vary according
5494 to the cost of the individual program, but instead shall be
5495 based on a uniform fee calculated and set at the state level, as
5496 adopted by the State Board of Education, for school districts
5497 and the State Board of Community Colleges, for Florida Community
5498 College System institutions, unless otherwise specified in the
5499 General Appropriations Act.

5500 (8) The State Board of Education, the State Board of
5501 Community Colleges, and CareerSource Florida, Inc., shall
5502 provide the Legislature with recommended formulas, criteria,
5503 timeframes, and mechanisms for distributing performance funds.
5504 The commissioner shall consolidate the recommendations and
5505 develop a consensus proposal for funding. The Legislature shall
5506 adopt a formula and distribute the performance funds to the
5507 State Board of Community Colleges Education for Florida
5508 Community College System institutions and to the State Board of
5509 Education for school districts through the General
5510 Appropriations Act. These recommendations shall be based on

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5511 formulas that would discourage low-performing or low-demand
5512 programs and encourage through performance-funding awards:

5513 (a) Programs that prepare people to enter high-wage
5514 occupations identified by the Workforce Estimating Conference
5515 created by s. 216.136 and other programs as approved by
5516 CareerSource Florida, Inc. At a minimum, performance incentives
5517 shall be calculated for adults who reach completion points or
5518 complete programs that lead to specified high-wage employment
5519 and to their placement in that employment.

5520 (b) Programs that successfully prepare adults who are
5521 eligible for public assistance, economically disadvantaged,
5522 disabled, not proficient in English, or dislocated workers for
5523 high-wage occupations. At a minimum, performance incentives
5524 shall be calculated at an enhanced value for the completion of
5525 adults identified in this paragraph and job placement of such
5526 adults upon completion. In addition, adjustments may be made in
5527 payments for job placements for areas of high unemployment.

5528 (c) Programs that are specifically designed to be
5529 consistent with the workforce needs of private enterprise and
5530 regional economic development strategies, as defined in
5531 guidelines set by CareerSource Florida, Inc. CareerSource
5532 Florida, Inc., shall develop guidelines to identify such needs
5533 and strategies based on localized research of private employers
5534 and economic development practitioners.

5535 (d) Programs identified by CareerSource Florida, Inc., as
5536 increasing the effectiveness and cost efficiency of education.

5537 (9) School districts shall report full-time equivalent
5538 students by discipline category for the programs specified in
5539 subsection (1). There shall be an annual cost analysis for the

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5540 school district workforce education programs that reports cost
5541 by discipline category consistent with the reporting for full-
5542 time equivalent students. The annual financial reports submitted
5543 by the school districts must accurately report on the student
5544 fee revenues by fee type according to the programs specified in
5545 subsection (1). The Department of Education and the State Board
5546 of Community Colleges shall develop a plan for comparable
5547 reporting of program, student, facility, personnel, and
5548 financial data between the Florida Community College System
5549 institutions and the school district workforce education
5550 programs.

5551 (11) The State Board of Education and the State Board of
5552 Community Colleges may adopt rules to administer this section.

5553 Section 92. Section 1011.801, Florida Statutes, is amended
5554 to read:

5555 1011.801 Workforce Development Capitalization Incentive
5556 Grant Program.—The Legislature recognizes that the need for
5557 school districts and Florida Community College System
5558 institutions to be able to respond to emerging local or
5559 statewide economic development needs is critical to the
5560 workforce development system. The Workforce Development
5561 Capitalization Incentive Grant Program is created to provide
5562 grants to school districts and Florida Community College System
5563 institutions on a competitive basis to fund some or all of the
5564 costs associated with the creation or expansion of workforce
5565 development programs that serve specific employment workforce
5566 needs.

5567 (1) Funds awarded for a workforce development
5568 capitalization incentive grant may be used for instructional

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5569 equipment, laboratory equipment, supplies, personnel, student
5570 services, or other expenses associated with the creation or
5571 expansion of a workforce development program. Expansion of a
5572 program may include either the expansion of enrollments in a
5573 program or expansion into new areas of specialization within a
5574 program. No grant funds may be used for recurring instructional
5575 costs or for institutions' indirect costs.

5576 (2) The State Board of Education shall accept applications
5577 from school districts, and the State Board of Community Colleges
5578 shall accept applications from ~~or~~ Florida Community College
5579 System institutions, for workforce development capitalization
5580 incentive grants. Applications from school districts or Florida
5581 Community College System institutions must ~~shall~~ contain
5582 projected enrollments and projected costs for the new or
5583 expanded workforce development program. The State Board of
5584 Education or the State Board of Community Colleges, as
5585 appropriate, in consultation with CareerSource Florida, Inc.,
5586 shall review and rank each application for a grant according to
5587 subsection (3) and shall submit to the Legislature a list in
5588 priority order of applications recommended for a grant award.

5589 (3) The State Board of Education or the State Board of
5590 Community Colleges, as appropriate, shall give highest priority
5591 to programs that train people to enter high-skill, high-wage
5592 occupations identified by the Workforce Estimating Conference
5593 and other programs approved by CareerSource Florida, Inc. ;
5594 programs that train people to enter occupations under the
5595 welfare transition program; or programs that train for the
5596 workforce adults who are eligible for public assistance,
5597 economically disadvantaged, disabled, not proficient in English,

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5598 or dislocated workers. The State Board of Education or the State
5599 Board of Community Colleges, as appropriate, shall consider the
5600 statewide geographic dispersion of grant funds in ranking the
5601 applications and shall give priority to applications from
5602 education agencies that are making maximum use of their
5603 workforce development funding by offering high-performing, high-
5604 demand programs.

5605 Section 93. Section 1011.81, Florida Statutes, is amended
5606 to read:

5607 1011.81 Florida Community College System Program Fund.—

5608 (1) There is established a Florida Community College System
5609 Program Fund. This fund shall comprise all appropriations made
5610 by the Legislature for the support of the current operating
5611 program and shall be apportioned and distributed to the Florida
5612 Community College System institution districts of the state on
5613 the basis of procedures established by law and rules of the
5614 State Board of Education. The annual apportionment for each
5615 Florida Community College System institution district shall be
5616 distributed monthly in payments as nearly equal as possible.

5617 (2) Performance funding for industry certifications for
5618 Florida Community College System institutions is contingent upon
5619 specific appropriation in the General Appropriations Act and
5620 shall be determined as follows:

5621 (a) Occupational areas for which industry certifications
5622 may be earned, as established in the General Appropriations Act,
5623 are eligible for performance funding. Priority shall be given to
5624 the occupational areas emphasized in state, national, or
5625 corporate grants provided to Florida educational institutions.

5626 (b) The Chancellor of the Florida Community College System,

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5627 for the Florida Community College System institutions, shall
5628 identify the industry certifications eligible for funding on the
5629 CAPE Postsecondary Industry Certification Funding List approved
5630 by the State Board of Community Colleges ~~Education~~ pursuant to
5631 s. 1008.44, based on the occupational areas specified in the
5632 General Appropriations Act.

5633 (c) Each Florida Community College System institution shall
5634 be provided \$1,000 for each industry certification earned by a
5635 student. The maximum amount of funding appropriated for
5636 performance funding pursuant to this subsection shall be limited
5637 to \$15 million annually. If funds are insufficient to fully fund
5638 the calculated total award, such funds shall be prorated.

5639 (3) None of the funds made available in the Florida
5640 Community College System Program Fund, or funds made available
5641 to Florida Community College System institutions outside the
5642 Florida Community College System Program Fund, may be used to
5643 implement, organize, direct, coordinate, or administer, or to
5644 support the implementation, organization, direction,
5645 coordination, or administration of, activities related to, or
5646 involving, travel to a terrorist state. For purposes of this
5647 section, "terrorist state" is defined as any state, country, or
5648 nation designated by the United States Department of State as a
5649 state sponsor of terrorism.

5650 (4) State funds provided for the Florida Community College
5651 System Program Fund may not be expended for the education of
5652 state or federal inmates.

5653 Section 94. Section 1011.82, Florida Statutes, is amended
5654 to read:

5655 1011.82 Requirements for participation in Florida Community

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5656 College System Program Fund.—Each Florida Community College
5657 System institution district which participates in the state
5658 appropriations for the Florida Community College System Program
5659 Fund shall provide evidence of its effort to maintain an
5660 adequate Florida Community College System institution program
5661 which shall:

5662 (1) Meet the minimum standards prescribed by the State
5663 Board of Community Colleges ~~Education~~ in accordance with s.
5664 1001.602(5) ~~s. 1001.02(6)~~.

5665 (2) Effectively fulfill the mission of the Florida
5666 Community College System institutions in accordance with s.
5667 1004.65.

5668 Section 95. Section 1011.83, Florida Statutes, is amended
5669 to read:

5670 1011.83 Financial support of Florida Community College
5671 System institutions.—

5672 (1) Each Florida Community College System institution that
5673 ~~has been approved by the Department of Education and~~ meets the
5674 requirements of law and rules of the State Board of Community
5675 Colleges ~~Education~~ shall participate in the Florida Community
5676 College System Program Fund. However, funds to support workforce
5677 education programs conducted by Florida Community College System
5678 institutions shall be provided pursuant to s. 1011.80.

5679 (2) A student in a baccalaureate degree program approved
5680 pursuant to s. 1007.33 who is not classified as a resident for
5681 tuition purposes pursuant to s. 1009.21 may not be included in
5682 calculations of full-time equivalent enrollments for state
5683 funding purposes.

5684 Section 96. Section 1011.84, Florida Statutes, is amended

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5685 to read:

5686 1011.84 Procedure for determining state financial support
5687 and annual apportionment of state funds to each Florida
5688 Community College System institution district.—The procedure for
5689 determining state financial support and the annual apportionment
5690 to each Florida Community College System institution district
5691 authorized to operate a Florida Community College System
5692 institution under the provisions of s. 1001.61 shall be as
5693 follows:

5694 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
5695 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING
5696 PROGRAM.—

5697 (a) The State Board of Community Colleges ~~Department of~~
5698 ~~Education~~ shall determine annually, from an analysis of
5699 ~~operating costs, prepared in the manner prescribed by rules of~~
5700 ~~the State Board of Education,~~ the costs per full-time equivalent
5701 student served in courses and fields of study offered in Florida
5702 Community College System institutions. This information and
5703 current college operating budgets shall be submitted to the
5704 Executive Office of the Governor with the legislative budget
5705 request prior to each regular session of the Legislature.

5706 (b) The allocation of funds for Florida Community College
5707 System institutions must ~~shall~~ be based on advanced and
5708 professional disciplines, developmental education, and other
5709 programs for adults funded pursuant to s. 1011.80.

5710 (c) The category of lifelong learning is for students
5711 enrolled pursuant to s. 1004.93. A student shall also be
5712 reported as a lifelong learning student for his or her
5713 enrollment in any course that he or she has previously taken,

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5714 unless it is a credit course in which the student earned a grade
5715 of D or F.

5716 (d) If an adult student has been determined to be a
5717 disabled student eligible for an approved educational program
5718 for disabled adults provided pursuant to s. 1004.93 and rules of
5719 the State Board of Community Colleges Education and is enrolled
5720 in a class with curriculum frameworks developed for the program,
5721 state funding for that student shall be provided at a level
5722 double that of a student enrolled in a special adult general
5723 education program provided by a Florida Community College System
5724 institution.

5725 (e) All state inmate education provided by Florida
5726 Community College System institutions shall be reported by
5727 program, FTE expenditure, and revenue source. These enrollments,
5728 expenditures, and revenues shall be reported and projected
5729 separately. Instruction of state inmates may ~~shall~~ not be
5730 included in the full-time equivalent student enrollment for
5731 funding through the Florida Community College System Program
5732 Fund.

5733 (f) When a public educational institution has been fully
5734 funded by an external agency for direct instructional costs of
5735 any course or program, the FTE generated may ~~shall~~ not be
5736 reported for state funding.

5737 (g) The State Board of Education shall adopt rules to
5738 implement s. 9(d)(8)f., Art. XII of the State Constitution.
5739 These rules shall provide for the use of the funds available
5740 under s. 9(d)(8)f., Art. XII by an individual Florida Community
5741 College System institution for operating expense in any fiscal
5742 year during which the State Board of Education has determined

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5743 that all major capital outlay needs have been met. Highest
5744 priority for the use of these funds for purposes other than
5745 financing approved capital outlay projects shall be for the
5746 proper maintenance and repair of existing facilities for
5747 projects approved by the State Board of Education. However, in
5748 any fiscal year in which funds from this source are authorized
5749 for operating expense other than approved maintenance and repair
5750 projects, the allocation of Florida Community College System
5751 institution program funds shall be reduced by an amount equal to
5752 the sum used for such operating expense for that Florida
5753 Community College System institution that year, and that amount
5754 shall not be released or allocated among the other Florida
5755 Community College System institutions that year.

5756 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
5757 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay
5758 and debt service shall be as determined and provided in s. 18,
5759 Art. XII of the State Constitution of 1885, as adopted by s.
5760 9(d), Art. XII of the 1968 revised State Constitution and State
5761 Board of Education rules.

5762 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

5763 (a) By December 15 of each year, the State Board of
5764 Community Colleges ~~Department of Education~~ shall estimate the
5765 annual enrollment of each Florida Community College System
5766 institution for the current fiscal year and for the 3 subsequent
5767 fiscal years. These estimates shall be based upon prior years'
5768 enrollments, upon the initial fall term enrollments for the
5769 current fiscal year for each college, and upon each college's
5770 estimated current enrollment and demographic changes in the
5771 respective Florida Community College System institution

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5772 districts. Upper-division enrollment shall be estimated
5773 separately from lower-division enrollment.

5774 (b) The apportionment to each Florida Community College
5775 System institution from the Florida Community College System
5776 Program Fund shall be determined annually in the General
5777 Appropriations Act. In determining each college's apportionment,
5778 the Legislature shall consider the following components:

5779 1. Base budget, which includes the state appropriation to
5780 the Florida Community College System Program Fund in the current
5781 year plus the related student tuition and out-of-state fees
5782 assigned in the current General Appropriations Act.

5783 2. The cost-to-continue allocation, which consists of
5784 incremental changes to the base budget, including salaries,
5785 price levels, and other related costs allocated through a
5786 funding model approved by the Legislature which may recognize
5787 differing economic factors arising from the individual
5788 educational approaches of the various Florida Community College
5789 System institutions, including, but not limited to:

5790 a. Direct Instructional Funding, including class size,
5791 faculty productivity factors, average faculty salary, ratio of
5792 full-time to part-time faculty, costs of programs, and
5793 enrollment factors.

5794 b. Academic Support, including small colleges factor,
5795 multicampus factor, and enrollment factor.

5796 c. Student Services Support, including headcount of
5797 students as well as FTE count and enrollment factors.

5798 d. Library Support, including volume and other
5799 materials/audiovisual requirements.

5800 e. Special Projects.

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5801 f. Operations and Maintenance of Plant, including square
5802 footage and utilization factors.

5803 g. District Cost Differential.

5804 3. Students enrolled in a recreation and leisure program
5805 and students enrolled in a lifelong learning program who may not
5806 be counted as full-time equivalent enrollments for purposes of
5807 enrollment workload adjustments.

5808 4. Operating costs of new facilities adjustments, which
5809 shall be provided, from funds available, for each new facility
5810 that is owned by the college and is recommended in accordance
5811 with s. 1013.31.

5812 5. New and improved program enhancements, which shall be
5813 determined by the Legislature.

5814

5815 Student fees in the base budget plus student fee revenues
5816 generated by increases in fee rates shall be deducted from the
5817 sum of the components determined in subparagraphs 1.-5. The
5818 amount remaining shall be the net annual state apportionment to
5819 each college.

5820 (c) A ~~No~~ Florida Community College System institution may
5821 not ~~shall~~ commit funds for the employment of personnel or
5822 resources in excess of those required to continue the same level
5823 of support for either the previously approved enrollment or the
5824 revised enrollment, whichever is lower.

5825 (d) The apportionment to each Florida Community College
5826 System institution district for capital outlay and debt service
5827 shall be the amount determined in accordance with subsection
5828 (2). This amount, less any amount determined as necessary for
5829 administrative expense by the State Board of Education and any

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5830 amount necessary for debt service on bonds issued by the State
5831 Board of Education, shall be transmitted to the Florida
5832 Community College System institution board of trustees to be
5833 expended in a manner prescribed by rules of the State Board of
5834 Education.

5835 (e) If at any time the unencumbered balance in the general
5836 fund of the Florida Community College System institution board
5837 of trustees approved operating budget goes below 5 percent, the
5838 president shall provide written notification to the State Board
5839 of Education.

5840 (f) Expenditures for apprenticeship programs must ~~shall~~ be
5841 reported separately.

5842 (g) Expenditures for upper-division enrollment in a Florida
5843 Community College System institution that grants baccalaureate
5844 degrees must ~~shall~~ be reported separately from expenditures for
5845 lower-division enrollment, in accordance with law and State
5846 Board of Education rule.

5847 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
5848 herein to any Florida Community College System institution must
5849 ~~shall~~ be expended only for the purpose of supporting that
5850 Florida Community College System institution.

5851 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida
5852 Community College System institution board of trustees shall
5853 report, as a separate item in its annual cost accounting system,
5854 the volume and cost of developmental education options provided
5855 to help students attain the communication and computation skills
5856 that are essential for college-level work pursuant to s.
5857 1008.30.

5858 Section 97. Section 1011.85, Florida Statutes, is amended

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5859 to read:

5860 1011.85 Dr. Philip Benjamin Matching Grant Program for
5861 Florida Community College System Institutions.—

5862 (1) There is created the Dr. Philip Benjamin Matching Grant
5863 Program for Florida Community College System Institutions as a
5864 single matching gifts program that encompasses the goals
5865 originally set out in the Academic Improvement Program, the
5866 Scholarship Matching Program, and the Health Care Education
5867 Quality Enhancement Challenge Grant. The program shall be
5868 administered according to rules of the State Board of Community
5869 Colleges Education and used to encourage private support in
5870 enhancing Florida Community College System institutions by
5871 providing the Florida Community College System with the
5872 opportunity to receive and match challenge grants. Funds
5873 received prior to the effective date of this act for each of the
5874 three programs shall be retained in the separate account for
5875 which it was designated.

5876 (2) Each Florida Community College System institution board
5877 of trustees receiving state appropriations under this program
5878 shall approve each gift to ensure alignment with the unique
5879 mission of the Florida Community College System institution. The
5880 board of trustees must link all requests for a state match to
5881 the goals and mission statement. The Florida Community College
5882 System Institution Foundation Board receiving state
5883 appropriations under this program shall approve each gift to
5884 ensure alignment with its goals and mission statement. Funds
5885 received from community events and festivals are not eligible
5886 for state matching funds under this program.

5887 (3) Upon approval by the Florida Community College System

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5888 institution board of trustees and the State Board of Community
5889 Colleges Education, the ordering of donations for priority
5890 listing of unmatched gifts should be determined by the
5891 submitting Florida Community College System institution.

5892 (4) Each year, eligible contributions received by a Florida
5893 Community College System institution's foundation or the State
5894 Board of Community Colleges Education by February 1 shall be
5895 eligible for state matching funds.

5896 (a) Each Florida Community College System institution board
5897 of trustees and, when applicable, the Florida Community College
5898 System Institution Foundation Board, receiving state
5899 appropriations under this program shall also certify in an
5900 annual report to the State Board of Community Colleges Education
5901 the receipt of eligible cash contributions that were previously
5902 unmatched by the state. The State Board of Education shall adopt
5903 rules providing all Florida Community College System
5904 institutions with an opportunity to apply for excess funds
5905 before the awarding of such funds.

5906 (b) Florida Community College System institutions must
5907 submit to the State Board of Community Colleges Education an
5908 annual expenditure report tracking the use of all matching
5909 funds.

5910 (c) The audit of each foundation receiving state funds from
5911 this program must include a certification of accuracy in the
5912 amount reported for matching funds.

5913 (5) The matching ratio for donations that are specifically
5914 designated to support scholarships, including scholarships for
5915 first-generation-in-college students, student loans, or need-
5916 based grants shall be \$1 of state funds to \$1 of local private

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5917 funds.

5918 (6) Otherwise, funds must ~~shall~~ be proportionately
5919 allocated to the Florida Community College System institutions
5920 on the basis of matching each \$6 of local or private funds with
5921 \$4 of state funds. To be eligible, a minimum of \$4,500 must be
5922 raised from private sources.

5923 (7) The Florida Community College System institution board
5924 of trustees, in conjunction with the donor, shall determine ~~make~~
5925 ~~the determination of~~ whether scholarships established pursuant
5926 to this program are endowed.

5927 (8) (a) Funds sufficient to provide the match shall be
5928 transferred from the state appropriations to the local Florida
5929 Community College System institution foundation or the statewide
5930 Florida Community College System institution foundation upon
5931 notification that a proportionate amount has been received and
5932 deposited by a Florida Community College System institution in
5933 its own trust fund.

5934 (b) If state funds appropriated for the program are
5935 insufficient to match contributions, the amount allocated must
5936 ~~shall~~ be reduced in proportion to its share of the total
5937 eligible contributions. However, in making proportional
5938 reductions, every Florida Community College System institution
5939 shall receive a minimum of \$75,000 in state matching funds if
5940 its eligible contributions would have generated an amount at
5941 least equal to \$75,000. All unmet contributions must ~~shall~~ be
5942 eligible for state matching funds in subsequent fiscal years.

5943 (9) Each Florida Community College System institution
5944 entity shall establish its own matching grant program fund as a
5945 depository for the private contributions and matching state

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5946 funds provided under this section. Florida Community College
5947 System institution foundations are responsible for the
5948 maintenance, investment, and administration of their matching
5949 grant program funds.

5950 (10) The State Board of Community Colleges ~~Education~~ may
5951 receive submissions of requests for matching funds and
5952 documentation relating to those requests, may approve requests
5953 for matching funds, and may allocate such funds to the Florida
5954 Community College System institutions.

5955 (11) The board of trustees of the Florida Community College
5956 System institution and the State Board of Community Colleges
5957 ~~Education~~ are responsible for determining the uses for the
5958 proceeds of their respective trust funds. Such use of the
5959 proceeds shall include, but not be limited to, expenditure of
5960 the funds for:

5961 (a) Scientific and technical equipment.

5962 (b) Scholarships, loans, or need-based grants.

5963 (c) Other activities that will benefit future students as
5964 well as students currently enrolled at the Florida Community
5965 College System institution, will improve the quality of
5966 education at the Florida Community College System institution,
5967 or will enhance economic development in the community.

5968 (12) Each Florida Community College System institution
5969 shall notify all donors of private funds of a substantial delay
5970 in the availability of state matching funds for this program.

5971 (13) Effective July 1, 2011, state matching funds are
5972 temporarily suspended for donations received for this program on
5973 or after June 30, 2011. Existing eligible donations remain
5974 eligible for future matching funds. The program may be restarted

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5975 after \$200 million of the backlog for programs under this
5976 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

5977 Section 98. Subsection (1) of section 1012.01, Florida
5978 Statutes, is amended to read:

5979 1012.01 Definitions.—As used in this chapter, the following
5980 terms have the following meanings:

5981 (1) SCHOOL OFFICERS.—The officers of the state system of
5982 public K-12 ~~and Florida College System institution~~ education
5983 shall be the Commissioner of Education and the members of the
5984 State Board of Education; for the Florida Community College
5985 System, the officers shall be the Chancellor of the Florida
5986 Community College System and the members of the State Board of
5987 Community Colleges; for each district school system, the
5988 officers shall be the district school superintendent and members
5989 of the district school board; and for each Florida Community
5990 College System institution, the officers shall be the Florida
5991 Community College System institution president and members of
5992 the Florida Community College System institution board of
5993 trustees.

5994 Section 99. Paragraph (a) of subsection (1) of section
5995 1012.80, Florida Statutes, is amended to read:

5996 1012.80 Participation by employees in disruptive activities
5997 at public postsecondary educational institutions; penalties.—

5998 (1) (a) Any person who accepts the privilege extended by the
5999 laws of this state of employment at any Florida Community
6000 College System institution shall, by working at such
6001 institution, be deemed to have given his or her consent to the
6002 policies of that institution, the policies of the State Board of
6003 Community Colleges Education, and the laws of this state. Such

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6004 policies shall include prohibition against disruptive activities
6005 at Florida Community College System institutions.

6006 Section 100. Subsection (1) of section 1012.81, Florida
6007 Statutes, is amended to read:

6008 1012.81 Personnel records.—

6009 (1) The State Board of Community Colleges ~~Education~~ shall
6010 adopt rules prescribing the content and custody of limited-
6011 access records that a Florida Community College System
6012 institution may maintain on its employees. Limited-access
6013 employee records are confidential and exempt from ~~the provisions~~
6014 ~~of~~ s. 119.07(1). Limited-access records include only the
6015 following:

6016 (a) Records containing information reflecting academic
6017 evaluations of employee performance; however, the employee and
6018 officials of the institution responsible for supervision of the
6019 employee shall have access to such records.

6020 (b) Records maintained for the purposes of any
6021 investigation of employee misconduct, including, but not limited
6022 to, a complaint against an employee and all information obtained
6023 pursuant to the investigation of such complaint; however, these
6024 records become public after the investigation ceases to be
6025 active or when the institution provides written notice to the
6026 employee who is the subject of the complaint that the
6027 institution has either:

6028 1. Concluded the investigation with a finding not to
6029 proceed with disciplinary action;

6030 2. Concluded the investigation with a finding to proceed
6031 with disciplinary action; or

6032 3. Issued a letter of discipline.

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6033
6034 For the purpose of this paragraph, an investigation shall be
6035 considered active as long as it is continuing with a reasonable,
6036 good faith anticipation that a finding will be made in the
6037 foreseeable future. An investigation shall be presumed to be
6038 inactive if no finding is made within 90 days after the
6039 complaint is filed.

6040 (c) Records maintained for the purposes of any disciplinary
6041 proceeding brought against an employee; however, these records
6042 shall be open to inspection by the employee and shall become
6043 public after a final decision is made in the proceeding.

6044 (d) Records maintained for the purposes of any grievance
6045 proceeding brought by an employee for enforcement of a
6046 collective bargaining agreement or contract; however, these
6047 records shall be open to inspection by the employee and by
6048 officials of the institution conducting the grievance proceeding
6049 and shall become public after a final decision is made in the
6050 proceeding.

6051 Section 101. Subsection (1) of section 1012.83, Florida
6052 Statutes, is amended to read:

6053 1012.83 Contracts with administrative and instructional
6054 staff.—

6055 (1) Each person employed in an administrative or
6056 instructional capacity in a Florida Community College System
6057 institution shall be entitled to a contract as provided by rules
6058 of the State Board of Community Colleges ~~Education~~.

6059 Section 102. Section 1012.855, Florida Statutes, is amended
6060 to read:

6061 1012.855 Employment of Florida Community College System

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6062 institution personnel; discrimination in granting salary
6063 prohibited.—

6064 (1) (a) Employment of all personnel in each Florida
6065 Community College System institution shall be upon
6066 recommendation of the president, subject to rejection for cause
6067 by the Florida Community College System institution board of
6068 trustees; to the rules of the State Board of Community Colleges
6069 ~~Education~~ relative to certification, tenure, leaves of absence
6070 of all types, including sabbaticals, remuneration, and such
6071 other conditions of employment as the State Board of Community
6072 Colleges ~~Education~~ deems necessary and proper; and to policies
6073 of the Florida Community College System institution board of
6074 trustees not inconsistent with law.

6075 (b) Any internal auditor employed by a Florida Community
6076 College System institution shall be hired by the Florida
6077 Community College System institution board of trustees and shall
6078 report directly to the board.

6079 (2) Each Florida Community College System institution board
6080 of trustees shall undertake a program to eradicate any
6081 discrimination on the basis of gender, race, or physical
6082 handicap in the granting of salaries to employees.

6083 Section 103. Section 1012.86, Florida Statutes, is amended
6084 to read:

6085 1012.86 Florida Community College System institution
6086 employment equity accountability program.—

6087 (1) Each Florida Community College System institution shall
6088 include in its annual equity update a plan for increasing the
6089 representation of women and minorities in senior-level
6090 administrative positions and in full-time faculty positions, and

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6091 for increasing the representation of women and minorities who
6092 have attained continuing-contract status. Positions shall be
6093 defined in the personnel data element directory of the
6094 Department of Education. The plan must include specific
6095 measurable goals and objectives, specific strategies and
6096 timelines for accomplishing these goals and objectives, and
6097 comparable national standards as provided by the Department of
6098 Education. The goals and objectives shall be based on meeting or
6099 exceeding comparable national standards and shall be reviewed
6100 and recommended by the State Board of Community Colleges
6101 ~~Education~~ as appropriate. Such plans shall be maintained until
6102 appropriate representation has been achieved and maintained for
6103 at least 3 consecutive reporting years.

6104 (2) (a) On or before May 1 of each year, each Florida
6105 Community College System institution president shall submit an
6106 annual employment accountability plan to the Chancellor of the
6107 Florida Community College System and the State Board of
6108 Community Colleges ~~Commissioner of Education and the State Board~~
6109 ~~of Education~~. The accountability plan must show faculty and
6110 administrator employment data according to requirements
6111 specified on the federal Equal Employment Opportunity (EEO-6)
6112 report.

6113 (b) The plan must show the following information for those
6114 positions including, but not limited to:

- 6115 1. Job classification title.
- 6116 2. Gender.
- 6117 3. Ethnicity.
- 6118 4. Appointment status.
- 6119 5. Salary information. At each Florida Community College

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6120 System institution, salary information shall also include the
6121 salary ranges in which new hires were employed compared to the
6122 salary ranges for employees with comparable experience and
6123 qualifications.

6124 6. Other comparative information including, but not limited
6125 to, composite information regarding the total number of
6126 positions within the particular job title classification for the
6127 Florida Community College System institution by race, gender,
6128 and salary range compared to the number of new hires.

6129 7. A statement certifying diversity and balance in the
6130 gender and ethnic composition of the selection committee for
6131 each vacancy, including a brief description of guidelines used
6132 for ensuring balanced and diverse membership on selection and
6133 review committees.

6134 (c) The annual employment accountability plan shall also
6135 include an analysis and an assessment of the Florida Community
6136 College System institution's attainment of annual goals and of
6137 long-range goals for increasing the number of women and
6138 minorities in faculty and senior-level administrative positions,
6139 and a corrective action plan for addressing underrepresentation.

6140 (d) Each Florida Community College System institution's
6141 employment accountability plan must also include:

6142 1. The requirements for receiving a continuing contract.

6143 2. A brief description of the process used to grant
6144 continuing-contract status.

6145 3. A brief description of the process used to annually
6146 apprise each eligible faculty member of progress toward
6147 attainment of continuing-contract status.

6148 (3) Florida Community College System institution presidents

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6149 and the heads of each major administrative division shall be
6150 evaluated annually on the progress made toward meeting the goals
6151 and objectives of the Florida Community College System
6152 institution's employment accountability plan.

6153 (a) The Florida Community College System institution
6154 presidents, or the presidents' designees, shall annually
6155 evaluate each department chairperson, dean, provost, and vice
6156 president in achieving the annual and long-term goals and
6157 objectives. A summary of the results of such evaluations shall
6158 be reported annually by the Florida Community College System
6159 institution president to the Florida Community College System
6160 institution board of trustees. Annual budget allocations by the
6161 Florida Community College System institution board of trustees
6162 for positions and funding must take into consideration these
6163 evaluations.

6164 (b) Florida Community College System institution boards of
6165 trustees shall annually evaluate the performance of the Florida
6166 Community College System institution presidents in achieving the
6167 annual and long-term goals and objectives. A summary of the
6168 results of such evaluations shall be reported to the State Board
6169 of Community Colleges ~~Commissioner of Education and the State~~
6170 ~~Board of Education~~ as part of the Florida Community College
6171 System institution's annual employment accountability plan, and
6172 to the Legislature as part of the annual equity progress report
6173 submitted by the State Board of Community Colleges ~~Education~~.

6174 (4) The State Board of Community Colleges ~~Education~~ shall
6175 submit an annual equity progress report to the President of the
6176 Senate and the Speaker of the House of Representatives on or
6177 before January 1 of each year.

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6178 (5) Each Florida Community College System institution shall
6179 develop a budgetary incentive plan to support and ensure
6180 attainment of the goals developed pursuant to this section. The
6181 plan shall specify, at a minimum, how resources shall be
6182 allocated to support the achievement of goals and the
6183 implementation of strategies in a timely manner. After prior
6184 review and approval by the Florida Community College System
6185 institution president and the Florida Community College System
6186 institution board of trustees, the plan shall be submitted as
6187 part of the annual employment accountability plan submitted by
6188 each Florida Community College System institution to the State
6189 Board of Community Colleges ~~Education~~.

6190 (6) Subject to available funding, the Legislature shall
6191 provide an annual appropriation to the State Board of Community
6192 Colleges ~~Education~~ to be allocated to Florida Community College
6193 System institution presidents, faculty, and administrative
6194 personnel to further enhance equity initiatives and related
6195 priorities that support the mission of colleges and departments
6196 in recognition of the attainment of the equity goals and
6197 objectives.

6198 Section 104. Subsection (3) of section 1013.01, Florida
6199 Statutes, is amended to read:

6200 1013.01 Definitions.—The following terms shall be defined
6201 as follows for the purpose of this chapter:

6202 (3) "Board," unless otherwise specified, means a district
6203 school board, a Florida Community College System institution
6204 board of trustees, a university board of trustees, and the Board
6205 of Trustees for the Florida School for the Deaf and the Blind.
6206 The term "board" does not include the State Board of Education,

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6207 ~~of~~ the Board of Governors, or the State Board of Community
6208 Colleges.

6209 Section 105. Subsection (2) of section 1013.02, Florida
6210 Statutes, is amended to read:

6211 1013.02 Purpose; rules and regulations.—

6212 (2) (a) The State Board of Education shall adopt rules
6213 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
6214 ~~provisions of this chapter for school districts and Florida~~
6215 ~~College System institutions.~~

6216 (b) The Board of Governors shall adopt regulations pursuant
6217 to its regulation development procedure to implement ~~the~~
6218 ~~provisions of this chapter for state universities.~~

6219 (c) The State Board of Community Colleges shall adopt rules
6220 pursuant to ss. 120.536(1) and 120.54 to implement this chapter
6221 for Florida Community College System institutions.

6222 Section 106. Section 1013.03, Florida Statutes, is amended
6223 to read:

6224 1013.03 Functions of the department, the State Board of
6225 Community Colleges, and the Board of Governors.—The functions of
6226 the Department of Education as it pertains to educational
6227 facilities of school districts, of the State Board of Community
6228 Colleges as it pertains to educational facilities of ~~and~~ Florida
6229 Community College System institutions, and of the Board of
6230 Governors as it pertains to educational facilities of state
6231 universities shall include, but not be limited to, the
6232 following:

6233 (1) Establish recommended minimum and maximum square
6234 footage standards for different functions and areas and
6235 procedures for determining the gross square footage for each

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6236 educational facility to be funded in whole or in part by the
6237 state, including public broadcasting stations but excluding
6238 postsecondary special purpose laboratory space. The gross square
6239 footage determination standards may be exceeded when the core
6240 facility space of an educational facility is constructed or
6241 renovated to accommodate the future addition of classrooms to
6242 meet projected increases in student enrollment. The department,
6243 the State Board of Community Colleges, and the Board of
6244 Governors shall encourage multiple use of facilities and spaces
6245 in educational plants.

6246 (2) Establish, for the purpose of determining need,
6247 equitably uniform utilization standards for all types of like
6248 space, regardless of the level of education. These standards
6249 shall also establish, for postsecondary education classrooms, a
6250 minimum room utilization rate of 40 hours per week and a minimum
6251 station utilization rate of 60 percent. These rates shall be
6252 subject to increase based on national norms for utilization of
6253 postsecondary education classrooms.

6254 (3) Require boards to submit other educational plant
6255 inventories data and statistical data or information relevant to
6256 construction, capital improvements, and related costs.

6257 (4) Require each board and other appropriate agencies to
6258 submit complete and accurate financial data as to the amounts of
6259 funds from all sources that are available and spent for
6260 construction and capital improvements. The commissioner shall
6261 prescribe the format and the date for the submission of this
6262 data and any other educational facilities data. If any district
6263 does not submit the required educational facilities fiscal data
6264 by the prescribed date, the Commissioner of Education shall

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6265 notify the district school board of this fact and, if
6266 appropriate action is not taken to immediately submit the
6267 required report, the district school board shall be directed to
6268 proceed pursuant to s. 1001.42(13)(b). If any Florida Community
6269 College System institution or university does not submit the
6270 required educational facilities fiscal data by the prescribed
6271 date, the same policy prescribed in this subsection for school
6272 districts shall be implemented.

6273 (5) Administer, under the supervision of the Commissioner
6274 of Education, the Public Education Capital Outlay and Debt
6275 Service Trust Fund and the School District and Community College
6276 District Capital Outlay and Debt Service Trust Fund.

6277 (6) Develop, review, update, revise, and recommend a
6278 mandatory portion of the Florida Building Code for educational
6279 facilities construction and capital improvement by Florida
6280 Community College System institution boards and district school
6281 boards.

6282 (7) Provide training, technical assistance, and building
6283 code interpretation for requirements of the mandatory Florida
6284 Building Code for the educational facilities construction and
6285 capital improvement programs of ~~the Florida College System~~
6286 ~~institution boards and~~ district school boards and, upon request,
6287 approve phase III construction documents for remodeling,
6288 renovation, or new construction of educational plants or
6289 ancillary facilities, except that Florida Community College
6290 System institutions and university boards of trustees shall
6291 approve specifications and construction documents for their
6292 respective institutions pursuant to guidelines of the Board of
6293 Governors or State Board of Community Colleges, as applicable.

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6294 The Department of Management Services may, upon request, provide
6295 similar services for the Florida School for the Deaf and the
6296 Blind and shall use the Florida Building Code and the Florida
6297 Fire Prevention Code.

6298 (8) Provide minimum criteria, procedures, and training to
6299 boards to conduct educational plant surveys and document the
6300 determination of future needs.

6301 (9) Make available to boards technical assistance,
6302 awareness training, and research and technical publications
6303 relating to lifesafety, casualty, sanitation, environmental,
6304 maintenance, and custodial issues; and, as needed, technical
6305 assistance for survey, planning, design, construction,
6306 operation, and evaluation of educational and ancillary
6307 facilities and plants, facilities administrative procedures
6308 review, and training for new administrators.

6309 (10) (a) Review and validate surveys proposed or amended by
6310 the boards and recommend to the Commissioner of Education, the
6311 Chancellor of the Florida Community College System, or the
6312 Chancellor of the State University System, as appropriate, for
6313 approval, surveys that meet the requirements of this chapter.

6314 1. The term "validate" as applied to surveys by school
6315 districts means to review inventory data as submitted to the
6316 department by district school boards; provide for review and
6317 inspection, where required, of student stations and aggregate
6318 square feet of inventory changed from satisfactory to
6319 unsatisfactory or changed from unsatisfactory to satisfactory;
6320 compare new school inventory to allocation limits provided by
6321 this chapter; review cost projections for conformity with cost
6322 limits set by s. 1013.64(6); compare total capital outlay full-

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6323 time equivalent enrollment projections in the survey with the
6324 department's projections; review facilities lists to verify that
6325 student station and auxiliary facility space allocations do not
6326 exceed the limits provided by this chapter and related rules;
6327 review and confirm the application of uniform facility
6328 utilization factors, where provided by this chapter or related
6329 rules; use ~~utilize~~ the documentation of programs offered per
6330 site, as submitted by the board, to analyze facility needs;
6331 confirm that need projections for career and adult educational
6332 programs comply with needs documented by the Department of
6333 Education; and confirm the assignment of full-time student
6334 stations to all space except auxiliary facilities, which, for
6335 purposes of exemption from student station assignment, include
6336 the following:

- 6337 a. Cafeterias.
- 6338 b. Multipurpose dining areas.
- 6339 c. Media centers.
- 6340 d. Auditoriums.
- 6341 e. Administration.
- 6342 f. Elementary, middle, and high school resource rooms, up
6343 to the number of such rooms recommended for the applicable
6344 occupant and space design capacity of the educational plant in
6345 the State Requirements for Educational Facilities, beyond which
6346 student stations must be assigned.

- 6347 g. Elementary school skills labs, up to the number of such
6348 rooms recommended for the applicable occupant and space design
6349 capacity of the educational plant in the State Requirements for
6350 Educational Facilities, beyond which student stations must be
6351 assigned.

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6352 h. Elementary school art and music rooms.

6353

6354 The Commissioner of Education may grant a waiver from the
6355 requirements of this subparagraph if a district school board
6356 determines that such waiver will make possible a substantial
6357 savings of funds or will be advantageous to the welfare of the
6358 educational system. The district school board shall present a
6359 full statement to the commissioner which sets forth the facts
6360 that warrant the waiver. If the commissioner denies a request
6361 for a waiver, the district school board may appeal such decision
6362 to the State Board of Education.

6363 2. The term "validate" as applied to surveys by Florida
6364 Community College System institutions and universities means to
6365 review and document the approval of each new site and official
6366 designation, where applicable; review the inventory database as
6367 submitted by each board to the department, including noncareer,
6368 and total capital outlay full-time equivalent enrollment
6369 projections per site and per college; provide for the review and
6370 inspection, where required, of student stations and aggregate
6371 square feet of space changed from satisfactory to
6372 unsatisfactory; use ~~utilize~~ and review the documentation of
6373 programs offered per site submitted by the boards as accurate
6374 for analysis of space requirements and needs; confirm that needs
6375 projected for career and adult educational programs comply with
6376 needs documented by the Department of Education; compare new
6377 facility inventory to allocations limits as provided in this
6378 chapter; review cost projections for conformity with state
6379 averages or limits designated by this chapter; compare student
6380 enrollment projections in the survey to the department's

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6381 projections; review facilities lists to verify that area
6382 allocations and space factors for generating space needs do not
6383 exceed the limits as provided by this chapter and related rules;
6384 confirm the application of facility utilization factors as
6385 provided by this chapter and related rules; and review, as
6386 submitted, documentation of how survey recommendations will
6387 implement the detail of current campus master plans and
6388 integrate with local comprehensive plans and development
6389 regulations.

6390 (b) Recommend priority of projects to be funded.

6391 (11) Prepare the commissioner's comprehensive fixed capital
6392 outlay legislative budget request and provide annually an
6393 estimate of the funds available for developing required 3-year
6394 priority lists. This amount shall be based upon the average
6395 percentage for the 5 prior years of funds appropriated by the
6396 Legislature for fixed capital outlay to each level of public
6397 education: public schools, Florida Community College System
6398 institutions, and universities.

6399 (12) Perform any other functions that may be involved in
6400 educational facilities construction and capital improvement
6401 which shall ensure that the intent of the Legislature is
6402 implemented.

6403 Section 107. Section 1013.28, Florida Statutes, is amended
6404 to read:

6405 1013.28 Disposal of property.—

6406 (1) REAL PROPERTY.—

6407 (a) Subject to rules of the State Board of Education, a
6408 district school board or, the Board of Trustees for the Florida
6409 School for the Deaf and the Blind, ~~or a Florida College System~~

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6410 ~~institution board of trustees~~ may dispose of any land or real
6411 property to which the board holds title which is, by resolution
6412 of the board, determined to be unnecessary for educational
6413 purposes as recommended in an educational plant survey. A
6414 district school board or, the Board of Trustees for the Florida
6415 School for the Deaf and the Blind, ~~or a Florida College System~~
6416 ~~institution board of trustees~~ shall take diligent measures to
6417 dispose of educational property only in the best interests of
6418 the public. However, appraisals may be obtained by the district
6419 school board or, the Board of Trustees for the Florida School
6420 for the Deaf and the Blind before, ~~or the Florida College System~~
6421 ~~institution board of trustees prior to~~ or simultaneously with
6422 the receipt of bids.

6423 (b) Subject to regulations of the Board of Governors, a
6424 state university board of trustees may dispose of any land or
6425 real property to which it holds valid title which is, by
6426 resolution of the state university board of trustees, determined
6427 to be unnecessary for educational purposes as recommended in an
6428 educational plant survey. A state university board of trustees
6429 shall take diligent measures to dispose of educational property
6430 only in the best interests of the public. However, appraisals
6431 may be obtained by the state university board of trustees prior
6432 to or simultaneously with the receipt of bids.

6433 (c) Subject to rules of the State Board of Community
6434 Colleges, a Florida Community College System institution board
6435 of trustees may dispose of any land or real property to which it
6436 holds valid title which is, by resolution of the Florida
6437 Community College System institution board of trustees,
6438 determined to be unnecessary for educational purposes as

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6439 recommended in an educational plant survey. A Florida Community
6440 College System institution board of trustees shall take diligent
6441 measures to dispose of educational property only in the best
6442 interests of the public. However, appraisals may be obtained by
6443 the Florida Community College System institution board of
6444 trustees prior to or simultaneously with the receipt of bids.

6445 (2) TANGIBLE PERSONAL PROPERTY.—

6446 (a) Tangible personal property that has been properly
6447 classified as surplus by a district school board ~~or Florida~~
6448 ~~College System institution board of trustees~~ shall be disposed
6449 of in accordance with the procedure established by chapter 274.
6450 However, the provisions of chapter 274 shall not be applicable
6451 to a motor vehicle used in driver education to which title is
6452 obtained for a token amount from an automobile dealer or
6453 manufacturer. In such cases, the disposal of the vehicle shall
6454 be as prescribed in the contractual agreement between the
6455 automotive agency or manufacturer and the board.

6456 (b) Tangible personal property that has been properly
6457 classified as surplus by a state university board of trustees
6458 shall be disposed of in accordance with the procedure
6459 established by chapter 273.

6460 (c) Tangible personal property that has been properly
6461 classified as surplus by a Florida Community College System
6462 institution board of trustees shall be disposed of in accordance
6463 with the procedure established by chapter 274.

6464 Section 108. Subsection (1) of section 1013.31, Florida
6465 Statutes, is amended to read:

6466 1013.31 Educational plant survey; localized need
6467 assessment; PECO project funding.—

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6468 (1) At least every 5 years, each board shall arrange for an
6469 educational plant survey, to aid in formulating plans for
6470 housing the educational program and student population, faculty,
6471 administrators, staff, and auxiliary and ancillary services of
6472 the district or campus, including consideration of the local
6473 comprehensive plan. The Department of Education, for school
6474 districts, and the State Board of Community Colleges, for the
6475 Florida Community College System, shall document the need for
6476 additional career and adult education programs and the
6477 continuation of existing programs before facility construction
6478 or renovation related to career or adult education may be
6479 included in the educational plant survey of a school district or
6480 Florida Community College System institution that delivers
6481 career or adult education programs. Information used by the
6482 Department of Education or State Board of Community Colleges to
6483 establish facility needs must include, but need not be limited
6484 to, labor market data, needs analysis, and information submitted
6485 by the school district or Florida Community College System
6486 institution.

6487 (a) *Survey preparation and required data.*—Each survey shall
6488 be conducted by the board or an agency employed by the board.
6489 Surveys shall be reviewed and approved by the board, and a file
6490 copy shall be submitted to the Department of Education, the
6491 Chancellor of the Florida Community College System, or the
6492 Chancellor of the State University System, as appropriate. The
6493 survey report shall include at least an inventory of existing
6494 educational and ancillary plants, including safe access
6495 facilities; recommendations for existing educational and
6496 ancillary plants; recommendations for new educational or

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6497 ancillary plants, including the general location of each in
6498 coordination with the land use plan and safe access facilities;
6499 campus master plan update and detail for Florida Community
6500 College System institutions; the use ~~utilization~~ of school
6501 plants based on an extended school day or year-round operation;
6502 and such other information as may be required by the Department
6503 of Education. This report may be amended, if conditions warrant,
6504 at the request of the department or commissioner.

6505 (b) *Required need assessment criteria for district, Florida*
6506 *Community College System institution, state university, and*
6507 *Florida School for the Deaf and the Blind plant surveys.*—
6508 Educational plant surveys must use uniform data sources and
6509 criteria specified in this paragraph. Each revised educational
6510 plant survey and each new educational plant survey supersedes
6511 previous surveys.

6512 1. The school district's survey must be submitted as a part
6513 of the district educational facilities plan defined in s.
6514 1013.35. To ensure that the data reported to the Department of
6515 Education as required by this section is correct, the department
6516 shall annually conduct an onsite review of 5 percent of the
6517 facilities reported for each school district completing a new
6518 survey that year. If the department's review finds the data
6519 reported by a district is less than 95 percent accurate, within
6520 1 year from the time of notification by the department the
6521 district must submit revised reports correcting its data. If a
6522 district fails to correct its reports, the commissioner may
6523 direct that future fixed capital outlay funds be withheld until
6524 such time as the district has corrected its reports so that they
6525 are not less than 95 percent accurate.

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6526 2. Each survey of a special facility, joint-use facility,
6527 or cooperative career education facility must be based on
6528 capital outlay full-time equivalent student enrollment data
6529 prepared by the department for school districts and Florida
6530 Community College System institutions and by the Chancellor of
6531 the State University System for universities. A survey of space
6532 needs of a joint-use facility shall be based upon the respective
6533 space needs of the school districts, Florida Community College
6534 System institutions, and universities, as appropriate.
6535 Projections of a school district's facility space needs may not
6536 exceed the norm space and occupant design criteria established
6537 by the State Requirements for Educational Facilities.

6538 3. Each Florida Community College System institution's
6539 survey must reflect the capacity of existing facilities as
6540 specified in the inventory maintained and validated by the
6541 Chancellor of the Florida Community College System ~~by the~~
6542 ~~Department of Education~~. Projections of facility space needs
6543 must comply with standards for determining space needs as
6544 specified by rule of the State Board of Community Colleges
6545 ~~Education~~. The 5-year projection of capital outlay student
6546 enrollment must be consistent with the annual report of capital
6547 outlay full-time student enrollment prepared by the Department
6548 of Education.

6549 4. Each state university's survey must reflect the capacity
6550 of existing facilities as specified in the inventory maintained
6551 and validated by the Chancellor of the State University System.
6552 Projections of facility space needs must be consistent with
6553 standards for determining space needs as specified by regulation
6554 of the Board of Governors. The projected capital outlay full-

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6555 time equivalent student enrollment must be consistent with the
6556 5-year planned enrollment cycle for the State University System
6557 approved by the Board of Governors.

6558 5. The district educational facilities plan of a school
6559 district and the educational plant survey of a Florida Community
6560 College System institution, state university, or the Florida
6561 School for the Deaf and the Blind may include space needs that
6562 deviate from approved standards for determining space needs if
6563 the deviation is justified by the district or institution and
6564 approved by the department, the State Board of Community
6565 Colleges, or the Board of Governors, as appropriate, as
6566 necessary for the delivery of an approved educational program.

6567 (c) *Review and validation.*—The Department of Education
6568 shall review and validate the surveys of school districts, the
6569 Chancellor of the Florida Community College System shall review
6570 and validate the surveys of ~~and~~ Florida Community College System
6571 institutions, and the Chancellor of the State University System
6572 shall review and validate the surveys of universities, and any
6573 amendments thereto for compliance with the requirements of this
6574 chapter and shall recommend those in compliance for approval by
6575 the State Board of Education, the State Board of Community
6576 Colleges, or the Board of Governors, as appropriate. Annually,
6577 the department shall perform an in-depth analysis of a
6578 representative sample of each survey of recommended needs for
6579 five districts selected by the commissioner from among districts
6580 with the largest need-to-revenue ratio. For the purpose of this
6581 subsection, the need-to-revenue ratio is determined by dividing
6582 the total 5-year cost of projects listed on the district survey
6583 by the total 5-year fixed capital outlay revenue projections

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6584 from state and local sources as determined by the department.
6585 The commissioner may direct fixed capital outlay funds to be
6586 withheld from districts until such time as the survey accurately
6587 projects facilities needs.

6588 (d) *Periodic update of Florida Inventory of School Houses.*—
6589 School districts shall periodically update their inventory of
6590 educational facilities as new capacity becomes available and as
6591 unsatisfactory space is eliminated. The State Board of Education
6592 shall adopt rules to determine the timeframe in which districts
6593 must provide a periodic update.

6594 Section 109. Subsections (1) and (3) of section 1013.36,
6595 Florida Statutes, are amended to read:

6596 1013.36 Site planning and selection.—

6597 (1) Before acquiring property for sites, each district
6598 school board and Florida Community College System institution
6599 board of trustees shall determine the location of proposed
6600 educational centers or campuses. In making this determination,
6601 the board shall consider existing and anticipated site needs and
6602 the most economical and practicable locations of sites. The
6603 board shall coordinate with the long-range or comprehensive
6604 plans of local, regional, and state governmental agencies to
6605 assure the consistency of such plans. Boards are encouraged to
6606 locate district educational facilities proximate to urban
6607 residential areas to the extent possible, and shall seek to
6608 collocate district educational facilities with other public
6609 facilities, such as parks, libraries, and community centers, to
6610 the extent possible and to encourage using elementary schools as
6611 focal points for neighborhoods.

6612 (3) Sites recommended for purchase or purchased must meet

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6613 standards prescribed in law and such supplementary standards as
6614 the State Board of Education or State Board of Community
6615 Colleges, as appropriate, prescribes to promote the educational
6616 interests of the students. Each site must be well drained and
6617 suitable for outdoor educational purposes as appropriate for the
6618 educational program or collocated with facilities to serve this
6619 purpose. As provided in s. 333.03, the site must not be located
6620 within any path of flight approach of any airport. Insofar as is
6621 practicable, the site must not adjoin a right-of-way of any
6622 railroad or through highway and must not be adjacent to any
6623 factory or other property from which noise, odors, or other
6624 disturbances, or at which conditions, would be likely to
6625 interfere with the educational program. To the extent
6626 practicable, sites must be chosen which will provide safe access
6627 from neighborhoods to schools.

6628 Section 110. Subsections (3) and (4) of section 1013.37,
6629 Florida Statutes, are amended to read:

6630 1013.37 State uniform building code for public educational
6631 facilities construction.—

6632 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
6633 Chancellor of the Florida Community College System, as
6634 appropriate, shall cooperate with the Florida Building
6635 Commission in addressing all questions, disputes, or
6636 interpretations involving the provisions of the Florida Building
6637 Code which govern the construction of public educational and
6638 ancillary facilities, and any objections to decisions made by
6639 the inspectors or the department must be submitted in writing.

6640 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
6641 department, for school districts, and the State Board of

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6642 Community Colleges, for Florida Community College System
6643 institutions, shall biennially review and recommend to the
6644 Florida Building Commission updates and revisions to the
6645 provisions of the Florida Building Code which govern the
6646 construction of public educational and ancillary facilities. The
6647 department, for school districts, and the State Board of
6648 Community Colleges, for Florida Community College System
6649 institutions, shall publish and make available to each board at
6650 no cost copies of the State Requirements for Educational
6651 Facilities and each amendment and revision thereto. The
6652 department and state board shall make additional copies
6653 available to all interested persons at a price sufficient to
6654 recover costs.

6655 Section 111. Section 1013.40, Florida Statutes, is amended
6656 to read:

6657 1013.40 Planning and construction of Florida Community
6658 College System institution facilities; property acquisition.—

6659 (1) The need for Florida Community College System
6660 institution facilities shall be established by a survey
6661 conducted pursuant to this chapter. The facilities recommended
6662 by such survey must be approved by the State Board of Community
6663 Colleges Education, and the projects must be constructed
6664 according to the provisions of this chapter and State Board of
6665 Community Colleges Education rules.

6666 (2) A ~~Ne~~ Florida Community College System institution may
6667 not expend public funds for the acquisition of additional
6668 property without the specific approval of the Legislature.

6669 (3) A ~~Ne~~ facility may not be acquired or constructed by a
6670 Florida Community College System institution or its direct-

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6671 support organization if such facility requires general revenue
6672 funds for operation or maintenance upon project completion or in
6673 subsequent years of operation, unless prior approval is received
6674 from the Legislature.

6675 (4) The campus of a Florida Community College System
6676 institution within a municipality designated as an area of
6677 critical state concern, as defined in s. 380.05, and having a
6678 comprehensive plan and land development regulations containing a
6679 building permit allocation system that limits annual growth, may
6680 construct dormitories for up to 300 beds for Florida Community
6681 College System institution students. Such dormitories are exempt
6682 from the building permit allocation system and may be
6683 constructed up to 45 feet in height if the dormitories are
6684 otherwise consistent with the comprehensive plan, the Florida
6685 Community College System institution has a hurricane evacuation
6686 plan that requires all dormitory occupants to be evacuated 48
6687 hours in advance of tropical force winds, and transportation is
6688 provided for dormitory occupants during an evacuation. State
6689 funds and tuition and fee revenues may not be used for
6690 construction, debt service payments, maintenance, or operation
6691 of such dormitories. Additional dormitory beds constructed after
6692 July 1, 2016, may not be financed through the issuance of a
6693 bond.

6694 Section 112. Section 1013.47, Florida Statutes, is amended
6695 to read:

6696 1013.47 Substance of contract; contractors to give bond;
6697 penalties.—Each board shall develop contracts consistent with
6698 this chapter and statutes governing public facilities. Such a
6699 contract must contain the drawings and specifications of the

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6700 work to be done and the material to be furnished, the time limit
6701 in which the construction is to be completed, the time and
6702 method by which payments are to be made upon the contract, and
6703 the penalty to be paid by the contractor for a failure to comply
6704 with the terms of the contract. The board may require the
6705 contractor to pay a penalty for any failure to comply with the
6706 terms of the contract and may provide an incentive for early
6707 completion. Upon accepting a satisfactory bid, the board shall
6708 enter into a contract with the party or parties whose bid has
6709 been accepted. The contractor shall furnish the board with a
6710 performance and payment bond as set forth in s. 255.05. A board
6711 or other public entity may not require a contractor to secure a
6712 surety bond under s. 255.05 from a specific agent or bonding
6713 company. A person, firm, or corporation that constructs any part
6714 of any educational plant, or addition thereto, on the basis of
6715 any unapproved plans or in violation of any plans approved in
6716 accordance with the provisions of this chapter and rules of the
6717 State Board of Education or State Board of Community Colleges or
6718 regulations of the Board of Governors relating to building
6719 standards or specifications is subject to forfeiture of the
6720 surety bond and unpaid compensation in an amount sufficient to
6721 reimburse the board for any costs that will need to be incurred
6722 in making any changes necessary to assure that all requirements
6723 are met and is also guilty of a misdemeanor of the second
6724 degree, punishable as provided in s. 775.082 or s. 775.083, for
6725 each separate violation.

6726 Section 113. Section 1013.52, Florida Statutes, is amended
6727 to read:

6728 1013.52 Cooperative development and joint use of facilities

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6729 by two or more boards.—

6730 (1) Two or more boards, including district school boards,
6731 Florida Community College System institution boards of trustees,
6732 the Board of Trustees for the Florida School for the Deaf and
6733 the Blind, and university boards of trustees, desiring to
6734 cooperatively establish a common educational facility to
6735 accommodate students shall:

6736 (a) Jointly request a formal assessment by the Commissioner
6737 of Education, ~~or~~ the Chancellor of the State University System,
6738 or the Chancellor of the State Board of Community Colleges, as
6739 appropriate, of the academic program need and the need to build
6740 new joint-use facilities to house approved programs. Completion
6741 of the assessment and approval of the project by the State Board
6742 of Education, the State Board of Community Colleges, the
6743 Chancellor of the Florida Community College System, the Board of
6744 Governors, the Chancellor of the State University System, or the
6745 Commissioner of Education, as appropriate, should be done prior
6746 to conducting an educational facilities survey.

6747 (b) Demonstrate the need for construction of new joint-use
6748 facilities involving postsecondary institutions by those
6749 institutions presenting evidence of the presence of sufficient
6750 actual full-time equivalent enrollments in the locale in leased,
6751 rented, or borrowed spaces to justify the requested facility for
6752 the programs identified in the formal assessment rather than
6753 using projected or anticipated future full-time equivalent
6754 enrollments as justification. If the decision is made to
6755 construct new facilities to meet this demonstrated need, then
6756 building plans should consider full-time equivalent enrollment
6757 growth facilitated by this new construction and subsequent new

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6758 program offerings made possible by the existence of the new
6759 facilities.

6760 (c) Adopt and submit to the Commissioner of Education, the
6761 Chancellor of the Florida Community College System, or ~~and~~ the
6762 Chancellor of the State University System, as appropriate, if
6763 the joint request involves a state university, a joint
6764 resolution of the participating boards indicating their
6765 commitment to the utilization of the requested facility and
6766 designating the locale of the proposed facility. The joint
6767 resolution shall contain a statement of determination by the
6768 participating boards that alternate options, including the use
6769 of leased, rented, or borrowed space, were considered and found
6770 less appropriate than construction of the proposed facility. The
6771 joint resolution shall contain assurance that the development of
6772 the proposed facility has been examined in conjunction with the
6773 programs offered by neighboring public educational facilities
6774 offering instruction at the same level. The joint resolution
6775 also shall contain assurance that each participating board shall
6776 provide for continuity of educational progression. All joint
6777 resolutions shall be submitted by August 1 for consideration of
6778 funding by the subsequent Legislature.

6779 (d) Submit requests for funding of joint-use facilities
6780 projects involving state universities and Florida Community
6781 College System institutions for approval by the Chancellor of
6782 the Florida Community College System ~~Commissioner of Education~~
6783 and the Chancellor of the State University System. The
6784 Chancellor of the Florida Community College System ~~Commissioner~~
6785 ~~of Education~~ and the Chancellor of the State University System
6786 shall jointly determine the priority for funding these projects

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6787 in relation to the priority of all other capital outlay projects
6788 under their consideration. To be eligible for funding from the
6789 Public Education Capital Outlay and Debt Service Trust Fund
6790 under the provisions of this section, projects involving both
6791 state universities and Florida Community College System
6792 institutions shall appear on the 3-year capital outlay priority
6793 lists of Florida Community College System institutions and of
6794 universities required by s. 1013.64. Projects involving a state
6795 university, a Florida Community College System institution, and
6796 a public school, and in which the larger share of the proposed
6797 facility is for the use of the state university or the Florida
6798 Community College System institution, shall appear on the 3-year
6799 capital outlay priority lists of the Florida Community College
6800 System institutions or of the universities, as applicable.

6801 (e) Include in their joint resolution for the joint-use
6802 facilities, comprehensive plans for the operation and management
6803 of the facility upon completion. Institutional responsibilities
6804 for specific functions shall be identified, including
6805 designation of one participating board as sole owner of the
6806 facility. Operational funding arrangements shall be clearly
6807 defined.

6808 (2) An educational plant survey must be conducted within 90
6809 days after submission of the joint resolution and substantiating
6810 data describing the benefits to be obtained, the programs to be
6811 offered, and the estimated cost of the proposed project. Upon
6812 completion of the educational plant survey, the participating
6813 boards may include the recommended projects in their plan as
6814 provided in s. 1013.31. Upon approval of the project by the
6815 commissioner, the Chancellor of the Florida Community College

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6816 System, or the Chancellor of the State University System, as
6817 appropriate, 25 percent of the total cost of the project, or the
6818 pro rata share based on space utilization of 25 percent of the
6819 cost, must be included in the department's legislative capital
6820 outlay budget request as provided in s. 1013.60 for educational
6821 plants. The participating boards must include in their joint
6822 resolution a commitment to finance the remaining funds necessary
6823 to complete the planning, construction, and equipping of the
6824 facility. Funds from the Public Education Capital Outlay and
6825 Debt Service Trust Fund may not be expended on any project
6826 unless specifically authorized by the Legislature.

6827 (3) Included in all proposals for joint-use facilities must
6828 be documentation that the proposed new campus or new joint-use
6829 facility has been reviewed by the State Board of Education, the
6830 State Board of Community Colleges, or the Board of Governors, as
6831 appropriate, and has been formally requested for authorization
6832 by the Legislature.

6833 (4) A ~~No~~ district school board, Florida Community College
6834 System institution, or state university may not ~~shall~~ receive
6835 funding for more than one approved joint-use facility per campus
6836 in any 3-year period.

6837 Section 114. Subsection (1) of section 1013.65, Florida
6838 Statutes, is amended to read:

6839 1013.65 Educational and ancillary plant construction funds;
6840 Public Education Capital Outlay and Debt Service Trust Fund;
6841 allocation of funds.—

6842 (1) The commissioner, through the department, shall
6843 administer the Public Education Capital Outlay and Debt Service
6844 Trust Fund. The commissioner shall allocate or reallocate funds

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6845 as authorized by the Legislature. Copies of each allocation or
6846 reallocation shall be provided to members of the State Board of
6847 Education, the State Board of Community Colleges, and the Board
6848 of Governors and to the chairs of the House of Representatives
6849 and Senate appropriations committees. The commissioner shall
6850 provide for timely encumbrances of funds for duly authorized
6851 projects. Encumbrances may include proceeds to be received under
6852 a resolution approved by the State Board of Education
6853 authorizing the issuance of public education capital outlay
6854 bonds pursuant to s. 9(a)(2), Art. XII of the State
6855 Constitution, s. 215.61, and other applicable law. The
6856 commissioner shall provide for the timely disbursement of moneys
6857 necessary to meet the encumbrance authorizations of the boards.
6858 Records shall be maintained by the department to identify
6859 legislative appropriations, allocations, encumbrance
6860 authorizations, disbursements, transfers, investments, sinking
6861 funds, and revenue receipts by source. The Department of
6862 Education shall pay the administrative costs of the Public
6863 Education Capital Outlay and Debt Service Trust Fund from the
6864 funds which comprise the trust fund.

6865 Section 115. The Board of Governors shall conduct a study
6866 of state investment allocation methodologies for the
6867 performance-based funding model. The study must include various
6868 options, including options in which each university may be
6869 eligible to receive some portion of the state investment based
6870 on benchmarks that reflect the institutional mission of each
6871 university and irrespective of their performance-based funding
6872 model score relative to other university scores. The Board of
6873 Governors shall submit a report describing the study, and any

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6874 action taken by the Board of Governors relative to the study, to
6875 the chairs of the House and Senate Education Appropriations
6876 Subcommittees by December 31, 2017.

6877 Section 116. The Division of Law Revision and Information
6878 is directed to prepare a reviser's bill for the 2018 Regular
6879 Session to substitute the term "Florida Community College
6880 System" for "Florida College System" and the term "Florida
6881 Community College System institution" for "Florida College
6882 System institution" where those terms appear in the Florida
6883 Statutes.

6884 Section 117. Effective July 1, 2017, section 1001.66,
6885 Florida Statutes, is amended to read:

6886 1001.66 Florida Community College System Performance-Based
6887 Incentive.—

6888 (1) The State Board of Community Colleges shall adopt the
6889 following performance-based metrics for use in awarding a
6890 Florida Community College System Performance-Based Incentive
6891 shall be awarded to a Florida Community College System
6892 institution: ~~institutions using performance-based metrics~~

6893 (a) A student retention rate, as calculated by the State
6894 Board of Community Colleges;

6895 (b) A 100 percent-of-normal-time program completion and
6896 graduation rate for full-time, first-time-in-college students,
6897 as calculated by the State Board of Community Colleges using a
6898 cohort definition of "full-time" based on a student's majority
6899 enrollment in full-time terms. This paragraph does not apply to
6900 non-degree seeking students;

6901 (c) A continuing education or postgraduation job placement
6902 rate for workforce education programs, including workforce

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6903 baccalaureate degree programs, as reported by the Florida
6904 Education and Training Placement Information Program, with wage
6905 thresholds that reflect the added value of the applicable
6906 certificate or degree. This paragraph does not apply to
6907 associate in arts degrees;

6908 (d) A graduation rate for first-time-in-college students
6909 enrolled in an associate of arts degree program who graduate
6910 with a baccalaureate degree in 4 years after initially enrolling
6911 in an associates of arts degree program; and

6912 (e) One performance-based metric on college affordability
6913 adopted by the State Board of Education. The performance-based
6914 metrics must include retention rates; program completion and
6915 graduation rates; postgraduation employment, salaries, and
6916 continuing education for workforce education and baccalaureate
6917 programs, with wage thresholds that reflect the added value of
6918 the certificate or degree; and outcome measures appropriate for
6919 associate of arts degree recipients.

6920
6921 The state board shall adopt benchmarks to evaluate each
6922 institution's performance on the metrics to measure the
6923 institution's achievement of institutional excellence or need
6924 for improvement and ~~the~~ minimum requirements for eligibility to
6925 receive performance funding.

6926 (2) Each fiscal year, the amount of funds available for
6927 allocation to the Florida Community College System institutions
6928 based on the performance-based funding model shall consist of
6929 the state's investment in performance funding plus institutional
6930 investments consisting of funds to be redistributed from the
6931 base funding of the Florida Community College System Program

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6932 Fund as determined in the General Appropriations Act. The State
6933 Board of Community Colleges ~~Education~~ shall establish minimum
6934 performance funding eligibility thresholds for the state's
6935 investment and the institutional investments. An institution
6936 that meets the minimum institutional investment eligibility
6937 threshold, but fails to meet the minimum state investment
6938 eligibility threshold, shall have its institutional investment
6939 restored but is ineligible for a share of the state's investment
6940 in performance funding. The institutional investment shall be
6941 restored for all institutions eligible for the state's
6942 investment under the performance-based funding model.

6943 (3) (a) Each Florida Community College System institution's
6944 share of the performance funding shall be calculated based on
6945 its relative performance on the established metrics in
6946 conjunction with the institutional size and scope.

6947 (b) A Florida Community College System institution that
6948 fails to meet the State Board of Community Colleges' ~~Education's~~
6949 minimum institutional investment performance funding eligibility
6950 threshold shall have a portion of its institutional investment
6951 withheld by the state board and must submit an improvement plan
6952 to the state board which specifies the activities and strategies
6953 for improving the institution's performance. The state board
6954 must review and approve the improvement plan and, if the plan is
6955 approved, must monitor the institution's progress in
6956 implementing the activities and strategies specified in the
6957 improvement plan. The institution shall submit monitoring
6958 reports to the state board by December 31 and May 31 of each
6959 year in which an improvement plan is in place. Beginning in the
6960 2017-2018 fiscal year, the ability of an institution to submit

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6961 an improvement plan to the state board is limited to 1 fiscal
6962 year.

6963 (c) The Chancellor of the Florida Community College System
6964 ~~Commissioner of Education~~ shall withhold disbursement of the
6965 institutional investment until the monitoring report is approved
6966 by the State Board of Community Colleges Education. A Florida
6967 Community College System institution determined by the state
6968 board to be making satisfactory progress on implementing the
6969 improvement plan shall receive no more than one-half of the
6970 withheld institutional investment in January and the balance of
6971 the withheld institutional investment in June. An institution
6972 that fails to make satisfactory progress may not have its full
6973 institutional investment restored. Any institutional investment
6974 funds that are not restored shall be redistributed in accordance
6975 with the state board's performance-based metrics.

6976 (4) Distributions of performance funding, as provided in
6977 this section, shall be made to each of the Florida Community
6978 College System institutions listed in the Florida Community
6979 Colleges category in the General Appropriations Act.

6980 (5) By October 1 of each year, the State Board of Community
6981 Colleges Education shall submit to the Governor, the President
6982 of the Senate, and the Speaker of the House of Representatives a
6983 report on the previous fiscal year's performance funding
6984 allocation, which must reflect the rankings and award
6985 distributions.

6986 (6) The State Board of Community Colleges Education shall
6987 adopt rules to administer this section.

6988 Section 118. Effective July 1, 2017, section 1001.67,
6989 Florida Statutes, is amended to read:

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6990 1001.67 Distinguished Florida Community College System
6991 Institution Program.—A collaborative partnership is established
6992 between the State Board of Community Colleges ~~Education~~ and the
6993 Legislature to recognize the excellence of Florida's highest-
6994 performing Florida Community College System institutions.

6995 (1) EXCELLENCE STANDARDS.—The following excellence
6996 standards are established for the program:

6997 (a) A 100 ~~150~~ percent-of-normal-time completion rate for
6998 full-time, first-time-in-college students of 50 percent or
6999 higher, as calculated by the State Board of Community ~~Division~~
7000 ~~of Florida~~ Colleges.

7001 (b) A 100 ~~150~~ percent-of-normal-time completion rate for
7002 full-time, first-time-in-college Pell Grant recipients of 40
7003 percent or higher, as calculated by the State Board of Community
7004 ~~Division of Florida~~ Colleges.

7005 (c) A retention rate of 70 percent or higher, as calculated
7006 by the State Board of Community ~~Division of Florida~~ Colleges.

7007 (d) A continuing education, or transfer, rate of 72 percent
7008 or higher for students graduating with an associate of arts
7009 degree, as reported by the Florida Education and Training
7010 Placement Information Program (FETPIP).

7011 (e) A licensure passage rate on the National Council
7012 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
7013 percent or higher for first-time exam takers, as reported by the
7014 Board of Nursing.

7015 (f) A ~~job placement or~~ continuing education or job
7016 placement rate of 88 percent or higher for workforce programs,
7017 as reported by FETPIP, with wage thresholds that reflect the
7018 added value of the applicable certificate or degree. This

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7019 paragraph does not apply to associate of arts degrees.

7020 (g) An excess hours rate of 40 percent or lower for ~~A time-~~
7021 ~~to-degree for students graduating with an~~ associate of arts
7022 degree recipients who graduate with 72 or more credit hours, as
7023 calculated by the State Board of Community Colleges ~~of 2.25~~
7024 ~~years or less for first-time-in-college students with~~
7025 ~~accelerated college credits, as reported by the Southern~~
7026 ~~Regional Education Board.~~

7027 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
7028 Community Colleges ~~Education~~ shall designate each Florida
7029 Community College System institution that meets five of the
7030 seven standards identified in subsection (1) as a distinguished
7031 college.

7032 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community
7033 College System institution designated as a distinguished college
7034 by the State Board of Community Colleges ~~Education~~ is eligible
7035 for funding as specified in the General Appropriations Act.

7036 Section 119. Effective July 1, 2017, paragraph (b) of
7037 subsection (5) and subsection (9) of section 1001.706, Florida
7038 Statutes, are amended to read:

7039 1001.706 Powers and duties of the Board of Governors.—

7040 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

7041 (b) The Board of Governors shall develop a strategic plan
7042 specifying goals and objectives for the State University System
7043 and each constituent university, including each university's
7044 contribution to overall system goals and objectives. The
7045 strategic plan must:

7046 1. Include performance metrics and standards common for all
7047 institutions and metrics and standards unique to institutions

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7048 depending on institutional core missions, including, but not
7049 limited to, student admission requirements, retention,
7050 graduation, percentage of graduates who have attained
7051 employment, percentage of graduates enrolled in continued
7052 education, licensure passage, average wages of employed
7053 graduates, average cost per graduate, excess hours, student loan
7054 burden and default rates, faculty awards, total annual research
7055 expenditures, patents, licenses and royalties, intellectual
7056 property, startup companies, annual giving, endowments, and
7057 well-known, highly respected national rankings for institutional
7058 and program achievements.

7059 2. Consider reports and recommendations of the Higher
7060 Education Coordinating Council pursuant to s. 1004.015 and the
7061 Articulation Coordinating Committee pursuant to s. 1007.01.

7062 3. Include student enrollment and performance data
7063 delineated by method of instruction, including, but not limited
7064 to, traditional, online, and distance learning instruction.

7065 4. Include criteria for designating baccalaureate degree
7066 and master's degree programs at specified universities as high-
7067 demand programs of emphasis. Fifty percent of the criteria for
7068 designation as high-demand programs of emphasis must be based on
7069 achievement of performance outcome thresholds determined by the
7070 Board of Governors, and 50 percent of the criteria must be based
7071 on achievement of performance outcome thresholds specifically
7072 linked to:

7073 a. Job placement in employment of 36 hours or more per week
7074 and average full-time wages of graduates of the degree programs
7075 1 year and 5 years after graduation, based in part on data
7076 provided in the economic security report of employment and

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7077 earning outcomes produced annually pursuant to s. 445.07.

7078 b. Data-driven gap analyses, conducted by the Board of
7079 Governors, of the state's job market demands and the outlook for
7080 jobs that require a baccalaureate or higher degree. Each state
7081 university must use the gap analyses to identify internship
7082 opportunities for students to benefit from mentorship by
7083 industry experts, earn industry certifications, and become
7084 employed in high-demand fields.

7085 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
7086 shall implement a plan for working on a regular basis with the
7087 State Board of Education, the State Board of Community Colleges,
7088 the Commission for Independent Education, the Higher Education
7089 Coordinating Council, the Articulation Coordinating Committee,
7090 the university boards of trustees, representatives of the
7091 Florida Community College System institution boards of trustees,
7092 representatives of the private colleges and universities, and
7093 representatives of the district school boards to achieve a
7094 seamless education system.

7095 Section 120. Effective July 1, 2017, paragraph (d) of
7096 subsection (2), paragraph (c) of subsection (5), and subsections
7097 (6), (7), and (8) of section 1001.7065, Florida Statutes, are
7098 amended to read:

7099 1001.7065 Preeminent state research universities program.—

7100 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
7101 following academic and research excellence standards are
7102 established for the preeminent state research universities
7103 program:

7104 (d) A 4-year graduation rate of 60 percent or higher for
7105 full-time, first-time-in-college students, as reported annually

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7106 to the IPEDS. However, for the Board of Governor's 2017
7107 determination of preeminence status and the related distribution
7108 of 2017-2018 appropriation funding associated with preeminence
7109 and emerging preeminence, the metric and benchmark remains at a
7110 6-year graduation rate of 70 percent or higher for full-time,
7111 first-time-in-college students, as reported annually to the
7112 IPEDS.

7113 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
7114 SUPPORT.—

7115 (c) The award of funds under this subsection is contingent
7116 upon funding provided in the General Appropriations Act to
7117 support the preeminent state research universities program
7118 created under this section. Funding increases appropriated
7119 beyond the amounts funded in the previous fiscal year shall be
7120 distributed as follows:

7121 1. Each designated preeminent state research university
7122 that meets the criteria in paragraph (a) shall receive an equal
7123 amount of funding.

7124 2. Each designated emerging preeminent state research
7125 university that meets the criteria in paragraph (b) shall
7126 receive an amount of funding that is equal to one-fourth ~~one-~~
7127 ~~half~~ of the total increased amount awarded to each designated
7128 preeminent state research university.

7129 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~
7130 ~~REQUIREMENT AUTHORITY. In order to provide a jointly shared~~
7131 ~~educational experience, a university that is designated a~~
7132 ~~preeminent state research university may require its incoming~~
7133 ~~first time in college students to take a six credit set of~~
7134 ~~unique courses specifically determined by the university and~~

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7135 ~~published on the university's website. The university may~~
7136 ~~stipulate that credit for such courses may not be earned through~~
7137 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~
7138 ~~or any other transfer credit. All accelerated credits earned up~~
7139 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~
7140 ~~applied toward graduation at the student's request.~~

7141 ~~(6)~~(7) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
7142 AUTHORITY.—The Board of Governors is encouraged to identify and
7143 grant all reasonable, feasible authority and flexibility to
7144 ensure that each designated preeminent state research university
7145 and each designated emerging preeminent state research
7146 university is free from unnecessary restrictions.

7147 ~~(7)~~(8) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE
7148 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~
7149 establish standards and measures whereby individual
7150 undergraduate, graduate, and professional degree programs in
7151 state universities which ~~that~~ objectively reflect national
7152 excellence can be identified and make recommendations to the
7153 Legislature by September 1, 2017, as to how any such programs
7154 could be enhanced and promoted.

7155 Section 121. Effective July 1, 2017, subsection (1) of
7156 section 1001.92, Florida Statutes, is amended to read:

7157 1001.92 State University System Performance-Based
7158 Incentive.—

7159 (1) A State University System Performance-Based Incentive
7160 shall be awarded to state universities using performance-based
7161 metrics adopted by the Board of Governors of the State
7162 University System. The performance-based metrics must include 4-
7163 year graduation rates; retention rates; postgraduation education

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7164 rates; degree production; affordability; postgraduation
7165 employment and salaries, including wage thresholds that reflect
7166 the added value of a baccalaureate degree; access, with
7167 benchmarks that reward institutions with access rates at or
7168 above 50 percent; and other metrics approved by the board in a
7169 formally noticed meeting. The board shall adopt benchmarks to
7170 evaluate each state university's performance on the metrics to
7171 measure the state university's achievement of institutional
7172 excellence or need for improvement and minimum requirements for
7173 eligibility to receive performance funding. However, for the
7174 Board of Governor's 2017 determination of each university's
7175 performance improvement and achievement ratings, and the related
7176 distribution of 2017-2018 appropriation funding associated with
7177 the state university system performance-based incentive, the
7178 Board of Governors shall apply the metrics and benchmarks in
7179 place on January 1, 2017.

7180 Section 122. Effective July 1, 2017, section 1004.6497,
7181 Florida Statutes, is created to read:

7182 1004.6497 World Class Faculty and Scholar Program.—

7183 (1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty
7184 and Scholar Program is established to fund and support the
7185 efforts of state universities to recruit and retain exemplary
7186 faculty and research scholars. It is the intent of the
7187 Legislature to elevate the national competitiveness of Florida's
7188 state universities through faculty and scholar recruitment and
7189 retention.

7190 (2) INVESTMENTS.—Retention, recruitment, and recognition
7191 efforts, activities, and investments may include, but are not
7192 limited to, investments in research-centric cluster hires,

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7193 faculty research and research commercialization efforts,
7194 instructional and research infrastructure, undergraduate student
7195 participation in research, professional development, awards for
7196 outstanding performance, and postdoctoral fellowships.

7197 (3) FUNDING AND USE.—Funding for the program shall be as
7198 provided in the General Appropriations Act. Each state
7199 university shall use the funds only for the purpose and
7200 investments authorized under this section. These funds may not
7201 be used for the construction of buildings.

7202 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of
7203 Governors shall provide to the Governor, the President of the
7204 Senate, and the Speaker of the House of Representatives a report
7205 summarizing information from the universities in the State
7206 University System, including, but not limited to:

7207 (a) Specific expenditure information as it relates to the
7208 investments identified in subsection (2).

7209 (b) The impact of those investments in elevating the
7210 national competitiveness of the universities, specifically
7211 relating to:

7212 1. The success in recruiting research faculty and the
7213 resulting research funding;

7214 2. The 4-year graduation rate;

7215 3. The number of undergraduate courses offered with fewer
7216 than 50 students; and

7217 4. The increased national academic standing of targeted
7218 programs, specifically advancement among top 50 universities in
7219 the targeted programs in well-known and highly respected
7220 national public university rankings, including, but not limited
7221 to, the U.S. News and World Report rankings, which reflect

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7222 national preeminence, using the most recent rankings.

7223 Section 123. Effective July 1, 2017, section 1004.6498,
7224 Florida Statutes, is created to read:

7225 1004.6498 State University Professional and Graduate Degree
7226 Excellence Program.—

7227 (1) PURPOSE.—The State University Professional and Graduate
7228 Degree Excellence Program is established to fund and support the
7229 efforts of state universities to enhance the quality and
7230 excellence of professional and graduate schools and degree
7231 programs in medicine, law, and business and expand the economic
7232 impact of state universities.

7233 (2) INVESTMENTS.—Quality improvement efforts may include,
7234 but are not limited to, targeted investments in faculty,
7235 students, research, infrastructure, and other strategic
7236 endeavors to elevate the national and global prominence of state
7237 university medicine, law, and graduate-level business programs.

7238 (3) FUNDING AND USE.—Funding for the program shall be as
7239 provided in the General Appropriations Act. Each state
7240 university shall use the funds only for the purpose and
7241 investments authorized under this section. These funds may not
7242 be used for the construction of buildings.

7243 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of
7244 Governors shall provide to the Governor, the President of the
7245 Senate, and the Speaker of the House of Representatives a report
7246 summarizing information from the universities in the State
7247 University System, including, but not limited to:

7248 (a) Specific expenditure information as it relates to the
7249 investments identified in subsection (2).

7250 (b) The impact of those investments in elevating the

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7251 national and global prominence of the state university medicine,
7252 law, and graduate-level business programs, specifically relating
7253 to:

7254 1. The first-time pass rate on the United States Medical
7255 Licensing Examination;

7256 2. The first-time pass rate on The Florida Bar Examination;

7257 3. The percentage of graduates enrolled or employed at a
7258 wage threshold that reflects the added value of a graduate-level
7259 business degree;

7260 4. The advancement in the rankings of the state university
7261 medicine, law, and graduate-level programs in well-known and
7262 highly respected national graduate-level university rankings,
7263 including, but not limited to, the U.S. News and World Report
7264 rankings, which reflect national preeminence, using the most
7265 recent rankings; and

7266 5. The added economic benefit of the universities to the
7267 state.

7268 Section 124. Effective July 1, 2017, subsections (2), (6),
7269 (7), and (8) of section 1007.27, Florida Statutes, are amended
7270 to read:

7271 1007.27 Articulated acceleration mechanisms.—

7272 (2)(a) The Department of Education shall annually identify
7273 and publish the minimum scores, maximum credit, and course or
7274 courses for which credit is to be awarded for each College Level
7275 Examination Program (CLEP) subject examination, College Board
7276 Advanced Placement Program examination, Advanced International
7277 Certificate of Education examination, International
7278 Baccalaureate examination, Excelsior College subject
7279 examination, Defense Activity for Non-Traditional Education

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7280 Support (DANTES) subject standardized test, and Defense Language
7281 Proficiency Test (DLPT). The department shall use student
7282 performance data in subsequent postsecondary courses to
7283 determine the appropriate examination scores and courses for
7284 which credit is to be granted. Minimum scores may vary by
7285 subject area based on available performance data. In addition,
7286 the department shall identify such courses in the general
7287 education core curriculum of each state university and Florida
7288 Community College System institution.

7289 (b) Each district school board shall notify students who
7290 enroll in articulated acceleration mechanism courses or take
7291 examinations pursuant to this section of the credit-by-
7292 examination equivalency list adopted by rule by the State Board
7293 of Education and the dual enrollment course and high school
7294 subject area equivalencies approved by the state board pursuant
7295 to s. 1007.271(9).

7296 (6) Credit by examination shall be the program through
7297 which secondary and postsecondary students generate
7298 postsecondary credit based on the receipt of a specified minimum
7299 score on nationally standardized general or subject-area
7300 examinations. For the purpose of statewide application, such
7301 examinations and the corresponding minimum scores required for
7302 an award of credit shall be delineated by the State Board of
7303 Education, ~~and~~ the Board of Governors, and the State Board of
7304 Community Colleges in the statewide articulation agreement
7305 required by s. 1007.23(1). The maximum credit generated by a
7306 student pursuant to this subsection shall be mitigated by any
7307 related postsecondary credit earned by the student prior to the
7308 administration of the examination. This subsection shall not

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7309 preclude Florida Community College System institutions and
7310 universities from awarding credit by examination based on
7311 student performance on examinations developed within and
7312 recognized by the individual postsecondary institutions.

7313 (7) The International Baccalaureate Program shall be the
7314 curriculum in which eligible secondary students are enrolled in
7315 a program of studies offered through the International
7316 Baccalaureate Program administered by the International
7317 Baccalaureate Office. The State Board of Community Colleges
7318 ~~Education~~ and the Board of Governors shall specify in the
7319 statewide articulation agreement required by s. 1007.23(1) the
7320 cutoff scores and International Baccalaureate Examinations which
7321 will be used to grant postsecondary credit at Florida Community
7322 College System institutions and universities. Any changes to the
7323 articulation agreement, ~~7~~ which have the effect of raising the
7324 required cutoff score or of changing the International
7325 Baccalaureate Examinations which will be used to grant
7326 postsecondary credit, ~~7~~ shall only apply to students taking
7327 International Baccalaureate Examinations after such changes are
7328 adopted by the State Board of Community Colleges ~~Education~~ and
7329 the Board of Governors. Students shall be awarded a maximum of
7330 30 semester credit hours pursuant to this subsection. The
7331 specific course for which a student may receive such credit
7332 shall be specified in the statewide articulation agreement
7333 required by s. 1007.23(1). Students enrolled pursuant to this
7334 subsection shall be exempt from the payment of any fees for
7335 administration of the examinations regardless of whether or not
7336 the student achieves a passing score on the examination.

7337 (8) The Advanced International Certificate of Education

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7338 Program and the International General Certificate of Secondary
7339 Education (pre-AICE) Program shall be the curricula in which
7340 eligible secondary students are enrolled in programs of study
7341 offered through the Advanced International Certificate of
7342 Education Program or the International General Certificate of
7343 Secondary Education (pre-AICE) Program administered by the
7344 University of Cambridge Local Examinations Syndicate. The State
7345 Board of Community Colleges ~~Education~~ and the Board of Governors
7346 shall specify in the statewide articulation agreement required
7347 by s. 1007.23(1) the cutoff scores and Advanced International
7348 Certificate of Education examinations which will be used to
7349 grant postsecondary credit at Florida Community College System
7350 institutions and universities. Any changes to the cutoff scores,
7351 which changes have the effect of raising the required cutoff
7352 score or of changing the Advanced International Certification of
7353 Education examinations which will be used to grant postsecondary
7354 credit, shall apply to students taking Advanced International
7355 Certificate of Education examinations after such changes are
7356 adopted by the State Board of Community Colleges ~~Education~~ and
7357 the Board of Governors. Students shall be awarded a maximum of
7358 30 semester credit hours pursuant to this subsection. The
7359 specific course for which a student may receive such credit
7360 shall be determined by the Florida Community College System
7361 institution or university that accepts the student for
7362 admission. Students enrolled in either program of study pursuant
7363 to this subsection shall be exempt from the payment of any fees
7364 for administration of the examinations regardless of whether the
7365 student achieves a passing score on the examination.

7366 Section 125. Effective July 1, 2017, subsections (1), (3),

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7367 (4), and (5) of section 1008.30, Florida Statutes, are amended
7368 to read:

7369 1008.30 Common placement testing for public postsecondary
7370 education.—

7371 (1) The State Board of Community Colleges ~~Education~~, in
7372 conjunction with the Board of Governors and the State Board of
7373 Education, shall develop and implement a common placement test
7374 for the purpose of assessing the basic computation and
7375 communication skills of students who intend to enter a degree
7376 program at any public postsecondary educational institution.
7377 Alternative assessments that may be accepted in lieu of the
7378 common placement test shall also be identified in rule. Public
7379 postsecondary educational institutions shall provide appropriate
7380 modifications of the test instruments or test procedures for
7381 students with disabilities.

7382 (3) ~~By October 31, 2013,~~ The State Board of Community
7383 Colleges, in conjunction with the Board of Governors and the
7384 State Board of Education, ~~Education~~ shall establish by rule the
7385 test scores a student must achieve to demonstrate readiness to
7386 perform college-level work, and the rules must specify the
7387 following:

7388 (a) A student who entered 9th grade in a Florida public
7389 school in the 2003-2004 school year, or any year thereafter, and
7390 earned a Florida standard high school diploma or a student who
7391 is serving as an active duty member of any branch of the United
7392 States Armed Services shall not be required to take the common
7393 placement test and shall not be required to enroll in
7394 developmental education instruction in a Florida Community
7395 College System institution. However, a student who is not

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7396 required to take the common placement test and is not required
7397 to enroll in developmental education under this paragraph may
7398 opt to be assessed and to enroll in developmental education
7399 instruction, and the college shall provide such assessment and
7400 instruction upon the student's request.

7401 (b) A student who takes the common placement test and whose
7402 score on the test indicates a need for developmental education
7403 must be advised of all the developmental education options
7404 offered at the institution and, after advisement, shall be
7405 allowed to enroll in the developmental education option of his
7406 or her choice.

7407 (c) A student who demonstrates readiness by achieving or
7408 exceeding the test scores established by the state board and
7409 enrolls in a Florida Community College System institution within
7410 2 years after achieving such scores shall not be required to
7411 retest or complete developmental education when admitted to any
7412 Florida Community College System institution.

7413 (4) ~~By December 31, 2013,~~ The State Board of Community
7414 Colleges Education, in consultation with the Board of Governors,
7415 shall approve a series of meta-majors and the academic pathways
7416 that identify the gateway courses associated with each meta-
7417 major. Florida Community College System institutions shall use
7418 placement test results to determine the extent to which each
7419 student demonstrates sufficient communication and computation
7420 skills to indicate readiness for his or her chosen meta-major.
7421 Florida Community College System institutions shall counsel
7422 students into college credit courses as quickly as possible,
7423 with developmental education limited to that content needed for
7424 success in the meta-major.

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7425 (5) (a) Each Florida Community College System institution
7426 board of trustees shall develop a plan to implement the
7427 developmental education strategies defined in s. 1008.02 and
7428 rules established by the State Board of Community Colleges
7429 ~~Education~~. The plan must be submitted to the Chancellor of the
7430 Florida Community College System for approval no later than
7431 March 1, 2014, for implementation no later than the fall
7432 semester 2014. Each plan must include, at a minimum, local
7433 policies that outline:

7434 1. Documented student achievements such as grade point
7435 averages, work history, military experience, participation in
7436 juried competitions, career interests, degree major declaration,
7437 or any combination of such achievements that the institution may
7438 consider, in addition to common placement test scores, for
7439 advising students regarding enrollment options.

7440 2. Developmental education strategies available to
7441 students.

7442 3. A description of student costs and financial aid
7443 opportunities associated with each option.

7444 4. Provisions for the collection of student success data.

7445 5. A comprehensive plan for advising students into
7446 appropriate developmental education strategies based on student
7447 success data.

7448 (b) Beginning October 31, 2015, each Florida Community
7449 College System institution shall annually prepare an
7450 accountability report that includes student success data
7451 relating to each developmental education strategy implemented by
7452 the institution. The report shall be submitted to the State
7453 Board of Community ~~Division of Florida~~ Colleges by October 31 in

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7454 a format determined by the Chancellor of the Florida Community
7455 College System. By December 31, the chancellor shall compile and
7456 submit the institutional reports to the Governor, the President
7457 of the Senate, the Speaker of the House of Representatives, and
7458 the State Board of Community Colleges ~~and the State Board of~~
7459 ~~Education.~~

7460 (c) A university board of trustees may contract with a
7461 Florida Community College System institution board of trustees
7462 for the Florida Community College System institution to provide
7463 developmental education on the state university campus. Any
7464 state university in which the percentage of incoming students
7465 requiring developmental education equals or exceeds the average
7466 percentage of such students for the Florida Community College
7467 System may offer developmental education without contracting
7468 with a Florida Community College System institution; however,
7469 any state university offering college-preparatory instruction as
7470 of January 1, 1996, may continue to provide developmental
7471 education instruction pursuant to s. 1008.02(1) ~~such services.~~

7472 Section 126. Effective July 1, 2017, paragraph (e) of
7473 subsection (3) and subsection (7) of section 1009.22, Florida
7474 Statutes, are amended to read:

7475 1009.22 Workforce education postsecondary student fees.—

7476 (3)

7477 (e) The State Board of Education and the State Board of
7478 Community Colleges may adopt, by rule, the definitions and
7479 procedures that district school boards and Florida Community
7480 College System institution boards of trustees shall use in the
7481 calculation of cost borne by students.

7482 (7) Each district school board and Florida Community

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7483 College System institution board of trustees is authorized to
7484 establish a separate fee for technology, not to exceed 5 percent
7485 of tuition per credit hour or credit-hour equivalent for
7486 resident students and not to exceed 5 percent of tuition and the
7487 out-of-state fee per credit hour or credit-hour equivalent for
7488 nonresident students. Revenues generated from the technology fee
7489 shall be used to enhance instructional technology resources for
7490 students and faculty and may ~~shall~~ not be included in an ~~any~~
7491 award under the Florida Bright Futures Scholarship Program,
7492 except as authorized for the Florida Academic Scholars award
7493 under s. 1009.534. Fifty percent of technology fee revenues may
7494 be pledged by a Florida Community College System institution
7495 board of trustees as a dedicated revenue source for the
7496 repayment of debt, including lease-purchase agreements, not to
7497 exceed the useful life of the asset being financed. Revenues
7498 generated from the technology fee may not be bonded.

7499 Section 127. Effective July 1, 2017, section 1009.23,
7500 Florida Statutes, is amended to read:

7501 1009.23 Florida Community College System institution
7502 student fees.—

7503 (1) Unless otherwise provided, this section applies only to
7504 fees charged for college credit instruction leading to an
7505 associate in arts degree, an associate in applied science
7506 degree, an associate in science degree, or a baccalaureate
7507 degree authorized pursuant to s. 1007.33, for noncollege credit
7508 developmental education defined in s. 1004.02, and for educator
7509 preparation institute programs defined in s. 1004.85.

7510 (2) (a) All students shall be charged fees except students
7511 who are exempt from fees or students whose fees are waived.

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7512 (b) Tuition and out-of-state fees for upper-division
7513 courses must reflect the fact that the Florida Community College
7514 System institution has a less expensive cost structure than that
7515 of a state university. Therefore, the board of trustees shall
7516 establish tuition and out-of-state fees for upper-division
7517 courses in baccalaureate degree programs approved pursuant to s.
7518 1007.33 consistent with law and proviso language in the General
7519 Appropriations Act. However, the board of trustees may vary
7520 tuition and out-of-state fees only as provided in subsection (6)
7521 and s. 1009.26(11).

7522 (3) (a) Effective July 1, 2014, for advanced and
7523 professional, postsecondary vocational, developmental education,
7524 and educator preparation institute programs, the standard
7525 tuition shall be \$71.98 per credit hour for residents and
7526 nonresidents, and the out-of-state fee shall be \$215.94 per
7527 credit hour.

7528 (b) Effective July 1, 2014, for baccalaureate degree
7529 programs, the following tuition and fee rates shall apply:

7530 1. The tuition shall be \$91.79 per credit hour for students
7531 who are residents for tuition purposes.

7532 2. The sum of the tuition and the out-of-state fee per
7533 credit hour for students who are nonresidents for tuition
7534 purposes shall be no more than 85 percent of the sum of the
7535 tuition and the out-of-state fee at the state university nearest
7536 the Florida Community College System institution.

7537 (4) Each Florida Community College System institution board
7538 of trustees shall establish tuition and out-of-state fees, which
7539 may vary no more than 10 percent below and 15 percent above the
7540 combined total of the standard tuition and fees established in

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7541 subsection (3).

7542 (5) Except as otherwise provided in law, the sum of
7543 nonresident student tuition and out-of-state fees must be
7544 sufficient to defray the full cost of each program.

7545 (6) (a) A Florida Community College System institution board
7546 of trustees that has a service area that borders another state
7547 may implement a plan for a differential out-of-state fee.

7548 (b) A Florida Community College System institution board of
7549 trustees may establish a differential out-of-state fee for a
7550 student who has been determined to be a nonresident for tuition
7551 purposes pursuant to s. 1009.21 and is enrolled in a distance
7552 learning course offered by the institution. A differential out-
7553 of-state fee established pursuant to this paragraph shall be
7554 applicable only to distance learning courses and must be
7555 established such that the sum of tuition and the differential
7556 out-of-state fee is sufficient to defray the full cost of
7557 instruction.

7558 (7) Each Florida Community College System institution board
7559 of trustees may establish a separate activity and service fee
7560 not to exceed 10 percent of the tuition fee, according to rules
7561 of the State Board of Community Colleges ~~Education~~. The student
7562 activity and service fee shall be collected as a component part
7563 of the tuition and fees. The student activity and service fees
7564 shall be paid into a student activity and service fund at the
7565 Florida Community College System institution and shall be
7566 expended for lawful purposes to benefit the student body in
7567 general. These purposes include, but are not limited to, student
7568 publications and grants to duly recognized student
7569 organizations, the membership of which is open to all students

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7570 at the Florida Community College System institution without
7571 regard to race, sex, or religion. No Florida Community College
7572 System institution shall be required to lower any activity and
7573 service fee approved by the board of trustees of the Florida
7574 Community College System institution and in effect prior to
7575 October 26, 2007, in order to comply with the provisions of this
7576 subsection.

7577 (8) (a) Each Florida Community College System institution
7578 board of trustees is authorized to establish a separate fee for
7579 financial aid purposes in an additional amount up to, but not to
7580 exceed, 5 percent of the total student tuition or out-of-state
7581 fees collected. Each Florida Community College System
7582 institution board of trustees may collect up to an additional 2
7583 percent if the amount generated by the total financial aid fee
7584 is less than \$500,000. If the amount generated is less than
7585 \$500,000, a Florida Community College System institution that
7586 charges tuition and out-of-state fees at least equal to the
7587 average fees established by rule may transfer from the general
7588 current fund to the scholarship fund an amount equal to the
7589 difference between \$500,000 and the amount generated by the
7590 total financial aid fee assessment. No other transfer from the
7591 general current fund to the loan, endowment, or scholarship
7592 fund, by whatever name known, is authorized.

7593 (b) All funds collected under this program shall be placed
7594 in the loan and endowment fund or scholarship fund of the
7595 college, by whatever name known. Such funds shall be disbursed
7596 to students as quickly as possible. An amount not greater than
7597 40 percent of the fees collected in a fiscal year may be carried
7598 forward unexpended to the following fiscal year. However, funds

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7599 collected prior to July 1, 1989, and placed in an endowment fund
7600 may not be considered part of the balance of funds carried
7601 forward unexpended to the following fiscal year.

7602 (c) Up to 25 percent or \$600,000, whichever is greater, of
7603 the financial aid fees collected may be used to assist students
7604 who demonstrate academic merit; who participate in athletics,
7605 public service, cultural arts, and other extracurricular
7606 programs as determined by the institution; or who are identified
7607 as members of a targeted gender or ethnic minority population.

7608 The financial aid fee revenues allocated for athletic
7609 scholarships and any fee exemptions provided to athletes
7610 pursuant to s. 1009.25(2) must be distributed equitably as
7611 required by s. 1000.05(3)(d). A minimum of 75 percent of the
7612 balance of these funds for new awards shall be used to provide
7613 financial aid based on absolute need, and the remainder of the
7614 funds shall be used for academic merit purposes and other
7615 purposes approved by the boards of trustees. Such other purposes
7616 shall include the payment of child care fees for students with
7617 financial need. The State Board of Education shall develop
7618 criteria for making financial aid awards. Each college shall
7619 report annually to the Department of Education on the revenue
7620 collected pursuant to this paragraph, the amount carried
7621 forward, the criteria used to make awards, the amount and number
7622 of awards for each criterion, and a delineation of the
7623 distribution of such awards. The report shall include an
7624 assessment by category of the financial need of every student
7625 who receives an award, regardless of the purpose for which the
7626 award is received. Awards that are based on financial need shall
7627 be distributed in accordance with a nationally recognized system

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7628 of need analysis approved by the State Board of Education. An
7629 award for academic merit requires a minimum overall grade point
7630 average of 3.0 on a 4.0 scale or the equivalent for both initial
7631 receipt of the award and renewal of the award.

7632 (d) These funds may not be used for direct or indirect
7633 administrative purposes or salaries.

7634 (9) Any Florida Community College System institution that
7635 reports students who have not paid fees in an approved manner in
7636 calculations of full-time equivalent enrollments for state
7637 funding purposes shall be penalized at a rate equal to two times
7638 the value of such enrollments. Such penalty shall be charged
7639 against the following year's allocation from the Florida
7640 Community College System Program Fund and shall revert to the
7641 General Revenue Fund.

7642 (10) Each Florida Community College System institution
7643 board of trustees is authorized to establish a separate fee for
7644 technology, which may not exceed 5 percent of tuition per credit
7645 hour or credit-hour equivalent for resident students and may not
7646 exceed 5 percent of tuition and the out-of-state fee per credit
7647 hour or credit-hour equivalent for nonresident students.
7648 Revenues generated from the technology fee shall be used to
7649 enhance instructional technology resources for students and
7650 faculty. The technology fee may apply to both college credit and
7651 developmental education and may ~~shall~~ not be included in an ~~any~~
7652 award under the Florida Bright Futures Scholarship Program,
7653 except as authorized for the Florida Academic Scholars award
7654 under s. 1009.534. Fifty percent of technology fee revenues may
7655 be pledged by a Florida Community College System institution
7656 board of trustees as a dedicated revenue source for the

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7657 repayment of debt, including lease-purchase agreements, not to
7658 exceed the useful life of the asset being financed. Revenues
7659 generated from the technology fee may not be bonded.

7660 (11) (a) Each Florida Community College System institution
7661 board of trustees may establish a separate fee for capital
7662 improvements, technology enhancements, equipping student
7663 buildings, or the acquisition of improved real property which
7664 may not exceed 20 percent of tuition for resident students or 20
7665 percent of the sum of tuition and out-of-state fees for
7666 nonresident students. The fee for resident students shall be
7667 limited to an increase of \$2 per credit hour over the prior
7668 year. Funds collected by Florida Community College System
7669 institutions through the fee may be bonded only as provided in
7670 this subsection for the purpose of financing or refinancing new
7671 construction and equipment, renovation, remodeling of
7672 educational facilities, or the acquisition and renovation or
7673 remodeling of improved real property for use as educational
7674 facilities. The fee shall be collected as a component part of
7675 the tuition and fees, paid into a separate account, and expended
7676 only to acquire improved real property or construct and equip,
7677 maintain, improve, or enhance the educational facilities of the
7678 Florida Community College System institution. Projects and
7679 acquisitions of improved real property funded through the use of
7680 the capital improvement fee shall meet the survey and
7681 construction requirements of chapter 1013. Pursuant to s.
7682 216.0158, each Florida Community College System institution
7683 shall identify each project, including maintenance projects,
7684 proposed to be funded in whole or in part by such fee.

7685 (b) Capital improvement fee revenues may be pledged by a

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7686 board of trustees as a dedicated revenue source to the repayment
7687 of debt, including lease-purchase agreements, with an overall
7688 term of not more than 7 years, including renewals, extensions,
7689 and refundings, and revenue bonds with a term not exceeding 20
7690 annual maturities and not exceeding the useful life of the asset
7691 being financed, only for financing or refinancing of the new
7692 construction and equipment, renovation, or remodeling of
7693 educational facilities. Bonds authorized pursuant to this
7694 subsection shall be requested by the Florida Community College
7695 System institution board of trustees and shall be issued by the
7696 Division of Bond Finance in compliance with s. 11(d), Art. VII
7697 of the State Constitution and the State Bond Act. The Division
7698 of Bond Finance may pledge fees collected by one or more Florida
7699 Community College System institutions to secure such bonds. Any
7700 project included in the approved educational plant survey
7701 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.
7702 VII of the State Constitution.

7703 (c) Bonds issued pursuant to this subsection may be
7704 validated in the manner provided by chapter 75. Only the initial
7705 series of bonds is required to be validated. The complaint for
7706 such validation shall be filed in the circuit court of the
7707 county where the seat of state government is situated, the
7708 notice required to be published by s. 75.06 shall be published
7709 only in the county where the complaint is filed, and the
7710 complaint and order of the circuit court shall be served only on
7711 the state attorney of the circuit in which the action is
7712 pending.

7713 (d) A maximum of 15 percent may be allocated from the
7714 capital improvement fee for child care centers conducted by the

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7715 Florida Community College System institution. The use of capital
7716 improvement fees for such purpose shall be subordinate to the
7717 payment of any bonds secured by the fees.

7718 (e) The state does hereby covenant with the holders of the
7719 bonds issued under this subsection that it will not take any
7720 action that will materially and adversely affect the rights of
7721 such holders so long as the bonds authorized by this subsection
7722 are outstanding.

7723 (12) (a) In addition to tuition, out-of-state, financial
7724 aid, capital improvement, student activity and service, and
7725 technology fees authorized in this section, each Florida
7726 Community College System institution board of trustees is
7727 authorized to establish fee schedules for the following user
7728 fees and fines: laboratory fees, which do not apply to a
7729 distance learning course; parking fees and fines; library fees
7730 and fines; fees and fines relating to facilities and equipment
7731 use or damage; access or identification card fees; duplicating,
7732 photocopying, binding, or microfilming fees; standardized
7733 testing fees; diploma replacement fees; transcript fees;
7734 application fees; graduation fees; and late fees related to
7735 registration and payment. Such user fees and fines shall not
7736 exceed the cost of the services provided and shall only be
7737 charged to persons receiving the service. A Florida Community
7738 College System institution may not charge any fee except as
7739 authorized by law. Parking fee revenues may be pledged by a
7740 Florida Community College System institution board of trustees
7741 as a dedicated revenue source for the repayment of debt,
7742 including lease-purchase agreements, with an overall term of not
7743 more than 7 years, including renewals, extensions, and

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7744 refundings, and revenue bonds with a term not exceeding 20 years
7745 and not exceeding the useful life of the asset being financed.
7746 Florida Community College System institutions shall use the
7747 services of the Division of Bond Finance of the State Board of
7748 Administration to issue any revenue bonds authorized by this
7749 subsection. Any such bonds issued by the Division of Bond
7750 Finance shall be in compliance with the provisions of the State
7751 Bond Act. Bonds issued pursuant to the State Bond Act may be
7752 validated in the manner established in chapter 75. The complaint
7753 for such validation shall be filed in the circuit court of the
7754 county where the seat of state government is situated, the
7755 notice required to be published by s. 75.06 shall be published
7756 only in the county where the complaint is filed, and the
7757 complaint and order of the circuit court shall be served only on
7758 the state attorney of the circuit in which the action is
7759 pending.

7760 (b) The State Board of Community Colleges ~~Education~~ may
7761 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
7762 this subsection.

7763 (13) The State Board of Community Colleges ~~Education~~ shall
7764 specify, as necessary, by rule, approved methods of student fee
7765 payment. Such methods shall include, but not be limited to,
7766 student fee payment; payment through federal, state, or
7767 institutional financial aid; and employer fee payments.

7768 (14) Each Florida Community College System institution
7769 board of trustees shall report only those students who have
7770 actually enrolled in instruction provided or supervised by
7771 instructional personnel under contract with the Florida
7772 Community College System institution in calculations of actual

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7773 full-time equivalent enrollments for state funding purposes. No
7774 student who has been exempted from taking a course or who has
7775 been granted academic or career credit through means other than
7776 actual coursework completed at the granting institution shall be
7777 calculated for enrollment in the course from which he or she has
7778 been exempted or granted credit. Florida Community College
7779 System institutions that report enrollments in violation of this
7780 subsection shall be penalized at a rate equal to two times the
7781 value of such enrollments. Such penalty shall be charged against
7782 the following year's allocation from the Florida Community
7783 College System Program Fund and shall revert to the General
7784 Revenue Fund.

7785 (15) Each Florida Community College System institution may
7786 assess a service charge for the payment of tuition and fees in
7787 installments and a convenience fee for the processing of
7788 automated or online credit card payments. However, the amount of
7789 the convenience fee may not exceed the total cost charged by the
7790 credit card company to the Florida Community College System
7791 institution. Such service charge or convenience fee must be
7792 approved by the Florida Community College System institution
7793 board of trustees.

7794 (16) (a) Each Florida Community College System institution
7795 may assess a student who enrolls in a course listed in the
7796 distance learning catalog, established pursuant to s. 1006.735,
7797 a per-credit-hour distance learning course user fee. For
7798 purposes of assessing this fee, a distance learning course is a
7799 course in which at least 80 percent of the direct instruction of
7800 the course is delivered using some form of technology when the
7801 student and instructor are separated by time or space, or both.

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7802 (b) The amount of the distance learning course user fee may
7803 not exceed the additional costs of the services provided which
7804 are attributable to the development and delivery of the distance
7805 learning course. If a Florida Community College System
7806 institution assesses the distance learning course user fee, the
7807 institution may not assess any other fees to cover the
7808 additional costs. By September 1 of each year, each board of
7809 trustees shall report to the State Board of Community Colleges
7810 ~~Division of Florida Colleges~~ the total amount of revenue
7811 generated by the distance learning course user fee for the prior
7812 fiscal year and how the revenue was expended.

7813 (c) If an institution assesses the distance learning fee,
7814 the institution must provide a link to the catalog within the
7815 advising and distance learning sections of the institution's
7816 website, using a graphic and description provided by the
7817 Complete Florida Plus Program, to inform students of the
7818 catalog.

7819 (17) Each Florida Community College System institution that
7820 accepts transient students, pursuant to s. 1006.735, may
7821 establish a transient student fee not to exceed \$5 per course
7822 for processing the transient student admissions application.

7823 (18) (a) The Board of Trustees of Santa Fe College may
7824 establish a transportation access fee. Revenue from the fee may
7825 be used only to provide or improve access to transportation
7826 services for students enrolled at Santa Fe College. The fee may
7827 not exceed \$6 per credit hour. An increase in the transportation
7828 access fee may occur only once each fiscal year and must be
7829 implemented beginning with the fall term. A referendum must be
7830 held by the student government to approve the application of the

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7831 fee.

7832 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
7833 the transportation access fee authorized under paragraph (a) may
7834 not be included in calculating the amount a student receives for
7835 a Florida Academic Scholars award, a Florida Medallion Scholars
7836 award, or a Florida Gold Seal Vocational Scholars award.

7837 (19) The State Board of Community Colleges ~~Education~~ shall
7838 adopt a rule specifying the definitions and procedures to be
7839 used in the calculation of the percentage of cost paid by
7840 students. The rule must provide for the calculation of the full
7841 cost of educational programs based on the allocation of all
7842 funds provided through the general current fund to programs of
7843 instruction, and other activities as provided in the annual
7844 expenditure analysis. The rule shall be developed in
7845 consultation with the Legislature.

7846 (20) Each Florida Community College System institution
7847 shall publicly notice and notify all enrolled students of any
7848 proposal to increase tuition or fees at least 28 days before its
7849 consideration at a board of trustees meeting. The notice must:

7850 (a) Include the date and time of the meeting at which the
7851 proposal will be considered.

7852 (b) Specifically outline the details of existing tuition
7853 and fees, the rationale for the proposed increase, and how the
7854 funds from the proposed increase will be used.

7855 (c) Be posted on the institution's website and issued in a
7856 press release.

7857 Section 128. Effective July 1, 2017, subsection (13),
7858 paragraphs (a) and (b) of subsection (15), and paragraph (b) of
7859 subsection (16) of section 1009.24, Florida Statutes, are

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7860 amended to read:

7861 1009.24 State university student fees.—

7862 (13) Each university board of trustees may establish a
7863 technology fee of up to 5 percent of the tuition per credit
7864 hour. The revenue from this fee shall be used to enhance
7865 instructional technology resources for students and faculty. The
7866 technology fee may not be included in an ~~any~~ award under the
7867 Florida Bright Futures Scholarship Program established pursuant
7868 to ss. 1009.53-1009.538, except as authorized for the Florida
7869 Academic Scholars award under s. 1009.534.

7870 (15) (a) The Board of Governors may approve:

7871 1. A proposal from a university board of trustees to
7872 establish a new student fee that is not specifically authorized
7873 by this section.

7874 2. A proposal from a university board of trustees to
7875 increase the current cap for an existing fee authorized pursuant
7876 to paragraphs (14) (a)-(g).

7877 3.a. A proposal from a university board of trustees to
7878 implement flexible tuition policies, such as undergraduate or
7879 graduate block tuition, block tuition differential, or market
7880 tuition rates for graduate-level online courses or graduate-
7881 level courses offered through a university's continuing
7882 education program. A block tuition policy for resident
7883 undergraduate students or undergraduate-level courses must ~~shall~~
7884 be based on the per-credit-hour undergraduate tuition
7885 established under subsection (4). A block tuition policy for
7886 nonresident undergraduate students must ~~shall~~ be based on the
7887 per-credit-hour undergraduate tuition and out-of-state fee
7888 established under subsection (4). Flexible tuition policies,

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7889 including block tuition, may not increase the state's fiscal
7890 liability or obligation.

7891 b. A block tuition policy must be adopted by each
7892 university board of trustees for implementation beginning in the
7893 fall 2018 academic semester. The policy must apply to the
7894 entering freshman class of full-time, first-time-in-college
7895 students and may be extended to include other enrolled students.
7896 The policy must meet the following criteria:

7897 (I) The policy must include block tuition and any required
7898 fees, including, but not limited to, activity and service fees,
7899 financial aid fees, capital improvement fees, health fees, and
7900 technology fees.

7901 (II) The policy must require the university to maximize the
7902 application of appropriate accelerated credits to minimize
7903 unnecessary credits and excess hours.

7904 (III) The policy must enable students to have the
7905 flexibility to earn credits across all terms of the entire
7906 academic year.

7907 (b) A proposal developed pursuant to paragraph (a) shall be
7908 submitted in accordance with the public notification
7909 requirements of subsection (20) and guidelines established by
7910 the Board of Governors. Approval by the Board of Governors of
7911 such proposals ~~proposal~~ must be made in accordance with the
7912 ~~provisions of~~ this subsection. By October 1, 2017, each state
7913 university board of trustees shall adopt a block tuition and fee
7914 policy, pursuant to subparagraph (a)3., for implementation by
7915 the fall 2018 academic semester and submit the policy,
7916 including, but not limited to, information on the potential
7917 impact of the policy on students, to the Board of Governors. By

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7918 December 1, 2017, the Chancellor of the State University System
7919 shall submit to the Governor, the President of the Senate, and
7920 the Speaker of the House of Representatives a summary report of
7921 such policies, the status of the board's review and approval of
7922 such policies, and the board's recommendations for improving
7923 block tuition and fee benefits for students.

7924 (16) Each university board of trustees may establish a
7925 tuition differential for undergraduate courses upon receipt of
7926 approval from the Board of Governors. However, beginning July 1,
7927 2014, the Board of Governors may only approve the establishment
7928 of or an increase in tuition differential for a state research
7929 university designated as a preeminent state research university
7930 pursuant to s. 1001.7065(3). The tuition differential shall
7931 promote improvements in the quality of undergraduate education
7932 and shall provide financial aid to undergraduate students who
7933 exhibit financial need.

7934 (b) Each tuition differential is subject to the following
7935 conditions:

7936 1. The tuition differential may be assessed on one or more
7937 undergraduate courses or on all undergraduate courses at a state
7938 university.

7939 2. The tuition differential may vary by course or courses,
7940 by campus or center location, and by institution. Each
7941 university board of trustees shall strive to maintain and
7942 increase enrollment in degree programs related to math, science,
7943 high technology, and other state or regional high-need fields
7944 when establishing tuition differentials by course.

7945 3. For each state university that is designated as a
7946 preeminent state research university by the Board of Governors,

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7947 pursuant to s. 1001.7065, the aggregate sum of tuition and the
7948 tuition differential may be increased by no more than 6 percent
7949 of the total charged for the aggregate sum of these fees in the
7950 preceding fiscal year. The tuition differential may be increased
7951 if the university meets or exceeds performance standard targets
7952 for that university established annually by the Board of
7953 Governors for the following performance standards, amounting to
7954 no more than a 2-percent increase in the tuition differential
7955 for each performance standard:

7956 a. An increase in the 4-year ~~6-year~~ graduation rate for
7957 full-time, first-time-in-college students, as calculated by the
7958 Board of Governors ~~reported annually to the Integrated~~
7959 ~~Postsecondary Education Data System.~~

7960 b. An increase in the total annual research expenditures.

7961 c. An increase in the total patents awarded by the United
7962 States Patent and Trademark Office for the most recent years.

7963 4. The aggregate sum of undergraduate tuition and fees per
7964 credit hour, including the tuition differential, may not exceed
7965 the national average of undergraduate tuition and fees at 4-year
7966 degree-granting public postsecondary educational institutions.

7967 5. The tuition differential shall not be included in an ~~any~~
7968 award under the Florida Bright Futures Scholarship Program
7969 established pursuant to ss. 1009.53-1009.538, except as
7970 authorized for the Florida Academic Scholars award under s.
7971 1009.534.

7972 6. Beneficiaries having prepaid tuition contracts pursuant
7973 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and
7974 which remain in effect, are exempt from the payment of the
7975 tuition differential.

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7976 7. The tuition differential may not be charged to any
7977 student who was in attendance at the university before July 1,
7978 2007, and who maintains continuous enrollment.

7979 8. The tuition differential may be waived by the university
7980 for students who meet the eligibility requirements for the
7981 Florida public student assistance grant established in s.
7982 1009.50.

7983 9. Subject to approval by the Board of Governors, the
7984 tuition differential authorized pursuant to this subsection may
7985 take effect with the 2009 fall term.

7986 Section 129. Effective July 1, 2017, subsection (9) of
7987 section 1009.53, Florida Statutes, is amended to read:

7988 1009.53 Florida Bright Futures Scholarship Program.—

7989 (9) A student may use an award for summer term enrollment
7990 if funds are available, including funds appropriated in the
7991 General Appropriations Act to support, at a minimum, summer term
7992 enrollment for a Florida Academic Scholars award.

7993 Section 130. Effective July 1, 2017, subsection (2) of
7994 section 1009.534, Florida Statutes, is amended to read:

7995 1009.534 Florida Academic Scholars award.—

7996 (2) A Florida Academic Scholar who is enrolled in a
7997 certificate, diploma, associate, or baccalaureate degree program
7998 at a public or nonpublic postsecondary education institution is
7999 eligible, beginning in the fall 2017 academic semester, for an
8000 award equal to the amount required to pay 100 percent of tuition
8001 and fees established under ss. 1009.22(3), (5), (6), and (7);
8002 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
8003 (13), (14)(r), and (16), as applicable, and is eligible for an
8004 additional \$300 each fall and spring academic semester or the

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8005 equivalent for textbooks and college-related ~~specified in the~~
8006 ~~General Appropriations Act to assist with the payment of~~
8007 ~~educational~~ expenses.

8008 Section 131. Effective July 1, 2017, subsection (2) of
8009 section 1009.701, Florida Statutes, is amended to read:

8010 1009.701 First Generation Matching Grant Program.—

8011 (2) Funds appropriated by the Legislature for the program
8012 shall be allocated by the Office of Student Financial Assistance
8013 to match private contributions at ~~on~~ a ratio of \$2 of state
8014 funds to \$1 of private contributions ~~dollar-for-dollar basis.~~

8015 Contributions made to a state university and pledged for the
8016 purposes of this section are eligible for state matching funds
8017 appropriated for this program and are not eligible for any other
8018 state matching grant program. Pledged contributions are not
8019 eligible for matching prior to the actual collection of the
8020 total funds. The Office of Student Financial Assistance shall
8021 reserve a proportionate allocation of the total appropriated
8022 funds for each state university on the basis of full-time
8023 equivalent enrollment. Funds that remain unmatched as of
8024 December 1 shall be reallocated to state universities that have
8025 remaining unmatched private contributions for the program on the
8026 basis of full-time equivalent enrollment.

8027 Section 132. Effective July 1, 2017, section 1009.89,
8028 Florida Statutes, is amended to read:

8029 1009.89 The William L. Boyd, IV, Effective Access to
8030 Student Education ~~Florida resident access~~ grants.—

8031 (1) The Legislature finds and declares that independent
8032 nonprofit colleges and universities eligible to participate in
8033 the William L. Boyd, IV, Effective Access to Student Education

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8034 ~~Florida Resident Access~~ Grant Program are an integral part of
8035 the higher education system in this state and that a significant
8036 number of state residents choose this form of higher education.
8037 The Legislature further finds that a strong and viable system of
8038 independent nonprofit colleges and universities reduces the tax
8039 burden on the citizens of the state. Because the William L.
8040 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
8041 ~~Access~~ Grant Program is not related to a student's financial
8042 need or other criteria upon which financial aid programs are
8043 based, it is the intent of the Legislature that the William L.
8044 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
8045 ~~Access~~ Grant Program not be considered a financial aid program
8046 but rather a tuition assistance program for its citizens.

8047 (2) The William L. Boyd, IV, Effective Access to Student
8048 Education ~~Florida Resident Access~~ Grant Program shall be
8049 administered by the Department of Education. The State Board of
8050 Education shall adopt rules for the administration of the
8051 program.

8052 (3) The department shall issue through the program a
8053 William L. Boyd, IV, Effective Access to Student Education
8054 ~~Florida resident access~~ grant to any full-time degree-seeking
8055 undergraduate student registered at an independent nonprofit
8056 college or university which is located in and chartered by the
8057 state; which is accredited by the Commission on Colleges of the
8058 Southern Association of Colleges and Schools; which grants
8059 baccalaureate degrees; which is not a state university or
8060 Florida Community College System institution; and which has a
8061 secular purpose, so long as the receipt of state aid by students
8062 at the institution would not have the primary effect of

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8063 advancing or impeding religion or result in an excessive
8064 entanglement between the state and any religious sect. Any
8065 independent college or university that was eligible to receive
8066 tuition vouchers on January 1, 1989, and which continues to meet
8067 the criteria under which its eligibility was established, shall
8068 remain eligible to receive William L. Boyd, IV, Effective Access
8069 to Student Education ~~Florida resident access~~ grant payments.

8070 (4) A person is eligible to receive such William L. Boyd,
8071 IV, Effective Access to Student Education ~~Florida resident~~
8072 ~~access~~ grant if:

8073 (a) He or she meets the general requirements, including
8074 residency, for student eligibility as provided in s. 1009.40,
8075 except as otherwise provided in this section; and

8076 (b)1. He or she is enrolled as a full-time undergraduate
8077 student at an eligible college or university;

8078 2. He or she is not enrolled in a program of study leading
8079 to a degree in theology or divinity; and

8080 3. He or she is making satisfactory academic progress as
8081 defined by the college or university in which he or she is
8082 enrolled.

8083 (5) (a) Funding for the William L. Boyd, IV, Effective
8084 Access to Student Education ~~Florida Resident Access~~ Grant
8085 Program for eligible institutions shall be as provided in the
8086 General Appropriations Act. The William L. Boyd, IV, Effective
8087 Access to Student Education ~~Florida resident access~~ grant may be
8088 paid on a prorated basis in advance of the registration period.
8089 The department shall make such payments to the college or
8090 university in which the student is enrolled for credit to the
8091 student's account for payment of tuition and fees. Institutions

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8092 shall certify to the department the amount of funds disbursed to
8093 each student and shall remit to the department any undisbursed
8094 advances or refunds within 60 days of the end of regular
8095 registration. A student is not eligible to receive the award for
8096 more than 9 semesters or 14 quarters, except as otherwise
8097 provided in s. 1009.40(3).

8098 (b) If the combined amount of the William L. Boyd, IV,
8099 Effective Access to Student Education ~~Florida resident access~~
8100 grant issued pursuant to this act and all other scholarships and
8101 grants for tuition or fees exceeds the amount charged to the
8102 student for tuition and fees, the department shall reduce the
8103 William L. Boyd, IV, Effective Access to Student Education
8104 ~~Florida resident access~~ grant issued pursuant to this act by an
8105 amount equal to such excess.

8106 (6) If the number of eligible students exceeds the total
8107 authorized in the General Appropriations Act, an institution may
8108 use its own resources to assure that each eligible student
8109 receives the full benefit of the grant amount authorized.

8110 Section 133. Effective July 1, 2017, subsections (2), (4),
8111 and (5) of section 1009.893, Florida Statutes, are amended to
8112 read:

8113 1009.893 Benacquisto Scholarship Program.—

8114 (2) The Benacquisto Scholarship Program is created to
8115 reward a ~~any Florida~~ high school graduate who receives
8116 recognition as a National Merit Scholar or National Achievement
8117 Scholar and who initially enrolls in the 2014-2015 academic year
8118 or, later, in a baccalaureate degree program at an eligible
8119 Florida public or independent postsecondary educational
8120 institution.

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8121 (4) In order to be eligible for an award under the
8122 scholarship program, a student must meet the requirements of
8123 paragraph (a) or paragraph (b).÷

8124 (a) A student who is a resident of the state, ~~Be a state~~
8125 ~~resident~~ as determined in s. 1009.40 and rules of the State
8126 Board of Education, must:÷

8127 1.~~(b)~~ Earn a standard Florida high school diploma or its
8128 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
8129 or s. 1003.435 unless:

8130 a.~~1~~ The student completes a home education program
8131 according to s. 1002.41; or

8132 b.~~2~~ The student earns a high school diploma from a non-
8133 Florida school while living with a parent who is on military or
8134 public service assignment out of this state;

8135 2.~~(e)~~ Be accepted by and enroll in a Florida public or
8136 independent postsecondary educational institution that is
8137 regionally accredited; and

8138 3.~~(d)~~ Be enrolled full-time in a baccalaureate degree
8139 program at an eligible regionally accredited Florida public or
8140 independent postsecondary educational institution during the
8141 fall academic term following high school graduation.

8142 (b) A student who initially enrolls in a baccalaureate
8143 degree program in the 2017-2018 academic year or later and who
8144 is not a resident of this state, as determined pursuant to s.
8145 1009.40 and rules of the State Board of Education, must:

8146 1. Physically reside in this state on or near the campus of
8147 the postsecondary educational institution in which the student
8148 is enrolled;

8149 2. Earn a high school diploma from a school outside Florida

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8150 which is comparable to a standard Florida high school diploma or
8151 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.
8152 1003.4282, or s. 1003.435 or must complete a home education
8153 program in another state; and

8154 3. Be accepted by and enrolled full-time in a baccalaureate
8155 degree program at an eligible regionally accredited Florida
8156 public or independent postsecondary educational institution
8157 during the fall academic term following high school graduation.

8158 (5) (a) 1. An eligible student who meets the requirements of
8159 paragraph (4) (a), who is a National Merit Scholar or National
8160 Achievement Scholar, and who attends a Florida public
8161 postsecondary educational institution shall receive a
8162 scholarship award equal to the institutional cost of attendance
8163 minus the sum of the student's Florida Bright Futures
8164 Scholarship and National Merit Scholarship or National
8165 Achievement Scholarship.

8166 2. An eligible student who meets the requirements under
8167 paragraph (4) (b), who is a National Merit Scholar, and who
8168 attends a Florida public postsecondary educational institution
8169 shall receive a scholarship award equal to the institutional
8170 cost of attendance for a resident of this state less the
8171 student's National Merit Scholarship. Such student is exempt
8172 from the payment of out-of-state fees.

8173 (b) An eligible student who is a National Merit Scholar or
8174 National Achievement Scholar and who attends a Florida
8175 independent postsecondary educational institution shall receive
8176 a scholarship award equal to the highest cost of attendance for
8177 a resident of this state enrolled at a Florida public
8178 university, as reported by the Board of Governors of the State

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8179 University System, minus the sum of the student's Florida Bright
8180 Futures Scholarship and National Merit Scholarship or National
8181 Achievement Scholarship.

8182 Section 134. Effective July 1, 2017, section 1009.894,
8183 Florida Statutes, is created to read:

8184 1009.894 Florida Farmworker Student Scholarship Program.—
8185 The Legislature recognizes the vital contribution of farmworkers
8186 to the economy of this state. The Florida Farmworker Student
8187 Scholarship Program is created to provide scholarships for
8188 farmworkers, as defined in s. 420.503, and the children of such
8189 farmworkers.

8190 (1) The Department of Education shall administer the
8191 Florida Farmworker Student Scholarship Program according to
8192 rules and procedures established by the State Board of
8193 Education. Up to 50 scholarships shall be awarded annually
8194 according to the criteria established in subsection (2) and
8195 contingent upon an appropriation in the General Appropriations
8196 Act.

8197 (2) (a) To be eligible for an initial scholarship, a student
8198 must, at a minimum:

8199 1. Have a resident status as required by s. 1009.40 and
8200 rules of the State Board of Education;

8201 2. Earn a minimum cumulative 3.5 weighted grade point
8202 average for all high school courses creditable towards a
8203 diploma;

8204 3. Complete a minimum of 30 hours of community service; and

8205 4. Have at least a 90 percent attendance rate and not have
8206 had any disciplinary action brought against him or her, as
8207 documented on the student's high school transcript.

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8208
8209 For purposes of this section, undocumented immigrants are not
8210 eligible for an award.

8211 (b) The department shall rank eligible initial applicants
8212 for the purposes of awarding scholarships based on need, as
8213 determined by the department.

8214 (c) In order to renew a scholarship awarded pursuant to
8215 this section, a student must maintain at least a cumulative
8216 grade point average of 2.5 or higher on a 4.0 scale for college
8217 coursework.

8218 (3) A scholarship recipient must enroll in a minimum of 12
8219 credit hours per term, or the equivalent, at a public
8220 postsecondary educational institution in this state to receive
8221 funding.

8222 (4) A scholarship recipient may receive an award for a
8223 maximum of 100 percent of the number of credit hours required to
8224 complete an associate or baccalaureate degree program or receive
8225 an award for a maximum of 100 percent of the credit hours or
8226 clock hours required to complete up to 90 credit hours of a
8227 program that terminates in a career certificate. The scholarship
8228 recipient is eligible for an award equal to the amount required
8229 to pay the tuition and fees established under ss. 1009.22(3),
8230 (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11);
8231 and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a
8232 public postsecondary educational institution in this state.
8233 Renewal scholarships must take precedence over new awards in a
8234 year in which funds are not sufficient to accommodate both
8235 initial and renewal awards. The scholarship must be prorated for
8236 any such year.

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8237 (5) Subject to appropriation in the General Appropriations
8238 Act, the department shall annually issue awards from the
8239 scholarship program. Before the registration period each
8240 semester, the department shall transmit payment for each award
8241 to the president or director of the postsecondary educational
8242 institution, or his or her representative. However, the
8243 department may withhold payment if the receiving institution
8244 fails to submit the following reports or make the following
8245 refunds to the department:

8246 (a) Each institution shall certify to the department the
8247 eligibility status of each student to receive a disbursement
8248 within 30 days before the end of its regular registration
8249 period, inclusive of a drop and add period. An institution is
8250 not required to reevaluate the student eligibility after the end
8251 of the drop and add period.

8252 (b) An institution that receives funds from the scholarship
8253 program must certify to the department the amount of funds
8254 disbursed to each student and remit to the department any
8255 undisbursed advance within 60 days after the end of the regular
8256 registration period.

8257 (6) The department shall allocate funds to the appropriate
8258 institutions and collect and maintain data regarding the
8259 scholarship program within the student financial assistance
8260 database as specified in s. 1009.94.

8261 (7) Funding for this program shall be as provided in the
8262 General Appropriations Act.

8263 Section 135. Effective July 1, 2017, present paragraphs (e)
8264 and (f) of subsection (10) of section 1009.98, Florida Statutes,
8265 are redesignated as paragraphs (f) and (g), respectively, and a

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8266 new paragraph (e) is added to that subsection, to read:
8267 1009.98 Stanley G. Tate Florida Prepaid College Program.—
8268 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—
8269 (e) Notwithstanding the number of credit hours used by a
8270 state university to assess the amount for registration fees, the
8271 tuition differential, or local fees, the amount paid by the
8272 board to any state university on behalf of a qualified
8273 beneficiary of an advance payment contract purchased before July
8274 1, 2024, may not exceed the number of credit hours taken by that
8275 qualified beneficiary at a state university.

8276 Section 136. Effective July 1, 2017, section 1013.79,
8277 Florida Statutes, is amended to read:

8278 1013.79 University Facility Enhancement Challenge Grant
8279 Program.—

8280 (1) The Legislature recognizes that the universities do not
8281 have sufficient physical facilities to meet the current demands
8282 of their instructional and research programs. It further
8283 recognizes that, to strengthen and enhance universities, it is
8284 necessary to provide facilities in addition to those currently
8285 available from existing revenue sources. It further recognizes
8286 that there are sources of private support that, if matched with
8287 state support, can assist in constructing much-needed facilities
8288 and strengthen the commitment of citizens and organizations in
8289 promoting excellence throughout the state universities.

8290 ~~Therefore, it is the intent of the Legislature to establish a~~
8291 ~~trust fund to provide the opportunity for each university to~~
8292 ~~receive support for challenge grants for instructional and~~
8293 ~~research-related capital facilities within the university.~~

8294 (2) There is established the Alec P. Courtelis University

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8295 Facility Enhancement Challenge Grant Program for the purpose of
8296 assisting universities build high priority instructional and
8297 research-related capital facilities, including common areas
8298 connecting such facilities. The associated foundations that
8299 serve the universities shall solicit gifts from private sources
8300 to provide matching funds for capital facilities. For the
8301 purposes of this act, private sources of funds may ~~shall~~ not
8302 include any federal, state, or local government funds that a
8303 university may receive.

8304 ~~(3)(a) There is established the Alec P. Courtelis Capital~~
8305 ~~Facilities Matching Trust Fund to facilitate the development of~~
8306 ~~high priority instructional and research-related capital~~
8307 ~~facilities, including common areas connecting such facilities,~~
8308 ~~within a university. All appropriated funds deposited into the~~
8309 ~~trust fund shall be invested pursuant to s. 17.61. Interest~~
8310 ~~income accruing to that portion of the trust fund shall increase~~
8311 ~~the total funds available for the challenge grant program.~~

8312 ~~(b) Effective July 1, 2009, the Alec P. Courtelis Capital~~
8313 ~~Facilities Matching Trust Fund is terminated.~~

8314 ~~(c) The State Board of Education shall pay any outstanding~~
8315 ~~debts and obligations of the terminated fund as soon as~~
8316 ~~practicable, and the Chief Financial Officer shall close out and~~
8317 ~~remove the terminated funds from various state accounting~~
8318 ~~systems using generally accepted accounting principles~~
8319 ~~concerning warrants outstanding, assets, and liabilities.~~

8320 ~~(d) By June 30, 2008, all private funds and associated~~
8321 ~~interest earnings held in the Alec P. Courtelis Capital~~
8322 ~~Facilities Matching Trust Fund shall be transferred to the~~
8323 ~~originating university's individual program account.~~

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8324 ~~(3)~~(4) Each university shall establish, pursuant to s.
8325 1011.42, a facilities matching grant program account as a
8326 depository for private contributions provided under this
8327 section. Once a project is under contract, funds appropriated as
8328 state matching funds may be transferred to the university's
8329 account once the Board of Governors certifies receipt of the
8330 private matching funds pursuant to subsection (4) ~~(5)~~. State
8331 funds that are not needed as matching funds for the project for
8332 which appropriated shall be transferred, together with any
8333 accrued interest, back to the state fund from which such funds
8334 were appropriated. The transfer of unneeded state funds must
8335 ~~shall~~ occur within 30 days after final completion of the project
8336 or within 30 days after a determination that the project will
8337 not be completed. The Public Education Capital Outlay and Debt
8338 Service Trust Fund or the Capital Improvement Trust Fund may
8339 ~~shall~~ not be used as the source of the state match for private
8340 contributions. Interest income accruing from the private
8341 donations shall be returned to the participating foundation upon
8342 completion of the project.

8343 ~~(4)~~(5) A project may not be initiated unless all private
8344 funds for planning, construction, and equipping the facility
8345 have been received and deposited in the separate university
8346 program account designated for this purpose. However, these
8347 requirements do not preclude the university from expending funds
8348 derived from private sources to develop a prospectus, including
8349 preliminary architectural schematics or models, for use in its
8350 efforts to raise private funds for a facility, and for site
8351 preparation, planning, and construction. The Board of Governors
8352 shall establish a method for validating the receipt and deposit

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8353 of private matching funds. The Legislature may appropriate the
8354 state's matching funds in one or more fiscal years for the
8355 planning, construction, and equipping of an eligible facility.
8356 Each university shall notify all donors of private funds of a
8357 substantial delay in the availability of state matching funds
8358 for this program.

8359 (5)~~(6)~~ To be eligible to participate in the Alec P.
8360 Courtelis University Facility Enhancement Challenge Grant
8361 Program, a university must ~~shall~~ raise a contribution equal to
8362 one-half of the total cost of a facilities construction project
8363 from private nongovernmental sources which must ~~shall~~ be matched
8364 by a state appropriation equal to the amount raised for a
8365 facilities construction project subject to the General
8366 Appropriations Act.

8367 (6)~~(7)~~ If the state's share of the required match is
8368 insufficient to meet the requirements of subsection (5) ~~(6)~~, the
8369 university must ~~shall~~ renegotiate the terms of the contribution
8370 with the donors. If the project is terminated, each private
8371 donation, plus accrued interest, reverts to the foundation for
8372 remittance to the donor.

8373 (7)~~(8)~~ By October 15 of each year, the Board of Governors
8374 shall transmit to the Legislature a list of projects that meet
8375 all eligibility requirements to participate in the Alec P.
8376 Courtelis University Facility Enhancement Challenge Grant
8377 Program and a budget request that includes the recommended
8378 schedule necessary to complete each project.

8379 (8)~~(9)~~ In order for a project to be eligible under this
8380 program, it must be included in the university 5-year capital
8381 improvement plan and must receive approval from the Board of

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8382 Governors or the Legislature.

8383 (9)~~(10)~~ A university's project may not be removed from the
8384 approved 3-year PECO priority list because of its successful
8385 participation in this program until approved by the Legislature
8386 and provided for in the General Appropriations Act. When such a
8387 project is completed and removed from the list, all other
8388 projects shall move up on the 3-year PECO priority list. A
8389 university may ~~shall~~ not use PECO funds, including the Capital
8390 Improvement Trust Fund fee and the building fee, to complete a
8391 project under this section.

8392 (10)~~(11)~~ The surveys, architectural plans, facility, and
8393 equipment are ~~shall be~~ the property of the State of Florida. A
8394 facility constructed pursuant to this section may be named in
8395 honor of a donor at the option of the university and the Board
8396 of Governors. A ~~No~~ facility may not ~~shall~~ be named after a
8397 living person without prior approval by the Legislature.

8398 (11)~~(12)~~ Effective July 1, 2011, state matching funds are
8399 temporarily suspended for donations received for this program on
8400 or after June 30, 2011. Existing eligible donations remain
8401 eligible for future matching funds. The program may be restarted
8402 after \$200 million of the backlog for programs under ss.
8403 1011.32, 1011.85, 1011.94, and this section have been matched.

8404 (12) Notwithstanding the suspension provision under
8405 subsection (11), for the 2017-2018 fiscal year and subject to
8406 the General Appropriations Act, the Legislature may choose to
8407 prioritize funding for those projects that have matching funds
8408 available before June 30, 2011, and that have not yet been
8409 constructed.

8410 Section 137. Effective July 1, 2017, subsection (3) of

2017374er

8411 section 267.062, Florida Statutes, is amended to read:

8412 267.062 Naming of state buildings and other facilities.—

8413 (3) Notwithstanding ~~the provisions of~~ subsection (1) or s.
8414 1013.79(10) ~~s. 1013.79(11)~~, any state building, road, bridge,
8415 park, recreational complex, or other similar facility of a state
8416 university may be named for a living person by the university
8417 board of trustees in accordance with regulations adopted by the
8418 Board of Governors of the State University System.

8419 Section 138. The Division of Law Revision and Information
8420 is directed to prepare a reviser's bill for the 2018 Regular
8421 Session to substitute the term "Effective Access to Student
8422 Education Grant Program" for "Florida Resident Access Grant
8423 Program" and the term "Effective Access to Student Education
8424 grant" for "Florida resident access grant" wherever those terms
8425 appear in the Florida Statutes.

8426 Section 139. Except as otherwise expressly provided in this
8427 act and except for this section, which shall take effect upon
8428 becoming a law, this act shall take effect October 1, 2017.