

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

26 | specified date; amending s. 1000.03, F.S.; revising  
27 | the function and mission of the Florida K-20 education  
28 | system; requiring the State Board of Community  
29 | Colleges to oversee enforcement of Florida Community  
30 | College System laws and rules; amending s. 1000.05,  
31 | F.S.; requiring the State Board of Community Colleges,  
32 | instead of the Commissioner of Education, to make  
33 | certain determinations regarding equal opportunities  
34 | at Florida Community College System institutions;  
35 | requiring the State Board of Community Colleges to  
36 | adopt rules; amending s. 1001.02, F.S.; revising the  
37 | general powers of the State Board of Education to  
38 | exempt provisions relating to the Florida Community  
39 | College System; amending s. 1001.03, F.S.; revising  
40 | certain articulation accountability and enforcement  
41 | measures; requiring the State Board of Education to  
42 | collect information in conjunction with the Board of  
43 | Governors and the State Board of Community Colleges;  
44 | deleting duties of the State Board of Education  
45 | regarding the Florida Community College System;  
46 | amending ss. 1001.10 and 1001.11, F.S.; revising the  
47 | general powers and duties of the Commissioner of  
48 | Education to exempt certain powers and duties related  
49 | to the Florida Community College System; amending s.  
50 | 1001.20, F.S.; revising duties of the Office of

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

76 | Community Colleges; amending s. 1002.34, F.S.;

77 | providing the primary mission of a charter technical

78 | career center; prohibiting specified career centers or

79 | charter technical career centers from offering certain

80 | courses and programs; requiring the State Board of

81 | Education to adopt rules; amending s. 1003.491, F.S.;

82 | revising the Florida Career and Professional Education

83 | Act to require the State Board of Community Colleges

84 | to recommend, jointly with the Board of Governors and

85 | the Commissioner of Education, certain deadlines for

86 | new core courses; amending s. 1003.493, F.S.; revising

87 | department duties regarding articulation and the

88 | transfer of credits to postsecondary institutions to

89 | include consultation with the State Board of Community

90 | Colleges; amending s. 1004.015, F.S.; providing that

91 | the Higher Education Coordinating Council serves as an

92 | advisory board to, in addition to other bodies, the

93 | State Board of Community Colleges; revising council

94 | reporting requirements to include a report to the

95 | State Board of Community Colleges; requiring the State

96 | Board of Community Colleges, in addition to other

97 | entities, to provide administrative support for the

98 | council; amending ss. 1004.02 and 1004.03, F.S.;

99 | conforming provisions to changes made by the act;

100 | amending s. 1004.04, F.S.; revising department

101 reporting requirements regarding teacher preparation  
102 programs to require a report to the State Board of  
103 Community Colleges; amending s. 1004.07, F.S.;  
104 providing that the State Board of Community Colleges,  
105 instead of the State Board of Education, provide  
106 guidelines for Florida Community College System  
107 institution boards of trustees' policies; amending ss.  
108 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, and  
109 1004.6495, F.S.; conforming provisions to changes made  
110 by the act; amending s. 1004.65, F.S.; revising  
111 Florida Community College System institution  
112 governance, mission, and responsibilities to provide  
113 authority and duties to the State Board of Community  
114 Colleges, instead of the State Board of Education;  
115 providing that offering upper-level instruction and  
116 awarding baccalaureate degrees are a secondary and not  
117 a primary role of a Florida Community College System  
118 institution; amending ss. 1004.67, 1004.70, and  
119 1004.71, F.S.; conforming provisions to changes made  
120 by the act; amending s. 1004.74, F.S.; requiring the  
121 Chancellor of the Florida Community College System,  
122 jointly with the Commissioner of Education, to appoint  
123 members of the Council for the Florida School for the  
124 Arts; amending ss. 1004.78 and 1004.80, F.S.;  
125 conforming provisions to changes made by the act;

126 amending s. 1004.91, F.S.; requiring the State Board  
127 of Community Colleges, instead of the State Board of  
128 Education, to provide certain rules for Florida  
129 Community College System institutions regarding  
130 requirements for career education program basic  
131 skills; amending s. 1004.92, F.S.; providing  
132 accountability for career education for the State  
133 Board of Community Colleges; revising the department's  
134 accountability for career education; requiring the  
135 State Board of Education and the State Board of  
136 Community Colleges to adopt rules; amending s.  
137 1004.925, F.S.; revising industry certification  
138 requirements for automotive service technology  
139 education programs to include the State Board of  
140 Community Colleges; amending s. 1004.93, F.S.;  
141 conforming provisions to changes made by the act;  
142 amending s. 1006.60, F.S.; authorizing sanctions for  
143 violations of certain rules of the State Board of  
144 Community Colleges, instead of the State Board of  
145 Education; amending ss. 1006.61, 1006.62, and 1006.71,  
146 F.S.; conforming provisions to changes made by the  
147 act; amending s. 1007.01, F.S.; revising the role of  
148 the State Board of Education and the Board of  
149 Governors in the statewide articulation system to  
150 include the State Board of Community Colleges and the

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

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

201 and reports to the State Board of Community Colleges;  
202 amending s. 1008.32, F.S.; removing the oversight  
203 enforcement authority of the State Board of Education  
204 relating to the Florida Community College System;  
205 amending s. 1008.345, F.S.; removing provisions  
206 requiring the department to maintain a listing of  
207 certain skills associated with the system of  
208 educational accountability; amending s. 1008.37, F.S.;  
209 revising certain student reporting requirements of the  
210 Commissioner of Education to also require a report to  
211 the State Board of Community Colleges; amending s.  
212 1008.38, F.S.; revising the articulation  
213 accountability process to include participation by the  
214 State Board of Community Colleges; amending s.  
215 1008.405, F.S.; requiring the State Board of Community  
216 Colleges to adopt rules for the maintaining of  
217 specific information by Florida Community College  
218 System institutions; amending ss. 1008.44, 1008.45,  
219 1009.21, 1009.22, 1009.23, and 1009.25, F.S.;  
220 conforming provisions to changes made by the act;  
221 amending s. 1009.26, F.S.; requiring that certain  
222 information regarding fee waivers be reported to the  
223 State Board of Community Colleges; requiring the State  
224 Board of Community Colleges to adopt rules; amending  
225 s. 1009.28, F.S.; conforming provisions to changes

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

251 Florida Community College System institution board of  
252 trustees to submit an annual operating budget  
253 according to rules of the State Board of Community  
254 Colleges; amending s. 1011.011, F.S.; requiring the  
255 State Board of Education to collaborate with the State  
256 Board of Community Colleges for legislative budget  
257 requests relating to Florida Community College System  
258 institutions; amending ss. 1011.30 and 1011.32, F.S.;  
259 conforming provisions to changes made by the act;  
260 amending s. 1011.80, F.S.; conforming provisions to  
261 changes made by the act; authorizing the State Board  
262 of Community Colleges to adopt rules; amending s.  
263 1011.801, F.S.; specifying duties of the State Board  
264 of Community Colleges regarding funds for the  
265 operation of workforce education programs and the  
266 Workforce Development Capitalization Incentive Grant  
267 Program; amending ss. 1011.81, 1011.82, 1011.83,  
268 1011.84, and 1011.85, F.S.; conforming provisions to  
269 changes made by the act; amending s. 1012.01, F.S.;  
270 redefining the term "school officers"; amending ss.  
271 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,  
272 F.S.; conforming provisions to changes made by the  
273 act; amending s. 1013.01, F.S.; providing that the  
274 term "board" does not include the State Board of  
275 Community Colleges when used in the context of certain

276 educational facilities provisions; amending ss.  
277 1013.02 and 1013.03, F.S.; requiring the State Board  
278 of Community Colleges to adopt rules for and provide  
279 functions relating to educational facilities; amending  
280 s. 1013.28, F.S.; authorizing Florida Community  
281 College System institution boards of trustees to  
282 dispose of land or real property subject to rules of  
283 the State Board of Community Colleges; amending s.  
284 1013.31, F.S.; specifying the role of the State Board  
285 of Community Colleges in educational plant surveys for  
286 Florida Community College System institutions;  
287 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;  
288 conforming provisions to changes made by the act;  
289 amending s. 1013.47, F.S.; providing that certain  
290 contractors are subject to rules of the State Board of  
291 Community Colleges; amending s. 1013.52, F.S.;  
292 specifying duties of the State Board of Community  
293 Colleges with regard to the cooperative development  
294 and joint use of facilities; amending s. 1013.65,  
295 F.S.; requiring the State Board of Community Colleges  
296 to be provided with copies of authorized allocations  
297 or reallocations for the Public Education Capital  
298 Outlay and Debt Service Trust Fund; requiring the  
299 Board of Governors and the State Board of Community  
300 Colleges to submit a report to the Governor and the

301 Legislature by a specified date; providing a directive  
 302 to the Division of Law Revision and Information;  
 303 providing effective dates.

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

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

309 Section 2. Florida Community College System Governance.—

310 (1) Effective July 1, 2017:

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

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

321 (c) The Division of Florida Colleges shall provide  
 322 administrative support to the State Board of Community Colleges  
 323 until September 30, 2017.

324 (2) (a) Effective October 1, 2017, powers, duties,  
 325 functions, records, offices, personnel, property, pending issues

326 and existing contracts, administrative authority, administrative  
 327 rules, and unexpended balances of appropriations, allocations,  
 328 and other funds related to the Florida College System and the  
 329 Division of Florida Colleges are transferred by a type two  
 330 transfer, as defined in s. 20.06(2), Florida Statutes, from the  
 331 State Board of Education to the State Board of Community  
 332 Colleges.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

376 Community Colleges.

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

379 20.156 State Board of Community Colleges.—

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

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

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

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

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

408        Section 5. Subsections (2) and (4) of section 1000.03,  
 409 Florida Statutes, are amended to read:

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

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

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

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

426 disincentives to force accountability for results.

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

432 (4) The mission of Florida's K-20 education system is to  
433 allow its students to increase their proficiency by allowing  
434 them the opportunity to expand their knowledge and skills  
435 through rigorous and relevant learning opportunities, in  
436 accordance with the mission of the applicable career center or  
437 system ~~statement~~ and the accountability requirements of s.  
438 1008.31, and to avoid wasteful duplication of programs offered  
439 by state universities, Florida Community College System  
440 institutions, and career centers and charter technical career  
441 centers that are operated by a district school board or a  
442 Florida Community College System institution board of trustees.

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

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

449 (3)

450 (d) A public K-20 educational institution which operates

451 or sponsors interscholastic, intercollegiate, club, or  
452 intramural athletics shall provide equal athletic opportunity  
453 for members of both genders.

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

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

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

468 b. The provision of equipment and supplies.

469 c. Scheduling of games and practice times.

470 d. Travel and per diem allowances.

471 e. Opportunities to receive coaching and academic  
472 tutoring.

473 f. Assignment and compensation of coaches and tutors.

474 g. Provision of locker room, practice, and competitive  
475 facilities.

476           h. Provision of medical and training facilities and  
477 services.

478           i. Provision of housing and dining facilities and  
479 services.

480           j. Publicity.

481  
482 Unequal aggregate expenditures for members of each gender or  
483 unequal expenditures for male and female teams if a public  
484 school or Florida Community College System institution operates  
485 or sponsors separate teams do not constitute nonimplementation  
486 of this subsection, but the Commissioner of Education shall  
487 consider the failure to provide necessary funds for teams for  
488 one gender in assessing equality of opportunity for members of  
489 each gender.

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

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

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

498           (6) The functions of the State Board of Community Colleges  
499 for Florida Community College System institutions and the Office  
500 of Equal Educational Opportunity of the Department of Education

501 shall include, but are not limited to:

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

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

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

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

525 (e) Requiring all district school boards and Florida

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

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

551 association whose purpose is to promote athletics and a  
552 conference or league exists to promote interscholastic or  
553 intercollegiate competition for women in that athletic activity.

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

564 1. Declare the school district or Florida Community  
565 College System institution ineligible for competitive state  
566 grants.

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

571  
572 The school district or Florida Community College System  
573 institution shall remain ineligible and the funds may ~~shall~~ not  
574 be paid until the institution comes into compliance or the State  
575 Board of Education or the State Board of Community Colleges, as

576 applicable, approves a plan for compliance.

577 Section 7. Section 1001.02, Florida Statutes, is amended  
578 to read:

579 1001.02 General powers of State Board of Education.—

580 (1) The State Board of Education is the chief implementing  
581 and coordinating body of public education in Florida except for  
582 the State University System and the Florida Community College  
583 System, and it shall focus on high-level policy decisions. It  
584 has authority to adopt rules pursuant to ss. 120.536(1) and  
585 120.54 to implement the provisions of law conferring duties upon  
586 it for the improvement of the state system of K-20 public  
587 education except for the State University System and the Florida  
588 Community College System. Except as otherwise provided herein,  
589 it may, as it finds appropriate, delegate its general powers to  
590 the Commissioner of Education or the directors of the divisions  
591 of the department.

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

593 (a) To adopt comprehensive educational objectives for  
594 public education except for the State University System and the  
595 Florida Community College System.

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

600 (c) To exercise general supervision over the divisions of

601 the Department of Education as necessary to ensure coordination  
602 of educational plans and programs and resolve controversies and  
603 to minimize problems of articulation and student transfers, to  
604 ensure that students moving from one level of education to the  
605 next have acquired competencies necessary for satisfactory  
606 performance at that level, and to ensure maximum utilization of  
607 facilities.

608 (d) To adopt, in consultation with the Board of Governors  
609 and the State Board of Community Colleges, and from time to time  
610 modify, minimum and uniform standards of college-level  
611 communication and computation skills generally associated with  
612 successful performance and progression through the baccalaureate  
613 level and to identify college-preparatory high school coursework  
614 and postsecondary-level coursework that prepares students with  
615 the academic skills necessary to succeed in postsecondary  
616 education.

617 (e) To adopt and submit to the Governor and Legislature,  
618 as provided in s. 216.023, a coordinated K-20 education budget  
619 that estimates the expenditure requirements for the Board of  
620 Governors, as provided in s. 1001.706, the State Board of  
621 Education, including the Department of Education and the  
622 Commissioner of Education, and all of the boards, institutions,  
623 agencies, and services under the general supervision of the  
624 Board of Governors, as provided in s. 1001.706, the State Board  
625 of Community Colleges, as provided in s. 1001.602, or the State

626 Board of Education for the ensuing fiscal year. The State Board  
627 of Education may not amend the budget request submitted by the  
628 Board of Governors or the State Board of Community Colleges. Any  
629 program recommended by the Board of Governors, the State Board  
630 of Community Colleges, or the State Board of Education which  
631 will require increases in state funding for more than 1 year  
632 must be presented in a multiyear budget plan.

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

637 (g) To approve plans for cooperating with the Federal  
638 Government.

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

643 (i) To review plans for cooperating with appropriate  
644 nonpublic agencies for the improvement of conditions relating to  
645 the welfare of schools.

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

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

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

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

658 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and  
659 120.54, within statutory authority.

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

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

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

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

674 (s) To establish a detailed procedure for the  
675 implementation and operation of a systemwide K-20 technology

676 | plan that is based on a common set of data definitions.

677 |       (t) To establish accountability standards for existing  
678 | legislative performance goals, standards, and measures, and  
679 | order the development of mechanisms to implement new legislative  
680 | goals, standards, and measures.

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

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

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

699 |       (3) (a) The State Board of Education shall adopt a  
700 | strategic plan that specifies goals and objectives for the

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

726           (b) The State Board of Education, and the Board of  
727 Governors, and the State Board of Community Colleges shall  
728 jointly develop long-range plans and annual reports for  
729 financial aid in this state. The long-range plans shall  
730 establish goals and objectives for a comprehensive program of  
731 financial aid for Florida students and shall be updated every 5  
732 years. The annual report shall include programs administered by  
733 the department as well as awards made from financial aid fee  
734 revenues, any other funds appropriated by the Legislature for  
735 financial assistance, and the value of tuition and fees waived  
736 for students enrolled in a dual enrollment course at a public  
737 postsecondary educational institution. The annual report shall  
738 include an assessment of progress made in achieving goals and  
739 objectives established in the long-range plans and  
740 recommendations for repealing or modifying existing financial  
741 aid programs or establishing new programs. A long-range plan  
742 shall be submitted by January 1, 2004, and every 5 years  
743 thereafter. An annual report shall be submitted on January 1,  
744 2004, and in each successive year that a long-range plan is not  
745 submitted, to the President of the Senate and the Speaker of the  
746 House of Representatives.

747           (4) The State Board of Education shall:

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

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

756       ~~(c) Establish, in conjunction with the Board of Governors,~~  
757 ~~an effective information system that will provide composite data~~  
758 ~~concerning the Florida College System institutions and state~~  
759 ~~universities and ensure that special analyses and studies~~  
760 ~~concerning the institutions are conducted, as necessary, for~~  
761 ~~provision of accurate and cost-effective information concerning~~  
762 ~~the institutions.~~

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

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

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

773       ~~(g)~~ adopt and submit to the Legislature a 3-year list of  
774 priorities for fixed-capital-outlay projects. The State Board of  
775 Education may not amend the 3-year list of priorities of the

776 Board of Governors or the State Board of Community Colleges.

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

784 ~~(6) The State Board of Education shall prescribe minimum~~  
785 ~~standards, definitions, and guidelines for Florida College~~  
786 ~~System institutions that will ensure the quality of education,~~  
787 ~~coordination among the Florida College System institutions and~~  
788 ~~state universities, and efficient progress toward accomplishing~~  
789 ~~the Florida College System institution mission. At a minimum,~~  
790 ~~these rules must address:~~

791 ~~(a) Personnel.~~

792 ~~(b) Contracting.~~

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

800 ~~(d) Provisions for curriculum development, graduation~~

801 ~~requirements, college calendars, and program service areas.~~

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

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

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

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

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

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

822 ~~(c) Student admissions, conduct and discipline,~~  
823 ~~nonclassroom activities, and fees.~~

824 ~~(f) Budgeting.~~

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

826 ~~(h) Student services.~~

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

829 Section 8. Subsections (7) through (17) of section  
 830 1001.03, Florida Statutes, are amended to read:

831 1001.03 Specific powers of State Board of Education.—

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

843 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education  
 844 shall enforce compliance with law and state board rule by all  
 845 school districts and public postsecondary educational  
 846 institutions, except for institutions within the State  
 847 University System and the Florida Community College System, in  
 848 accordance with the provisions of s. 1008.32.

849 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of  
 850 Education, in conjunction with the Board of Governors regarding

851 the State University System and the State Board of Community  
852 Colleges regarding the Florida Community College System, shall  
853 continue to collect and maintain, at a minimum, the management  
854 information databases for state universities, community  
855 colleges, and all other components of the public K-20 education  
856 system as such databases existed on June 30, 2002.

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

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

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

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

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

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

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

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

901 ~~(a) Performance metrics and standards common for all~~  
902 ~~institutions and metrics and standards unique to institutions~~  
903 ~~depending on institutional core missions, including, but not~~  
904 ~~limited to, remediation success, retention, graduation,~~  
905 ~~employment, transfer rates, licensure passage, excess hours,~~  
906 ~~student loan burden and default rates, job placement, faculty~~  
907 ~~awards, and highly respected rankings for institution and~~  
908 ~~program achievements.~~

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

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

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

923 1001.10 Commissioner of Education; general powers and  
924 duties.—

925 (1) The Commissioner of Education is the chief educational

926 officer of the state and the sole custodian of the K-20 data  
927 warehouse, and is responsible for giving full assistance to the  
928 State Board of Education in enforcing compliance with the  
929 mission and goals of the K-20 education system except for the  
930 State University System and the Florida Community College  
931 System.

932 (6) Additionally, the commissioner has the following  
933 general powers and duties:

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

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

951 recognizing the following:

952 1. The district school board is responsible for school and  
953 student performance.

954 2. The individual school is the unit for education  
955 accountability.

956 ~~3. The Florida College System institution board of~~  
957 ~~trustees is responsible for Florida College System institution~~  
958 ~~performance and student performance.~~

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

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

967 1001.11 Commissioner of Education; other duties.—

968 (1) The Commissioner of Education must independently  
969 perform the following duties:

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

975 ~~(d) Integrally work with the boards of trustees of the~~

976 ~~Florida College System institutions.~~

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

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

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

993 (a) Growth at the institutions.

994 (b) Need for specific skills statewide.

995 (c) Need for maintaining and repairing existing  
996 facilities.

997 Section 11. Paragraph (e) of subsection (4) of section  
998 1001.20, Florida Statutes, is amended to read:

999 1001.20 Department under direction of state board.—

1000 (4) The Department of Education shall establish the

1001 following offices within the Office of the Commissioner of  
 1002 Education which shall coordinate their activities with all other  
 1003 divisions and offices:

1004 (e) *Office of Inspector General.*—Organized using existing  
 1005 resources and funds and responsible for promoting  
 1006 accountability, efficiency, and effectiveness and detecting  
 1007 fraud and abuse within school districts and the Florida School  
 1008 for the Deaf and the Blind, ~~and Florida College System~~  
 1009 ~~institutions in Florida~~. If the Commissioner of Education  
 1010 determines that a district school board or the Board of  
 1011 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~  
 1012 ~~Florida College System institution board of trustees is~~  
 1013 unwilling or unable to address substantiated allegations made by  
 1014 any person relating to waste, fraud, or financial mismanagement  
 1015 within the school district or the Florida School for the Deaf  
 1016 and the Blind, ~~or the Florida College System institution,~~ the  
 1017 office shall conduct, coordinate, or request investigations into  
 1018 such substantiated allegations. The office shall have access to  
 1019 all information and personnel necessary to perform its duties  
 1020 and shall have all of its current powers, duties, and  
 1021 responsibilities authorized in s. 20.055.

1022 Section 12. Section 1001.28, Florida Statutes, is amended  
 1023 to read:

1024 1001.28 Distance learning duties.—The duties of the  
 1025 Department of Education concerning distance learning include,

1026 but are not limited to, the duty to:

1027 (1) Facilitate the implementation of a statewide  
1028 coordinated system and resource system for cost-efficient  
1029 advanced telecommunications services and distance education  
1030 which will increase overall student access to education.

1031 (2) Coordinate the use of existing resources, including,  
1032 but not limited to, the state's satellite transponders, the  
1033 Florida Information Resource Network (FIRN), and distance  
1034 learning initiatives.

1035 (3) Assist in the coordination of the utilization of the  
1036 production and uplink capabilities available through Florida's  
1037 public television stations, eligible facilities, independent  
1038 colleges and universities, private firms, and others as needed.

1039 (4) Seek the assistance and cooperation of Florida's cable  
1040 television providers in the implementation of the statewide  
1041 advanced telecommunications services and distance learning  
1042 network.

1043 (5) Seek the assistance and cooperation of Florida's  
1044 telecommunications carriers to provide affordable student access  
1045 to advanced telecommunications services and to distance  
1046 learning.

1047 (6) Coordinate partnerships for development, acquisition,  
1048 use, and distribution of distance learning.

1049 (7) Secure and administer funding for programs and  
1050 activities for distance learning from federal, state, local, and

1051 private sources and from fees derived from services and  
1052 materials.

1053 (8) Hire appropriate staff which may include a position  
1054 that shall be exempt from part II of chapter 110 and is included  
1055 in the Senior Management Service in accordance with s. 110.205.

1056

1057 Nothing in this section shall be construed to abrogate,  
1058 supersede, alter, or amend the powers and duties of any state  
1059 agency, district school board, Florida Community College System  
1060 institution board of trustees, university board of trustees, the  
1061 Board of Governors, the State Board of Community Colleges, or  
1062 the State Board of Education.

1063 Section 13. Effective July 1, 2017, subsection (26) of  
1064 section 1001.42, Florida Statutes, is amended to read:

1065 1001.42 Powers and duties of district school board.—The  
1066 district school board, acting as a board, shall exercise all  
1067 powers and perform all duties listed below:

1068 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a  
1069 governing board for a school district technical center or a  
1070 system of technical centers for the purpose of aligning the  
1071 educational programs of the technical center with the needs of  
1072 local businesses and responding quickly to the needs of local  
1073 businesses for employees holding industry certifications. A  
1074 technical center governing board shall be comprised of seven  
1075 members, three of whom must be members of the district school

1076 board or their designees and four of whom must be local business  
1077 leaders. The district school board shall delegate to the  
1078 technical center governing board decisions regarding entrance  
1079 requirements for students, curriculum, program development,  
1080 budget and funding allocations, and the development with local  
1081 businesses of partnership agreements and appropriate industry  
1082 certifications in order to meet local and regional economic  
1083 needs. A technical center governing board may approve only  
1084 courses and programs that contain industry certifications. A  
1085 course may be continued if at least 25 percent of the students  
1086 enrolled in the course attain an industry certification. If  
1087 fewer than 25 percent of the students enrolled in a course  
1088 attain an industry certification, the course must be  
1089 discontinued the following year. However, notwithstanding the  
1090 authority to approve courses and programs under this subsection,  
1091 a technical center governing board may not approve a college  
1092 credit course or a college credit certificate or an associate  
1093 degree or baccalaureate degree program.

1094 Section 14. Effective July 1, 2017, section 1001.44,  
1095 Florida Statutes, is amended to read:

1096 1001.44 Career centers; governance, mission, and  
1097 responsibilities.—

1098 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER  
1099 CENTERS.—Any district school board, after first obtaining the  
1100 approval of the Department of Education, may, as a part of the

1101 district school system, organize, establish and operate a career  
1102 center, or acquire and operate a career center previously  
1103 established.

1104 (a) The primary mission of a career center that is  
1105 operated by a district school board is to promote advances and  
1106 innovations in workforce preparation and economic development. A  
1107 career center may provide a learning environment that serves the  
1108 needs of a specific population group or group of occupations,  
1109 thus promoting diversity and choices within the public technical  
1110 education community in this state.

1111 (b) A career center that is operated by a district school  
1112 board may not offer a college credit course or a college credit  
1113 certificate or an associate degree or baccalaureate degree  
1114 program.

1115 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY  
1116 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards  
1117 of any two or more contiguous districts may, upon first  
1118 obtaining the approval of the department, enter into an  
1119 agreement to organize, establish and operate, or acquire and  
1120 operate, a career center under this section.

1121 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED  
1122 BY A DIRECTOR.—

1123 (a) A career center established or acquired under  
1124 provisions of law and minimum standards prescribed by the  
1125 commissioner shall comprise a part of the district school system

1126 and shall mean an educational institution offering terminal  
 1127 courses of a technical nature which are not for college credit,  
 1128 and courses for out-of-school youth and adults; shall be subject  
 1129 to all applicable provisions of this code; shall be under the  
 1130 control of the district school board of the school district in  
 1131 which it is located; and shall be directed by a director  
 1132 responsible through the district school superintendent to the  
 1133 district school board of the school district in which the center  
 1134 is located.

1135 (b) Each career center shall maintain an academic  
 1136 transcript for each student enrolled in the center. Such  
 1137 transcript shall delineate each course completed by the student.  
 1138 Courses shall be delineated by the course prefix and title  
 1139 assigned pursuant to s. 1007.24. The center shall make a copy of  
 1140 a student's transcript available to any student who requests it.

1141 Section 15. Section 1001.60, Florida Statutes, is amended  
 1142 to read:

1143 1001.60 Florida Community College System.—

1144 (1) PURPOSES.—In order to maximize open access for  
 1145 students, respond to community needs for postsecondary academic  
 1146 education and career degree education, and provide associate and  
 1147 baccalaureate degrees that will best meet the state's employment  
 1148 needs, the Legislature establishes a system of governance for  
 1149 the Florida Community College System.

1150 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a

1151 single Florida Community College System comprised of the Florida  
1152 Community College System institutions identified in s.  
1153 1000.21(3). A Florida Community College System institution may  
1154 not offer graduate degree programs.

1155 (a) The programs and services offered by Florida Community  
1156 College System institutions in providing associate and  
1157 baccalaureate degrees shall be delivered in a cost-effective  
1158 manner that demonstrates substantial savings to the student and  
1159 to the state over the cost of providing the degree at a state  
1160 university.

1161 (b)1. With the approval of its district board of trustees,  
1162 a Florida Community College System institution may change the  
1163 institution's name set forth in s. 1000.21(3) and use the  
1164 designation "college" or "state college" if it has been  
1165 authorized to grant baccalaureate degrees pursuant to s. 1007.33  
1166 and has been accredited as a baccalaureate-degree-granting  
1167 institution by the Commission on Colleges of the Southern  
1168 Association of Colleges and Schools.

1169 2. With the approval of its district board of trustees, a  
1170 Florida Community College System institution that does not meet  
1171 the criteria in subparagraph 1. may request approval from the  
1172 State Board of Education to change the institution's name set  
1173 forth in s. 1000.21(3) and use the designation "college." The  
1174 State Board of Community Colleges ~~Education~~ may approve the  
1175 request if the Florida Community College System institution

1176 enters into an agreement with the State Board of Community  
 1177 Colleges Education to do the following:

1178 a. Maintain as its primary mission responsibility for  
 1179 responding to community needs for postsecondary academic  
 1180 education and career degree education as prescribed in s.  
 1181 1004.65(5).

1182 b. Maintain an open-door admissions policy for associate-  
 1183 level degree programs and workforce education programs.

1184 c. Continue to provide outreach to underserved  
 1185 populations.

1186 d. Continue to provide remedial education.

1187 e. Comply with all provisions of the statewide  
 1188 articulation agreement that relate to 2-year and 4-year public  
 1189 degree-granting institutions as adopted by the State Board of  
 1190 Community Colleges Education pursuant to s. 1007.23.

1191 (c) A district board of trustees that approves a change to  
 1192 the name of an institution under paragraph (b) must seek  
 1193 statutory codification of such name change in s. 1000.21(3)  
 1194 during the next regular legislative session.

1195 (d) A Florida Community College System institution may not  
 1196 use the designation "university."

1197 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the  
 1198 Florida Community College System shall be governed by a local  
 1199 board of trustees as provided in s. 1001.64. The membership of  
 1200 each local board of trustees shall be as provided in s. 1001.61.

1201 Section 16. Effective July 1, 2017, section 1001.601,  
 1202 Florida Statutes, is created to read:

1203 1001.601 State Board of Community Colleges of the Florida  
 1204 Community College System.—

1205 (1) The State Board of Community Colleges is established  
 1206 as a body corporate consisting of 13 members as follows: 12  
 1207 citizen members appointed by the Governor, one of whom must be a  
 1208 student currently enrolled in a Florida Community College System  
 1209 institution, and the Commissioner of Education. Appointed  
 1210 members shall serve staggered 4-year terms. In order to achieve  
 1211 staggered terms, beginning September 1, 2017, 4 members shall  
 1212 serve a 2-year term, 4 members shall serve a 3-year term, and 4  
 1213 members shall serve a 4-year term. Members may be reappointed to  
 1214 one additional 4-year term.

1215 (2) Members of the State Board of Community Colleges may  
 1216 not receive compensation but may be reimbursed for travel and  
 1217 per diem expenses as provided in s. 112.061.

1218 Section 17. Section 1001.602, Florida Statutes, is created  
 1219 to read:

1220 1001.602 Powers and duties of the State Board of Community  
 1221 Colleges.—

1222 (1) RESPONSIBILITIES.—The State Board of Community  
 1223 Colleges is responsible for the efficient and effective  
 1224 operation and maintenance of the Florida Community College  
 1225 System, as defined in s. 1001.60. The State Board of Community

1226 Colleges may adopt rules pursuant to ss. 120.536(1) and 120.54  
1227 to implement provisions of law for the Florida Community College  
1228 System. For the purposes of this section, the State Board of  
1229 Community Colleges is referred to as the "state board."

1230 (2) DUTIES.—The state board has the following duties:

1231 (a) Ensure Florida Community College System institutions  
1232 operate consistent with the mission of the system, pursuant to  
1233 s. 1004.65.

1234 (b) Oversee the Florida Community College System and  
1235 coordinate with the Board of Governors and the State Board of  
1236 Education to avoid wasteful duplication of facilities or  
1237 programs.

1238 (c) Provide for each Florida Community College System  
1239 institution to offer educational training and service programs  
1240 designed to meet the needs of both students and the communities  
1241 served.

1242 (d) Hold meetings, transact business, keep records, and,  
1243 except as otherwise provided by law, perform such other duties  
1244 as may be necessary for the enforcement of laws and rules  
1245 relating to the Florida Community College System.

1246 (e) Provide for the coordination of educational plans and  
1247 programs to resolve controversies, minimize problems of  
1248 articulation and student transfers, ensure that students moving  
1249 from one level of education to the next have acquired  
1250 competencies necessary for satisfactory performance at that

1251 level, and ensure maximum utilization of facilities.

1252 (f) Establish and review, in consultation with the State  
1253 Board of Education and the Board of Governors, minimum and  
1254 uniform standards of college-level communication and computation  
1255 skills generally associated with successful performance and  
1256 progression through the baccalaureate level, to identify  
1257 college-preparatory high school coursework and postsecondary-  
1258 level coursework that prepares students with the academic skills  
1259 necessary to succeed in postsecondary education.

1260 (g) Approve plans for cooperating with the Federal  
1261 Government.

1262 (h) Approve plans for cooperating with other public  
1263 agencies in the development of rules and in the enforcement of  
1264 laws for which the state board and the agencies are jointly  
1265 responsible.

1266 (i) Create subordinate advisory bodies if required by law  
1267 or as necessary for the improvement of the Florida Community  
1268 College System.

1269 (j) Coordinate with the State Board of Education to  
1270 collect and maintain data for the Florida Community College  
1271 System.

1272 (k) Establish, in conjunction with the State Board of  
1273 Education and the Board of Governors, an effective information  
1274 system that will provide composite data concerning the Florida  
1275 Community College System institutions and state universities and

1276 that will ensure that special analyses and studies concerning  
1277 the institutions are conducted, as necessary, for provision of  
1278 accurate and cost-effective information concerning the  
1279 institutions.

1280 (l) Establish accountability standards for existing  
1281 legislative performance goals, standards, and measures, and  
1282 order the development of mechanisms to implement new legislative  
1283 goals, standards, and measures.

1284 (m) Require each Florida Community College System  
1285 institution, before registration, to provide each enrolled  
1286 student electronic access to the economic security report of  
1287 employment and earning outcomes prepared by the Department of  
1288 Economic Opportunity pursuant to s. 445.07.

1289 (n) Specify, by rule, procedures to be used by Florida  
1290 Community College System institution boards of trustees in the  
1291 annual evaluation of presidents, and review the evaluations of  
1292 presidents by the boards of trustees, including the extent to  
1293 which presidents serve both institutional and system goals.

1294 (o) Establish, subject to existing law, the tuition and  
1295 out-of-state fees for developmental education and for credit  
1296 instruction that may be counted toward an associate in arts  
1297 degree, an associate in applied science degree, or an associate  
1298 in science degree.

1299 (p) Develop, in conjunction with the Board of Governors  
1300 and the State Board of Education, and implement a common

1301 placement test to assess the basic computation and communication  
1302 skills of students who intend to enter a degree program at a  
1303 Florida Community College System institution or state  
1304 university.

1305 (q) May direct the Chancellor of the Florida Community  
1306 College System to conduct investigations of practices,  
1307 procedures, or actions at a Florida Community College System  
1308 institution which appear to be inconsistent with sound  
1309 financial, management, or academic practice.

1310 (r) Examine the annual administrative review of each  
1311 Florida Community College System institution.

1312 (s) Through the Chancellor of the Florida Community  
1313 College System, integrally work with the boards of trustees of  
1314 the Florida Community College System institutions.

1315 (t) Establish criteria for making recommendations  
1316 concerning all proposals to establish additional centers or  
1317 campuses for a Florida Community College System institution.

1318 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with  
1319 the requirements under subsection (4) and the performance  
1320 metrics and standards adopted under ss. 1001.66 and 1001.67, the  
1321 state board shall identify performance metrics for the Florida  
1322 Community College System and develop a plan that specifies goals  
1323 and objectives for each Florida Community College System  
1324 institution. The plan must include:

1325 (a) Performance metrics and standards common for all

1326 institutions and metrics and standards unique to institutions  
1327 depending on institutional core missions, including, but not  
1328 limited to, remediation success, retention, graduation,  
1329 employment, transfer rates, licensure passage, excess hours,  
1330 student loan burden and default rates, job placement, faculty  
1331 awards, and highly respected rankings for institution and  
1332 program achievements.

1333 (b) Student enrollment and performance data delineated by  
1334 method of instruction, including, but not limited to,  
1335 traditional, online, and distance learning instruction.

1336 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1337 (a) The state board shall adopt a strategic plan that  
1338 specifies goals and objectives for the Florida Community College  
1339 System. The plan must be formulated in conjunction with plans of  
1340 the State Board of Education and the Board of Governors in order  
1341 to coordinate the roles of the school districts and universities  
1342 to best meet state needs and reflect cost-effective use of state  
1343 resources. The strategic plan must clarify the mission  
1344 statements of the Florida Community College System and each  
1345 Florida Community College System institution and identify degree  
1346 programs, including baccalaureate degree programs, to be offered  
1347 at each Florida Community College System institution in  
1348 accordance with the objectives provided in this subsection and  
1349 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The  
1350 strategic plan must cover a period of 5 years, with modification

1351 of the program lists after 2 years. Development of each 5-year  
1352 plan must be coordinated with and initiated after completion of  
1353 the master plan. The strategic plan must consider reports and  
1354 recommendations of the Higher Education Coordinating Council  
1355 pursuant to s. 1004.015 and the Articulation Coordinating  
1356 Committee pursuant to s. 1007.01. Upon modification of the plan,  
1357 the state board shall submit a report to the President of the  
1358 Senate and the Speaker of the House of Representatives as part  
1359 of its legislative budget request.

1360 (b) The state board, the State Board of Education, and the  
1361 Board of Governors shall jointly develop long-range plans and  
1362 annual reports for financial aid in this state. The long-range  
1363 plans must establish goals and objectives for a comprehensive  
1364 program of financial aid for students and shall be updated every  
1365 5 years. The annual report must include programs administered by  
1366 the department as well as awards made from financial aid fee  
1367 revenues, other funds appropriated by the Legislature for  
1368 financial assistance, and the value of tuition and fees waived  
1369 for students enrolled in a dual enrollment course at a public  
1370 postsecondary educational institution. The annual report must  
1371 include an assessment of the progress made in achieving goals  
1372 and objectives established in the long-range plans and must  
1373 include recommendations for repealing or modifying existing  
1374 financial aid programs or establishing new programs. The state  
1375 board, the State Board of Education, and the Board of Governors

1376 shall submit their long-range plans by July 1, 2018, and every 5  
1377 years thereafter and shall submit their annual reports on July  
1378 1, 2018, and in each successive year that a long-range plan is  
1379 not submitted, to the President of the Senate and the Speaker of  
1380 the House of Representatives.

1381 (c) The state board shall also:

1382 1. Adopt comprehensive long-range plans and short-range  
1383 programs for the development of the Florida Community College  
1384 System.

1385 2. Assist in the economic development of the state by  
1386 developing a state-level planning process to identify future  
1387 training needs for industry, especially high-technology  
1388 industry.

1389 3. Adopt criteria and implementation plans for future  
1390 growth issues, such as new Florida Community College System  
1391 institutions and Florida Community College System institution  
1392 campus mergers, and provide for cooperative agreements between  
1393 and within public and private education sectors.

1394 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board  
1395 shall prescribe minimum standards, definitions, and guidelines  
1396 for Florida Community College System institutions which will  
1397 ensure the quality of education, coordination among the Florida  
1398 Community College System institutions and state universities,  
1399 and efficient progress toward accomplishing the Florida  
1400 Community College System institution's mission. At a minimum,

1401 these rules must address all of the following:

1402 (a) Personnel.

1403 (b) Contracting.

1404 (c) Program offerings and classification, including  
1405 college-level communication and computation skills associated  
1406 with successful performance in college and with tests and other  
1407 assessment procedures that measure student achievement of those  
1408 skills. The performance measures must provide that students  
1409 moving from one level of education to the next acquire the  
1410 necessary competencies for that level.

1411 (d) Provisions for curriculum development, graduation  
1412 requirements, college calendars, and program service areas.  
1413 These provisions must include rules that:

1414 1. Provide for the award of an associate in arts degree to  
1415 a student who successfully completes 60 semester credit hours at  
1416 the Florida Community College System institution.

1417 2. Require all of the credits accepted for the associate  
1418 in arts degree to be in the statewide course numbering system as  
1419 credits toward a baccalaureate degree offered by a state  
1420 university or a Florida Community College System institution.

1421 3. Require no more than 36 semester credit hours in  
1422 general education courses in the subject areas of communication,  
1423 mathematics, social sciences, humanities, and natural sciences.

1424  
1425 The rules under this paragraph should encourage Florida

1426 Community College System institutions to enter into agreements  
1427 with state universities which allow a Florida Community College  
1428 System institution student to complete upper-division-level  
1429 courses at a Florida Community College System institution. An  
1430 agreement may provide for concurrent enrollment at the Florida  
1431 Community College System institution and the state university  
1432 and may authorize the Florida Community College System  
1433 institution to offer an upper-division-level course or distance  
1434 learning.

1435 (e) Student admissions, conduct and discipline;  
1436 nonclassroom activities; and fees.

1437 (f) Budgeting.

1438 (g) Business and financial matters.

1439 (h) Student services.

1440 (i) Reports, surveys, and information systems, including  
1441 forms and dates of submission.

1442 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board  
1443 shall provide for the cyclic review of all academic programs in  
1444 Florida Community College System institutions at least every 7  
1445 years. Program reviews must document how individual academic  
1446 programs are achieving stated student learning and program  
1447 objectives within the context of the institution's mission. The  
1448 results of the program reviews must inform strategic planning,  
1449 program development, and budgeting decisions at the  
1450 institutional level.

1451 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION  
1452 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for  
1453 the review and approval of proposals by Florida Community  
1454 College System institutions to offer baccalaureate degree  
1455 programs pursuant to s. 1007.33. A Florida Community College  
1456 System institution, as defined in s. 1000.21, which is approved  
1457 to offer baccalaureate degrees pursuant to s. 1007.33 remains  
1458 under the authority of the state board and the Florida Community  
1459 College System institution's board of trustees.

1460 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall  
1461 establish criteria for making recommendations for modifying  
1462 district boundary lines for a Florida Community College System  
1463 institution, including criteria for service delivery areas of a  
1464 Florida Community College System institution authorized to grant  
1465 baccalaureate degrees.

1466 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee  
1467 the performance of Florida Community College System institution  
1468 boards of trustees in enforcement of all laws and rules. Florida  
1469 Community College System institution boards of trustees are  
1470 primarily responsible for compliance with law and state board  
1471 rule.

1472 (a) In order to ensure compliance with law or state board  
1473 rule, the state board has the authority to request and receive  
1474 information, data, and reports from Florida Community College  
1475 System institutions. The Florida Community College System

1476 institution president is responsible for the accuracy of the  
1477 information and data reported to the state board.

1478 (b) The Chancellor of the Florida Community College System  
1479 may investigate allegations of noncompliance with law or state  
1480 board rule and determine probable cause. The Chancellor shall  
1481 report determinations of probable cause to the State Board of  
1482 Community Colleges who shall require the Florida Community  
1483 College System institution board of trustees to document  
1484 compliance with law or state board rule.

1485 (c) If the Florida Community College System institution  
1486 board of trustees cannot satisfactorily document compliance, the  
1487 state board may order compliance within a specified timeframe.

1488 (d) If the state board determines that a Florida Community  
1489 College System institution board of trustees is unwilling or  
1490 unable to comply with law or state board rule within the  
1491 specified time, the state board has the authority to initiate  
1492 any of the following actions:

1493 1. Report to the Legislature that the Florida Community  
1494 College System institution is unwilling or unable to comply with  
1495 law or state board rule and recommend that the Legislature take  
1496 action against the institution;

1497 2. Withhold the transfer of state funds, discretionary  
1498 grant funds, discretionary lottery funds, or any other funds  
1499 specified as eligible for this purpose by the Legislature until  
1500 the Florida Community College System institution complies with

1501 the law or state board rule;

1502 3. Declare the Florida Community College System  
1503 institution ineligible for competitive grants; or

1504 4. Require monthly or periodic reporting on the situation  
1505 related to noncompliance until it is remedied.

1506 (e) This section may not be construed to create a private  
1507 cause of action or create any rights for individuals or entities  
1508 in addition to those provided elsewhere in law or rule.

1509 (10) INSPECTOR GENERAL.—The inspector general is  
1510 responsible for promoting accountability, efficiency, and  
1511 effectiveness and detecting fraud and abuse within Florida  
1512 Community College System institutions. If the Chancellor of the  
1513 Florida Community College System determines that a Florida  
1514 Community College System institution board of trustees is  
1515 unwilling or unable to address substantiated allegations made by  
1516 any person relating to waste, fraud, or financial mismanagement  
1517 within the Florida Community College System institution, the  
1518 inspector general shall conduct, coordinate, or request  
1519 investigations into such substantiated allegations. The  
1520 inspector general shall have access to all information and  
1521 personnel necessary to perform its duties and shall have all of  
1522 his or her current powers, duties, and responsibilities  
1523 authorized in s. 20.055.

1524 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The  
1525 state board shall coordinate with the State Board of Education:

1526 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-  
 1527 20 education budget.

1528 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to  
 1529 the Legislature a 3-year list of priorities for fixed-capital-  
 1530 outlay projects.

1531 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in  
 1532 collaboration with the State Board of Education, by rule,  
 1533 definitions for associate in science degrees and for  
 1534 certificates offered by Florida Community College System  
 1535 institutions.

1536 Section 18. Section 1001.61, Florida Statutes, is amended  
 1537 to read:

1538 1001.61 Florida Community College System institution  
 1539 boards of trustees; membership.—

1540 (1) Florida Community College System institution boards  
 1541 of trustees shall be comprised of five members when a Florida  
 1542 Community College System institution district is confined to one  
 1543 school board district; seven members when a Florida Community  
 1544 College System institution district is confined to one school  
 1545 board district and the board of trustees so elects; and not more  
 1546 than nine members when the district contains two or more school  
 1547 board districts, as provided by rules of the State Board of  
 1548 Community Colleges Education. However, Florida State College at  
 1549 Jacksonville shall have an odd number of trustees, and St. Johns  
 1550 River State College shall have seven trustees from the three-

1551 county area that the college serves.

1552 (2) Trustees shall be appointed by the Governor to  
1553 staggered 4-year terms, subject to confirmation by the Senate in  
1554 regular session.

1555 (3) Members of the board of trustees shall receive no  
1556 compensation but may receive reimbursement for expenses as  
1557 provided in s. 112.061.

1558 (4) At its first regular meeting after July 1 of each  
1559 year, each Florida Community College System institution board of  
1560 trustees shall organize by electing a chair, whose duty as such  
1561 is to preside at all meetings of the board, to call special  
1562 meetings thereof, and to attest to actions of the board, and a  
1563 vice chair, whose duty as such is to act as chair during the  
1564 absence or disability of the elected chair. It is the further  
1565 duty of the chair of each board of trustees to notify the  
1566 Governor, in writing, whenever a board member fails to attend  
1567 three consecutive regular board meetings in any one fiscal year,  
1568 which absences may be grounds for removal.

1569 (5) A Florida Community College System institution  
1570 president shall serve as the executive officer and corporate  
1571 secretary of the board of trustees and shall be responsible to  
1572 the board of trustees for setting the agenda for meetings of the  
1573 board of trustees in consultation with the chair. The president  
1574 also serves as the chief administrative officer of the Florida  
1575 Community College System institution, and all the components of

1576 | the institution and all aspects of its operation are responsible  
 1577 | to the board of trustees through the president.

1578 |       Section 19. Section 1001.64, Florida Statutes, is amended  
 1579 | to read:

1580 |           1001.64 Florida Community College System institution  
 1581 | boards of trustees; powers and duties.—

1582 |       (1) The boards of trustees shall be responsible for cost-  
 1583 | effective policy decisions appropriate to the Florida Community  
 1584 | College System institution's mission, the implementation and  
 1585 | maintenance of high-quality education programs within law and  
 1586 | rules of the State Board of Community Colleges ~~Education~~, the  
 1587 | measurement of performance, the reporting of information, and  
 1588 | the provision of input regarding state policy, budgeting, and  
 1589 | education standards.

1590 |       (2) Each board of trustees is vested with the  
 1591 | responsibility to govern its respective Florida Community  
 1592 | College System institution and with such necessary authority as  
 1593 | is needed for the proper operation and improvement thereof in  
 1594 | accordance with rules of the State Board of Community Colleges  
 1595 | ~~Education~~.

1596 |       (3) A board of trustees shall have the power to take  
 1597 | action without a recommendation from the president and shall  
 1598 | have the power to require the president to deliver to the board  
 1599 | of trustees all data and information required by the board of  
 1600 | trustees in the performance of its duties. A board of trustees

1601 shall ask the Chancellor of the Florida Community College System  
 1602 ~~Commissioner of Education~~ to authorize an investigation of the  
 1603 president's actions by the State Board of Community College's  
 1604 ~~department's~~ inspector general if the board considers such  
 1605 investigation necessary. The inspector general shall provide a  
 1606 report detailing each issue under investigation and shall  
 1607 recommend corrective action. If the inspector general identifies  
 1608 potential legal violations, he or she shall refer the potential  
 1609 legal violations to the Commission on Ethics, the Department of  
 1610 Law Enforcement, the Attorney General, or another appropriate  
 1611 authority.

1612 (4) (a) The board of trustees, after considering  
 1613 recommendations submitted by the Florida Community College  
 1614 System institution president, may adopt rules pursuant to ss.  
 1615 120.536(1) and 120.54 to implement the provisions of law  
 1616 conferring duties upon it. These rules may supplement those  
 1617 prescribed by the State Board of Community Colleges ~~Education~~ if  
 1618 they will contribute to the more orderly and efficient operation  
 1619 of Florida Community College System institutions.

1620 (b) Each board of trustees is specifically authorized to  
 1621 adopt rules, procedures, and policies, consistent with law and  
 1622 rules of the State Board of Community Colleges ~~Education~~,  
 1623 related to its mission and responsibilities as set forth in s.  
 1624 1004.65, its governance, personnel, budget and finance,  
 1625 administration, programs, curriculum and instruction, buildings

1626 and grounds, travel and purchasing, technology, students,  
 1627 contracts and grants, or college property.

1628 (5) Each board of trustees shall have responsibility for  
 1629 the use, maintenance, protection, and control of Florida  
 1630 Community College System institution owned or Florida Community  
 1631 College System institution controlled buildings and grounds,  
 1632 property and equipment, name, trademarks and other proprietary  
 1633 marks, and the financial and other resources of the Florida  
 1634 Community College System institution. Such authority may include  
 1635 placing restrictions on activities and on access to facilities,  
 1636 firearms, food, tobacco, alcoholic beverages, distribution of  
 1637 printed materials, commercial solicitation, animals, and sound.

1638 (6) Each board of trustees has responsibility for the  
 1639 establishment and discontinuance of program and course offerings  
 1640 in accordance with law and rule; provision for instructional and  
 1641 noninstructional community services, location of classes, and  
 1642 services provided; and dissemination of information concerning  
 1643 such programs and services. New programs must be approved  
 1644 pursuant to s. 1004.03.

1645 (7) Each board of trustees has responsibility for~~+~~  
 1646 ensuring that students have access to general education courses  
 1647 as identified in rule; requiring no more than 60 semester hours  
 1648 of degree program coursework, including 36 semester hours of  
 1649 general education coursework, for an associate in arts degree;  
 1650 notifying students that earned hours in excess of 60 semester

1651 hours may not be accepted by state universities; notifying  
1652 students of unique program prerequisites; and ensuring that  
1653 degree program coursework beyond general education coursework is  
1654 consistent with degree program prerequisite requirements adopted  
1655 pursuant to s. 1007.25(5).

1656 (8) Each board of trustees has authority for policies  
1657 related to students, enrollment of students, student records,  
1658 student activities, financial assistance, and other student  
1659 services.

1660 (a) Each board of trustees shall govern admission of  
1661 students pursuant to s. 1007.263 and rules of the State Board of  
1662 Community Colleges Education. A board of trustees may establish  
1663 additional admissions criteria, which shall be included in the  
1664 dual enrollment articulation agreement developed according to s.  
1665 1007.271(21), to ensure student readiness for postsecondary  
1666 instruction. Each board of trustees may consider the past  
1667 actions of any person applying for admission or enrollment and  
1668 may deny admission or enrollment to an applicant because of  
1669 misconduct if determined to be in the best interest of the  
1670 Florida Community College System institution.

1671 (b) Each board of trustees shall adopt rules establishing  
1672 student performance standards for the award of degrees and  
1673 certificates pursuant to s. 1004.68.

1674 (c) Boards of trustees are authorized to establish  
1675 intrainstitutional and interinstitutional programs to maximize

1676 articulation pursuant to s. 1007.22.

1677 (d) Boards of trustees shall identify their general  
1678 education curricula pursuant to s. 1007.25(6).

1679 (e) Each board of trustees must adopt a written antihazing  
1680 policy, provide a program for the enforcement of such rules, and  
1681 adopt appropriate penalties for violations of such rules  
1682 pursuant to the provisions of s. 1006.63.

1683 (f) Each board of trustees may establish a uniform code of  
1684 conduct and appropriate penalties for violation of its rules by  
1685 students and student organizations, including rules governing  
1686 student academic honesty. Such penalties, unless otherwise  
1687 provided by law, may include fines, the withholding of diplomas  
1688 or transcripts pending compliance with rules or payment of  
1689 fines, and the imposition of probation, suspension, or  
1690 dismissal.

1691 (g) Each board of trustees pursuant to s. 1006.53 shall  
1692 adopt a policy in accordance with rules of the State Board of  
1693 Community Colleges ~~Education~~ that reasonably accommodates the  
1694 religious observance, practice, and belief of individual  
1695 students in regard to admissions, class attendance, and the  
1696 scheduling of examinations and work assignments.

1697 (9) A board of trustees may contract with the board of  
1698 trustees of a state university for the Florida Community College  
1699 System institution to provide developmental education on the  
1700 state university campus.

1701 (10) Each board of trustees shall establish fees pursuant  
 1702 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1703 (11) Each board of trustees shall submit an institutional  
 1704 budget request, including a request for fixed capital outlay,  
 1705 and an operating budget to the State Board of Community Colleges  
 1706 ~~Education~~ for review in accordance with guidelines established  
 1707 by the State Board of Community Colleges ~~Education~~.

1708 (12) Each board of trustees shall account for expenditures  
 1709 of all state, local, federal, and other funds in the manner  
 1710 described by the State Board of Community Colleges ~~Department of~~  
 1711 ~~Education~~.

1712 (13) Each board of trustees is responsible for the uses  
 1713 for the proceeds of academic improvement trust funds pursuant to  
 1714 s. 1011.85.

1715 (14) Each board of trustees shall develop a strategic plan  
 1716 specifying institutional goals and objectives for the Florida  
 1717 Community College System institution for recommendation to the  
 1718 State Board of Community Colleges ~~Education~~.

1719 (15) Each board of trustees shall develop an  
 1720 accountability plan pursuant to s. 1008.45.

1721 (16) Each board of trustees must expend performance funds  
 1722 provided for workforce education pursuant to the provisions of  
 1723 s. 1011.80.

1724 (17) Each board of trustees is accountable for performance  
 1725 in certificate career education and diploma programs pursuant to

1726 s. 1008.43.

1727 (18) Each board of trustees shall establish the personnel  
 1728 program for all employees of the Florida Community College  
 1729 System institution, including the president, pursuant to the  
 1730 provisions of chapter 1012 and rules and guidelines of the State  
 1731 Board of Community Colleges ~~Education~~, including: compensation  
 1732 and other conditions of employment; recruitment and selection;  
 1733 nonreappointment; standards for performance and conduct;  
 1734 evaluation; benefits and hours of work; leave policies;  
 1735 recognition; inventions and work products; travel; learning  
 1736 opportunities; exchange programs; academic freedom and  
 1737 responsibility; promotion; assignment; demotion; transfer;  
 1738 ethical obligations and conflict of interest; restrictive  
 1739 covenants; disciplinary actions; complaints; appeals and  
 1740 grievance procedures; and separation and termination from  
 1741 employment.

1742 (19) Each board of trustees shall appoint, suspend, or  
 1743 remove the president of the Florida Community College System  
 1744 institution. The board of trustees may appoint a search  
 1745 committee. The board of trustees shall conduct annual  
 1746 evaluations of the president in accordance with rules of the  
 1747 State Board of Community Colleges ~~Education~~ and submit such  
 1748 evaluations to the State Board of Community Colleges ~~Education~~  
 1749 for review. The evaluation must address the achievement of the  
 1750 performance goals established by the accountability process

1751 implemented pursuant to s. 1008.45 and the performance of the  
 1752 president in achieving the annual and long-term goals and  
 1753 objectives established in the Florida Community College System  
 1754 institution's employment accountability program implemented  
 1755 pursuant to s. 1012.86.

1756 (20) Each board of trustees is authorized to enter into  
 1757 contracts to provide a State Community College System Optional  
 1758 Retirement Program pursuant to s. 1012.875 and to enter into  
 1759 consortia with other boards of trustees for this purpose.

1760 (21) Each board of trustees is authorized to purchase  
 1761 annuities for its Florida Community College System institution  
 1762 personnel who have 25 or more years of creditable service and  
 1763 who have reached age 55 and have applied for retirement under  
 1764 the Florida Retirement System pursuant to the provisions of s.  
 1765 1012.87.

1766 (22) A board of trustees may defray all costs of defending  
 1767 civil actions against officers, employees, or agents of the  
 1768 board of trustees pursuant to s. 1012.85.

1769 (23) Each board of trustees has authority for risk  
 1770 management, safety, security, and law enforcement operations.  
 1771 Each board of trustees is authorized to employ personnel,  
 1772 including police officers pursuant to s. 1012.88, to carry out  
 1773 the duties imposed by this subsection.

1774 (24) Each board of trustees shall provide rules governing  
 1775 parking and the direction and flow of traffic within campus

1776 boundaries. Except for sworn law enforcement personnel, persons  
1777 employed to enforce campus parking rules have no authority to  
1778 arrest or issue citations for moving traffic violations. The  
1779 board of trustees may adopt a uniform code of appropriate  
1780 penalties for violations. Such penalties, unless otherwise  
1781 provided by law, may include the levying of fines, the  
1782 withholding of diplomas or transcripts pending compliance with  
1783 rules or payment of fines, and the imposition of probation,  
1784 suspension, or dismissal. Moneys collected from parking rule  
1785 infractions shall be deposited in appropriate funds at each  
1786 Florida Community College System institution for student  
1787 financial aid purposes.

1788 (25) Each board of trustees constitutes the contracting  
1789 agent of the Florida Community College System institution. It  
1790 may when acting as a body make contracts, sue, and be sued in  
1791 the name of the board of trustees. In any suit, a change in  
1792 personnel of the board of trustees shall not abate the suit,  
1793 which shall proceed as if such change had not taken place.

1794 (26) Each board of trustees is authorized to contract for  
1795 the purchase, sale, lease, license, or acquisition in any  
1796 manner, including purchase by installment or lease-purchase  
1797 contract which may provide for the payment of interest on the  
1798 unpaid portion of the purchase price and for the granting of a  
1799 security interest in the items purchased, subject to the  
1800 provisions of subsection (38) and ss. 1009.22 and 1009.23, of

1801 goods, materials, equipment, and services required by the  
1802 Florida Community College System institution. The board of  
1803 trustees may choose to consolidate equipment contracts under  
1804 master equipment financing agreements made pursuant to s.  
1805 287.064.

1806 (27) Each board of trustees shall be responsible for  
1807 managing and protecting real and personal property acquired or  
1808 held in trust for use by and for the benefit of such Florida  
1809 Community College System institution. To that end, any board of  
1810 trustees is authorized to be self-insured, to enter into risk  
1811 management programs, or to purchase insurance for whatever  
1812 coverage it may choose, or to have any combination thereof, in  
1813 anticipation of any loss, damage, or destruction. A board of  
1814 trustees may contract for self-insurance services pursuant to s.  
1815 1004.725.

1816 (28) Each board of trustees is authorized to enter into  
1817 agreements for, and accept, credit card, charge card, and debit  
1818 card payments as compensation for goods, services, tuition, and  
1819 fees. Each Florida Community College System institution is  
1820 further authorized to establish accounts in credit card, charge  
1821 card, and debit card banks for the deposit of sales invoices.

1822 (29) Each board of trustees may provide incubator  
1823 facilities to eligible small business concerns pursuant to s.  
1824 1004.79.

1825 (30) Each board of trustees may establish a technology

1826 transfer center for the purpose of providing institutional  
1827 support to local business and industry and governmental agencies  
1828 in the application of new research in technology pursuant to the  
1829 provisions of s. 1004.78.

1830 (31) Each board of trustees may establish economic  
1831 development centers for the purpose of serving as liaisons  
1832 between Florida Community College System institutions and the  
1833 business sector pursuant to the provisions of s. 1004.80.

1834 (32) Each board of trustees may establish a child  
1835 development training center pursuant to s. 1004.81.

1836 (33) Each board of trustees is authorized to develop and  
1837 produce work products relating to educational endeavors that are  
1838 subject to trademark, copyright, or patent statutes pursuant to  
1839 chapter 1004.

1840 (34) Each board of trustees shall administer the  
1841 facilities program pursuant to chapter 1013, including but not  
1842 limited to: the construction of public educational and ancillary  
1843 plants; the acquisition and disposal of property; compliance  
1844 with building and life safety codes; submission of data and  
1845 information relating to facilities and construction; use of  
1846 buildings and grounds; establishment of safety and sanitation  
1847 programs for the protection of building occupants; and site  
1848 planning and selection.

1849 (35) Each board of trustees may exercise the right of  
1850 eminent domain pursuant to the provisions of chapter 1013.

1851           (36) Each board of trustees may enter into lease-purchase  
1852 arrangements with private individuals or corporations for  
1853 necessary grounds and buildings for Florida Community College  
1854 System institution purposes, other than dormitories, or for  
1855 buildings other than dormitories to be erected for Florida  
1856 Community College System institution purposes. Such arrangements  
1857 shall be paid from capital outlay and debt service funds as  
1858 provided by s. 1011.84(2), with terms not to exceed 30 years at  
1859 a stipulated rate. The provisions of such contracts, including  
1860 building plans, are subject to approval by the Department of  
1861 Education, and no such contract may be entered into without such  
1862 approval.

1863           (37) Each board of trustees may purchase, acquire,  
1864 receive, hold, own, manage, lease, sell, dispose of, and convey  
1865 title to real property, in the best interests of the Florida  
1866 Community College System institution.

1867           (38) Each board of trustees is authorized to enter into  
1868 short-term loans and installment, lease-purchase, and other  
1869 financing contracts for a term of not more than 5 years,  
1870 including renewals, extensions, and refundings. Payments on  
1871 short-term loans and installment, lease-purchase, and other  
1872 financing contracts pursuant to this subsection shall be subject  
1873 to annual appropriation by the board of trustees. Each board of  
1874 trustees is authorized to borrow funds and incur long-term debt,  
1875 including promissory notes, installment sales agreements, lease-

1876 purchase agreements, certificates of participation, and other  
1877 similar long-term financing arrangements, only as specifically  
1878 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At  
1879 the option of the board of trustees, bonds issued pursuant to  
1880 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured  
1881 by a combination of revenues authorized to be pledged to bonds  
1882 pursuant to such subsections. Revenue bonds may not be secured  
1883 by or paid from, directly or indirectly, tuition, financial aid  
1884 fees, the Florida Community College System Program Fund, or any  
1885 other operating revenues of a Florida Community College System  
1886 institution. Lease-purchase agreements may be secured by a  
1887 combination of revenues as specifically authorized pursuant to  
1888 ss. 1009.22(7) and 1009.23(10).

1889 (39) Each board of trustees shall prescribe conditions for  
1890 direct-support organizations to be certified and to use Florida  
1891 Community College System institution property and services.  
1892 Conditions relating to certification must provide for audit  
1893 review and oversight by the board of trustees.

1894 (40) Each board of trustees may adopt policies pursuant to  
1895 s. 1010.02 that provide procedures for transferring to the  
1896 direct-support organization of that Florida Community College  
1897 System institution for administration by such organization  
1898 contributions made to the Florida Community College System  
1899 institution.

1900 (41) The board of trustees shall exert every effort to

1901 collect all delinquent accounts pursuant to s. 1010.03.

1902 (42) Each board of trustees shall implement a plan, in  
 1903 accordance with guidelines of the State Board of Community  
 1904 Colleges Education, for working on a regular basis with the  
 1905 other Florida Community College System institution boards of  
 1906 trustees, representatives of the university boards of trustees,  
 1907 and representatives of the district school boards to achieve the  
 1908 goals of the seamless education system.

1909 (43) Each board of trustees has responsibility for  
 1910 compliance with state and federal laws, rules, regulations, and  
 1911 requirements.

1912 (44) Each board of trustees may adopt rules, procedures,  
 1913 and policies related to institutional governance,  
 1914 administration, and management in order to promote orderly and  
 1915 efficient operation, including, but not limited to, financial  
 1916 management, budget management, physical plant management, and  
 1917 property management.

1918 (45) Each board of trustees may adopt rules and procedures  
 1919 related to data or technology, including, but not limited to,  
 1920 information systems, communications systems, computer hardware  
 1921 and software, and networks.

1922 (46) Each board of trustees may consider the past actions  
 1923 of any person applying for employment and may deny employment to  
 1924 a person because of misconduct if determined to be in the best  
 1925 interest of the Florida Community College System institution.

1926 (47) Each contract or employment agreement, or renewal or  
 1927 renegotiation of an existing contract or employment agreement,  
 1928 containing a provision for severance pay with an officer, agent,  
 1929 employee, or contractor must include the provisions required in  
 1930 s. 215.425.

1931 (48) Each board of trustees shall use purchasing  
 1932 agreements and state term contracts pursuant to s. 287.056 or  
 1933 enter into consortia and cooperative agreements to maximize the  
 1934 purchasing power for goods and services. A consortium or  
 1935 cooperative agreement may be statewide, regional, or a  
 1936 combination of institutions, as appropriate to achieve the  
 1937 lowest cost, with the goal of achieving a 5-percent savings on  
 1938 existing contract prices through the use of new cooperative  
 1939 arrangements or new consortium contracts.

1940 Section 20. Section 1001.65, Florida Statutes, is amended  
 1941 to read:

1942 1001.65 Florida Community College System institution  
 1943 presidents; powers and duties.—The president is the chief  
 1944 executive officer of the Florida Community College System  
 1945 institution, shall be corporate secretary of the Florida  
 1946 Community College System institution board of trustees, and is  
 1947 responsible for the operation and administration of the Florida  
 1948 Community College System institution. Each Florida Community  
 1949 College System institution president shall:

1950 (1) Recommend the adoption of rules, as appropriate, to

1951 the Florida Community College System institution board of  
 1952 trustees to implement provisions of law governing the operation  
 1953 and administration of the Florida Community College System  
 1954 institution, which shall include the specific powers and duties  
 1955 enumerated in this section. Such rules shall be consistent with  
 1956 law, the mission of the Florida Community College System  
 1957 institution, and the rules and policies of the State Board of  
 1958 Community Colleges ~~Education~~.

1959 (2) Prepare a budget request and an operating budget  
 1960 pursuant to s. 1011.30 for approval by the Florida Community  
 1961 College System institution board of trustees at such time and in  
 1962 such format as the State Board of Community Colleges ~~Education~~  
 1963 may prescribe.

1964 (3) Establish and implement policies and procedures to  
 1965 recruit, appoint, transfer, promote, compensate, evaluate,  
 1966 reward, demote, discipline, and remove personnel, within law and  
 1967 rules of the State Board of Community College ~~Education~~ and in  
 1968 accordance with rules or policies approved by the Florida  
 1969 Community College System institution board of trustees.

1970 (4) Govern admissions, subject to law and rules or  
 1971 policies of the Florida Community College System institution  
 1972 board of trustees and the State Board of Community Colleges  
 1973 ~~Education~~.

1974 (5) Approve, execute, and administer contracts for and on  
 1975 behalf of the Florida Community College System institution board

1976 of trustees for licenses; the acquisition or provision of  
 1977 commodities, goods, equipment, and services; leases of real and  
 1978 personal property; and planning and construction to be rendered  
 1979 to or by the Florida Community College System institution,  
 1980 provided such contracts are within law and guidelines of the  
 1981 State Board of Community Colleges ~~Education~~ and in conformance  
 1982 with policies of the Florida Community College System  
 1983 institution board of trustees, and are for the implementation of  
 1984 approved programs of the Florida Community College System  
 1985 institution.

1986 (6) Act for the Florida Community College System  
 1987 institution board of trustees as custodian of all Florida  
 1988 Community College System institution property and financial  
 1989 resources. The authority vested in the Florida Community College  
 1990 System institution president under this subsection includes the  
 1991 authority to prioritize the use of Florida Community College  
 1992 System institution space, property, equipment, and resources and  
 1993 the authority to impose charges for the use of those items.

1994 (7) Establish the internal academic calendar of the  
 1995 Florida Community College System institution within general  
 1996 guidelines of the State Board of Community Colleges ~~Education~~.

1997 (8) Administer the Florida Community College System  
 1998 institution's program of intercollegiate athletics.

1999 (9) Recommend to the board of trustees the establishment  
 2000 and termination of programs within the approved role and scope

2001 of the Florida Community College System institution.

2002 (10) Award degrees.

2003 (11) Recommend to the board of trustees a schedule of  
 2004 tuition and fees to be charged by the Florida Community College  
 2005 System institution, within law and rules of the State Board of  
 2006 Community Colleges ~~Education~~.

2007 (12) Organize the Florida Community College System  
 2008 institution to efficiently and effectively achieve the goals of  
 2009 the Florida Community College System institution.

2010 (13) Review periodically the operations of the Florida  
 2011 Community College System institution in order to determine how  
 2012 effectively and efficiently the Florida Community College System  
 2013 institution is being administered and whether it is meeting the  
 2014 goals of its strategic plan adopted by the State Board of  
 2015 Community Colleges ~~Education~~.

2016 (14) Enter into agreements for student exchange programs  
 2017 that involve students at the Florida Community College System  
 2018 institution and students in other institutions of higher  
 2019 learning.

2020 (15) Approve the internal procedures of student government  
 2021 organizations and provide purchasing, contracting, and budgetary  
 2022 review processes for these organizations.

2023 (16) Ensure compliance with federal and state laws, rules,  
 2024 regulations, and other requirements that are applicable to the  
 2025 Florida Community College System institution.

2026 (17) Maintain all data and information pertaining to the  
 2027 operation of the Florida Community College System institution,  
 2028 and report on the attainment by the Florida Community College  
 2029 System institution of institutional and statewide performance  
 2030 accountability goals.

2031 (18) Certify to the department a project's compliance with  
 2032 the requirements for expenditure of PECO funds prior to release  
 2033 of funds pursuant to ~~the provisions of~~ chapter 1013.

2034 (19) Provide to the law enforcement agency and fire  
 2035 department that has jurisdiction over the Florida Community  
 2036 College System institution a copy of the floor plans and other  
 2037 relevant documents for each educational facility as defined in  
 2038 s. 1013.01(6). After the initial submission of the floor plans  
 2039 and other relevant documents, the Florida Community College  
 2040 System institution president shall submit, by October 1 of each  
 2041 year, revised floor plans and other relevant documents for each  
 2042 educational facility that was modified during the preceding  
 2043 year.

2044 (20) Develop and implement jointly with school  
 2045 superintendents a comprehensive dual enrollment articulation  
 2046 agreement for the students enrolled in their respective school  
 2047 districts and service areas pursuant to s. 1007.271(21).

2048 (21) Have authority, after notice to the student of the  
 2049 charges and after a hearing thereon, to expel, suspend, or  
 2050 otherwise discipline any student who is found to have violated

2051 any law, ordinance, or rule or regulation of the State Board of  
 2052 Community Colleges ~~Education~~ or of the board of trustees of the  
 2053 Florida Community College System institution pursuant to the  
 2054 provisions of s. 1006.62.

2055 (22) Submit an annual employment accountability plan to  
 2056 the State Board of Community Colleges ~~Department of Education~~  
 2057 pursuant to the provisions of s. 1012.86.

2058 (23) Annually evaluate, or have a designee annually  
 2059 evaluate, each department chairperson, dean, provost, and vice  
 2060 president in achieving the annual and long-term goals and  
 2061 objectives of the Florida Community College System institution's  
 2062 employment accountability plan.

2063 (24) Have vested with the president or the president's  
 2064 designee the authority that is vested with the Florida Community  
 2065 College System institution.

2066 Section 21. Section 1001.66, Florida Statutes, is amended  
 2067 to read:

2068 1001.66 Florida Community College System Performance-  
 2069 Based Incentive.—

2070 (1) A Florida Community College System Performance-Based  
 2071 Incentive shall be awarded to Florida Community College System  
 2072 institutions using performance-based metrics adopted by the  
 2073 State Board of Community Colleges ~~Education~~. The performance-  
 2074 based metrics must include retention rates; program completion  
 2075 and graduation rates; postgraduation employment, salaries, and

2076 continuing education for workforce education and baccalaureate  
2077 programs, with wage thresholds that reflect the added value of  
2078 the certificate or degree; and outcome measures appropriate for  
2079 associate of arts degree recipients. The state board shall adopt  
2080 benchmarks to evaluate each institution's performance on the  
2081 metrics to measure the institution's achievement of  
2082 institutional excellence or need for improvement and the minimum  
2083 requirements for eligibility to receive performance funding.

2084 (2) Each fiscal year, the amount of funds available for  
2085 allocation to the Florida Community College System institutions  
2086 based on the performance-based funding model shall consist of  
2087 the state's investment in performance funding plus institutional  
2088 investments consisting of funds to be redistributed from the  
2089 base funding of the Florida Community College System Program  
2090 Fund as determined in the General Appropriations Act. The State  
2091 Board of Community Colleges ~~Education~~ shall establish minimum  
2092 performance funding eligibility thresholds for the state's  
2093 investment and the institutional investments. An institution  
2094 that meets the minimum institutional investment eligibility  
2095 threshold, but fails to meet the minimum state investment  
2096 eligibility threshold, shall have its institutional investment  
2097 restored but is ineligible for a share of the state's investment  
2098 in performance funding. The institutional investment shall be  
2099 restored for all institutions eligible for the state's  
2100 investment under the performance-based funding model.

2101 (3) (a) Each Florida Community College System institution's  
2102 share of the performance funding shall be calculated based on  
2103 its relative performance on the established metrics in  
2104 conjunction with the institutional size and scope.

2105 (b) A Florida Community College System institution that  
2106 fails to meet the State Board of Community Colleges' ~~Education's~~  
2107 minimum institutional investment performance funding eligibility  
2108 threshold shall have a portion of its institutional investment  
2109 withheld by the state board and must submit an improvement plan  
2110 to the state board which specifies the activities and strategies  
2111 for improving the institution's performance. The state board  
2112 must review and approve the improvement plan and, if the plan is  
2113 approved, must monitor the institution's progress in  
2114 implementing the activities and strategies specified in the  
2115 improvement plan. The institution shall submit monitoring  
2116 reports to the state board by December 31 and May 31 of each  
2117 year in which an improvement plan is in place. Beginning in the  
2118 2017-2018 fiscal year, the ability of an institution to submit  
2119 an improvement plan to the state board is limited to 1 fiscal  
2120 year.

2121 (c) The Chancellor of the Florida Community College System  
2122 ~~Commissioner of Education~~ shall withhold disbursement of the  
2123 institutional investment until the monitoring report is approved  
2124 by the State Board of Community Colleges ~~Education~~. A Florida  
2125 Community College System institution determined by the state

2126 board to be making satisfactory progress on implementing the  
2127 improvement plan shall receive no more than one-half of the  
2128 withheld institutional investment in January and the balance of  
2129 the withheld institutional investment in June. An institution  
2130 that fails to make satisfactory progress may not have its full  
2131 institutional investment restored. Any institutional investment  
2132 funds that are not restored shall be redistributed in accordance  
2133 with the state board's performance-based metrics.

2134 (4) Distributions of performance funding, as provided in  
2135 this section, shall be made to each of the Florida Community  
2136 College System institutions listed in the Florida Community  
2137 Colleges category in the General Appropriations Act.

2138 (5) By October 1 of each year, the State Board of  
2139 Community Colleges Education shall submit to the Governor, the  
2140 President of the Senate, and the Speaker of the House of  
2141 Representatives a report on the previous fiscal year's  
2142 performance funding allocation, which must reflect the rankings  
2143 and award distributions.

2144 (6) The State Board of Community Colleges Education shall  
2145 adopt rules to administer this section.

2146 Section 22. Section 1001.67, Florida Statutes, is amended  
2147 to read:

2148 1001.67 Distinguished Florida Community College System  
2149 Institution Program.—A collaborative partnership is established  
2150 between the State Board of Community Colleges Education and the

2151 Legislature to recognize the excellence of Florida's highest-  
 2152 performing Florida Community College System institutions.

2153 (1) EXCELLENCE STANDARDS.—The following excellence  
 2154 standards are established for the program:

2155 (a) A 150 percent-of-normal-time completion rate of 50  
 2156 percent or higher, as calculated by the Division of Florida  
 2157 Colleges.

2158 (b) A 150 percent-of-normal-time completion rate for Pell  
 2159 Grant recipients of 40 percent or higher, as calculated by the  
 2160 State Board of Community ~~Division of Florida~~ Colleges.

2161 (c) A retention rate of 70 percent or higher, as  
 2162 calculated by the State Board of Community ~~Division of Florida~~  
 2163 Colleges.

2164 (d) A continuing education, or transfer, rate of 72  
 2165 percent or higher for students graduating with an associate of  
 2166 arts degree, as reported by the Florida Education and Training  
 2167 Placement Information Program (FETPIP).

2168 (e) A licensure passage rate on the National Council  
 2169 Licensure Examination for Registered Nurses (NCLEX-RN) of 90  
 2170 percent or higher for first-time exam takers, as reported by the  
 2171 Board of Nursing.

2172 (f) A job placement or continuing education rate of 88  
 2173 percent or higher for workforce programs, as reported by FETPIP.

2174 (g) A time-to-degree for students graduating with an  
 2175 associate of arts degree of 2.25 years or less for first-time-

2176 in-college students with accelerated college credits, as  
 2177 reported by the Southern Regional Education Board.

2178 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of  
 2179 Community Colleges Education shall designate each Florida  
 2180 Community College System institution that meets five of the  
 2181 seven standards identified in subsection (1) as a distinguished  
 2182 college.

2183 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community  
 2184 College System institution designated as a distinguished college  
 2185 by the State Board of Community Colleges Education is eligible  
 2186 for funding as specified in the General Appropriations Act.

2187 Section 23. Subsection (9) of section 1001.706, Florida  
 2188 Statutes, is amended to read:

2189 1001.706 Powers and duties of the Board of Governors.—

2190 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors  
 2191 shall implement a plan for working on a regular basis with the  
 2192 State Board of Education, the State Board of Community Colleges,  
 2193 the Commission for Independent Education, the Higher Education  
 2194 Coordinating Council, the Articulation Coordinating Committee,  
 2195 the university boards of trustees, representatives of the  
 2196 Florida Community College System institution boards of trustees,  
 2197 representatives of the private colleges and universities, and  
 2198 representatives of the district school boards to achieve a  
 2199 seamless education system.

2200 Section 24. Subsections (1) and (18) of section 1002.34,

2201 Florida Statutes, are amended to read:

2202 1002.34 Charter technical career centers; governance,  
 2203 mission, and responsibilities.—

2204 (1) MISSION AND AUTHORIZATION.—

2205 (a) The primary mission of a charter technical career  
 2206 center is to promote ~~The Legislature finds that the~~  
 2207 ~~establishment of charter technical career centers can assist in~~  
 2208 ~~promoting~~ advances and innovations in workforce preparation and  
 2209 economic development. A charter technical career center may  
 2210 provide a learning environment that ~~better~~ serves the needs of a  
 2211 specific population group or a group of occupations, thus  
 2212 promoting diversity and choices within the public education and  
 2213 public postsecondary technical education community in this  
 2214 state. Therefore, the creation of such centers is authorized as  
 2215 part of the state's program of public education. A charter  
 2216 technical career center may be formed by creating a new school  
 2217 or converting an existing school district or Florida Community  
 2218 College System institution program to charter technical status.

2219 (b) A charter technical career center that is operated by  
 2220 a district school board may not offer a college credit course or  
 2221 a college credit certificate or an associate degree or  
 2222 baccalaureate degree program.

2223 (18) RULES.—The State Board of Education, for technical  
 2224 centers operated by school districts, and the State Board of  
 2225 Community Colleges, for technical centers operated by Florida

2226 Community College System institutions, shall adopt rules,  
2227 pursuant to ss. 120.536(1) and 120.54, relating to the  
2228 implementation of charter technical career centers, including  
2229 rules to implement a charter model application form and an  
2230 evaluation instrument in accordance with this section.

2231 Section 25. Paragraph (b) of subsection (4) of section  
2232 1003.491, Florida Statutes, is amended to read:

2233 1003.491 Florida Career and Professional Education Act.—  
2234 The Florida Career and Professional Education Act is created to  
2235 provide a statewide planning partnership between the business  
2236 and education communities in order to attract, expand, and  
2237 retain targeted, high-value industry and to sustain a strong,  
2238 knowledge-based economy.

2239 (4) The State Board of Education shall establish a process  
2240 for the continual and uninterrupted review of newly proposed  
2241 core secondary courses and existing courses requested to be  
2242 considered as core courses to ensure that sufficient rigor and  
2243 relevance is provided for workforce skills and postsecondary  
2244 education and aligned to state curriculum standards.

2245 (b) The curriculum review committee shall review newly  
2246 proposed core courses electronically. Each proposed core course  
2247 shall be approved or denied within 30 days after submission by a  
2248 district school board or local workforce development board. All  
2249 courses approved as core courses for purposes of middle school  
2250 promotion and high school graduation shall be immediately added

2251 to the Course Code Directory. Approved core courses shall also  
2252 be reviewed and considered for approval for dual enrollment  
2253 credit. The Board of Governors, the State Board of Community  
2254 Colleges, and the Commissioner of Education shall jointly  
2255 recommend an annual deadline for approval of new core courses to  
2256 be included for purposes of postsecondary admissions and dual  
2257 enrollment credit the following academic year. The State Board  
2258 of Education shall establish an appeals process in the event  
2259 that a proposed course is denied which shall require a consensus  
2260 ruling by the Department of Economic Opportunity and the  
2261 Commissioner of Education within 15 days.

2262 Section 26. Paragraph (b) of subsection (4) of section  
2263 1003.493, Florida Statutes, is amended to read:

2264 1003.493 Career and professional academies and career-  
2265 themed courses.—

2266 (4) Each career and professional academy and secondary  
2267 school providing a career-themed course must:

2268 (b) Include one or more partnerships with postsecondary  
2269 institutions, businesses, industry, employers, economic  
2270 development organizations, or other appropriate partners from  
2271 the local community. Such partnerships with postsecondary  
2272 institutions shall be delineated in articulation agreements and  
2273 include any career and professional academy courses or career-  
2274 themed courses that earn postsecondary credit. Such agreements  
2275 may include articulation between the secondary school and public

2276 or private 2-year and 4-year postsecondary institutions and  
2277 technical centers. The Department of Education, in consultation  
2278 with the Board of Governors and the State Board of Community  
2279 Colleges, shall establish a mechanism to ensure articulation and  
2280 transfer of credits to postsecondary institutions in this state.  
2281 Such partnerships must provide opportunities for:

2282 1. Instruction from highly skilled professionals who  
2283 possess industry-certification credentials for courses they are  
2284 teaching.

2285 2. Internships, externships, and on-the-job training.

2286 3. A postsecondary degree, diploma, or certificate.

2287 4. The highest available level of industry certification.

2288 5. Maximum articulation of credits pursuant to s. 1007.23  
2289 upon program completion.

2290 Section 27. Subsections (4), (5), and (6) of section  
2291 1004.015, Florida Statutes, are amended to read:

2292 1004.015 Higher Education Coordinating Council.—

2293 (4) The council shall serve as an advisory board to the  
2294 Legislature, the State Board of Education, ~~and~~ the Board of  
2295 Governors, and the State Board of Community Colleges.

2296 Recommendations of the council shall be consistent with the  
2297 following guiding principles:

2298 (a) To achieve within existing resources a seamless  
2299 academic educational system that fosters an integrated continuum  
2300 of kindergarten through graduate school education for Florida's

2301 students.

2302 (b) To promote consistent education policy across all  
 2303 educational delivery systems, focusing on students.

2304 (c) To promote substantially improved articulation across  
 2305 all educational delivery systems.

2306 (d) To promote a system that maximizes educational access  
 2307 and allows the opportunity for a high-quality education for all  
 2308 Floridians.

2309 (e) To promote a system of coordinated and consistent  
 2310 transfer of credit and data collection for improved  
 2311 accountability purposes between the educational delivery  
 2312 systems.

2313 (5) The council shall annually by December 31 submit to  
 2314 the Governor, the President of the Senate, the Speaker of the  
 2315 House of Representatives, the Board of Governors, the State  
 2316 Board of Community Colleges, and the State Board of Education a  
 2317 report outlining its recommendations relating to:

2318 (a) The primary core mission of public and nonpublic  
 2319 postsecondary education institutions in the context of state  
 2320 access demands and economic development goals.

2321 (b) Performance outputs and outcomes designed to meet  
 2322 annual and long-term state goals, including, but not limited to,  
 2323 increased student access, preparedness, retention, transfer, and  
 2324 completion. Performance measures must be consistent across  
 2325 sectors and allow for a comparison of the state's performance to

2326 | that of other states.

2327 |       (c) The state's articulation policies and practices to  
 2328 | ensure that cost benefits to the state are maximized without  
 2329 | jeopardizing quality. The recommendations shall consider return  
 2330 | on investment for both the state and students and propose  
 2331 | systems to facilitate and ensure institutional compliance with  
 2332 | state articulation policies.

2333 |       (d) Workforce development education, specifically  
 2334 | recommending improvements to the consistency of workforce  
 2335 | education data collected and reported by Florida Community  
 2336 | College System institutions and school districts, including the  
 2337 | establishment of common elements and definitions for any data  
 2338 | that is used for state and federal funding and program  
 2339 | accountability.

2340 |       (6) The Office of K-20 Articulation, in collaboration with  
 2341 | the Board of Governors and the State Board of Community ~~Division~~  
 2342 | ~~of Florida~~ Colleges, shall provide administrative support for  
 2343 | the council.

2344 |       Section 28. Subsection (7) of section 1004.02, Florida  
 2345 | Statutes, is amended to read:

2346 |       1004.02 Definitions.—As used in this chapter:

2347 |       (7) "Applied technology diploma program" means a course of  
 2348 | study that is part of a technical degree program, is less than  
 2349 | 60 credit hours, and leads to employment in a specific  
 2350 | occupation. An applied technology diploma program may consist of

2351 either technical credit or college credit. A public school  
 2352 district may offer an applied technology diploma program only as  
 2353 technical credit, with college credit awarded to a student upon  
 2354 articulation to a Florida Community College System institution.  
 2355 Statewide articulation among public schools and Florida  
 2356 Community College System institutions is guaranteed by s.  
 2357 1007.23, and is subject to guidelines and standards adopted by  
 2358 the State Board of Community Colleges ~~Education~~ pursuant to ss.  
 2359 1007.24 and 1007.25.

2360 Section 29. Subsection (2) of section 1004.03, Florida  
 2361 Statutes, is amended to read:

2362 1004.03 Program approval.—

2363 (2) The State Board of Community Colleges ~~Education~~ shall  
 2364 establish criteria for the approval of new programs at Florida  
 2365 Community College System institutions, which criteria include,  
 2366 but are not limited to, the following:

2367 (a) New programs may not be approved unless the same  
 2368 objectives cannot be met through use of educational technology.

2369 (b) Unnecessary duplication of programs offered by  
 2370 independent institutions shall be avoided.

2371 (c) Cooperative programs, particularly within regions,  
 2372 should be encouraged.

2373 (d) New programs may be approved only if they are  
 2374 consistent with the ~~state master~~ plan adopted by the State Board  
 2375 of Community Colleges ~~Education~~.

2376 Section 30. Paragraph (f) of subsection (4) of section  
 2377 1004.04, Florida Statutes, is amended to read:

2378 1004.04 Public accountability and state approval for  
 2379 teacher preparation programs.—

2380 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a  
 2381 teacher preparation program shall be based upon evidence that  
 2382 the program continues to implement the requirements for initial  
 2383 approval and upon significant, objective, and quantifiable  
 2384 measures of the program and the performance of the program  
 2385 completers.

2386 (f) By January 1 of each year, the Department of Education  
 2387 shall report the results of each approved program's annual  
 2388 progress on the performance measures in paragraph (a) as well as  
 2389 the current approval status of each program to:

- 2390 1. The Governor.
- 2391 2. The President of the Senate.
- 2392 3. The Speaker of the House of Representatives.
- 2393 4. The State Board of Education.
- 2394 5. The Board of Governors.
- 2395 6. The State Board of Community Colleges.
- 2396 7. The Commissioner of Education.

2397 ~~8.7.~~ Each Florida postsecondary teacher preparation  
 2398 program.

2399 ~~9.8.~~ Each district school superintendent.

2400 ~~10.9.~~ The public.

2401  
 2402 This report may include the results of other continued approval  
 2403 requirements provided by State Board of Education rule and  
 2404 recommendations for improving teacher preparation programs in  
 2405 the state.

2406 Section 31. Section 1004.07, Florida Statutes, is amended  
 2407 to read:

2408 1004.07 Student withdrawal from courses due to military  
 2409 service; effect.—

2410 (1) Each district school board, Florida Community College  
 2411 System institution board of trustees, and state university board  
 2412 of trustees shall establish policies regarding currently  
 2413 enrolled students who are called to, or enlist in, active  
 2414 military service.

2415 (2) Such policies must ~~shall~~ provide that any student  
 2416 enrolled in a postsecondary course or courses at a career  
 2417 center, a Florida Community College System institution, or a  
 2418 state university may ~~shall~~ not incur academic or financial  
 2419 penalties by virtue of performing military service on behalf of  
 2420 our country. Such student shall be permitted the option of  
 2421 either completing the course or courses at a later date without  
 2422 penalty or withdrawing from the course or courses with a full  
 2423 refund of fees paid. If the student chooses to withdraw, the  
 2424 student's record shall reflect that the withdrawal is due to  
 2425 active military service.

2426 (3) Policies of district school boards must and ~~Florida~~  
 2427 ~~College System~~ institution boards of trustees shall be  
 2428 established by rule and pursuant to guidelines of the State  
 2429 Board of Education.

2430 (4) Policies of state university boards of trustees must  
 2431 ~~shall~~ be established by regulation and pursuant to guidelines of  
 2432 the Board of Governors.

2433 (5) Policies of Florida Community College System  
 2434 institution boards of trustees must be established by rule and  
 2435 pursuant to guidelines of the State Board of Community Colleges.

2436 Section 32. Section 1004.084, Florida Statutes, is amended  
 2437 to read:

2438 1004.084 College affordability.—

2439 (1) The Board of Governors and the State Board of  
 2440 Community Colleges ~~Education~~ shall annually identify strategies  
 2441 to promote college affordability for all Floridians by  
 2442 evaluating, at a minimum, the impact of:

2443 (a) Tuition and fees on undergraduate, graduate, and  
 2444 professional students at public colleges and universities and  
 2445 graduate assistants employed by public universities.

2446 (b) Federal, state, and institutional financial aid  
 2447 policies on the actual cost of attendance for students and their  
 2448 families.

2449 (c) The costs of textbooks and instructional materials.

2450 (2) By December 31 of each year, ~~beginning in 2016,~~ the

2451 Board of Governors and the State Board of Community Colleges  
 2452 ~~Education~~ shall submit a report on their respective college  
 2453 affordability initiatives to the Governor, the President of the  
 2454 Senate, and the Speaker of the House of Representatives.

2455 Section 33. Paragraph (d) of subsection (3) and  
 2456 subsections (6), (7), and (8) of section 1004.085, Florida  
 2457 Statutes, are amended to read:

2458 1004.085 Textbook and instructional materials  
 2459 affordability.—

2460 (3) An employee may receive:

2461 (d) Fees associated with activities such as reviewing,  
 2462 critiquing, or preparing support materials for textbooks or  
 2463 instructional materials pursuant to guidelines adopted by the  
 2464 State Board of Community Colleges ~~Education~~ or the Board of  
 2465 Governors.

2466 (6) Each Florida Community College System institution and  
 2467 state university shall post prominently in the course  
 2468 registration system and on its website, as early as is feasible,  
 2469 but at least 45 days before the first day of class for each  
 2470 term, a hyperlink to lists of required and recommended textbooks  
 2471 and instructional materials for at least 95 percent of all  
 2472 courses and course sections offered at the institution during  
 2473 the upcoming term. The lists must include the International  
 2474 Standard Book Number (ISBN) for each required and recommended  
 2475 textbook and instructional material or other identifying

2476 information, which must include, at a minimum, all of the  
2477 following: the title, all authors listed, publishers, edition  
2478 number, copyright date, published date, and other relevant  
2479 information necessary to identify the specific textbooks or  
2480 instructional materials required and recommended for each  
2481 course. The State Board of Community Colleges ~~Education~~ and the  
2482 Board of Governors shall include in the policies, procedures,  
2483 and guidelines adopted under subsection (7) certain limited  
2484 exceptions to this notification requirement for classes added  
2485 after the notification deadline.

2486 (7) After receiving input from students, faculty,  
2487 bookstores, and publishers, the State Board of Community  
2488 Colleges ~~Education~~ and the Board of Governors each shall adopt  
2489 textbook and instructional materials affordability policies,  
2490 procedures, and guidelines for implementation by Florida  
2491 Community College System institutions and state universities,  
2492 respectively, that further efforts to minimize the cost of  
2493 textbooks and instructional materials for students attending  
2494 such institutions while maintaining the quality of education and  
2495 academic freedom. The policies, procedures, and guidelines shall  
2496 address:

2497 (a) The establishment of deadlines for an instructor or  
2498 department to notify the bookstore of required and recommended  
2499 textbooks and instructional materials so that the bookstore may  
2500 verify availability, source lower cost options when practicable,

2501 explore alternatives with faculty when academically appropriate,  
2502 and maximize the availability of used textbooks and  
2503 instructional materials.

2504 (b) Confirmation by the course instructor or academic  
2505 department offering the course, before the textbook or  
2506 instructional materials adoption is finalized, of the intent to  
2507 use all items ordered, particularly each individual item sold as  
2508 part of a bundled package.

2509 (c) Determination by a course instructor or the academic  
2510 department offering the course, before a textbook or  
2511 instructional material is adopted, of the extent to which a new  
2512 edition differs significantly and substantively from earlier  
2513 versions and the value to the student of changing to a new  
2514 edition or the extent to which an open-access textbook or  
2515 instructional material is available.

2516 (d) The availability of required and recommended textbooks  
2517 and instructional materials to students otherwise unable to  
2518 afford the cost, including consideration of the extent to which  
2519 an open-access textbook or instructional material may be used.

2520 (e) Participation by course instructors and academic  
2521 departments in the development, adaptation, and review of open-  
2522 access textbooks and instructional materials and, in particular,  
2523 open-access textbooks and instructional materials for high-  
2524 demand general education courses.

2525 (f) Consultation with school districts to identify

2526 | practices that impact the cost of dual enrollment textbooks and  
 2527 | instructional materials to school districts, including, but not  
 2528 | limited to, the length of time that textbooks and instructional  
 2529 | materials remain in use.

2530 |         (g) Selection of textbooks and instructional materials  
 2531 | through cost-benefit analyses that enable students to obtain the  
 2532 | highest-quality product at the lowest available price, by  
 2533 | considering:

2534 |             1. Purchasing digital textbooks in bulk.

2535 |             2. Expanding the use of open-access textbooks and  
 2536 | instructional materials.

2537 |             3. Providing rental options for textbooks and  
 2538 | instructional materials.

2539 |             4. Increasing the availability and use of affordable  
 2540 | digital textbooks and learning objects.

2541 |             5. Developing mechanisms to assist in buying, renting,  
 2542 | selling, and sharing textbooks and instructional materials.

2543 |             6. The length of time that textbooks and instructional  
 2544 | materials remain in use.

2545 |             7. An evaluation of cost savings for textbooks and  
 2546 | instructional materials which a student may realize if  
 2547 | individual students are able to exercise opt-in provisions for  
 2548 | the purchase of the materials.

2549 |         (8) The board of trustees of each Florida Community  
 2550 | College System institution and state university shall report, by

2551 September 30 of each year, beginning in 2016, to the Chancellor  
2552 of the Florida Community College System or the Chancellor of the  
2553 State University System, as applicable, the textbook and  
2554 instructional materials selection process for general education  
2555 courses with a wide cost variance identified pursuant to  
2556 subsection (4) and high-enrollment courses; specific initiatives  
2557 of the institution designed to reduce the costs of textbooks and  
2558 instructional materials; policies implemented in accordance with  
2559 subsection (6); the number of courses and course sections that  
2560 were not able to meet the textbook and instructional materials  
2561 posting deadline for the previous academic year; and any  
2562 additional information determined by the chancellors. By  
2563 November 1 of each year, ~~beginning in 2016,~~ each chancellor  
2564 shall provide a summary of the information provided by  
2565 institutions to the State Board of Community Colleges ~~Education~~  
2566 and the Board of Governors, as applicable.

2567 Section 34. Section 1004.096, Florida Statutes, is amended  
2568 to read:

2569 1004.096 College credit for military training and  
2570 education courses.—The Board of Governors shall adopt  
2571 regulations and the State Board of Community Colleges ~~Education~~  
2572 shall adopt rules that enable eligible servicemembers or  
2573 veterans of the United States Armed Forces to earn academic  
2574 college credit at public postsecondary educational institutions  
2575 for college-level training and education acquired in the

2576 military. The regulations and rules shall include procedures for  
2577 credential evaluation and the award of academic college credit,  
2578 including, but not limited to, equivalency and alignment of  
2579 military coursework with appropriate college courses, course  
2580 descriptions, type and amount of college credit that may be  
2581 awarded, and transfer of credit.

2582 Section 35. Section 1004.0961, Florida Statutes, is  
2583 amended to read:

2584 1004.0961 Credit for online courses. ~~Beginning in the~~  
2585 ~~2015-2016 school year,~~ The State Board of Community Colleges  
2586 ~~Education~~ shall adopt rules and the Board of Governors shall  
2587 adopt regulations that enable students to earn academic credit  
2588 for online courses, including massive open online courses,  
2589 before initial enrollment at a postsecondary institution. The  
2590 rules of the State Board of Community Colleges ~~Education~~ and  
2591 regulations of the Board of Governors must include procedures  
2592 for credential evaluation and the award of credit, including,  
2593 but not limited to, recommendations for credit by the American  
2594 Council on Education; equivalency and alignment of coursework  
2595 with appropriate courses; course descriptions; type and amount  
2596 of credit that may be awarded; and transfer of credit.

2597 Section 36. Section 1004.35, Florida Statutes, is amended  
2598 to read:

2599 1004.35 Broward County campuses of Florida Atlantic  
2600 University; coordination with other institutions.—The State

2601 Board of Community Colleges Education, the Board of Governors,  
2602 and Florida Atlantic University shall consult with Broward  
2603 College and Florida International University in coordinating  
2604 course offerings at the postsecondary level in Broward County.  
2605 Florida Atlantic University may contract with the Board of  
2606 Trustees of Broward College and with Florida International  
2607 University to provide instruction in courses offered at the  
2608 Southeast Campus. Florida Atlantic University shall increase  
2609 course offerings at the Southeast Campus as facilities become  
2610 available.

2611 Section 37. Paragraphs (c) and (d) of subsection (5) and  
2612 subsections (8) and (9) of section 1004.6495, Florida Statutes,  
2613 are amended to read:

2614 1004.6495 Florida Postsecondary Comprehensive Transition  
2615 Program and Florida Center for Students with Unique Abilities.—

2616 (5) CENTER RESPONSIBILITIES.—The Florida Center for  
2617 Students with Unique Abilities is established within the  
2618 University of Central Florida. At a minimum, the center shall:

2619 (c) Create the application for the initial approval and  
2620 renewal of approval as an FPCTP for use by an eligible  
2621 institution which, at a minimum, must align with the federal  
2622 comprehensive transition and postsecondary program application  
2623 requirements. Notwithstanding the program approval requirements  
2624 of s. 1004.03, the director shall review applications for the  
2625 initial approval of an application for, or renewal of approval

2626 of, an FPCTP.

2627         1. Within 30 days after receipt of an application, the  
 2628 director shall issue his or her recommendation regarding  
 2629 approval to the Chancellor of the State University System, ~~or~~  
 2630 the Chancellor of the Florida Community College System, or the  
 2631 Commissioner of Education, as applicable, or shall give written  
 2632 notice to the applicant of any deficiencies in the application,  
 2633 which the eligible institution must be given an opportunity to  
 2634 correct. Within 15 days after receipt of a notice of  
 2635 deficiencies, an eligible institution that chooses to continue  
 2636 to seek program approval shall correct the application  
 2637 deficiencies and return the application to the center. Within 30  
 2638 days after receipt of a revised application, the director shall  
 2639 recommend approval or disapproval of the revised application to  
 2640 the applicable chancellor ~~or the commissioner~~, as applicable.  
 2641 Within 15 days after receipt of the director's recommendation,  
 2642 the applicable chancellor ~~or the commissioner~~ shall approve or  
 2643 disapprove the recommendation. If the applicable chancellor ~~or~~  
 2644 ~~the commissioner~~ does not act on the director's recommendation  
 2645 within 15 days after receipt of such recommendation, the  
 2646 comprehensive transition program proposed by the institution  
 2647 shall be considered approved.

2648         2. Initial approval of an application for an FPCTP that  
 2649 meets the requirements of this section is valid for the 3  
 2650 academic years immediately following the academic year during

2651 | which the approval is granted. An eligible institution may  
2652 | submit an application to the center requesting that the initial  
2653 | approval be renewed. If the approval is granted and the FPCTP  
2654 | continues to meet the requirements of this section, including,  
2655 | but not limited to, program and student performance outcomes,  
2656 | and federal requirements, a renewal is valid for the 5 academic  
2657 | years immediately following the academic year during which the  
2658 | renewal is granted.

2659 |         3. An application must, at a minimum:

2660 |             a. Identify a credential associated with the proposed  
2661 | program which will be awarded to eligible students upon  
2662 | completion of the FPCTP.

2663 |             b. Outline the program length and design, including, at a  
2664 | minimum, inclusive and successful experiential education  
2665 | practices relating to curricular, assessment, and advising  
2666 | structure and internship and employment opportunities, which  
2667 | must support students with intellectual disabilities who are  
2668 | seeking to continue academic, career and technical, and  
2669 | independent living instruction at an eligible institution,  
2670 | including, but not limited to, opportunities to earn industry  
2671 | certifications, to prepare students for gainful employment. If  
2672 | an eligible institution offers a credit-bearing degree program,  
2673 | the institution is responsible for maintaining the rigor and  
2674 | effectiveness of a comprehensive transition degree program at  
2675 | the same level as other comparable degree programs offered by

2676 the institution pursuant to applicable accreditation standards.

2677 c. Outline a plan for students with intellectual  
2678 disabilities to be integrated socially and academically with  
2679 nondisabled students, to the maximum extent possible, and to  
2680 participate on not less than a half-time basis, as determined by  
2681 the eligible institution, with such participation focusing on  
2682 academic components and occurring through one or more of the  
2683 following activities with nondisabled students:

2684 (I) Regular enrollment in credit-bearing courses offered  
2685 by the institution.

2686 (II) Auditing or participating in courses offered by the  
2687 institution for which the student does not receive academic  
2688 credit.

2689 (III) Enrollment in noncredit-bearing, nondegree courses.

2690 (IV) Participation in internships or work-based training.

2691 d. Outline a plan for partnerships with businesses to  
2692 promote experiential training and employment opportunities for  
2693 students with intellectual disabilities.

2694 e. Identify performance indicators pursuant to subsection  
2695 (8) and other requirements identified by the center.

2696 f. Outline a 5-year plan incorporating enrollment and  
2697 operational expectations for the program.

2698 (d) Provide technical assistance regarding programs and  
2699 services for students with intellectual disabilities to  
2700 administrators, instructors, staff, and others, as applicable,

2701 at eligible institutions by:

2702 1. Holding meetings and annual workshops to share  
2703 successful practices and to address issues or concerns.

2704 2. Facilitating collaboration between eligible  
2705 institutions and school districts, private schools operating  
2706 pursuant to s. 1002.42, and parents of students enrolled in home  
2707 education programs operating pursuant to s. 1002.41 in assisting  
2708 students with intellectual disabilities and their parents to  
2709 plan for the transition of such students into an FPCTP or  
2710 another program at an eligible institution.

2711 3. Assisting eligible institutions with FPCTP and federal  
2712 comprehensive transition and postsecondary program applications.

2713 4. Assisting eligible institutions with the identification  
2714 of funding sources for an FPCTP and for student financial  
2715 assistance for students enrolled in an FPCTP.

2716 5. Monitoring federal and state law relating to the  
2717 comprehensive transition program and notifying the Legislature,  
2718 the Governor, the Board of Governors, the State Board of  
2719 Community Colleges, and the State Board of Education of any  
2720 change in law which may impact the implementation of this  
2721 section.

2722 (8) ACCOUNTABILITY.—

2723 (a) The center, in collaboration with the Board of  
2724 Governors and the State Board of Community Colleges ~~Education~~,  
2725 shall identify indicators for the satisfactory progress of a

2726 student in an FPCTP and for the performance of such programs.  
2727 Each eligible institution must address the indicators identified  
2728 by the center in its application for the approval of a proposed  
2729 program and for the renewal of an FPCTP and in the annual report  
2730 that the institution submits to the center.

2731 (b) By October 1 of each year, the center shall provide to  
2732 the Governor, the President of the Senate, the Speaker of the  
2733 House of Representatives, the Chancellor of the State University  
2734 System, and the Chancellor of the Florida Community College  
2735 System ~~Commissioner of Education~~ a report summarizing  
2736 information including, but not limited to:

2737 1. The status of the statewide coordination of FPCTPs and  
2738 the implementation of FPCTPs at eligible institutions including,  
2739 but not limited to:

2740 a. The number of applications approved and disapproved and  
2741 the reasons for each disapproval and no action taken by the  
2742 chancellor or the commissioner.

2743 b. The number and value of all scholarships awarded to  
2744 students and undisbursed advances remitted to the center  
2745 pursuant to subsection (7).

2746 2. Indicators identified by the center pursuant to  
2747 paragraph (a) and the performance of each eligible institution  
2748 based on the indicators identified in paragraph (6)(c).

2749 3. The projected number of students with intellectual  
2750 disabilities who may be eligible to enroll in the FPCTPs within

2751 the next academic year.

2752 4. Education programs and services for students with  
 2753 intellectual disabilities which are available at eligible  
 2754 institutions.

2755 (c) Beginning in the 2016-2017 fiscal year, the center, in  
 2756 collaboration with the Board of Governors, State Board of  
 2757 Community Colleges Education, Higher Education Coordinating  
 2758 Council, and other stakeholders, by December 1 of each year,  
 2759 shall submit to the Governor, the President of the Senate, and  
 2760 the Speaker of the House of Representatives statutory and budget  
 2761 recommendations for improving the implementation and delivery of  
 2762 FPCTPs and other education programs and services for students  
 2763 with disabilities.

2764 (9) RULES.—The Board of Governors and the State Board of  
 2765 Community Colleges Education, in consultation with the center,  
 2766 shall expeditiously adopt any necessary regulations and rules,  
 2767 as applicable, to allow the center to perform its  
 2768 responsibilities pursuant to this section beginning in the 2016-  
 2769 2017 fiscal year.

2770 Section 38. Section 1004.65, Florida Statutes, is amended  
 2771 to read:

2772 1004.65 Florida Community College System institutions;  
 2773 governance, mission, and responsibilities.—

2774 (1) Each Florida Community College System institution  
 2775 shall be governed by a district board of trustees under

2776 statutory authority and rules of the State Board of Community  
2777 Colleges ~~Education~~.

2778 (2) Each Florida Community College System institution  
2779 district shall:

2780 (a) Consist of the county or counties served by the  
2781 Florida Community College System institution pursuant to s.  
2782 1000.21(3).

2783 (b) Be an independent, separate, legal entity created for  
2784 the operation of a Florida Community College System institution.

2785 (3) Florida Community College System institutions are  
2786 locally based and governed entities with statutory and funding  
2787 ties to state government. As such, the mission for Florida  
2788 Community College System institutions reflects a commitment to  
2789 be responsive to local educational needs and challenges. In  
2790 achieving this mission, Florida Community College System  
2791 institutions strive to maintain sufficient local authority and  
2792 flexibility while preserving appropriate legal accountability to  
2793 the state.

2794 (4) As comprehensive institutions, Florida Community  
2795 College System institutions shall provide high-quality,  
2796 affordable education and training opportunities, shall foster a  
2797 climate of excellence, and shall provide opportunities to all  
2798 while combining high standards with an open-door admission  
2799 policy for lower-division programs. Florida Community College  
2800 System institutions shall, as open-access institutions, serve

2801 all who can benefit, without regard to age, race, gender, creed,  
2802 or ethnic or economic background, while emphasizing the  
2803 achievement of social and educational equity so that all can be  
2804 prepared for full participation in society.

2805 (5) The primary mission and responsibility of Florida  
2806 Community College System institutions is responding to community  
2807 needs for postsecondary academic education and career degree  
2808 education. This mission and responsibility includes being  
2809 responsible for:

2810 (a) Providing lower-level ~~lower-level~~ undergraduate  
2811 instruction and awarding associate degrees.

2812 (b) Preparing students directly for careers requiring less  
2813 than baccalaureate degrees. This may include preparing for job  
2814 entry, supplementing of skills and knowledge, and responding to  
2815 needs in new areas of technology. Career education in a Florida  
2816 Community College System institution consists ~~shall consist~~ of  
2817 career certificates, nationally recognized industry  
2818 certifications, credit courses leading to associate in science  
2819 degrees and associate in applied science degrees, and other  
2820 programs in fields requiring substantial academic work,  
2821 background, or qualifications. A Florida Community College  
2822 System institution may offer career education programs in fields  
2823 having lesser academic or technical requirements.

2824 (c) Providing student development services, including  
2825 assessment, student tracking, support for disabled students,

2826 advisement, counseling, financial aid, career development, and  
 2827 remedial and tutorial services, to ensure student success.

2828 (d) Promoting economic development for the state within  
 2829 each Florida Community College System institution district  
 2830 through the provision of special programs, including, but not  
 2831 limited to, the:

- 2832 1. Enterprise Florida-related programs.
- 2833 2. Technology transfer centers.
- 2834 3. Economic development centers.
- 2835 4. Workforce literacy programs.

2836 (e) Providing dual enrollment instruction.

2837 ~~(f) Providing upper level instruction and awarding~~  
 2838 ~~baccalaureate degrees as specifically authorized by law.~~

2839 (6) A separate and secondary role for Florida Community  
 2840 College System institutions includes ~~the offering of programs~~  
 2841 ~~in~~:

2842 (a) Programs in community services that are not directly  
 2843 related to academic or occupational advancement.

2844 (b) Programs in adult education services, including adult  
 2845 basic education, adult general education, adult secondary  
 2846 education, and high school equivalency examination instruction.

2847 (c) Programs in recreational and leisure services.

2848 (d) Upper-level instruction and awarding baccalaureate  
 2849 degrees as specifically authorized by law.

2850 (7) Funding for Florida Community College System

2851 institutions must ~~shall~~ reflect their mission as follows:

2852 (a) Postsecondary academic and career education programs  
2853 and adult general education programs must ~~shall~~ have first  
2854 priority in Florida Community College System institution  
2855 funding.

2856 (b) Community service programs shall be presented to the  
2857 Legislature with rationale for state funding. The Legislature  
2858 may identify priority areas for use of these funds.

2859 (c) The resources of a Florida Community College System  
2860 institution, including staff, faculty, land, and facilities, may  
2861 ~~shall~~ not be used to support the establishment of a new  
2862 independent nonpublic educational institution. If any  
2863 institution uses resources for such purpose, the State Board of  
2864 Community ~~Division of Florida~~ Colleges shall notify the  
2865 President of the Senate and the Speaker of the House of  
2866 Representatives.

2867 (8) Florida Community College System institutions are  
2868 authorized to:

2869 (a) Offer such programs and courses as are necessary to  
2870 fulfill their mission.

2871 (b) Grant associate in arts degrees, associate in science  
2872 degrees, associate in applied science degrees, certificates,  
2873 awards, and diplomas.

2874 (c) Make provisions for the high school equivalency  
2875 examination.

2876 (d) Provide access to and award baccalaureate degrees in  
 2877 accordance with law.

2878  
 2879 Authority to offer one or more baccalaureate degree programs  
 2880 does not alter the governance relationship of the Florida  
 2881 Community College System institution with its district board of  
 2882 trustees or the State Board of Community Colleges ~~Education~~.

2883 Section 39. Section 1004.67, Florida Statutes, is amended  
 2884 to read:

2885 1004.67 Florida Community College System institutions;  
 2886 legislative intent.—It is The legislative intent that Florida  
 2887 Community College System institutions, constituted as political  
 2888 subdivisions of the state, continue to be operated by Florida  
 2889 Community College System institution boards of trustees as  
 2890 provided in s. 1001.63 and that no department, bureau, division,  
 2891 agency, or subdivision of the state exercise any responsibility  
 2892 and authority to operate any Florida Community College System  
 2893 institution of the state except as specifically provided by law  
 2894 or rules of the State Board of Community Colleges ~~Education~~.

2895 Section 40. Section 1004.70, Florida Statutes, is amended  
 2896 to read:

2897 1004.70 Florida Community College System institution  
 2898 direct-support organizations.—

2899 (1) DEFINITIONS.—For the purposes of this section:

2900 (a) "Florida Community College System institution direct-

2901 support organization" means an organization that is:

2902 1. A Florida corporation not for profit, incorporated  
 2903 under the provisions of chapter 617 and approved by the  
 2904 Department of State.

2905 2. Organized and operated exclusively to receive, hold,  
 2906 invest, and administer property and to make expenditures to, or  
 2907 for the benefit of, a Florida Community College System  
 2908 institution in this state.

2909 3. An organization that the Florida Community College  
 2910 System institution board of trustees, after review, has  
 2911 certified to be operating in a manner consistent with the goals  
 2912 of the Florida Community College System institution and in the  
 2913 best interest of the state. Any organization that is denied  
 2914 certification by the board of trustees may not use the name of  
 2915 the Florida Community College System institution that it serves.

2916 (b) "Personal services" includes full-time or part-time  
 2917 personnel as well as payroll processing.

2918 (2) BOARD OF DIRECTORS.—The chair of the board of trustees  
 2919 shall appoint a representative to the board of directors and the  
 2920 executive committee of each direct-support organization  
 2921 established under this section, including those established  
 2922 before July 1, 1998. The president of the Florida Community  
 2923 College System institution for which the direct-support  
 2924 organization is established, or the president's designee, shall  
 2925 also serve on the board of directors and the executive committee

2926 of the direct-support organization, including any direct-support  
 2927 organization established before July 1, 1998.

2928 (3) USE OF PROPERTY.—

2929 (a) The board of trustees is authorized to permit the use  
 2930 of property, facilities, and personal services at any Florida  
 2931 Community College System institution by any Florida Community  
 2932 College System institution direct-support organization, subject  
 2933 to the provisions of this section.

2934 (b) The board of trustees is authorized to prescribe by  
 2935 rule any condition with which a Florida Community College System  
 2936 institution direct-support organization must comply in order to  
 2937 use property, facilities, or personal services at any Florida  
 2938 Community College System institution.

2939 (c) The board of trustees may not permit the use of  
 2940 property, facilities, or personal services at any Florida  
 2941 Community College System institution by any Florida Community  
 2942 College System institution direct-support organization that does  
 2943 not provide equal employment opportunities to all persons  
 2944 regardless of race, color, national origin, gender, age, or  
 2945 religion.

2946 (4) ACTIVITIES; RESTRICTIONS.—

2947 (a) A direct-support organization may, at the request of  
 2948 the board of trustees, provide residency opportunities on or  
 2949 near campus for students.

2950 (b) A direct-support organization that constructs

2951 facilities for use by a Florida Community College System  
2952 institution or its students must comply with all requirements of  
2953 law relating to the construction of facilities by a Florida  
2954 Community College System institution, including requirements for  
2955 competitive bidding.

2956 (c) Any transaction or agreement between one direct-  
2957 support organization and another direct-support organization  
2958 must be approved by the board of trustees.

2959 (d) A Florida Community College System institution direct-  
2960 support organization is prohibited from giving, either directly  
2961 or indirectly, any gift to a political committee as defined in  
2962 s. 106.011 for any purpose other than those certified by a  
2963 majority roll call vote of the governing board of the direct-  
2964 support organization at a regularly scheduled meeting as being  
2965 directly related to the educational mission of the Florida  
2966 Community College System institution.

2967 (e) A Florida Community College System institution board  
2968 of trustees must authorize all debt, including lease-purchase  
2969 agreements, incurred by a direct-support organization.  
2970 Authorization for approval of short-term loans and lease-  
2971 purchase agreements for a term of not more than 5 years,  
2972 including renewals, extensions, and refundings, for goods,  
2973 materials, equipment, and services may be delegated by the board  
2974 of trustees to the board of directors of the direct-support  
2975 organization. Trustees shall evaluate proposals for debt

2976 | according to guidelines issued by the State Board of Community  
 2977 | ~~Division of Florida~~ Colleges. Revenues of the Florida Community  
 2978 | College System institution may not be pledged to debt issued by  
 2979 | direct-support organizations.

2980 |       (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support  
 2981 | organization shall submit to the board of trustees its federal  
 2982 | Internal Revenue Service Application for Recognition of  
 2983 | Exemption form (Form 1023) and its federal Internal Revenue  
 2984 | Service Return of Organization Exempt from Income Tax form (Form  
 2985 | 990).

2986 |       (6) ANNUAL AUDIT.—Each direct-support organization shall  
 2987 | provide for an annual financial audit in accordance with rules  
 2988 | adopted by the Auditor General pursuant to s. 11.45(8). The  
 2989 | annual audit report must be submitted, within 9 months after the  
 2990 | end of the fiscal year, to the Auditor General, the State Board  
 2991 | of Community Colleges Education, and the board of trustees for  
 2992 | review. The board of trustees, the Auditor General, and the  
 2993 | Office of Program Policy Analysis and Government Accountability  
 2994 | may require and receive from the organization or from its  
 2995 | independent auditor any detail or supplemental data relative to  
 2996 | the operation of the organization. The identity of donors who  
 2997 | desire to remain anonymous shall be protected, and that  
 2998 | anonymity shall be maintained in the auditor's report. All  
 2999 | records of the organization, other than the auditor's report,  
 3000 | any information necessary for the auditor's report, any

3001 information related to the expenditure of funds, and any  
 3002 supplemental data requested by the board of trustees, the  
 3003 Auditor General, and the Office of Program Policy Analysis and  
 3004 Government Accountability, shall be confidential and exempt from  
 3005 the provisions of s. 119.07(1).

3006 Section 41. Section 1004.71, Florida Statutes, is amended  
 3007 to read:

3008 1004.71 Statewide Florida Community College System  
 3009 institution direct-support organizations.—

3010 (1) DEFINITIONS.—For the purposes of this section:

3011 (a) "Statewide Florida Community College System  
 3012 institution direct-support organization" means an organization  
 3013 that is:

3014 1. A Florida corporation not for profit, incorporated  
 3015 under the provisions of chapter 617 and approved by the  
 3016 Department of State.

3017 2. Organized and operated exclusively to receive, hold,  
 3018 invest, and administer property and to make expenditures to, or  
 3019 for the benefit of, the Florida Community College System  
 3020 institutions in this state.

3021 3. An organization that the State Board of Community  
 3022 Colleges Education, after review, has certified to be operating  
 3023 in a manner consistent with the goals of the Florida Community  
 3024 College System institutions and in the best interest of the  
 3025 state.

3026 (b) "Personal services" includes full-time or part-time  
 3027 personnel as well as payroll processing.

3028 (2) BOARD OF DIRECTORS.—The chair of the State Board of  
 3029 Community Colleges ~~Education~~ may appoint a representative to the  
 3030 board of directors and the executive committee of any statewide,  
 3031 direct-support organization established under this section or s.  
 3032 1004.70. The chair of the State Board of Community Colleges  
 3033 ~~Education~~, or the chair's designee, shall also serve on the  
 3034 board of directors and the executive committee of any direct-  
 3035 support organization established to benefit Florida Community  
 3036 College System institutions.

3037 (3) USE OF PROPERTY.—

3038 (a) The State Board of Education may permit the use of  
 3039 property, facilities, and personal services of the Department of  
 3040 Education by any statewide Florida Community College System  
 3041 institution direct-support organization, subject to the  
 3042 provisions of this section.

3043 (b) The State Board of Education may prescribe by rule any  
 3044 condition with which a statewide Florida Community College  
 3045 System institution direct-support organization must comply in  
 3046 order to use property, facilities, or personal services of the  
 3047 Department of Education.

3048 (c) The State Board of Education may not permit the use of  
 3049 property, facilities, or personal services of the Department of  
 3050 Education by any statewide Florida Community College System

3051 institution direct-support organization that does not provide  
 3052 equal employment opportunities to all persons regardless of  
 3053 race, color, national origin, gender, age, or religion.

3054 (4) RESTRICTIONS.—

3055 (a) A statewide, direct-support organization may not use  
 3056 public funds to acquire, construct, maintain, or operate any  
 3057 facilities.

3058 (b) Any transaction or agreement between a statewide,  
 3059 direct-support organization and any other direct-support  
 3060 organization must be approved by the State Board of Community  
 3061 Colleges Education.

3062 (c) A statewide Florida Community College System  
 3063 institution direct-support organization is prohibited from  
 3064 giving, either directly or indirectly, any gift to a political  
 3065 committee as defined in s. 106.011 for any purpose other than  
 3066 those certified by a majority roll call vote of the governing  
 3067 board of the direct-support organization at a regularly  
 3068 scheduled meeting as being directly related to the educational  
 3069 mission of the State Board of Community Colleges Education.

3070 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support  
 3071 organization shall submit to the State Board of Community  
 3072 Colleges Education its federal Internal Revenue Service  
 3073 Application for Recognition of Exemption form (Form 1023) and  
 3074 its federal Internal Revenue Service Return of Organization  
 3075 Exempt from Income Tax form (Form 990).

3076 (6) ANNUAL AUDIT.—A statewide Florida Community College  
 3077 System institution direct-support organization shall provide for  
 3078 an annual financial audit in accordance with s. 1004.70. The  
 3079 identity of a donor or prospective donor who desires to remain  
 3080 anonymous and all information identifying such donor or  
 3081 prospective donor are confidential and exempt from the  
 3082 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 3083 Constitution. Such anonymity shall be maintained in the  
 3084 auditor's report.

3085 Section 42. Subsection (4) of section 1004.74, Florida  
 3086 Statutes, is amended to read:

3087 1004.74 Florida School of the Arts.—

3088 (4) The Council for the Florida School of the Arts shall  
 3089 be established to advise the Florida Community College System  
 3090 institution district board of trustees on matters pertaining to  
 3091 the operation of the school. The council shall consist of nine  
 3092 members, appointed jointly by the Chancellor of the Florida  
 3093 Community College System and the Commissioner of Education for  
 3094 4-year terms. A member may serve three terms and may serve until  
 3095 replaced.

3096 Section 43. Section 1004.78, Florida Statutes, is amended  
 3097 to read:

3098 1004.78 Technology transfer centers at Florida Community  
 3099 College System institutions.—

3100 (1) Each Florida Community College System institution may

3101 establish a technology transfer center for the purpose of  
3102 providing institutional support to local business and industry  
3103 and governmental agencies in the application of new research in  
3104 technology. The primary responsibilities of such centers may  
3105 include: identifying technology research developed by  
3106 universities, research institutions, businesses, industries, the  
3107 United States Armed Forces, and other state or federal  
3108 governmental agencies; determining and demonstrating the  
3109 application of technologies; training workers to integrate  
3110 advanced equipment and production processes; and determining for  
3111 business and industry the feasibility and efficiency of  
3112 accommodating advanced technologies.

3113 (2) The Florida Community College System institution board  
3114 of trustees shall set such policies to regulate the activities  
3115 of the technology transfer center as it may consider necessary  
3116 to effectuate the purposes of this section and to administer the  
3117 programs of the center in a manner which assures efficiency and  
3118 effectiveness, producing the maximum benefit for the educational  
3119 programs and maximum service to the state. To this end,  
3120 materials that relate to methods of manufacture or production,  
3121 potential trade secrets, potentially patentable material, actual  
3122 trade secrets, business transactions, or proprietary information  
3123 received, generated, ascertained, or discovered during the  
3124 course of activities conducted within the Florida Community  
3125 College System institutions shall be confidential and exempt

3126 | from the provisions of s. 119.07(1), except that a Florida  
3127 | Community College System institution shall make available upon  
3128 | request the title and description of a project, the name of the  
3129 | investigator, and the amount and source of funding provided for  
3130 | such project.

3131 |         (3) A technology transfer center created under the  
3132 | provisions of this section shall be under the supervision of the  
3133 | board of trustees of that Florida Community College System  
3134 | institution, which is authorized to appoint a director; to  
3135 | employ full-time and part-time staff, research personnel, and  
3136 | professional services; to employ on a part-time basis personnel  
3137 | of the Florida Community College System institution; and to  
3138 | employ temporary employees whose salaries are paid entirely from  
3139 | the permanent technology transfer fund or from that fund in  
3140 | combination with other nonstate sources, with such positions  
3141 | being exempt from the requirements of the Florida Statutes  
3142 | relating to salaries, except that no such appointment shall be  
3143 | made for a total period of longer than 1 year.

3144 |         (4) The board of trustees of the Florida Community College  
3145 | System institution in which a technology transfer center is  
3146 | created, or its designee, may negotiate, enter into, and execute  
3147 | contracts; solicit and accept grants and donations; and fix and  
3148 | collect fees, other payments, and donations that may accrue by  
3149 | reason thereof for technology transfer activities. The board of  
3150 | trustees or its designee may negotiate, enter into, and execute

3151 contracts on a cost-reimbursement basis and may provide  
3152 temporary financing of such costs prior to reimbursement from  
3153 moneys on deposit in the technology transfer fund, except as may  
3154 be prohibited elsewhere by law.

3155 (5) A technology transfer center shall be financed from  
3156 the Academic Improvement Program or from moneys of a Florida  
3157 Community College System institution which are on deposit or  
3158 received for use in the activities conducted in the center. Such  
3159 moneys shall be deposited by the Florida Community College  
3160 System institution in a permanent technology transfer fund in a  
3161 depository or depositories approved for the deposit of state  
3162 funds and shall be accounted for and disbursed subject to audit  
3163 by the Auditor General.

3164 (6) The fund balance in any existing research trust fund  
3165 of a Florida Community College System institution at the time a  
3166 technology transfer center is created shall be transferred to a  
3167 permanent technology transfer fund established for the Florida  
3168 Community College System institution, and thereafter the fund  
3169 balance of the technology transfer fund at the end of any fiscal  
3170 period may be used during any succeeding period pursuant to this  
3171 section.

3172 (7) Moneys deposited in the permanent technology transfer  
3173 fund of a Florida Community College System institution shall be  
3174 disbursed in accordance with the terms of the contract, grant,  
3175 or donation under which they are received. Moneys received for

3176 overhead or indirect costs and other moneys not required for the  
3177 payment of direct costs shall be applied to the cost of  
3178 operating the technology transfer center.

3179 (8) All purchases of a technology transfer center shall be  
3180 made in accordance with the policies and procedures of the  
3181 Florida Community College System institution.

3182 (9) The Florida Community College System institution board  
3183 of trustees may authorize the construction, alteration, or  
3184 remodeling of buildings when the funds used are derived entirely  
3185 from the technology transfer fund of a Florida Community College  
3186 System institution or from that fund in combination with other  
3187 nonstate sources, provided that such construction, alteration,  
3188 or remodeling is for use exclusively by the center. It also may  
3189 authorize the acquisition of real property when the cost is  
3190 entirely from said funds. Title to all real property shall vest  
3191 in the board of trustees.

3192 (10) The State Board of Community Colleges ~~Education~~ may  
3193 award grants to Florida Community College System institutions,  
3194 or consortia of public and private colleges and universities and  
3195 other public and private entities, for the purpose of supporting  
3196 the objectives of this section. Grants awarded pursuant to this  
3197 subsection shall be in accordance with rules of the State Board  
3198 of Community Colleges ~~Education~~. Such rules shall include the  
3199 following provisions:

3200 (a) The number of centers established with state funds

3201 provided expressly for the purpose of technology transfer shall  
3202 be limited, but shall be geographically located to maximize  
3203 public access to center resources and services.

3204 (b) Grants to centers funded with state revenues  
3205 appropriated specifically for technology transfer activities  
3206 shall be reviewed and approved by the State Board of Community  
3207 Colleges ~~Education~~ using proposal solicitation, evaluation, and  
3208 selection procedures established by the state board in  
3209 consultation with Enterprise Florida, Inc. Such procedures may  
3210 include designation of specific areas or applications of  
3211 technology as priorities for the receipt of funding.

3212 (c) Priority for the receipt of state funds appropriated  
3213 specifically for the purpose of technology transfer shall be  
3214 given to grant proposals developed jointly by Florida Community  
3215 College System institutions and public and private colleges and  
3216 universities.

3217 (11) Each technology transfer center established under the  
3218 provisions of this section shall establish a technology transfer  
3219 center advisory committee. Each committee shall include  
3220 representatives of a university or universities conducting  
3221 research in the area of specialty of the center. Other members  
3222 shall be determined by the Florida Community College System  
3223 institution board of trustees.

3224 Section 44. Subsection (4) of section 1004.80, Florida  
3225 Statutes, is amended to read:

3226 | 1004.80 Economic development centers.—

3227 | (4) The State Board of Community Colleges ~~Education~~ may  
 3228 | award grants to economic development centers for the purposes of  
 3229 | this section. Grants awarded pursuant to this subsection shall  
 3230 | be in accordance with rules established by the State Board of  
 3231 | Community Colleges ~~Education~~.

3232 | Section 45. Section 1004.91, Florida Statutes, is amended  
 3233 | to read:

3234 | 1004.91 Requirements for career education program basic  
 3235 | skills.—

3236 | (1) The State Board of Education, for career centers  
 3237 | operated by district school boards, and the State Board of  
 3238 | Community Colleges, for charter technical career centers  
 3239 | operated by Florida Community College System institutions, shall  
 3240 | adopt, by rule, standards of basic skill mastery for completion  
 3241 | of certificate career education programs. Each school district  
 3242 | and Florida Community College System institution that conducts  
 3243 | programs that confer career and technical certificates shall  
 3244 | provide applied academics instruction through which students  
 3245 | receive the basic skills instruction required pursuant to this  
 3246 | section.

3247 | (2) Students who enroll in a program offered for career  
 3248 | credit of 450 hours or more shall complete an entry-level  
 3249 | examination within the first 6 weeks after admission into the  
 3250 | program. The State Board of Education and the State Board of

3251 Community Colleges shall collaborate to designate examinations  
3252 that are currently in existence, the results of which are  
3253 comparable across institutions, to assess student mastery of  
3254 basic skills. Any student found to lack the required level of  
3255 basic skills for such program shall be referred to applied  
3256 academics instruction or another adult general education program  
3257 for a structured program of basic skills instruction. Such  
3258 instruction may include English for speakers of other languages.  
3259 A student may not receive a career or technical certificate of  
3260 completion without first demonstrating the basic skills required  
3261 in the state curriculum frameworks for the career education  
3262 program.

3263 (3) (a) An adult student with a disability may be exempted  
3264 from this section.

3265 (b) The following students are exempt from this section:

3266 1. A student who possesses a college degree at the  
3267 associate in applied science level or higher.

3268 2. A student who demonstrates readiness for public  
3269 postsecondary education pursuant to s. 1008.30 and applicable  
3270 rules adopted by the State Board of Education and State Board of  
3271 Community Colleges.

3272 3. A student who passes a state or national industry  
3273 certification or licensure examination that is identified in  
3274 State Board of Education or State Board of Community Colleges  
3275 rules and aligned to the career education program in which the

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3276 student is enrolled.

3277 4. An adult student who is enrolled in an apprenticeship  
3278 program that is registered with the Department of Education in  
3279 accordance with chapter 446.

3280 Section 46. Paragraph (b) of subsection (2) of section  
3281 1004.92, Florida Statutes, is amended, and subsection (4) is  
3282 added to that section, to read:

3283 1004.92 Purpose and responsibilities for career  
3284 education.—

3285 (2)

3286 (b) Department of Education, for school districts, and the  
3287 State Board of Community Colleges, for Florida Community College  
3288 System institutions, have the following responsibilities related  
3289 to accountability for career education ~~includes, but is not~~  
3290 ~~limited to:~~

3291 1. The provision of timely, accurate technical assistance  
3292 to school districts and Florida Community College System  
3293 institutions.

3294 2. The provision of timely, accurate information to the  
3295 State Board of Education, the Legislature, and the public.

3296 3. The development of policies, rules, and procedures that  
3297 facilitate institutional attainment of the accountability  
3298 standards and coordinate the efforts of all divisions within the  
3299 department.

3300 4. The development of program standards and industry-

3301 driven benchmarks for career, adult, and community education  
3302 programs, which must be updated every 3 years. The standards  
3303 must include career, academic, and workplace skills; viability  
3304 of distance learning for instruction; ~~and~~ work/learn cycles that  
3305 are responsive to business and industry; and provisions that  
3306 reflect the quality components of career and technical education  
3307 programs.

3308 5. Overseeing school district and Florida Community  
3309 College System institution compliance with ~~the provisions of~~  
3310 this chapter.

3311 6. Ensuring that the educational outcomes for the  
3312 technical component of career programs are uniform and designed  
3313 to provide a graduate who is capable of entering the workforce  
3314 on an equally competitive basis regardless of the institution of  
3315 choice.

3316 (4) The State Board of Education, for career education  
3317 provided by school districts, and the State Board of Community  
3318 Colleges, for career education provided by Florida Community  
3319 College System institutions, shall adopt rules to administer  
3320 this section.

3321 Section 47. Subsection (1) of section 1004.925, Florida  
3322 Statutes, is amended to read:

3323 1004.925 Automotive service technology education programs;  
3324 certification.—

3325 (1) All automotive service technology education programs

3326 shall be industry certified in accordance with rules adopted by  
 3327 the State Board of Education and the State Board of Community  
 3328 Colleges.

3329 Section 48. Paragraphs (c) and (d) of subsection (4) and  
 3330 subsections (6) and (9) of section 1004.93, Florida Statutes,  
 3331 are amended to read:

3332 1004.93 Adult general education.—

3333 (4)

3334 (c) The State Board of Community Colleges ~~Education~~ shall  
 3335 define, by rule, the levels and courses of instruction to be  
 3336 funded through the developmental education program. The State  
 3337 Board of Community Colleges shall coordinate the establishment  
 3338 of costs for developmental education courses, the establishment  
 3339 of statewide standards that define required levels of  
 3340 competence, acceptable rates of student progress, and the  
 3341 maximum amount of time to be allowed for completion of  
 3342 developmental education. Developmental education is part of an  
 3343 associate in arts degree program and may not be funded as an  
 3344 adult career education program.

3345 (d) Expenditures for developmental education and lifelong  
 3346 learning students shall be reported separately. Allocations for  
 3347 developmental education shall be based on proportional full-time  
 3348 equivalent enrollment. Program review results shall be included  
 3349 in the determination of subsequent allocations. A student shall  
 3350 be funded to enroll in the same developmental education class

3351 within a skill area only twice, after which time the student  
3352 shall pay 100 percent of the full cost of instruction to support  
3353 the continuous enrollment of that student in the same class;  
3354 however, students who withdraw or fail a class due to  
3355 extenuating circumstances may be granted an exception only once  
3356 for each class, provided approval is granted according to policy  
3357 established by the board of trustees. Each Florida Community  
3358 College System institution shall have the authority to review  
3359 and reduce payment for increased fees due to continued  
3360 enrollment in a developmental education class on an individual  
3361 basis contingent upon the student's financial hardship, pursuant  
3362 to definitions and fee levels established by the State Board of  
3363 Community Colleges ~~Education~~. Developmental education and  
3364 lifelong learning courses do not generate credit toward an  
3365 associate or baccalaureate degree.

3366 (6) The commissioner, for school districts, and the  
3367 Chancellor of the Florida Community College System, for Florida  
3368 Community College System institutions, shall recommend the level  
3369 of funding for public school and Florida Community College  
3370 System institution adult education within the legislative budget  
3371 request and make other recommendations and reports considered  
3372 necessary or required by rules of the State Board of Education.

3373 (9) The State Board of Education and the State Board of  
3374 Community Colleges may adopt rules necessary for the  
3375 implementation of this section.

3376 Section 49. Subsection (3) of section 1006.60, Florida  
 3377 Statutes, is amended to read:

3378 1006.60 Codes of conduct; disciplinary measures; authority  
 3379 to adopt rules or regulations.—

3380 (3) Sanctions authorized by such codes of conduct may be  
 3381 imposed only for acts or omissions in violation of rules or  
 3382 regulations adopted by the institution, including rules or  
 3383 regulations adopted under this section, rules of the State Board  
 3384 of Community Colleges regarding the Florida Community College  
 3385 System ~~Education~~, rules or regulations of the Board of Governors  
 3386 regarding the State University System, county and municipal  
 3387 ordinances, and the laws of this state, the United States, or  
 3388 any other state.

3389 Section 50. Subsection (1) of section 1006.61, Florida  
 3390 Statutes, is amended to read:

3391 1006.61 Participation by students in disruptive activities  
 3392 at public postsecondary educational institution; penalties.—

3393 (1) Any person who accepts the privilege extended by the  
 3394 laws of this state of attendance at any public postsecondary  
 3395 educational institution shall, by attending such institution, be  
 3396 deemed to have given his or her consent to the policies of that  
 3397 institution, the State Board of Community Colleges regarding the  
 3398 Florida Community College System ~~Education~~, and the Board of  
 3399 Governors regarding the State University System, and the laws of  
 3400 this state. Such policies shall include prohibition against

3401 disruptive activities at public postsecondary educational  
 3402 institutions.

3403 Section 51. Section 1006.62, Florida Statutes, is amended  
 3404 to read:

3405 1006.62 Expulsion and discipline of students of Florida  
 3406 Community College System institutions and state universities.—

3407 (1) Each student in a Florida Community College System  
 3408 institution or state university is subject to federal and state  
 3409 law, respective county and municipal ordinances, and all rules  
 3410 and regulations of the State Board of Community Colleges  
 3411 regarding the Florida Community College System Education, the  
 3412 Board of Governors regarding the State University System, or the  
 3413 board of trustees of the institution.

3414 (2) Violation of these published laws, ordinances, or  
 3415 rules and regulations may subject the violator to appropriate  
 3416 action by the institution's authorities.

3417 (3) Each president of a Florida Community College System  
 3418 institution or state university may, after notice to the student  
 3419 of the charges and after a hearing thereon, expel, suspend, or  
 3420 otherwise discipline any student who is found to have violated  
 3421 any law, ordinance, or rule or regulation of the State Board of  
 3422 Community Colleges regarding the Florida Community College  
 3423 System Education, the Board of Governors regarding the State  
 3424 University System, or the board of trustees of the institution.

3425 A student may be entitled to waiver of expulsion:

3426 (a) If the student provides substantial assistance in the  
 3427 identification, arrest, or conviction of any of his or her  
 3428 accomplices, accessories, coconspirators, or principals or of  
 3429 any other person engaged in violations of chapter 893 within a  
 3430 state university or Florida Community College System  
 3431 institution;

3432 (b) If the student voluntarily discloses his or her  
 3433 violations of chapter 893 prior to his or her arrest; or

3434 (c) If the student commits himself or herself, or is  
 3435 referred by the court in lieu of sentence, to a state-licensed  
 3436 drug abuse program and successfully completes the program.

3437 Section 52. Paragraphs (c) and (g) of subsection (1),  
 3438 paragraph (b) of subsection (2), and subsection (3) of section  
 3439 1006.71, Florida Statutes, are amended to read:

3440 1006.71 Gender equity in intercollegiate athletics.—

3441 (1) GENDER EQUITY PLAN.—

3442 (c) The Chancellor of the Florida Community College System  
 3443 ~~Commissioner of Education~~ shall annually assess the progress of  
 3444 each Florida Community College System institution's plan and  
 3445 advise the State Board of Community Colleges ~~Education~~ and the  
 3446 Legislature regarding compliance.

3447 (g)1. If a Florida Community College System institution is  
 3448 not in compliance with Title IX of the Education Amendments of  
 3449 1972 and the Florida Educational Equity Act, the State Board of  
 3450 Community Colleges ~~Education~~ shall:

3451 a. Declare the Florida Community College System  
 3452 institution ineligible for competitive state grants.

3453 b. Withhold funds sufficient to obtain compliance.  
 3454

3455 The Florida Community College System institution shall remain  
 3456 ineligible and the funds may ~~shall~~ not be paid until the Florida  
 3457 Community College System institution comes into compliance or  
 3458 the Chancellor of the Florida Community College System  
 3459 ~~Commissioner of Education~~ approves a plan for compliance.

3460 2. If a state university is not in compliance with Title  
 3461 IX of the Education Amendments of 1972 and the Florida  
 3462 Educational Equity Act, the Board of Governors shall:

3463 a. Declare the state university ineligible for competitive  
 3464 state grants.

3465 b. Withhold funds sufficient to obtain compliance.  
 3466

3467 The state university shall remain ineligible and the funds may  
 3468 ~~shall~~ not be paid until the state university comes into  
 3469 compliance or the Board of Governors approves a plan for  
 3470 compliance.

3471 (2) FUNDING.—

3472 (b) The level of funding and percentage share of support  
 3473 for women's intercollegiate athletics for Florida Community  
 3474 College System institutions shall be determined by the State  
 3475 Board of Community Colleges ~~Education~~. The level of funding and

3476 percentage share of support for women's intercollegiate  
3477 athletics for state universities shall be determined by the  
3478 Board of Governors. The level of funding and percentage share  
3479 attained in the 1980-1981 fiscal year shall be the minimum level  
3480 and percentage maintained by each institution, except as the  
3481 State Board of Community Colleges ~~Education~~ or the Board of  
3482 Governors otherwise directs its respective institutions for the  
3483 purpose of assuring equity. Consideration shall be given by the  
3484 State Board of Community Colleges ~~Education~~ or the Board of  
3485 Governors to emerging athletic programs at institutions which  
3486 may not have the resources to secure external funds to provide  
3487 athletic opportunities for women. It is the intent that the  
3488 effect of any redistribution of funds among institutions may  
3489 ~~shall~~ not negate the requirements as set forth in this section.

3490 (3) STATE BOARD OF COMMUNITY COLLEGES ~~EDUCATION~~.—The State  
3491 Board of Community Colleges ~~Education~~ shall assure equal  
3492 opportunity for female athletes at Florida Community College  
3493 System institutions and establish:

3494 (a) In conjunction with the State Board of Education,  
3495 guidelines for reporting of intercollegiate athletics data  
3496 concerning financial, program, and facilities information for  
3497 review by the State Board of Community Colleges ~~Education~~  
3498 annually.

3499 (b) Systematic audits for the evaluation of such data.

3500 (c) Criteria for determining and assuring equity.

3501 Section 53. Section 1007.01, Florida Statutes, is amended  
3502 to read:

3503 1007.01 Articulation; legislative intent; purpose; role of  
3504 the State Board of Education, the State Board of Community  
3505 Colleges, and the Board of Governors; Articulation Coordinating  
3506 Committee.—

3507 (1) It is the intent of the Legislature to facilitate  
3508 articulation and seamless integration of the K-20 education  
3509 system by building, sustaining, and strengthening relationships  
3510 among K-20 public organizations, between public and private  
3511 organizations, and between the education system as a whole and  
3512 Florida's communities. The purpose of building, sustaining, and  
3513 strengthening these relationships is to provide for the  
3514 efficient and effective progression and transfer of students  
3515 within the education system and to allow students to proceed  
3516 toward their educational objectives as rapidly as their  
3517 circumstances permit. The Legislature further intends that  
3518 articulation policies and budget actions be implemented  
3519 consistently in the practices of the Department of Education and  
3520 postsecondary educational institutions and expressed in the  
3521 collaborative policy efforts of the State Board of Education,  
3522 ~~and~~ the Board of Governors, and the State Board of Community  
3523 Colleges.

3524 (2) To preserve Florida's "2+2" system of articulation and  
3525 improve and facilitate articulation systemwide, the State Board

3526 of Education, ~~and~~ the Board of Governors, and the State Board of  
3527 Community Colleges shall collaboratively establish and adopt  
3528 policies with input from statewide K-20 advisory groups  
3529 established by the Commissioner of Education, the Chancellor of  
3530 the Florida Community College System, and the Chancellor of the  
3531 State University System and shall recommend the policies to the  
3532 Legislature. The policies shall relate to:

3533 (a) The alignment between the exit requirements of one  
3534 education system and the admissions requirements of another  
3535 education system into which students typically transfer.

3536 (b) The identification of common courses, the level of  
3537 courses, institutional participation in a statewide course  
3538 numbering system, and the transferability of credits among such  
3539 institutions.

3540 (c) Identification of courses that meet general education  
3541 or common degree program prerequisite requirements at public  
3542 postsecondary educational institutions.

3543 (d) Dual enrollment course equivalencies.

3544 (e) Articulation agreements.

3545 (3) The Commissioner of Education, in consultation with  
3546 the Chancellor of the Florida Community College System and the  
3547 Chancellor of the State University System, shall establish the  
3548 Articulation Coordinating Committee, which shall make  
3549 recommendations related to statewide articulation policies and  
3550 issues regarding access, quality, and reporting of data

3551 maintained by the K-20 data warehouse, established pursuant to  
3552 ss. 1001.10 and 1008.31, to the Higher Education Coordination  
3553 Council, the State Board of Education, ~~and~~ the Board of  
3554 Governors, and the State Board of Community Colleges. The  
3555 committee shall consist of two members each representing the  
3556 State University System, the Florida Community College System,  
3557 public career and technical education, K-12 education, and  
3558 nonpublic postsecondary education and one member representing  
3559 students. The chair shall be elected from the membership. The  
3560 Office of K-20 Articulation shall provide administrative support  
3561 for the committee. The committee shall:

3562 (a) Monitor the alignment between the exit requirements of  
3563 one education system and the admissions requirements of another  
3564 education system into which students typically transfer and make  
3565 recommendations for improvement.

3566 (b) Propose guidelines for interinstitutional agreements  
3567 between and among public schools, career and technical education  
3568 centers, Florida Community College System institutions, state  
3569 universities, and nonpublic postsecondary institutions.

3570 (c) Annually recommend dual enrollment course and high  
3571 school subject area equivalencies for approval by the State  
3572 Board of Education, ~~and~~ the Board of Governors, and the State  
3573 Board of Community Colleges.

3574 (d) Annually review the statewide articulation agreement  
3575 pursuant to s. 1007.23 and make recommendations for revisions.

3576 (e) Annually review the statewide course numbering system,  
3577 the levels of courses, and the application of transfer credit  
3578 requirements among public and nonpublic institutions  
3579 participating in the statewide course numbering system and  
3580 identify instances of student transfer and admissions  
3581 difficulties.

3582 (f) Annually publish a list of courses that meet common  
3583 general education and common degree program prerequisite  
3584 requirements at public postsecondary institutions identified  
3585 pursuant to s. 1007.25.

3586 (g) Foster timely collection and reporting of statewide  
3587 education data to improve the K-20 education performance  
3588 accountability system pursuant to ss. 1001.10 and 1008.31,  
3589 including, but not limited to, data quality, accessibility, and  
3590 protection of student records.

3591 (h) Recommend roles and responsibilities of public  
3592 education entities in interfacing with the single, statewide  
3593 computer-assisted student advising system established pursuant  
3594 to s. 1006.735.

3595 (i) Make recommendations regarding the cost and  
3596 requirements to develop and implement an online system for  
3597 collecting and analyzing data regarding requests for transfer of  
3598 credit by postsecondary education students. The online system,  
3599 at a minimum, must collect information regarding the total  
3600 number of credit transfer requests denied and the reason for

3601 each denial. Recommendations shall be reported to the President  
 3602 of the Senate and the Speaker of the House of Representatives on  
 3603 or before January 31, 2015.

3604 Section 54. Subsections (1) and (6) of section 1007.23,  
 3605 Florida Statutes, are amended, and subsection (7) is added to  
 3606 that section, to read:

3607 1007.23 Statewide articulation agreement.—

3608 (1) The State Board of Education, ~~and~~ and the Board of  
 3609 Governors, and the State Board of Community Colleges shall enter  
 3610 into a statewide articulation agreement which the State Board of  
 3611 Education and the State Board of Community Colleges shall adopt  
 3612 by rule. The agreement must preserve Florida's "2+2" system of  
 3613 articulation, facilitate the seamless articulation of student  
 3614 credit across and among Florida's educational entities, and  
 3615 reinforce the provisions of this chapter by governing:

3616 (a) Articulation between secondary and postsecondary  
 3617 education;

3618 (b) Admission of associate in arts degree graduates from  
 3619 Florida Community College System institutions and state  
 3620 universities;

3621 (c) Admission of applied technology diploma program  
 3622 graduates from Florida Community College System institutions or  
 3623 career centers;

3624 (d) Admission of associate in science degree and associate  
 3625 in applied science degree graduates from Florida Community

3626 College System institutions;

3627 (e) The use of acceleration mechanisms, including  
 3628 nationally standardized examinations through which students may  
 3629 earn credit;

3630 (f) General education requirements and statewide course  
 3631 numbers as provided for in ss. 1007.24 and 1007.25; and

3632 (g) Articulation among programs in nursing.

3633 (6) The articulation agreement must guarantee the  
 3634 articulation of 9 credit hours toward a postsecondary degree in  
 3635 early childhood education for programs approved by the State  
 3636 Board of Community Colleges ~~Education~~ and the Board of Governors  
 3637 which:

3638 (a) Award a child development associate credential issued  
 3639 by the National Credentialing Program of the Council for  
 3640 Professional Recognition or award a credential approved under s.  
 3641 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the  
 3642 child development associate credential; and

3643 (b) Include training in emergent literacy which meets or  
 3644 exceeds the minimum standards for training courses for  
 3645 prekindergarten instructors of the Voluntary Prekindergarten  
 3646 Education Program in s. 1002.59.

3647 (7) To strengthen Florida's "2+2" system of articulation  
 3648 and improve student retention and on-time graduation, by the  
 3649 2018-2019 academic year, each Florida Community College System  
 3650 institution shall execute at least one "2+2" targeted pathway

3651 articulation agreement with one or more state universities to  
3652 establish "2+2" targeted pathway programs. The agreement must  
3653 provide students who graduate with an associate in arts degree  
3654 and who meet specified requirements guaranteed access to the  
3655 state university and a degree program at that university, in  
3656 accordance with the terms of the "2+2" targeted pathway  
3657 articulation agreement.

3658 (a) To participate in a "2+2" targeted pathway program, a  
3659 student must:

3660 1. Enroll in the program before completing 30 credit  
3661 hours, including, but not limited to, college credits earned  
3662 through articulated acceleration mechanisms pursuant to s.  
3663 1007.27;

3664 2. Complete an associate in arts degree; and

3665 3. Meet the university's transfer requirements.

3666 (b) A state university that executes a "2+2" targeted  
3667 pathway articulation agreement must meet the following  
3668 requirements in order to implement a "2+2" targeted pathway  
3669 program in collaboration with its partner Florida Community  
3670 College System institution:

3671 1. Establish a 4-year on-time graduation plan for a  
3672 baccalaureate degree program, including, but not limited to, a  
3673 plan for students to complete associate in arts degree programs,  
3674 general education courses, common prerequisite courses, and  
3675 elective courses;

3676           2. Advise students enrolled in the program about the  
 3677 university's transfer and degree program requirements; and

3678           3. Provide students who meet the requirements under this  
 3679 paragraph with access to academic advisors and campus events and  
 3680 with guaranteed admittance to the state university and a degree  
 3681 program of the state university, in accordance with the terms of  
 3682 the agreement.

3683           (c) To assist the state universities and Florida Community  
 3684 College System institutions with implementing the "2+2" targeted  
 3685 pathway programs effectively, the State Board of Community  
 3686 Colleges and the Board of Governors shall collaborate to  
 3687 eliminate barriers in executing "2+2" targeted pathway  
 3688 articulation agreements.

3689           Section 55. Subsections (1), (2), and (3) of section  
 3690 1007.24, Florida Statutes, are amended to read:

3691           1007.24 Statewide course numbering system.—

3692           (1) The Department of Education, in conjunction with the  
 3693 Board of Governors and the State Board of Community Colleges,  
 3694 shall develop, coordinate, and maintain a statewide course  
 3695 numbering system for postsecondary and dual enrollment education  
 3696 in school districts, public postsecondary educational  
 3697 institutions, and participating nonpublic postsecondary  
 3698 educational institutions that will improve program planning,  
 3699 increase communication among all delivery systems, and  
 3700 facilitate student acceleration and the transfer of students and

3701 credits between public school districts, public postsecondary  
3702 educational institutions, and participating nonpublic  
3703 educational institutions. The continuing maintenance of the  
3704 system shall be accomplished with the assistance of appropriate  
3705 faculty committees representing public and participating  
3706 nonpublic educational institutions.

3707 (2) The Commissioner of Education, in conjunction with the  
3708 Chancellor of the Florida Community College System and the  
3709 Chancellor of the State University System, shall appoint faculty  
3710 committees representing faculties of participating institutions  
3711 to recommend a single level for each course, including  
3712 postsecondary career education courses, included in the  
3713 statewide course numbering system.

3714 (a) Any course designated as an upper-division-level  
3715 course must be characterized by a need for advanced academic  
3716 preparation and skills that a student would be unlikely to  
3717 achieve without significant prior coursework.

3718 (b) A course that is offered as part of an associate in  
3719 science degree program and as an upper-division course for a  
3720 baccalaureate degree shall be designated for both the lower and  
3721 upper division.

3722 (c) A course designated as lower-division may be offered  
3723 by any Florida Community College System institution.

3724 (3) The Commissioner of Education shall recommend to the  
3725 State Board of Education the levels for the courses. The State

3726 Board of Education, with input from the Board of Governors and  
3727 the State Board of Community Colleges, shall approve the levels  
3728 for the courses.

3729 Section 56. Subsections (3), (5), and (8) through (11) of  
3730 section 1007.25, Florida Statutes, are amended to read:

3731 1007.25 General education courses; common prerequisites;  
3732 other degree requirements.—

3733 (3) The chair of the State Board of Community Colleges  
3734 ~~Education~~ and the chair of the Board of Governors, or their  
3735 designees, shall jointly appoint faculty committees to identify  
3736 statewide general education core course options. General  
3737 education core course options shall consist of a maximum of five  
3738 courses within each of the subject areas of communication,  
3739 mathematics, social sciences, humanities, and natural sciences.  
3740 The core courses may be revised, or the five-course maximum  
3741 within each subject area may be exceeded, if approved by the  
3742 State Board of Community Colleges ~~Education~~ and the Board of  
3743 Governors, as recommended by the subject area faculty committee  
3744 and approved by the Articulation Coordinating Committee as  
3745 necessary for a subject area. Each general education core course  
3746 option must contain high-level academic and critical thinking  
3747 skills and common competencies that students must demonstrate to  
3748 successfully complete the course. Beginning with students  
3749 initially entering a Florida Community College System  
3750 institution or state university in 2015-2016 and thereafter,

3751 each student must complete at least one identified core course  
3752 in each subject area as part of the general education course  
3753 requirements. All public postsecondary educational institutions  
3754 shall accept these courses as meeting general education core  
3755 course requirements. The remaining general education course  
3756 requirements shall be identified by each institution and  
3757 reported to the department by their statewide course number. The  
3758 general education core course options shall be adopted in rule  
3759 by the State Board of Community Colleges ~~Education~~ and in  
3760 regulation by the Board of Governors.

3761 (5) The department shall identify common prerequisite  
3762 courses and course substitutions for degree programs across all  
3763 institutions. Common degree program prerequisites shall be  
3764 offered and accepted by all state universities and Florida  
3765 Community College System institutions, except in cases approved  
3766 by the State Board of Community Colleges, ~~Education~~ for Florida  
3767 Community College System institutions, and the Board of  
3768 Governors, for state universities. The department shall develop  
3769 a centralized database containing the list of courses and course  
3770 substitutions that meet the prerequisite requirements for each  
3771 baccalaureate degree program.

3772 (8) A baccalaureate degree program shall require no more  
3773 than 120 semester hours of college credit and include 36  
3774 semester hours of general education coursework, unless prior  
3775 approval has been granted by the Board of Governors for

3776 baccalaureate degree programs offered by state universities and  
3777 by the State Board of Community Colleges ~~Education~~ for  
3778 baccalaureate degree programs offered by Florida Community  
3779 College System institutions.

3780 (9) A student who received an associate in arts degree for  
3781 successfully completing 60 semester credit hours may continue to  
3782 earn ~~additional~~ credits at a Florida Community College System  
3783 institution. The university must provide credit toward the  
3784 student's baccalaureate degree for a ~~an additional~~ Florida  
3785 Community College System institution course if, according to the  
3786 statewide course numbering, the Florida Community College System  
3787 institution course is a course listed in the university catalog  
3788 as required for the degree or as prerequisite to a course  
3789 required for the degree. Of the courses required for the degree,  
3790 at least half of the credit hours required for the degree shall  
3791 be achievable through courses designated as lower division,  
3792 except in degree programs approved by the State Board of  
3793 Community Colleges ~~Education~~ for programs offered by Florida  
3794 Community College System institutions and by the Board of  
3795 Governors for programs offered by state universities.

3796 (10) Students at state universities may request associate  
3797 in arts certificates if they have successfully completed the  
3798 minimum requirements for the degree of associate in arts (A.A.).  
3799 The university must grant the student an associate in arts  
3800 degree if the student has successfully completed minimum

3801 requirements for college-level communication and computation  
3802 skills adopted by the State Board of Community Colleges  
3803 ~~Education~~ and 60 academic semester hours or the equivalent  
3804 within a degree program area, including 36 semester hours in  
3805 general education courses in the subject areas of communication,  
3806 mathematics, social sciences, humanities, and natural sciences,  
3807 consistent with the general education requirements specified in  
3808 the articulation agreement pursuant to s. 1007.23.

3809 (11) The Commissioner of Education and the Chancellor of  
3810 the Florida Community College System shall jointly appoint  
3811 faculty committees representing both Florida Community College  
3812 System institution and public school faculties to recommend to  
3813 the commissioner, or the Chancellor of the Florida Community  
3814 College System, as applicable, for approval by the State Board  
3815 of Education and the State Board of Community Colleges, as  
3816 applicable, a standard program length and appropriate  
3817 occupational completion points for each postsecondary career  
3818 certificate program, diploma, and degree offered by a school  
3819 district or a Florida Community College System institution.

3820 Section 57. Section 1007.262, Florida Statutes, is amended  
3821 to read:

3822 1007.262 Foreign language competence; equivalence  
3823 determinations.—The Department of Education shall identify the  
3824 competencies demonstrated by students upon the successful  
3825 completion of 2 credits of sequential high school foreign

3826 language instruction. For the purpose of determining  
 3827 postsecondary equivalence, the State Board of Community Colleges  
 3828 ~~department~~ shall develop rules through which Florida Community  
 3829 College System institutions correlate such competencies to the  
 3830 competencies required of students in the colleges' respective  
 3831 courses. Based on this correlation, each Florida Community  
 3832 College System institution shall identify the minimum number of  
 3833 postsecondary credits that students must earn in order to  
 3834 demonstrate a level of competence in a foreign language at least  
 3835 equivalent to that of students who have completed 2 credits of  
 3836 such instruction in high school. The department may also specify  
 3837 alternative means by which students can demonstrate equivalent  
 3838 foreign language competence, including means by which a student  
 3839 whose native language is not English may demonstrate proficiency  
 3840 in the native language. A student who demonstrates proficiency  
 3841 in a native language other than English is exempt from a  
 3842 requirement of completing foreign language courses at the  
 3843 secondary or Florida Community College System level.

3844 Section 58. Section 1007.263, Florida Statutes, is amended  
 3845 to read:

3846 1007.263 Florida Community College System institutions;  
 3847 admissions of students.—Each Florida Community College System  
 3848 institution board of trustees is authorized to adopt rules  
 3849 governing admissions of students subject to this section and  
 3850 rules of the State Board of Community Colleges ~~Education~~. These

3851 rules shall include the following:

3852 (1) Admissions counseling shall be provided to all  
3853 students entering college or career credit programs. For  
3854 students who are not otherwise exempt from testing under s.  
3855 1008.30, counseling must use tests to measure achievement of  
3856 college-level communication and computation competencies by  
3857 students entering college credit programs or tests to measure  
3858 achievement of basic skills for career education programs as  
3859 prescribed in s. 1004.91. Counseling includes providing  
3860 developmental education options for students whose assessment  
3861 results, determined under s. 1008.30, indicate that they need to  
3862 improve communication or computation skills that are essential  
3863 to perform college-level work.

3864 (2) Admission to associate degree programs is subject to  
3865 minimum standards adopted by the State Board of Community  
3866 Colleges Education and shall require:

3867 (a) A standard high school diploma, a high school  
3868 equivalency diploma as prescribed in s. 1003.435, previously  
3869 demonstrated competency in college credit postsecondary  
3870 coursework, or, in the case of a student who is home educated, a  
3871 signed affidavit submitted by the student's parent or legal  
3872 guardian attesting that the student has completed a home  
3873 education program pursuant to the requirements of s. 1002.41.  
3874 Students who are enrolled in a dual enrollment or early  
3875 admission program pursuant to s. 1007.271 are exempt from this

3876 requirement.

3877 (b) A demonstrated level of achievement of college-level  
3878 communication and computation skills.

3879 (c) Any other requirements established by the board of  
3880 trustees.

3881 (3) Admission to other programs within the Florida  
3882 Community College System institution shall include education  
3883 requirements as established by the board of trustees.

3884 (4) A student who has been awarded a certificate of  
3885 completion under s. 1003.4282 is eligible to enroll in  
3886 certificate career education programs.

3887 (5) A student with a documented disability may be eligible  
3888 for reasonable substitutions, as prescribed in ss. 1007.264 and  
3889 1007.265.

3890  
3891 Each board of trustees shall establish policies that notify  
3892 students about developmental education options for improving  
3893 their communication or computation skills that are essential to  
3894 performing college-level work, including tutoring, extended time  
3895 in gateway courses, free online courses, adult basic education,  
3896 adult secondary education, or private provider instruction.

3897 Section 59. Subsection (2) of section 1007.264, Florida  
3898 Statutes, is amended to read:

3899 1007.264 Persons with disabilities; admission to  
3900 postsecondary educational institutions; substitute requirements;

3901 rules and regulations.—

3902 (2) The State Board of Community Colleges ~~Education~~, in  
 3903 consultation with the Board of Governors, shall adopt rules to  
 3904 implement this section for Florida Community College System  
 3905 institutions and shall develop substitute admission requirements  
 3906 where appropriate.

3907 Section 60. Subsections (2) and (3) of section 1007.265,  
 3908 Florida Statutes, are amended to read:

3909 1007.265 Persons with disabilities; graduation, study  
 3910 program admission, and upper-division entry; substitute  
 3911 requirements; rules and regulations.—

3912 (2) The State Board of Community Colleges ~~Education~~, in  
 3913 consultation with the Board of Governors, shall adopt rules to  
 3914 implement this section for Florida Community College System  
 3915 institutions and shall develop substitute requirements where  
 3916 appropriate.

3917 (3) The Board of Governors, in consultation with the State  
 3918 Board of Community Colleges ~~Education~~, shall adopt regulations  
 3919 to implement this section for state universities and shall  
 3920 develop substitute requirements where appropriate.

3921 Section 61. Subsections (6), (7), and (8) of section  
 3922 1007.27, Florida Statutes, are amended to read:

3923 1007.27 Articulated acceleration mechanisms.—

3924 (6) Credit by examination shall be the program through  
 3925 which secondary and postsecondary students generate

3926 | postsecondary credit based on the receipt of a specified minimum  
3927 | score on nationally standardized general or subject-area  
3928 | examinations. For the purpose of statewide application, such  
3929 | examinations and the corresponding minimum scores required for  
3930 | an award of credit shall be delineated by the State Board of  
3931 | Education, ~~and~~ the Board of Governors, and the State Board of  
3932 | Community Colleges in the statewide articulation agreement  
3933 | required by s. 1007.23(1). The maximum credit generated by a  
3934 | student pursuant to this subsection shall be mitigated by any  
3935 | related postsecondary credit earned by the student prior to the  
3936 | administration of the examination. This subsection shall not  
3937 | preclude Florida Community College System institutions and  
3938 | universities from awarding credit by examination based on  
3939 | student performance on examinations developed within and  
3940 | recognized by the individual postsecondary institutions.

3941 |       (7) The International Baccalaureate Program shall be the  
3942 | curriculum in which eligible secondary students are enrolled in  
3943 | a program of studies offered through the International  
3944 | Baccalaureate Program administered by the International  
3945 | Baccalaureate Office. The State Board of Community Colleges  
3946 | ~~Education~~ and the Board of Governors shall specify in the  
3947 | statewide articulation agreement required by s. 1007.23(1) the  
3948 | cutoff scores and International Baccalaureate Examinations which  
3949 | will be used to grant postsecondary credit at Florida Community  
3950 | College System institutions and universities. Any changes to the

3951 articulation agreement, which have the effect of raising the  
3952 required cutoff score or of changing the International  
3953 Baccalaureate Examinations which will be used to grant  
3954 postsecondary credit, shall only apply to students taking  
3955 International Baccalaureate Examinations after such changes are  
3956 adopted by the State Board of Community Colleges Education and  
3957 the Board of Governors. Students shall be awarded a maximum of  
3958 30 semester credit hours pursuant to this subsection. The  
3959 specific course for which a student may receive such credit  
3960 shall be specified in the statewide articulation agreement  
3961 required by s. 1007.23(1). Students enrolled pursuant to this  
3962 subsection shall be exempt from the payment of any fees for  
3963 administration of the examinations regardless of whether or not  
3964 the student achieves a passing score on the examination.

3965 (8) The Advanced International Certificate of Education  
3966 Program and the International General Certificate of Secondary  
3967 Education (pre-AICE) Program shall be the curricula in which  
3968 eligible secondary students are enrolled in programs of study  
3969 offered through the Advanced International Certificate of  
3970 Education Program or the International General Certificate of  
3971 Secondary Education (pre-AICE) Program administered by the  
3972 University of Cambridge Local Examinations Syndicate. The State  
3973 Board of Community Colleges Education and the Board of Governors  
3974 shall specify in the statewide articulation agreement required  
3975 by s. 1007.23(1) the cutoff scores and Advanced International

3976 Certificate of Education examinations which will be used to  
 3977 grant postsecondary credit at Florida Community College System  
 3978 institutions and universities. Any changes to the cutoff scores,  
 3979 which changes have the effect of raising the required cutoff  
 3980 score or of changing the Advanced International Certification of  
 3981 Education examinations which will be used to grant postsecondary  
 3982 credit, shall apply to students taking Advanced International  
 3983 Certificate of Education examinations after such changes are  
 3984 adopted by the State Board of Community Colleges ~~Education~~ and  
 3985 the Board of Governors. Students shall be awarded a maximum of  
 3986 30 semester credit hours pursuant to this subsection. The  
 3987 specific course for which a student may receive such credit  
 3988 shall be determined by the Florida Community College System  
 3989 institution or university that accepts the student for  
 3990 admission. Students enrolled in either program of study pursuant  
 3991 to this subsection shall be exempt from the payment of any fees  
 3992 for administration of the examinations regardless of whether the  
 3993 student achieves a passing score on the examination.

3994 Section 62. Subsections (3) and (22) of section 1007.271,  
 3995 Florida Statutes, are amended to read:

3996 1007.271 Dual enrollment programs.—

3997 (3) Student eligibility requirements for initial  
 3998 enrollment in college credit dual enrollment courses must  
 3999 include a 3.0 unweighted high school grade point average and the  
 4000 minimum score on a common placement test adopted by the State

4001 Board of Education which indicates that the student is ready for  
4002 college-level coursework. Student eligibility requirements for  
4003 continued enrollment in college credit dual enrollment courses  
4004 must include the maintenance of a 3.0 unweighted high school  
4005 grade point average and the minimum postsecondary grade point  
4006 average established by the postsecondary institution. Regardless  
4007 of meeting student eligibility requirements for continued  
4008 enrollment, a student may lose the opportunity to participate in  
4009 a dual enrollment course if the student is disruptive to the  
4010 learning process such that the progress of other students or the  
4011 efficient administration of the course is hindered. Student  
4012 eligibility requirements for initial and continued enrollment in  
4013 career certificate dual enrollment courses must include a 2.0  
4014 unweighted high school grade point average. Exceptions to the  
4015 required grade point averages may be granted on an individual  
4016 student basis if the educational entities agree and the terms of  
4017 the agreement are contained within the dual enrollment  
4018 articulation agreement established pursuant to subsection (21).  
4019 Florida Community College System institution boards of trustees  
4020 may establish additional initial student eligibility  
4021 requirements, which shall be included in the dual enrollment  
4022 articulation agreement, to ensure student readiness for  
4023 postsecondary instruction. Additional requirements included in  
4024 the agreement may not arbitrarily prohibit students who have  
4025 demonstrated the ability to master advanced courses from

4026 participating in dual enrollment courses.

4027 (22) The Department of Education shall develop an  
 4028 electronic submission system for dual enrollment articulation  
 4029 agreements and shall review, for compliance, each dual  
 4030 enrollment articulation agreement submitted pursuant to  
 4031 subsections (13), (21), and (24). The Commissioner of Education  
 4032 shall notify the district school superintendent and the Florida  
 4033 Community College System institution president if the dual  
 4034 enrollment articulation agreement does not comply with statutory  
 4035 requirements and shall submit any dual enrollment articulation  
 4036 agreement with unresolved issues of noncompliance to the State  
 4037 Board of Education. The State Board of Education shall  
 4038 collaborate with the State Board of Community Colleges to  
 4039 resolve unresolved issues of noncompliance.

4040 Section 63. Subsection (6) of section 1007.273, Florida  
 4041 Statutes, is amended to read:

4042 1007.273 Collegiate high school program.—

4043 (6) The collegiate high school program shall be funded  
 4044 pursuant to ss. 1007.271 and 1011.62. The State Board of  
 4045 Education shall enforce compliance with this section by  
 4046 withholding the transfer of funds for the school districts ~~and~~  
 4047 ~~the Florida College System institutions~~ in accordance with s.  
 4048 1008.32. Annually by December 31, the State Board of Community  
 4049 Colleges shall enforce compliance with this section by  
 4050 withholding the transfer of funds for the Florida Community

4051 College System institutions in accordance with s. 1001.602.

4052 Section 64. Section 1007.33, Florida Statutes, is amended  
4053 to read:

4054 1007.33 Site-determined baccalaureate degree access.—

4055 (1) (a) The Legislature recognizes that public and private  
4056 postsecondary educational institutions play an essential role in  
4057 improving the quality of life and economic well-being of the  
4058 state and its residents. The Legislature also recognizes that  
4059 economic development needs and the educational needs of place-  
4060 bound, nontraditional students have increased the demand for  
4061 local access to baccalaureate degree programs. It is therefore  
4062 the intent of the Legislature to further expand access to  
4063 baccalaureate degree programs through the use of Florida  
4064 Community College System institutions.

4065 (b) For purposes of this section, the term "district"  
4066 refers to the county or counties served by a Florida Community  
4067 College System institution pursuant to s. 1000.21(3).

4068 (2) Any Florida Community College System institution that  
4069 offers one or more baccalaureate degree programs must:

4070 (a) Maintain as its primary mission:

4071 1. Responsibility for responding to community needs for  
4072 postsecondary academic education and career degree education as  
4073 prescribed in s. 1004.65(5).

4074 2. The provision of associate degrees that provide access  
4075 to a university.

4076 (b) Maintain an open-door admission policy for associate-  
 4077 level degree programs and workforce education programs.

4078 (c) Continue to provide outreach to underserved  
 4079 populations.

4080 (d) Continue to provide remedial education pursuant to s.  
 4081 1008.30.

4082 (e) Comply with all provisions of the statewide  
 4083 articulation agreement which relate to 2-year and 4-year public  
 4084 degree-granting institutions as adopted by the State Board of  
 4085 Education or the State Board of Community Colleges, as  
 4086 applicable, pursuant to s. 1007.23.

4087 (f) Not award graduate credit.

4088 (g) Not participate in intercollegiate athletics beyond  
 4089 the 2-year level.

4090 (3) A Florida Community College System institution may not  
 4091 terminate its associate in arts or associate in science degree  
 4092 programs as a result of being authorized to offer one or more  
 4093 baccalaureate degree programs. The Legislature intends that the  
 4094 primary responsibility of a Florida Community College System  
 4095 institution, including a Florida Community College System  
 4096 institution that offers baccalaureate degree programs, continues  
 4097 to be the provision of associate degrees that provide access to  
 4098 a university.

4099 (4) A Florida Community College System institution may:

4100 (a) Offer specified baccalaureate degree programs through

4101 formal agreements between the Florida Community College System  
4102 institution and other regionally accredited postsecondary  
4103 educational institutions pursuant to s. 1007.22.

4104 (b) Offer baccalaureate degree programs that are ~~were~~  
4105 authorized by law ~~prior to July 1, 2009.~~

4106 ~~(c) Beginning July 1, 2009, establish a first or~~  
4107 ~~subsequent baccalaureate degree program~~ for purposes of meeting  
4108 district, regional, or statewide workforce needs if approved by  
4109 the State Board of Community Colleges ~~Education~~ under this  
4110 section. However, a Florida Community College System institution  
4111 may not offer a bachelor of arts degree program.

4112  
4113 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~  
4114 ~~College is authorized to establish one or more bachelor of~~  
4115 ~~applied science degree programs based on an analysis of~~  
4116 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~  
4117 ~~other counties approved by the Department of Education. For each~~  
4118 ~~program selected, St. Petersburg College must offer a related~~  
4119 ~~associate in science or associate in applied science degree~~  
4120 ~~program, and the baccalaureate degree level program must be~~  
4121 ~~designed to articulate fully with at least one associate in~~  
4122 ~~science degree program. The college is encouraged to develop~~  
4123 ~~articulation agreements for enrollment of graduates of related~~  
4124 ~~associate in applied science degree programs. The Board of~~  
4125 ~~Trustees of St. Petersburg College is authorized to establish~~

4126 ~~additional baccalaureate degree programs if it determines a~~  
4127 ~~program is warranted and feasible based on each of the factors~~  
4128 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~  
4129 ~~Petersburg College may not establish any new baccalaureate~~  
4130 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~  
4131 ~~to developing or proposing a new baccalaureate degree program,~~  
4132 ~~St. Petersburg College shall engage in need, demand, and impact~~  
4133 ~~discussions with the state university in its service district~~  
4134 ~~and other local and regional, accredited postsecondary providers~~  
4135 ~~in its region. Documentation, data, and other information from~~  
4136 ~~inter-institutional discussions regarding program need, demand,~~  
4137 ~~and impact shall be provided to the college's board of trustees~~  
4138 ~~to inform the program approval process. Employment at St.~~  
4139 ~~Petersburg College is governed by the same laws that govern~~  
4140 ~~Florida College System institutions, except that upper division~~  
4141 ~~faculty are eligible for continuing contracts upon the~~  
4142 ~~completion of the fifth year of teaching. Employee records for~~  
4143 ~~all personnel shall be maintained as required by s. 1012.81.~~

4144 (5) The approval process for baccalaureate degree programs  
4145 requires ~~shall require~~:

4146 (a) Each Florida Community College System institution to  
4147 submit a notice of its intent to propose a baccalaureate degree  
4148 program to the State Board of Community ~~Division of Florida~~  
4149 Colleges at least 1 year ~~100 days~~ before the submission of its  
4150 proposal under paragraph (c) ~~(d)~~. The notice must include a

4151 brief description of the program, the workforce demand and unmet  
4152 need for graduates of the program to include evidence from  
4153 entities independent of the institution, the geographic region  
4154 to be served, and an estimated timeframe for implementation.  
4155 Notices of intent may be submitted by a Florida Community  
4156 College System institution at any time throughout the year. The  
4157 notice must also include evidence that the Florida Community  
4158 College System institution engaged in need, demand, and impact  
4159 discussions with the state university and other regionally  
4160 accredited postsecondary education providers in its service  
4161 district.

4162 (b) The State Board of Community Division of Florida  
4163 Colleges to forward the notice of intent submitted pursuant to  
4164 paragraph (a) and the justification for the proposed  
4165 baccalaureate degree program submitted pursuant to paragraph (c)  
4166 within 10 business days after receiving such notice and  
4167 justification to the Chancellor of the State University System,  
4168 the president of the Independent Colleges and Universities of  
4169 Florida, and the Executive Director of the Commission for  
4170 Independent Education. State universities ~~shall~~ have 180 ~~60~~ days  
4171 following receipt of the notice and justification by the  
4172 Chancellor of the State University System to submit an  
4173 objection, including a reason for the objection, objections to  
4174 the proposed new program or submit an alternative proposal to  
4175 offer the baccalaureate degree program. The Chancellor of the

4176 State University System shall review the objection raised by a  
4177 state university and inform the Board of Governors of the  
4178 objection before a state university submits its objection to the  
4179 State Board of Community Colleges. The State Board of Community  
4180 Colleges must consult with the Chancellor of the State  
4181 University System to consider the objection raised by the state  
4182 university before approving or denying a Florida Community  
4183 College System institution's proposal submitted pursuant to  
4184 paragraph (c). ~~If a proposal from a state university is not~~  
4185 ~~received within the 60-day period,~~ The State Board of Community  
4186 Colleges ~~Education~~ shall also provide regionally accredited  
4187 private colleges and universities 180 ~~30~~ days to submit  
4188 objections to the proposed new program ~~or submit an alternative~~  
4189 ~~proposal~~. Objections by a regionally accredited private college  
4190 or university or alternative proposals shall be submitted to the  
4191 State Board of Community ~~Division of Florida~~ Colleges, and the  
4192 state board must consider such objections before and ~~must be~~  
4193 ~~considered by the State Board of Education in~~ making its  
4194 decision to approve or deny a Florida Community College System  
4195 institution's proposal submitted pursuant to paragraph (c).

4196 ~~(c) An alternative proposal submitted by a state~~  
4197 ~~university or private college or university to adequately~~  
4198 ~~address:~~

4199 ~~1. The extent to which the workforce demand and unmet need~~  
4200 ~~described in the notice of intent will be met.~~

4201 ~~2. The extent to which students will be able to complete~~  
 4202 ~~the degree in the geographic region proposed to be served by the~~  
 4203 ~~Florida College System institution.~~

4204 ~~3. The level of financial commitment of the college or~~  
 4205 ~~university to the development, implementation, and maintenance~~  
 4206 ~~of the specified degree program, including timelines.~~

4207 ~~4. The extent to which faculty at both the Florida College~~  
 4208 ~~System institution and the college or university will~~  
 4209 ~~collaborate in the development and offering of the curriculum.~~

4210 ~~5. The ability of the Florida College System institution~~  
 4211 ~~and the college or university to develop and approve the~~  
 4212 ~~curriculum for the specified degree program within 6 months~~  
 4213 ~~after an agreement between the Florida College System~~  
 4214 ~~institution and the college or university is signed.~~

4215 ~~6. The extent to which the student may incur additional~~  
 4216 ~~costs above what the student would expect to incur if the~~  
 4217 ~~program were offered by the Florida College System institution.~~

4218 (c)(d) Each proposal submitted by a Florida Community  
 4219 College System institution to, at a minimum, include:

4220 1. A description of the planning process and timeline for  
 4221 implementation.

4222 2. A justification for the proposed baccalaureate degree  
 4223 program, including, at a minimum, a data-driven ~~An~~ analysis of  
 4224 workforce demand and unmet need for graduates of the program on  
 4225 a district, regional, or statewide basis, as appropriate, and

4226 the extent to which the proposed program will meet the workforce  
4227 demand and unmet need. The analysis must include workforce and  
4228 employment data for the most recent 5 years and projections for  
4229 the next 3 years, and a summary of degree programs similar to  
4230 the proposed degree program which are currently offered by state  
4231 universities or by independent nonprofit colleges or  
4232 universities that are eligible to participate in a grant program  
4233 pursuant to s. 1009.89 and which are located in the Florida  
4234 Community College System institution's regional service area.  
4235 The analysis must be verified by more than one third-party  
4236 professional entity that is ~~including evidence from entities~~  
4237 independent of the Florida Community College System institution.  
4238 A Florida Community College System institution must submit the  
4239 justification to the State Board of Community Colleges within 90  
4240 days after forwarding the institution's notice of intent to  
4241 propose a baccalaureate degree program. The State Board of  
4242 Community Colleges must forward the justification for the  
4243 proposed baccalaureate degree program within 10 business days  
4244 after receiving the justification to the Chancellor of the State  
4245 University System, the president of the Independent Colleges and  
4246 Universities of Florida, and the Executive Director of the  
4247 Commission for Independent Education.

4248       3. Identification of the facilities, equipment, and  
4249 library and academic resources that will be used to deliver the  
4250 program.

4251 4. The program cost analysis of creating a new  
4252 baccalaureate degree when compared to ~~alternative proposals and~~  
4253 other program delivery options.

4254 5. The program's admission requirements, academic content,  
4255 curriculum, faculty credentials, student-to-teacher ratios, and  
4256 accreditation plan.

4257 6. The program's enrollment ~~projections~~ and funding  
4258 requirements, including:

4259 a. The impact of the program's enrollment projections on  
4260 compliance with the upper-level enrollment provisions under  
4261 subsection (6); and

4262 b. The institution's efforts to sustain the program at the  
4263 cost of tuition and fees for students who are classified as  
4264 residents for tuition purposes under s. 1009.21, not to exceed  
4265 \$10,000 for the entire degree program, including flexible  
4266 tuition and fee rates, and the use of waivers pursuant to s.  
4267 1009.26(11).

4268 7. A plan of action if the program is terminated.

4269 ~~(d)-(e)~~ The State Board of Community Division of Florida  
4270 Colleges to review the proposal, notify the Florida Community  
4271 College System institution of any deficiencies in writing within  
4272 30 days following receipt of the proposal, and provide the  
4273 Florida Community College System institution with an opportunity  
4274 to correct the deficiencies. Within 45 days following receipt of  
4275 a completed proposal by the State Board of Community Division of

4276 ~~Florida~~ Colleges, the Chancellor of the Florida Community  
4277 College System ~~Commissioner of Education~~ shall recommend  
4278 approval or disapproval of the proposal to the State Board of  
4279 Community Colleges ~~Education~~. The State Board of Community  
4280 Colleges ~~Education~~ shall consider such recommendation, the  
4281 proposal, input from the Chancellor of the State University  
4282 System and the president of the Independent Colleges and  
4283 Universities of Florida, and any objections ~~or alternative~~  
4284 ~~proposals~~ at its next meeting. If the State Board of Community  
4285 Colleges ~~Education~~ disapproves the Florida Community College  
4286 System institution's proposal, it shall provide the Florida  
4287 Community College System institution with written reasons for  
4288 that determination.

4289 ~~(e)-(f)~~ The Florida Community College System institution to  
4290 obtain from the Commission on Colleges of the Southern  
4291 Association of Colleges and Schools accreditation as a  
4292 baccalaureate-degree-granting institution if approved by the  
4293 State Board of Community Colleges ~~Education~~ to offer its first  
4294 baccalaureate degree program.

4295 ~~(f)-(g)~~ The Florida Community College System institution to  
4296 notify the Commission on Colleges of the Southern Association of  
4297 Colleges and Schools of subsequent degree programs that are  
4298 approved by the State Board of Community Colleges ~~Education~~ and  
4299 to comply with the association's required substantive change  
4300 protocols for accreditation purposes.

4301            (g) ~~(h)~~ The Florida Community College System institution to  
 4302 annually report to the State Board of Community Colleges, the  
 4303 Chancellor of the State University System, and ~~upon request of~~  
 4304 ~~the State Board of Education, the Commissioner of Education, the~~  
 4305 ~~Chancellor of the Florida College System, or the Legislature,~~  
 4306 ~~report~~ its status using the following performance and compliance  
 4307 indicators:

- 4308            1. Obtaining and maintaining appropriate Southern  
 4309 Association of Colleges and Schools accreditation;
- 4310            2. Maintaining qualified faculty and institutional  
 4311 resources;
- 4312            3. Maintaining enrollment in previously approved programs;
- 4313            4. Managing fiscal resources appropriately;
- 4314            5. Complying with the primary mission and responsibility  
 4315 requirements in subsections (2) and (3); ~~and~~
- 4316            6. Other indicators of success, including program  
 4317 completions, employment and earnings outcomes, student  
 4318 acceptance into and performance in graduate programs ~~placements,~~  
 4319 ~~and surveys of graduates and employers; and-~~
- 4320            7. Continuing to meet workforce demand, as provided in  
 4321 subparagraph (c)2., as demonstrated through a data-driven needs  
 4322 assessment by the Florida Community College System institution  
 4323 which is verified by more than one third-party professional  
 4324 entity that is independent of the institution.
- 4325            8. Complying with the upper-level enrollment provisions

4326 under subsection (6).

4327

4328 The State Board of Community Colleges ~~Education~~, upon annual  
4329 review of the baccalaureate degree program performance and  
4330 compliance indicators and needs assessment, may require a  
4331 Florida Community College System institution's board of trustees  
4332 to modify or terminate a baccalaureate degree program authorized  
4333 under this section. If the annual review indicates negative  
4334 program performance and compliance results, and if the needs  
4335 assessment fails to demonstrate a need for the program, the  
4336 State Board of Community Colleges must require a Florida  
4337 Community College System institution's board of trustees to  
4338 terminate that baccalaureate degree program.

4339 (6) (a) If the 2015-2016 total upper-level, undergraduate  
4340 full-time equivalent enrollment at a Florida Community College  
4341 System institution is at or above 8 percent of the 2015-2016  
4342 combined total lower-level and upper-level full-time equivalent  
4343 enrollment at that institution, the total upper-level  
4344 enrollment, as a percentage of the combined enrollment, may not  
4345 increase by more than 2 percentage points unless the institution  
4346 obtains prior legislative approval.

4347 (b) If the 2015-2016 total upper-level, undergraduate  
4348 full-time equivalent enrollment at a Florida Community College  
4349 System institution is below 8 percent of the 2015-2016 combined  
4350 total lower-level and upper-level full-time equivalent

4351 enrollment at that institution, the total upper-level  
4352 enrollment, as a percentage of the combined enrollment, may not  
4353 increase by more than 4 percentage points unless the institution  
4354 obtains prior legislative approval.

4355 (c) Within the 2 percent or 4 percent growth authorized  
4356 under paragraphs (a) or (b), for any planned and purposeful  
4357 expansion of existing baccalaureate degree programs or creation  
4358 of a new baccalaureate program, a community college must  
4359 demonstrate satisfactory performance in fulfilling its primary  
4360 mission pursuant to s. 1004.65, executing at least one "2+2"  
4361 targeted pathway articulation agreement pursuant to s. 1007.23,  
4362 and meeting or exceeding the performance standards related to  
4363 on-time graduation rates under s. 1001.66 for students earning  
4364 associate of arts or baccalaureate degrees. The State Board of  
4365 Community Colleges may not approve a new baccalaureate degree  
4366 program proposal for a community college that does not meet the  
4367 conditions specified in this subsection in addition to the other  
4368 requirements for approval under this section. Each community  
4369 college that offers a baccalaureate degree must annually review  
4370 each baccalaureate degree program and annually report to the  
4371 State Board of Community Colleges, in a format prescribed by the  
4372 state board, current and projected student enrollment for such  
4373 program, justification for continuation of each baccalaureate  
4374 degree program, and a plan to comply with the upper-level  
4375 enrollment provisions of this subsection. A Florida Community

4376 College System institution that does not comply with the  
 4377 requirements of this section is subject to s. 1001.602(9) and  
 4378 may not report for funding, the upper-level, undergraduate full-  
 4379 time equivalent enrollment that exceeds the upper-level  
 4380 enrollment percent provision of this subsection.

4381 (7) ~~(6)~~ The State Board of Community Colleges ~~Education~~  
 4382 shall adopt rules to prescribe format and content requirements  
 4383 and submission procedures for notices of intent, proposals~~,~~  
 4384 ~~alternative proposals~~, and compliance reviews under subsection  
 4385 (5).

4386 Section 65. Subsections (1), (3), (4), and (5) of section  
 4387 1008.30, Florida Statutes, are amended to read:

4388 1008.30 Common placement testing for public postsecondary  
 4389 education.—

4390 (1) The State Board of Community Colleges ~~Education~~, in  
 4391 conjunction with the Board of Governors and the State Board of  
 4392 Education, shall develop and implement a common placement test  
 4393 for the purpose of assessing the basic computation and  
 4394 communication skills of students who intend to enter a degree  
 4395 program at any public postsecondary educational institution.  
 4396 Alternative assessments that may be accepted in lieu of the  
 4397 common placement test shall also be identified in rule. Public  
 4398 postsecondary educational institutions shall provide appropriate  
 4399 modifications of the test instruments or test procedures for  
 4400 students with disabilities.

4401           (3) ~~By October 31, 2013,~~ The State Board of Community  
4402 Colleges, in conjunction with the Board of Governors and the  
4403 State Board of Education, Education shall establish by rule the  
4404 test scores a student must achieve to demonstrate readiness to  
4405 perform college-level work, and the rules must specify the  
4406 following:

4407           (a) A student who entered 9th grade in a Florida public  
4408 school in the 2003-2004 school year, or any year thereafter, and  
4409 earned a Florida standard high school diploma or a student who  
4410 is serving as an active duty member of any branch of the United  
4411 States Armed Services shall not be required to take the common  
4412 placement test and shall not be required to enroll in  
4413 developmental education instruction in a Florida Community  
4414 College System institution. However, a student who is not  
4415 required to take the common placement test and is not required  
4416 to enroll in developmental education under this paragraph may  
4417 opt to be assessed and to enroll in developmental education  
4418 instruction, and the college shall provide such assessment and  
4419 instruction upon the student's request.

4420           (b) A student who takes the common placement test and  
4421 whose score on the test indicates a need for developmental  
4422 education must be advised of all the developmental education  
4423 options offered at the institution and, after advisement, shall  
4424 be allowed to enroll in the developmental education option of  
4425 his or her choice.

4426 (c) A student who demonstrates readiness by achieving or  
 4427 exceeding the test scores established by the state board and  
 4428 enrolls in a Florida Community College System institution within  
 4429 2 years after achieving such scores shall not be required to  
 4430 retest or complete developmental education when admitted to any  
 4431 Florida Community College System institution.

4432 (4) ~~By December 31, 2013,~~ The State Board of Community  
 4433 Colleges Education, in consultation with the Board of Governors,  
 4434 shall approve a series of meta-majors and the academic pathways  
 4435 that identify the gateway courses associated with each meta-  
 4436 major. Florida Community College System institutions shall use  
 4437 placement test results to determine the extent to which each  
 4438 student demonstrates sufficient communication and computation  
 4439 skills to indicate readiness for his or her chosen meta-major.  
 4440 Florida Community College System institutions shall counsel  
 4441 students into college credit courses as quickly as possible,  
 4442 with developmental education limited to that content needed for  
 4443 success in the meta-major.

4444 (5) (a) Each Florida Community College System institution  
 4445 board of trustees shall develop a plan to implement the  
 4446 developmental education strategies defined in s. 1008.02 and  
 4447 rules established by the State Board of Community Colleges  
 4448 ~~Education~~. The plan must be submitted to the Chancellor of the  
 4449 Florida Community College System for approval no later than  
 4450 March 1, 2014, for implementation no later than the fall

4451 semester 2014. Each plan must include, at a minimum, local  
 4452 policies that outline:

4453 1. Documented student achievements such as grade point  
 4454 averages, work history, military experience, participation in  
 4455 juried competitions, career interests, degree major declaration,  
 4456 or any combination of such achievements that the institution may  
 4457 consider, in addition to common placement test scores, for  
 4458 advising students regarding enrollment options.

4459 2. Developmental education strategies available to  
 4460 students.

4461 3. A description of student costs and financial aid  
 4462 opportunities associated with each option.

4463 4. Provisions for the collection of student success data.

4464 5. A comprehensive plan for advising students into  
 4465 appropriate developmental education strategies based on student  
 4466 success data.

4467 (b) Beginning October 31, 2015, each Florida Community  
 4468 College System institution shall annually prepare an  
 4469 accountability report that includes student success data  
 4470 relating to each developmental education strategy implemented by  
 4471 the institution. The report shall be submitted to the State  
 4472 Board of Community ~~Division of Florida~~ Colleges by October 31 in  
 4473 a format determined by the Chancellor of the Florida Community  
 4474 College System. By December 31, the chancellor shall compile and  
 4475 submit the institutional reports to the Governor, the President

4476 of the Senate, the Speaker of the House of Representatives, and  
4477 the State Board of Community Colleges ~~and the State Board of~~  
4478 ~~Education.~~

4479 (c) A university board of trustees may contract with a  
4480 Florida Community College System institution board of trustees  
4481 for the Florida Community College System institution to provide  
4482 developmental education on the state university campus. Any  
4483 state university in which the percentage of incoming students  
4484 requiring developmental education equals or exceeds the average  
4485 percentage of such students for the Florida Community College  
4486 System may offer developmental education without contracting  
4487 with a Florida Community College System institution; however,  
4488 any state university offering college-preparatory instruction as  
4489 of January 1, 1996, may continue to provide such services.

4490 Section 66. Paragraphs (d) and (e) of subsection (1) and  
4491 paragraphs (a) and (c) of subsection (3) of section 1008.31,  
4492 Florida Statutes, are amended to read:

4493 1008.31 Florida's K-20 education performance  
4494 accountability system; legislative intent; mission, goals, and  
4495 systemwide measures; data quality improvements.-

4496 (1) LEGISLATIVE INTENT.—It is the intent of the  
4497 Legislature that:

4498 (d) The State Board of Education, and the Board of  
4499 Governors of the State University System, and the State Board of  
4500 Community Colleges of the Florida Community College System

4501 recommend to the Legislature systemwide performance standards;  
4502 the Legislature establish systemwide performance measures and  
4503 standards; and the systemwide measures and standards provide  
4504 Floridians with information on what the public is receiving in  
4505 return for the funds it invests in education and how well the K-  
4506 20 system educates its students.

4507 (e)1. The State Board of Education establish performance  
4508 measures and set performance standards for individual public  
4509 schools ~~and Florida College System institutions~~, with measures  
4510 and standards based primarily on student achievement.

4511 2. The Board of Governors of the State University System  
4512 establish performance measures and set performance standards for  
4513 individual state universities, including actual completion  
4514 rates.

4515 3. The State Board of Community Colleges establish  
4516 performance measures and set performance standards for  
4517 individual Florida Community College System institutions.

4518 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide  
4519 data required to implement education performance accountability  
4520 measures in state and federal law, the Commissioner of Education  
4521 shall initiate and maintain strategies to improve data quality  
4522 and timeliness. The Board of Governors shall make available to  
4523 the department all data within the State University Database  
4524 System to be integrated into the K-20 data warehouse. The  
4525 commissioner shall have unlimited access to such data for the

4526 | purposes of conducting studies, reporting annual and  
4527 | longitudinal student outcomes, and improving college readiness  
4528 | and articulation. All public educational institutions shall  
4529 | annually provide data from the prior year to the K-20 data  
4530 | warehouse in a format based on data elements identified by the  
4531 | commissioner.

4532 |         (a) School districts and public postsecondary educational  
4533 | institutions shall maintain information systems that will  
4534 | provide the State Board of Education, the Board of Governors of  
4535 | the State University System, the State Board of Community  
4536 | Colleges of the Florida Community College System, and the  
4537 | Legislature with information and reports necessary to address  
4538 | the specifications of the accountability system. The level of  
4539 | comprehensiveness and quality must be no less than that which  
4540 | was available as of June 30, 2001.

4541 |         (c) The Commissioner of Education shall determine the  
4542 | standards for the required data, monitor data quality, and  
4543 | measure improvements. The commissioner shall report annually to  
4544 | the State Board of Education, the Board of Governors of the  
4545 | State University System, the State Board of Community Colleges  
4546 | of the Florida Community College System, the President of the  
4547 | Senate, and the Speaker of the House of Representatives data  
4548 | quality indicators and ratings for all school districts and  
4549 | public postsecondary educational institutions.

4550 |         Section 67. Section 1008.32, Florida Statutes, is amended

4551 to read:

4552 1008.32 State Board of Education oversight enforcement  
 4553 authority.—The State Board of Education shall oversee the  
 4554 performance of district school boards ~~and Florida College System~~  
 4555 ~~institution boards of trustees~~ in enforcement of all laws and  
 4556 rules. District school boards ~~and Florida College System~~  
 4557 ~~institution boards of trustees~~ shall be primarily responsible  
 4558 for compliance with law and state board rule.

4559 (1) In order to ensure compliance with law or state board  
 4560 rule, the State Board of Education shall have the authority to  
 4561 request and receive information, data, and reports from school  
 4562 districts ~~and Florida College System institutions~~. District  
 4563 school superintendents ~~and Florida College System institution~~  
 4564 ~~presidents~~ are responsible for the accuracy of the information  
 4565 and data reported to the state board.

4566 (2) The Commissioner of Education may investigate  
 4567 allegations of noncompliance with law or state board rule and  
 4568 determine probable cause. The commissioner shall report  
 4569 determinations of probable cause to the State Board of Education  
 4570 which shall require the district school board ~~or Florida College~~  
 4571 ~~System institution board of trustees~~ to document compliance with  
 4572 law or state board rule.

4573 (3) If the district school board ~~or Florida College System~~  
 4574 ~~institution board of trustees~~ cannot satisfactorily document  
 4575 compliance, the State Board of Education may order compliance

4576 within a specified timeframe.

4577 (4) If the State Board of Education determines that a  
 4578 district school board ~~or Florida College System institution~~  
 4579 ~~board of trustees~~ is unwilling or unable to comply with law or  
 4580 state board rule within the specified time, the state board  
 4581 shall have the authority to initiate any of the following  
 4582 actions:

4583 (a) Report to the Legislature that the school district ~~or~~  
 4584 ~~Florida College System institution~~ is unwilling or unable to  
 4585 comply with law or state board rule and recommend action to be  
 4586 taken by the Legislature.

4587 (b) Withhold the transfer of state funds, discretionary  
 4588 grant funds, discretionary lottery funds, or any other funds  
 4589 specified as eligible for this purpose by the Legislature until  
 4590 the school district ~~or Florida College System institution~~  
 4591 complies with the law or state board rule.

4592 (c) Declare the school district ~~or Florida College System~~  
 4593 ~~institution~~ ineligible for competitive grants.

4594 (d) Require monthly or periodic reporting on the situation  
 4595 related to noncompliance until it is remedied.

4596 (5) Nothing in this section shall be construed to create a  
 4597 private cause of action or create any rights for individuals or  
 4598 entities in addition to those provided elsewhere in law or rule.

4599 Section 68. Paragraphs (e) and (f) of subsection (7) of  
 4600 section 1008.345, Florida Statutes, are amended to read:

4601 1008.345 Implementation of state system of school  
 4602 improvement and education accountability.—

4603 (7) As a part of the system of educational accountability,  
 4604 the Department of Education shall:

4605 (e) Maintain a listing of college-level communication and  
 4606 mathematics skills associated with successful student  
 4607 performance through the baccalaureate level and submit it to the  
 4608 State Board of Education, ~~and~~ the Board of Governors, and the  
 4609 State Board of Community Colleges for approval.

4610 (f) Perform any other functions that may be involved in  
 4611 educational planning, research, and evaluation or that may be  
 4612 required by the commissioner, the State Board of Education, the  
 4613 State Board of Community Colleges, the Board of Governors, or  
 4614 law.

4615 Section 69. Subsections (1) and (2) of section 1008.37,  
 4616 Florida Statutes, are amended to read:

4617 1008.37 Postsecondary feedback of information to high  
 4618 schools.—

4619 (1) The Commissioner of Education shall report to the  
 4620 State Board of Education, the Board of Governors, the State  
 4621 Board of Community Colleges, the Legislature, and the district  
 4622 school boards on the performance of each first-time-in-  
 4623 postsecondary education student from each public high school in  
 4624 this state who is enrolled in a public postsecondary institution  
 4625 or public career center. Such reports must be based on

4626 information databases maintained by the Department of Education.  
4627 In addition, the public postsecondary educational institutions  
4628 and career centers shall provide district school boards access  
4629 to information on student performance in regular and preparatory  
4630 courses and shall indicate students referred for remediation  
4631 pursuant to s. 1004.91 or s. 1008.30.

4632 (2) The Commissioner of Education shall report, by high  
4633 school, to the State Board of Education, the Board of Governors,  
4634 the State Board of Community Colleges, and the Legislature, no  
4635 later than November 30 of each year, on the number of prior year  
4636 Florida high school graduates who enrolled for the first time in  
4637 public postsecondary education in this state during the previous  
4638 summer, fall, or spring term, indicating the number of students  
4639 whose scores on the common placement test indicated the need for  
4640 developmental education under s. 1008.30 or for applied  
4641 academics for adult education under s. 1004.91.

4642 Section 70. Section 1008.38, Florida Statutes, is amended  
4643 to read:

4644 1008.38 Articulation accountability process.—The State  
4645 Board of Education, in conjunction with the Board of Governors  
4646 and the State Board of Community Colleges, shall develop  
4647 articulation accountability measures which assess the status of  
4648 systemwide articulation processes authorized under s. 1007.23  
4649 and establish an articulation accountability process which at a  
4650 minimum shall address:

4651 (1) The impact of articulation processes on ensuring  
4652 educational continuity and the orderly and unobstructed  
4653 transition of students between public secondary and  
4654 postsecondary education systems and facilitating the transition  
4655 of students between the public and private sectors.

4656 (2) The adequacy of preparation of public secondary  
4657 students to smoothly articulate to a public postsecondary  
4658 institution.

4659 (3) The effectiveness of articulated acceleration  
4660 mechanisms available to secondary students.

4661 (4) The smooth transfer of Florida Community College  
4662 System associate degree graduates to a Florida Community College  
4663 System institution or a state university.

4664 (5) An examination of degree requirements that exceed the  
4665 parameters of 60 credit hours for an associate degree and 120  
4666 hours for a baccalaureate degree in public postsecondary  
4667 programs.

4668 (6) The relationship between student attainment of  
4669 college-level academic skills and articulation to the upper  
4670 division in public postsecondary institutions.

4671 Section 71. Section 1008.405, Florida Statutes, is amended  
4672 to read:

4673 1008.405 Adult student information.—Each school district  
4674 and Florida Community College System institution shall maintain  
4675 sufficient information for each student enrolled in workforce

4676 education to allow local and state administrators to locate such  
4677 student upon the termination of instruction and to determine the  
4678 appropriateness of student placement in specific instructional  
4679 programs. The State Board of Education and the State Board of  
4680 Community Colleges shall adopt, by rule, specific information  
4681 that must be maintained and acceptable means of maintaining that  
4682 information.

4683 Section 72. Subsection (2) of section 1008.44, Florida  
4684 Statutes, is amended to read:

4685 1008.44 CAPE Industry Certification Funding List and CAPE  
4686 Postsecondary Industry Certification Funding List.—

4687 (2) The State Board of Education, for school districts,  
4688 and the State Board of Community Colleges, for Florida Community  
4689 College System institutions, shall approve, at least annually,  
4690 the CAPE Postsecondary Industry Certification Funding List  
4691 pursuant to this section. The Commissioner of Education and the  
4692 Chancellor of the Florida Community College System shall  
4693 recommend, at least annually, the CAPE Postsecondary Industry  
4694 Certification Funding List to the State Board of Education and  
4695 the State Board of Community Colleges, respectively, and may at  
4696 any time recommend adding certifications. The Chancellor of the  
4697 State University System, the Chancellor of the Florida Community  
4698 College System, and the Chancellor of Career and Adult Education  
4699 shall work with local workforce boards, other postsecondary  
4700 institutions, businesses, and industry to identify, create, and

4701 recommend to the Commissioner of Education industry  
4702 certifications to be placed on the funding list. The list shall  
4703 be used to determine annual performance funding distributions to  
4704 school districts or Florida Community College System  
4705 institutions as specified in ss. 1011.80 and 1011.81,  
4706 respectively. The chancellors shall review results of the  
4707 economic security report of employment and earning outcomes  
4708 produced annually pursuant to s. 445.07 when determining  
4709 recommended certifications for the list, as well as other  
4710 reports and indicators available regarding certification needs.

4711 Section 73. Section 1008.45, Florida Statutes, is amended  
4712 to read:

4713 1008.45 Florida Community College System institution  
4714 accountability process.—

4715 (1) It is the intent of the Legislature that a management  
4716 and accountability process be implemented which provides for the  
4717 systematic, ongoing improvement and assessment of the  
4718 improvement of the quality and efficiency of the Florida  
4719 Community College System institutions. Accordingly, the State  
4720 Board of Community Colleges ~~Education~~ and the Florida Community  
4721 College System institution boards of trustees shall develop and  
4722 implement an accountability plan to improve and evaluate the  
4723 instructional and administrative efficiency and effectiveness of  
4724 the Florida Community College System. This plan shall be  
4725 designed in consultation with staff of the Governor and the

4726 Legislature and must address the following issues:

4727       (a) Graduation rates of A.A. and A.S. degree-seeking

4728 students compared to first-time-enrolled students seeking the

4729 associate degree.

4730       (b) Minority student enrollment and retention rates.

4731       (c) Student performance, including student performance in

4732 college-level academic skills, mean grade point averages for

4733 Florida Community College System institution A.A. transfer

4734 students, and Florida Community College System institution

4735 student performance on state licensure examinations.

4736       (d) Job placement rates of Florida Community College

4737 System institution career students.

4738       (e) Student progression by admission status and program.

4739       (f) Career accountability standards identified in s.

4740 1008.42.

4741       (g) Institutional assessment efforts related to the

4742 requirements of s. III in the Criteria for Accreditation of the

4743 Commission on Colleges of the Southern Association of Colleges

4744 and Schools.

4745       (h) Other measures approved by the State Board of

4746 Community Colleges ~~Education~~.

4747       (2) The State Board of Community Colleges ~~Education~~ shall

4748 submit an annual report, to coincide with the submission of the

4749 state board's ~~agency~~ strategic plan required by law, providing

4750 the results of initiatives taken during the prior year and the

4751 initiatives and related objective performance measures proposed  
 4752 for the next year.

4753 (3) The State Board of Community Colleges ~~Education~~ shall  
 4754 address within the annual evaluation of the performance of the  
 4755 chancellor ~~executive director~~, and the Florida Community College  
 4756 System institution boards of trustees shall address within the  
 4757 annual evaluation of the presidents, the achievement of the  
 4758 performance goals established by the accountability process.

4759 Section 74. Section 1009.21, Florida Statutes, is amended  
 4760 to read:

4761 1009.21 Determination of resident status for tuition  
 4762 purposes.—Students shall be classified as residents or  
 4763 nonresidents for the purpose of assessing tuition in  
 4764 postsecondary educational programs offered by charter technical  
 4765 career centers or career centers operated by school districts,  
 4766 in Florida Community College System institutions, and in state  
 4767 universities.

4768 (1) As used in this section, the term:

4769 (a) "Dependent child" means any person, whether or not  
 4770 living with his or her parent, who is eligible to be claimed by  
 4771 his or her parent as a dependent under the federal income tax  
 4772 code.

4773 (b) "Initial enrollment" means the first day of class at  
 4774 an institution of higher education.

4775 (c) "Institution of higher education" means any charter

4776 technical career center as defined in s. 1002.34, career center  
 4777 operated by a school district as defined in s. 1001.44, Florida  
 4778 Community College System institution as defined in s.  
 4779 1000.21(3), or state university as defined in s. 1000.21(6).

4780 (d) "Legal resident" or "resident" means a person who has  
 4781 maintained his or her residence in this state for the preceding  
 4782 year, has purchased a home which is occupied by him or her as  
 4783 his or her residence, or has established a domicile in this  
 4784 state pursuant to s. 222.17.

4785 (e) "Nonresident for tuition purposes" means a person who  
 4786 does not qualify for the in-state tuition rate.

4787 (f) "Parent" means either or both parents of a student,  
 4788 any guardian of a student, or any person in a parental  
 4789 relationship to a student.

4790 (g) "Resident for tuition purposes" means a person who  
 4791 qualifies as provided in this section for the in-state tuition  
 4792 rate.

4793 (2) (a) To qualify as a resident for tuition purposes:

4794 1. A person or, if that person is a dependent child, his  
 4795 or her parent or parents must have established legal residence  
 4796 in this state and must have maintained legal residence in this  
 4797 state for at least 12 consecutive months immediately prior to  
 4798 his or her initial enrollment in an institution of higher  
 4799 education.

4800 2. Every applicant for admission to an institution of

4801 higher education shall be required to make a statement as to his  
4802 or her length of residence in the state and, further, shall  
4803 establish that his or her presence or, if the applicant is a  
4804 dependent child, the presence of his or her parent or parents in  
4805 the state currently is, and during the requisite 12-month  
4806 qualifying period was, for the purpose of maintaining a bona  
4807 fide domicile, rather than for the purpose of maintaining a mere  
4808 temporary residence or abode incident to enrollment in an  
4809 institution of higher education.

4810 (b) However, with respect to a dependent child living with  
4811 an adult relative other than the child's parent, such child may  
4812 qualify as a resident for tuition purposes if the adult relative  
4813 is a legal resident who has maintained legal residence in this  
4814 state for at least 12 consecutive months immediately before the  
4815 child's initial enrollment in an institution of higher  
4816 education, provided the child has resided continuously with such  
4817 relative for the 3 years immediately before the child's initial  
4818 enrollment in an institution of higher education, during which  
4819 time the adult relative has exercised day-to-day care,  
4820 supervision, and control of the child.

4821 (c) The legal residence of a dependent child whose parents  
4822 are divorced, separated, or otherwise living apart will be  
4823 deemed to be this state if either parent is a legal resident of  
4824 this state, regardless of which parent is entitled to claim, and  
4825 does in fact claim, the minor as a dependent pursuant to federal

4826 individual income tax provisions.

4827 (d) A dependent child who is a United States citizen may  
4828 not be denied classification as a resident for tuition purposes  
4829 based solely upon the immigration status of his or her parent.

4830 (3) (a) An individual shall not be classified as a resident  
4831 for tuition purposes and, thus, shall not be eligible to receive  
4832 the in-state tuition rate until he or she has provided such  
4833 evidence related to legal residence and its duration or, if that  
4834 individual is a dependent child, evidence of his or her parent's  
4835 legal residence and its duration, as may be required by law and  
4836 by officials of the institution of higher education from which  
4837 he or she seeks the in-state tuition rate.

4838 (b) Except as otherwise provided in this section, evidence  
4839 of legal residence and its duration shall include clear and  
4840 convincing documentation that residency in this state was for a  
4841 minimum of 12 consecutive months prior to a student's initial  
4842 enrollment in an institution of higher education.

4843 (c) Each institution of higher education shall  
4844 affirmatively determine that an applicant who has been granted  
4845 admission to that institution as a Florida resident meets the  
4846 residency requirements of this section at the time of initial  
4847 enrollment. The residency determination must be documented by  
4848 the submission of written or electronic verification that  
4849 includes two or more of the documents identified in this  
4850 paragraph. No single piece of evidence shall be conclusive.

- 4851           1. The documents must include at least one of the  
 4852 following:
- 4853           a. A Florida voter's registration card.
  - 4854           b. A Florida driver license.
  - 4855           c. A State of Florida identification card.
  - 4856           d. A Florida vehicle registration.
  - 4857           e. Proof of a permanent home in Florida which is occupied  
 4858 as a primary residence by the individual or by the individual's  
 4859 parent if the individual is a dependent child.
  - 4860           f. Proof of a homestead exemption in Florida.
  - 4861           g. Transcripts from a Florida high school for multiple  
 4862 years if the Florida high school diploma or high school  
 4863 equivalency diploma was earned within the last 12 months.
  - 4864           h. Proof of permanent full-time employment in Florida for  
 4865 at least 30 hours per week for a 12-month period.
- 4866           2. The documents may include one or more of the following:
- 4867           a. A declaration of domicile in Florida.
  - 4868           b. A Florida professional or occupational license.
  - 4869           c. Florida incorporation.
  - 4870           d. A document evidencing family ties in Florida.
  - 4871           e. Proof of membership in a Florida-based charitable or  
 4872 professional organization.
  - 4873           f. Any other documentation that supports the student's  
 4874 request for resident status, including, but not limited to,  
 4875 utility bills and proof of 12 consecutive months of payments; a

4876 | lease agreement and proof of 12 consecutive months of payments;  
4877 | or an official state, federal, or court document evidencing  
4878 | legal ties to Florida.

4879 |         (4) With respect to a dependent child, the legal residence  
4880 | of the dependent child's parent or parents is prima facie  
4881 | evidence of the dependent child's legal residence, which  
4882 | evidence may be reinforced or rebutted, relative to the age and  
4883 | general circumstances of the dependent child, by the other  
4884 | evidence of legal residence required of or presented by the  
4885 | dependent child. However, the legal residence of a dependent  
4886 | child's parent or parents who are domiciled outside this state  
4887 | is not prima facie evidence of the dependent child's legal  
4888 | residence if that dependent child has lived in this state for 5  
4889 | consecutive years prior to enrolling or reregistering at the  
4890 | institution of higher education at which resident status for  
4891 | tuition purposes is sought.

4892 |         (5) A person who physically resides in this state may be  
4893 | classified as a resident for tuition purposes if he or she  
4894 | marries a person who meets the 12-month residency requirement  
4895 | under subsection (2) and who is a legal resident of this state.

4896 |         (6) (a) Except as otherwise provided in this section, a  
4897 | person who is classified as a nonresident for tuition purposes  
4898 | may become eligible for reclassification as a resident for  
4899 | tuition purposes if that person or, if that person is a  
4900 | dependent child, his or her parent presents clear and convincing

4901 documentation that supports permanent legal residency in this  
4902 state for at least 12 consecutive months rather than temporary  
4903 residency for the purpose of pursuing an education, such as  
4904 documentation of full-time permanent employment for the prior 12  
4905 months or the purchase of a home in this state and residence  
4906 therein for the prior 12 months while not enrolled in an  
4907 institution of higher education.

4908 (b) If a person who is a dependent child and his or her  
4909 parent move to this state while such child is a high school  
4910 student and the child graduates from a high school in this  
4911 state, the child may become eligible for reclassification as a  
4912 resident for tuition purposes when the parent submits evidence  
4913 that the parent qualifies for permanent residency.

4914 (c) If a person who is a dependent child and his or her  
4915 parent move to this state after such child graduates from high  
4916 school, the child may become eligible for reclassification as a  
4917 resident for tuition purposes after the parent submits evidence  
4918 that he or she has established legal residence in the state and  
4919 has maintained legal residence in the state for at least 12  
4920 consecutive months.

4921 (d) A person who is classified as a nonresident for  
4922 tuition purposes and who marries a legal resident of the state  
4923 or marries a person who becomes a legal resident of the state  
4924 may, upon becoming a legal resident of the state, become  
4925 eligible for reclassification as a resident for tuition purposes

4926 upon submitting evidence of his or her own legal residency in  
4927 the state, evidence of his or her marriage to a person who is a  
4928 legal resident of the state, and evidence of the spouse's legal  
4929 residence in the state for at least 12 consecutive months  
4930 immediately preceding the application for reclassification.

4931 (7) A person shall not lose his or her resident status for  
4932 tuition purposes solely by reason of serving, or, if such person  
4933 is a dependent child, by reason of his or her parent's or  
4934 parents' serving, in the Armed Forces outside this state.

4935 (8) A person who has been properly classified as a  
4936 resident for tuition purposes but who, while enrolled in an  
4937 institution of higher education in this state, loses his or her  
4938 resident tuition status because the person or, if he or she is a  
4939 dependent child, the person's parent or parents establish  
4940 domicile or legal residence elsewhere shall continue to enjoy  
4941 the in-state tuition rate for a statutory grace period, which  
4942 period shall be measured from the date on which the  
4943 circumstances arose that culminated in the loss of resident  
4944 tuition status and shall continue for 12 months. However, if the  
4945 12-month grace period ends during a semester or academic term  
4946 for which such former resident is enrolled, such grace period  
4947 shall be extended to the end of that semester or academic term.

4948 (9) Any person who ceases to be enrolled at or who  
4949 graduates from an institution of higher education while  
4950 classified as a resident for tuition purposes and who

4951 subsequently abandons his or her domicile in this state shall be  
4952 permitted to reenroll at an institution of higher education in  
4953 this state as a resident for tuition purposes without the  
4954 necessity of meeting the 12-month durational requirement of this  
4955 section if that person has reestablished his or her domicile in  
4956 this state within 12 months of such abandonment and continuously  
4957 maintains the reestablished domicile during the period of  
4958 enrollment. The benefit of this subsection shall not be accorded  
4959 more than once to any one person.

4960 (10) The following persons shall be classified as  
4961 residents for tuition purposes:

4962 (a) Active duty members of the Armed Services of the  
4963 United States residing or stationed in this state, their  
4964 spouses, and dependent children, and active drilling members of  
4965 the Florida National Guard.

4966 (b) Active duty members of the Armed Services of the  
4967 United States and their spouses and dependents attending a  
4968 Florida Community College System institution or state university  
4969 within 50 miles of the military establishment where they are  
4970 stationed, if such military establishment is within a county  
4971 contiguous to Florida.

4972 (c) United States citizens living on the Isthmus of  
4973 Panama, who have completed 12 consecutive months of college work  
4974 at the Florida State University Panama Canal Branch, and their  
4975 spouses and dependent children.

4976 (d) Full-time instructional and administrative personnel  
 4977 employed by state public schools and institutions of higher  
 4978 education and their spouses and dependent children.

4979 (e) Students from Latin America and the Caribbean who  
 4980 receive scholarships from the federal or state government. Any  
 4981 student classified pursuant to this paragraph shall attend, on a  
 4982 full-time basis, a Florida institution of higher education.

4983 (f) Southern Regional Education Board's Academic Common  
 4984 Market graduate students attending Florida's state universities.

4985 (g) Full-time employees of state agencies or political  
 4986 subdivisions of the state when the student fees are paid by the  
 4987 state agency or political subdivision for the purpose of job-  
 4988 related law enforcement or corrections training.

4989 (h) McKnight Doctoral Fellows and Finalists who are United  
 4990 States citizens.

4991 (i) United States citizens living outside the United  
 4992 States who are teaching at a Department of Defense Dependent  
 4993 School or in an American International School and who enroll in  
 4994 a graduate level education program which leads to a Florida  
 4995 teaching certificate.

4996 (j) Active duty members of the Canadian military residing  
 4997 or stationed in this state under the North American Air Defense  
 4998 (NORAD) agreement, and their spouses and dependent children,  
 4999 attending a Florida Community College System institution or  
 5000 state university within 50 miles of the military establishment

5001 where they are stationed.

5002 (k) Active duty members of a foreign nation's military who  
5003 are serving as liaison officers and are residing or stationed in  
5004 this state, and their spouses and dependent children, attending  
5005 a Florida Community College System institution or state  
5006 university within 50 miles of the military establishment where  
5007 the foreign liaison officer is stationed.

5008 (11) Once a student has been classified as a resident for  
5009 tuition purposes, an institution of higher education to which  
5010 the student transfers is not required to reevaluate the  
5011 classification unless inconsistent information suggests that an  
5012 erroneous classification was made or the student's situation has  
5013 changed. However, the student must have attended the institution  
5014 making the initial classification within the prior 12 months,  
5015 and the residency classification must be noted on the student's  
5016 transcript. The Higher Education Coordinating Council shall  
5017 consider issues related to residency determinations and make  
5018 recommendations relating to efficiency and effectiveness of  
5019 current law.

5020 (12) Each institution of higher education shall establish  
5021 a residency appeal committee comprised of at least three members  
5022 to consider student appeals of residency determinations, in  
5023 accordance with the institution's official appeal process. The  
5024 residency appeal committee must render to the student the final  
5025 residency determination in writing. The institution must advise

5026 | the student of the reasons for the determination.

5027 |       (13) The State Board of Education, ~~and~~ the Board of  
5028 | Governors, and the State Board of Community Colleges shall adopt  
5029 | rules to implement this section.

5030 |       Section 75. Paragraph (e) of subsection (3) of section  
5031 | 1009.22, Florida Statutes, is amended to read:

5032 |       1009.22 Workforce education postsecondary student fees.—

5033 |       (3)

5034 |       (e) The State Board of Education and the State Board of  
5035 | Community Colleges may adopt, by rule, the definitions and  
5036 | procedures that district school boards and Florida Community  
5037 | College System institution boards of trustees shall use in the  
5038 | calculation of cost borne by students.

5039 |       Section 76. Section 1009.23, Florida Statutes, is amended  
5040 | to read:

5041 |       1009.23 Florida Community College System institution  
5042 | student fees.—

5043 |       (1) Unless otherwise provided, this section applies only  
5044 | to fees charged for college credit instruction leading to an  
5045 | associate in arts degree, an associate in applied science  
5046 | degree, an associate in science degree, or a baccalaureate  
5047 | degree authorized pursuant to s. 1007.33, for noncollege credit  
5048 | developmental education defined in s. 1004.02, and for educator  
5049 | preparation institute programs defined in s. 1004.85.

5050 |       (2) (a) All students shall be charged fees except students

5051 | who are exempt from fees or students whose fees are waived.

5052 |       (b) Tuition and out-of-state fees for upper-division  
5053 | courses must reflect the fact that the Florida Community College  
5054 | System institution has a less expensive cost structure than that  
5055 | of a state university. Therefore, the board of trustees shall  
5056 | establish tuition and out-of-state fees for upper-division  
5057 | courses in baccalaureate degree programs approved pursuant to s.  
5058 | 1007.33 consistent with law and proviso language in the General  
5059 | Appropriations Act. However, the board of trustees may vary  
5060 | tuition and out-of-state fees only as provided in subsection (6)  
5061 | and s. 1009.26(11).

5062 |       (3) (a) Effective July 1, 2014, for advanced and  
5063 | professional, postsecondary vocational, developmental education,  
5064 | and educator preparation institute programs, the standard  
5065 | tuition shall be \$71.98 per credit hour for residents and  
5066 | nonresidents, and the out-of-state fee shall be \$215.94 per  
5067 | credit hour.

5068 |       (b) Effective July 1, 2014, for baccalaureate degree  
5069 | programs, the following tuition and fee rates shall apply:

5070 |       1. The tuition shall be \$91.79 per credit hour for  
5071 | students who are residents for tuition purposes.

5072 |       2. The sum of the tuition and the out-of-state fee per  
5073 | credit hour for students who are nonresidents for tuition  
5074 | purposes shall be no more than 85 percent of the sum of the  
5075 | tuition and the out-of-state fee at the state university nearest

5076 | the Florida Community College System institution.

5077 |       (4) Each Florida Community College System institution  
5078 | board of trustees shall establish tuition and out-of-state fees,  
5079 | which may vary no more than 10 percent below and 15 percent  
5080 | above the combined total of the standard tuition and fees  
5081 | established in subsection (3).

5082 |       (5) Except as otherwise provided in law, the sum of  
5083 | nonresident student tuition and out-of-state fees must be  
5084 | sufficient to defray the full cost of each program.

5085 |       (6) (a) A Florida Community College System institution  
5086 | board of trustees that has a service area that borders another  
5087 | state may implement a plan for a differential out-of-state fee.

5088 |       (b) A Florida Community College System institution board  
5089 | of trustees may establish a differential out-of-state fee for a  
5090 | student who has been determined to be a nonresident for tuition  
5091 | purposes pursuant to s. 1009.21 and is enrolled in a distance  
5092 | learning course offered by the institution. A differential out-  
5093 | of-state fee established pursuant to this paragraph shall be  
5094 | applicable only to distance learning courses and must be  
5095 | established such that the sum of tuition and the differential  
5096 | out-of-state fee is sufficient to defray the full cost of  
5097 | instruction.

5098 |       (7) Each Florida Community College System institution  
5099 | board of trustees may establish a separate activity and service  
5100 | fee not to exceed 10 percent of the tuition fee, according to

5101 rules of the State Board of Community Colleges ~~Education~~. The  
5102 student activity and service fee shall be collected as a  
5103 component part of the tuition and fees. The student activity and  
5104 service fees shall be paid into a student activity and service  
5105 fund at the Florida Community College System institution and  
5106 shall be expended for lawful purposes to benefit the student  
5107 body in general. These purposes include, but are not limited to,  
5108 student publications and grants to duly recognized student  
5109 organizations, the membership of which is open to all students  
5110 at the Florida Community College System institution without  
5111 regard to race, sex, or religion. No Florida Community College  
5112 System institution shall be required to lower any activity and  
5113 service fee approved by the board of trustees of the Florida  
5114 Community College System institution and in effect prior to  
5115 October 26, 2007, in order to comply with the provisions of this  
5116 subsection.

5117 (8) (a) Each Florida Community College System institution  
5118 board of trustees is authorized to establish a separate fee for  
5119 financial aid purposes in an additional amount up to, but not to  
5120 exceed, 5 percent of the total student tuition or out-of-state  
5121 fees collected. Each Florida Community College System  
5122 institution board of trustees may collect up to an additional 2  
5123 percent if the amount generated by the total financial aid fee  
5124 is less than \$500,000. If the amount generated is less than  
5125 \$500,000, a Florida Community College System institution that

5126 | charges tuition and out-of-state fees at least equal to the  
5127 | average fees established by rule may transfer from the general  
5128 | current fund to the scholarship fund an amount equal to the  
5129 | difference between \$500,000 and the amount generated by the  
5130 | total financial aid fee assessment. No other transfer from the  
5131 | general current fund to the loan, endowment, or scholarship  
5132 | fund, by whatever name known, is authorized.

5133 |       (b) All funds collected under this program shall be placed  
5134 | in the loan and endowment fund or scholarship fund of the  
5135 | college, by whatever name known. Such funds shall be disbursed  
5136 | to students as quickly as possible. An amount not greater than  
5137 | 40 percent of the fees collected in a fiscal year may be carried  
5138 | forward unexpended to the following fiscal year. However, funds  
5139 | collected prior to July 1, 1989, and placed in an endowment fund  
5140 | may not be considered part of the balance of funds carried  
5141 | forward unexpended to the following fiscal year.

5142 |       (c) Up to 25 percent or \$600,000, whichever is greater, of  
5143 | the financial aid fees collected may be used to assist students  
5144 | who demonstrate academic merit; who participate in athletics,  
5145 | public service, cultural arts, and other extracurricular  
5146 | programs as determined by the institution; or who are identified  
5147 | as members of a targeted gender or ethnic minority population.  
5148 | The financial aid fee revenues allocated for athletic  
5149 | scholarships and any fee exemptions provided to athletes  
5150 | pursuant to s. 1009.25(2) must be distributed equitably as

5151 required by s. 1000.05(3)(d). A minimum of 75 percent of the  
5152 balance of these funds for new awards shall be used to provide  
5153 financial aid based on absolute need, and the remainder of the  
5154 funds shall be used for academic merit purposes and other  
5155 purposes approved by the boards of trustees. Such other purposes  
5156 shall include the payment of child care fees for students with  
5157 financial need. The State Board of Education shall develop  
5158 criteria for making financial aid awards. Each college shall  
5159 report annually to the Department of Education on the revenue  
5160 collected pursuant to this paragraph, the amount carried  
5161 forward, the criteria used to make awards, the amount and number  
5162 of awards for each criterion, and a delineation of the  
5163 distribution of such awards. The report shall include an  
5164 assessment by category of the financial need of every student  
5165 who receives an award, regardless of the purpose for which the  
5166 award is received. Awards that are based on financial need shall  
5167 be distributed in accordance with a nationally recognized system  
5168 of need analysis approved by the State Board of Education. An  
5169 award for academic merit requires a minimum overall grade point  
5170 average of 3.0 on a 4.0 scale or the equivalent for both initial  
5171 receipt of the award and renewal of the award.

5172 (d) These funds may not be used for direct or indirect  
5173 administrative purposes or salaries.

5174 (9) Any Florida Community College System institution that  
5175 reports students who have not paid fees in an approved manner in

5176 calculations of full-time equivalent enrollments for state  
5177 funding purposes shall be penalized at a rate equal to two times  
5178 the value of such enrollments. Such penalty shall be charged  
5179 against the following year's allocation from the Florida  
5180 Community College System Program Fund and shall revert to the  
5181 General Revenue Fund.

5182 (10) Each Florida Community College System institution  
5183 board of trustees is authorized to establish a separate fee for  
5184 technology, which may not exceed 5 percent of tuition per credit  
5185 hour or credit-hour equivalent for resident students and may not  
5186 exceed 5 percent of tuition and the out-of-state fee per credit  
5187 hour or credit-hour equivalent for nonresident students.  
5188 Revenues generated from the technology fee shall be used to  
5189 enhance instructional technology resources for students and  
5190 faculty. The technology fee may apply to both college credit and  
5191 developmental education and shall not be included in any award  
5192 under the Florida Bright Futures Scholarship Program. Fifty  
5193 percent of technology fee revenues may be pledged by a Florida  
5194 Community College System institution board of trustees as a  
5195 dedicated revenue source for the repayment of debt, including  
5196 lease-purchase agreements, not to exceed the useful life of the  
5197 asset being financed. Revenues generated from the technology fee  
5198 may not be bonded.

5199 (11) (a) Each Florida Community College System institution  
5200 board of trustees may establish a separate fee for capital

5201 improvements, technology enhancements, equipping student  
5202 buildings, or the acquisition of improved real property which  
5203 may not exceed 20 percent of tuition for resident students or 20  
5204 percent of the sum of tuition and out-of-state fees for  
5205 nonresident students. The fee for resident students shall be  
5206 limited to an increase of \$2 per credit hour over the prior  
5207 year. Funds collected by Florida Community College System  
5208 institutions through the fee may be bonded only as provided in  
5209 this subsection for the purpose of financing or refinancing new  
5210 construction and equipment, renovation, remodeling of  
5211 educational facilities, or the acquisition and renovation or  
5212 remodeling of improved real property for use as educational  
5213 facilities. The fee shall be collected as a component part of  
5214 the tuition and fees, paid into a separate account, and expended  
5215 only to acquire improved real property or construct and equip,  
5216 maintain, improve, or enhance the educational facilities of the  
5217 Florida Community College System institution. Projects and  
5218 acquisitions of improved real property funded through the use of  
5219 the capital improvement fee shall meet the survey and  
5220 construction requirements of chapter 1013. Pursuant to s.  
5221 216.0158, each Florida Community College System institution  
5222 shall identify each project, including maintenance projects,  
5223 proposed to be funded in whole or in part by such fee.

5224 (b) Capital improvement fee revenues may be pledged by a  
5225 board of trustees as a dedicated revenue source to the repayment

5226 of debt, including lease-purchase agreements, with an overall  
5227 term of not more than 7 years, including renewals, extensions,  
5228 and refundings, and revenue bonds with a term not exceeding 20  
5229 annual maturities and not exceeding the useful life of the asset  
5230 being financed, only for financing or refinancing of the new  
5231 construction and equipment, renovation, or remodeling of  
5232 educational facilities. Bonds authorized pursuant to this  
5233 subsection shall be requested by the Florida Community College  
5234 System institution board of trustees and shall be issued by the  
5235 Division of Bond Finance in compliance with s. 11(d), Art. VII  
5236 of the State Constitution and the State Bond Act. The Division  
5237 of Bond Finance may pledge fees collected by one or more Florida  
5238 Community College System institutions to secure such bonds. Any  
5239 project included in the approved educational plant survey  
5240 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.  
5241 VII of the State Constitution.

5242 (c) Bonds issued pursuant to this subsection may be  
5243 validated in the manner provided by chapter 75. Only the initial  
5244 series of bonds is required to be validated. The complaint for  
5245 such validation shall be filed in the circuit court of the  
5246 county where the seat of state government is situated, the  
5247 notice required to be published by s. 75.06 shall be published  
5248 only in the county where the complaint is filed, and the  
5249 complaint and order of the circuit court shall be served only on  
5250 the state attorney of the circuit in which the action is

5251 pending.

5252 (d) A maximum of 15 percent may be allocated from the  
5253 capital improvement fee for child care centers conducted by the  
5254 Florida Community College System institution. The use of capital  
5255 improvement fees for such purpose shall be subordinate to the  
5256 payment of any bonds secured by the fees.

5257 (e) The state does hereby covenant with the holders of the  
5258 bonds issued under this subsection that it will not take any  
5259 action that will materially and adversely affect the rights of  
5260 such holders so long as the bonds authorized by this subsection  
5261 are outstanding.

5262 (12) (a) In addition to tuition, out-of-state, financial  
5263 aid, capital improvement, student activity and service, and  
5264 technology fees authorized in this section, each Florida  
5265 Community College System institution board of trustees is  
5266 authorized to establish fee schedules for the following user  
5267 fees and fines: laboratory fees, which do not apply to a  
5268 distance learning course; parking fees and fines; library fees  
5269 and fines; fees and fines relating to facilities and equipment  
5270 use or damage; access or identification card fees; duplicating,  
5271 photocopying, binding, or microfilming fees; standardized  
5272 testing fees; diploma replacement fees; transcript fees;  
5273 application fees; graduation fees; and late fees related to  
5274 registration and payment. Such user fees and fines shall not  
5275 exceed the cost of the services provided and shall only be

5276 | charged to persons receiving the service. A Florida Community  
5277 | College System institution may not charge any fee except as  
5278 | authorized by law. Parking fee revenues may be pledged by a  
5279 | Florida Community College System institution board of trustees  
5280 | as a dedicated revenue source for the repayment of debt,  
5281 | including lease-purchase agreements, with an overall term of not  
5282 | more than 7 years, including renewals, extensions, and  
5283 | refundings, and revenue bonds with a term not exceeding 20 years  
5284 | and not exceeding the useful life of the asset being financed.  
5285 | Florida Community College System institutions shall use the  
5286 | services of the Division of Bond Finance of the State Board of  
5287 | Administration to issue any revenue bonds authorized by this  
5288 | subsection. Any such bonds issued by the Division of Bond  
5289 | Finance shall be in compliance with the provisions of the State  
5290 | Bond Act. Bonds issued pursuant to the State Bond Act may be  
5291 | validated in the manner established in chapter 75. The complaint  
5292 | for such validation shall be filed in the circuit court of the  
5293 | county where the seat of state government is situated, the  
5294 | notice required to be published by s. 75.06 shall be published  
5295 | only in the county where the complaint is filed, and the  
5296 | complaint and order of the circuit court shall be served only on  
5297 | the state attorney of the circuit in which the action is  
5298 | pending.

5299 |       (b) The State Board of Community Colleges ~~Education~~ may  
5300 | adopt rules pursuant to ss. 120.536(1) and 120.54 to administer

5301 | this subsection.

5302 |       (13) The State Board of Community Colleges ~~Education~~ shall  
 5303 | specify, as necessary, by rule, approved methods of student fee  
 5304 | payment. Such methods shall include, but not be limited to,  
 5305 | student fee payment; payment through federal, state, or  
 5306 | institutional financial aid; and employer fee payments.

5307 |       (14) Each Florida Community College System institution  
 5308 | board of trustees shall report only those students who have  
 5309 | actually enrolled in instruction provided or supervised by  
 5310 | instructional personnel under contract with the Florida  
 5311 | Community College System institution in calculations of actual  
 5312 | full-time equivalent enrollments for state funding purposes. No  
 5313 | student who has been exempted from taking a course or who has  
 5314 | been granted academic or career credit through means other than  
 5315 | actual coursework completed at the granting institution shall be  
 5316 | calculated for enrollment in the course from which he or she has  
 5317 | been exempted or granted credit. Florida Community College  
 5318 | System institutions that report enrollments in violation of this  
 5319 | subsection shall be penalized at a rate equal to two times the  
 5320 | value of such enrollments. Such penalty shall be charged against  
 5321 | the following year's allocation from the Florida Community  
 5322 | College System Program Fund and shall revert to the General  
 5323 | Revenue Fund.

5324 |       (15) Each Florida Community College System institution may  
 5325 | assess a service charge for the payment of tuition and fees in

5326 | installments and a convenience fee for the processing of  
5327 | automated or online credit card payments. However, the amount of  
5328 | the convenience fee may not exceed the total cost charged by the  
5329 | credit card company to the Florida Community College System  
5330 | institution. Such service charge or convenience fee must be  
5331 | approved by the Florida Community College System institution  
5332 | board of trustees.

5333 |       (16) (a) Each Florida Community College System institution  
5334 | may assess a student who enrolls in a course listed in the  
5335 | distance learning catalog, established pursuant to s. 1006.735,  
5336 | a per-credit-hour distance learning course user fee. For  
5337 | purposes of assessing this fee, a distance learning course is a  
5338 | course in which at least 80 percent of the direct instruction of  
5339 | the course is delivered using some form of technology when the  
5340 | student and instructor are separated by time or space, or both.

5341 |       (b) The amount of the distance learning course user fee  
5342 | may not exceed the additional costs of the services provided  
5343 | which are attributable to the development and delivery of the  
5344 | distance learning course. If a Florida Community College System  
5345 | institution assesses the distance learning course user fee, the  
5346 | institution may not assess any other fees to cover the  
5347 | additional costs. By September 1 of each year, each board of  
5348 | trustees shall report to the State Board of Community Colleges  
5349 | ~~Division of Florida Colleges~~ the total amount of revenue  
5350 | generated by the distance learning course user fee for the prior

5351 fiscal year and how the revenue was expended.

5352 (c) If an institution assesses the distance learning fee,  
5353 the institution must provide a link to the catalog within the  
5354 advising and distance learning sections of the institution's  
5355 website, using a graphic and description provided by the  
5356 Complete Florida Plus Program, to inform students of the  
5357 catalog.

5358 (17) Each Florida Community College System institution  
5359 that accepts transient students, pursuant to s. 1006.735, may  
5360 establish a transient student fee not to exceed \$5 per course  
5361 for processing the transient student admissions application.

5362 (18) (a) The Board of Trustees of Santa Fe College may  
5363 establish a transportation access fee. Revenue from the fee may  
5364 be used only to provide or improve access to transportation  
5365 services for students enrolled at Santa Fe College. The fee may  
5366 not exceed \$6 per credit hour. An increase in the transportation  
5367 access fee may occur only once each fiscal year and must be  
5368 implemented beginning with the fall term. A referendum must be  
5369 held by the student government to approve the application of the  
5370 fee.

5371 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,  
5372 the transportation access fee authorized under paragraph (a) may  
5373 not be included in calculating the amount a student receives for  
5374 a Florida Academic Scholars award, a Florida Medallion Scholars  
5375 award, or a Florida Gold Seal Vocational Scholars award.

5376 (19) The State Board of Community Colleges ~~Education~~ shall  
 5377 adopt a rule specifying the definitions and procedures to be  
 5378 used in the calculation of the percentage of cost paid by  
 5379 students. The rule must provide for the calculation of the full  
 5380 cost of educational programs based on the allocation of all  
 5381 funds provided through the general current fund to programs of  
 5382 instruction, and other activities as provided in the annual  
 5383 expenditure analysis. The rule shall be developed in  
 5384 consultation with the Legislature.

5385 (20) Each Florida Community College System institution  
 5386 shall publicly notice and notify all enrolled students of any  
 5387 proposal to increase tuition or fees at least 28 days before its  
 5388 consideration at a board of trustees meeting. The notice must:

5389 (a) Include the date and time of the meeting at which the  
 5390 proposal will be considered.

5391 (b) Specifically outline the details of existing tuition  
 5392 and fees, the rationale for the proposed increase, and how the  
 5393 funds from the proposed increase will be used.

5394 (c) Be posted on the institution's website and issued in a  
 5395 press release.

5396 Section 77. Subsection (2) of section 1009.25, Florida  
 5397 Statutes, is amended to read:

5398 1009.25 Fee exemptions.—

5399 (2) Each Florida Community College System institution is  
 5400 authorized to grant student fee exemptions from all fees adopted

5401 by the State Board of Community Colleges ~~Education~~ and the  
 5402 Florida Community College System institution board of trustees  
 5403 for up to 54 full-time equivalent students or 1 percent of the  
 5404 institution's total full-time equivalent enrollment, whichever  
 5405 is greater, at each institution.

5406 Section 78. Paragraph (b) of subsection (12), paragraphs  
 5407 (c) and (d) of subsection (13), and paragraph (d) of subsection  
 5408 (14) of section 1009.26, Florida Statutes, are amended, to read:

5409 1009.26 Fee waivers.—

5410 (12)

5411 (b) Tuition and fees charged to a student who qualifies  
 5412 for the out-of-state fee waiver under this subsection may not  
 5413 exceed the tuition and fees charged to a resident student. The  
 5414 waiver is applicable for 110 percent of the required credit  
 5415 hours of the degree or certificate program for which the student  
 5416 is enrolled. Each state university, Florida Community College  
 5417 System institution, career center operated by a school district  
 5418 under s. 1001.44, and charter technical career center shall  
 5419 report to the Board of Governors, the State Board of Community  
 5420 Colleges, and the State Board of Education, respectively, the  
 5421 number and value of all fee waivers granted annually under this  
 5422 subsection. By October 1 of each year, the Board of Governors,  
 5423 for the state universities; ~~and~~ the State Board of Community  
 5424 Colleges, ~~Education~~ for Florida Community College System  
 5425 institutions; ~~7~~ career centers operated by a school district

5426 | under s. 1001.44;~~;~~ and charter technical career centers shall  
 5427 | annually report for the previous academic year the percentage of  
 5428 | resident and nonresident students enrolled systemwide.

5429 | (13)

5430 | (c) Each state university, Florida Community College  
 5431 | System institution, career center operated by a school district  
 5432 | under s. 1001.44, and charter technical career center shall  
 5433 | report to the Board of Governors, the State Board of Community,  
 5434 | and the State Board of Education, respectively, the number and  
 5435 | value of all fee waivers granted annually under this subsection.

5436 | (d) The Board of Governors, the State Board of Community  
 5437 | Colleges, and the State Board of Education shall respectively  
 5438 | adopt regulations and rules to administer this subsection.

5439 | (14)

5440 | (d) The Board of Governors, the State Board of Community  
 5441 | Colleges, and the State Board of Education shall respectively  
 5442 | adopt regulations and rules to administer this subsection.

5443 | Section 79. Section 1009.28, Florida Statutes, is amended  
 5444 | to read:

5445 | 1009.28 Fees for repeated enrollment in developmental  
 5446 | education classes.—A student enrolled in the same developmental  
 5447 | education class more than twice shall pay 100 percent of the  
 5448 | full cost of instruction to support continuous enrollment of  
 5449 | that student in the same class, and the student shall not be  
 5450 | included in calculations of full-time equivalent enrollments for

5451 state funding purposes; however, students who withdraw or fail a  
5452 class due to extenuating circumstances may be granted an  
5453 exception only once for each class, provided approval is granted  
5454 according to policy established by the board of trustees. Each  
5455 Florida Community College System institution may review and  
5456 reduce fees paid by students due to continued enrollment in a  
5457 developmental education class on an individual basis contingent  
5458 upon the student's financial hardship, pursuant to definitions  
5459 and fee levels established by the State Board of Community  
5460 Colleges Education.

5461 Section 80. Subsections (9) and (12) of section 1009.90,  
5462 Florida Statutes, are amended to read:

5463 1009.90 Duties of the Department of Education.—The duties  
5464 of the department shall include:

5465 (9) Development and submission of a report, annually, to  
5466 the State Board of Education, the Board of Governors, the State  
5467 Board of Community Colleges, the President of the Senate, and  
5468 the Speaker of the House of Representatives, which shall  
5469 include, but not be limited to, recommendations for the  
5470 distribution of state financial aid funds.

5471 (12) Calculation of the amount of need-based student  
5472 financial aid required to offset fee increases recommended by  
5473 the State Board of Education, ~~and~~ the Board of Governors, and  
5474 the State Board of Community Colleges, and inclusion of such  
5475 amount within the legislative budget request for student

5476 assistance grant programs.

5477 Section 81. Subsection (4) of section 1009.91, Florida  
5478 Statutes, is amended to read:

5479 1009.91 Assistance programs and activities of the  
5480 department.—

5481 (4) The department shall maintain records on the student  
5482 loan default rate of each Florida postsecondary institution and  
5483 report that information annually to both the institution and the  
5484 State Board of Education. Information relating to state  
5485 universities shall also be reported annually to the Board of  
5486 Governors. Information relating to Florida Community College  
5487 System institutions shall be reported annually to the State  
5488 Board of Community Colleges.

5489 Section 82. Subsection (2) of section 1009.971, Florida  
5490 Statutes, is amended to read:

5491 1009.971 Florida Prepaid College Board.—

5492 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board  
5493 shall consist of seven members to be composed of the Attorney  
5494 General, the Chief Financial Officer, the Chancellor of the  
5495 State University System, the Chancellor of the Florida Community  
5496 College System ~~Division of Florida Colleges~~, and three members  
5497 appointed by the Governor and subject to confirmation by the  
5498 Senate. Each member appointed by the Governor shall possess  
5499 knowledge, skill, and experience in the areas of accounting,  
5500 actuary, risk management, or investment management. Each member

5501 of the board not appointed by the Governor may name a designee  
5502 to serve on the board on behalf of the member; however, any  
5503 designee so named shall meet the qualifications required of  
5504 gubernatorial appointees to the board. Members appointed by the  
5505 Governor shall serve terms of 3 years. Any person appointed to  
5506 fill a vacancy on the board shall be appointed in a like manner  
5507 and shall serve for only the unexpired term. Any member shall be  
5508 eligible for reappointment and shall serve until a successor  
5509 qualifies. Members of the board shall serve without compensation  
5510 but shall be reimbursed for per diem and travel in accordance  
5511 with s. 112.061. Each member of the board shall file a full and  
5512 public disclosure of his or her financial interests pursuant to  
5513 s. 8, Art. II of the State Constitution and corresponding  
5514 statute.

5515 Section 83. Section 1010.01, Florida Statutes, is amended  
5516 to read:

5517 1010.01 Uniform records and accounts.—

5518 (1) (a) The financial records and accounts of each school  
5519 district, ~~Florida College System institution,~~ and other  
5520 institution or agency under the supervision of the State Board  
5521 of Education shall be prepared and maintained as prescribed by  
5522 law and rules of the State Board of Education.

5523 (b) The financial records and accounts of each state  
5524 university under the supervision of the Board of Governors shall  
5525 be prepared and maintained as prescribed by law and rules of the

5526 Board of Governors.

5527 (c) The financial records and accounts of each Florida  
5528 Community College System institution under the supervision of  
5529 the State Board of Community Colleges shall be prepared and  
5530 maintained as prescribed by law and rules of the State Board of  
5531 Community Colleges.

5532 (2) Rules of the State Board of Education, ~~and rules of~~  
5533 the Board of Governors, and the State Board of Community  
5534 Colleges shall incorporate the requirements of law and  
5535 accounting principles generally accepted in the United States.  
5536 Such rules shall include a uniform classification of accounts.

5537 (3) Each state university shall annually file with the  
5538 Board of Governors financial statements prepared in conformity  
5539 with accounting principles generally accepted by the United  
5540 States and the uniform classification of accounts prescribed by  
5541 the Board of Governors. The Board of Governors' rules shall  
5542 prescribe the filing deadline for the financial statements.

5543 (4) Required financial accounts and reports shall include  
5544 provisions that are unique to each of the following: K-12 school  
5545 districts, Florida Community College System institutions, and  
5546 state universities, and shall provide for the data to be  
5547 reported to the National Center of Educational Statistics and  
5548 other governmental and professional educational data information  
5549 services as appropriate.

5550 (5) Each Florida Community College System institution

5551 shall annually file with the State Board of Community Colleges  
 5552 financial statements prepared in conformity with accounting  
 5553 principles generally accepted by the United States and the  
 5554 uniform classification of accounts prescribed by the State Board  
 5555 of Community Colleges. The State Board of Community Colleges'  
 5556 rules shall prescribe the filing deadline for the financial  
 5557 statements.

5558 Section 84. Subsection (1) of section 1010.02, Florida  
 5559 Statutes, is amended, and subsection (3) is added to that  
 5560 section, to read:

5561 1010.02 Financial accounting and expenditures.—

5562 (1) All funds accruing to a school district ~~or a Florida~~  
 5563 ~~College System institution~~ must be received, accounted for, and  
 5564 expended in accordance with law and rules of the State Board of  
 5565 Education.

5566 (3) All funds accruing to a Florida Community College  
 5567 System institution must be received, accounted for, and expended  
 5568 in accordance with law and rules of the State Board of Community  
 5569 Colleges.

5570 Section 85. Section 1010.04, Florida Statutes, is amended  
 5571 to read:

5572 1010.04 Purchasing.—

5573 (1) (a) Purchases and leases by school districts must ~~and~~  
 5574 ~~Florida College System institutions shall~~ comply with the  
 5575 requirements of law and rules of the State Board of Education.

5576 (b) Before purchasing nonacademic commodities and  
5577 contractual services, each district school board and Florida  
5578 Community College System institution board of trustees shall  
5579 review the purchasing agreements and state term contracts  
5580 available under s. 287.056 to determine whether it is in the  
5581 school board's or the board of trustees' economic advantage to  
5582 use the agreements and contracts. Each bid specification for  
5583 nonacademic commodities and contractual services must include a  
5584 statement indicating that the purchasing agreements and state  
5585 term contracts available under s. 287.056 have been reviewed.  
5586 Each district school board may also use the cooperative state  
5587 purchasing programs managed through the regional consortium  
5588 service organizations pursuant to their authority under s.  
5589 1001.451(3). This paragraph does not apply to services that are  
5590 eligible for reimbursement under the federal E-rate program  
5591 administered by the Universal Service Administrative Company.

5592 (c) Purchases and leases by state universities must ~~shall~~  
5593 comply with the requirements of law and regulations of the Board  
5594 of Governors.

5595 (d) Purchases and leases by Florida Community College  
5596 System institutions must comply with the requirements of law and  
5597 rules of the State Board of Community Colleges.

5598 (2) Each district school board and Florida Community  
5599 College System institution board of trustees shall adopt rules,  
5600 and each university board of trustees shall adopt regulations,

5601 to be followed in making purchases. Purchases may be made  
 5602 through an online procurement system, an electronic auction  
 5603 service, or other efficient procurement tool.

5604 (3) In districts in which the county purchasing agent is  
 5605 authorized by law to make purchases for the benefit of other  
 5606 governmental agencies within the county, the district school  
 5607 board and Florida Community College System institution board of  
 5608 trustees shall have the option to purchase from the current  
 5609 county contracts at the unit price stated therein if such  
 5610 purchase is to the economic advantage of the district school  
 5611 board or the Florida Community College System institution board  
 5612 of trustees; subject to confirmation of the items of purchase to  
 5613 the standards and specifications prescribed by the school  
 5614 district or Florida Community College System institution.

5615 (4) (a) The State Board of Education may, by rule, provide  
 5616 for alternative procedures for school districts ~~and Florida~~  
 5617 ~~College System institutions~~ for bidding or purchasing in cases  
 5618 in which the character of the item requested renders competitive  
 5619 bidding impractical.

5620 (b) The Board of Governors may, by regulation, provide for  
 5621 alternative procedures for state universities for bidding or  
 5622 purchasing in cases in which the character of the item requested  
 5623 renders competitive bidding impractical.

5624 (c) The State Board of Community Colleges may, by rule,  
 5625 provide for alternative procedures for Florida Community College

5626 | System institutions for bidding or purchasing in cases in which  
 5627 | the character of the item requested renders competitive bidding  
 5628 | impractical.

5629 | Section 86. Section 1010.07, Florida Statutes, is amended  
 5630 | to read:

5631 | 1010.07 Bonds or insurance required.—

5632 | (1) Each district school board, Florida Community College  
 5633 | System institution board of trustees, and university board of  
 5634 | trustees shall ensure that each official and employee  
 5635 | responsible for handling, expending, or authorizing the  
 5636 | expenditure of funds shall be appropriately bonded or insured to  
 5637 | protect the board and the funds involved.

5638 | (2) (a) Contractors paid from school district ~~or Florida~~  
 5639 | ~~College System institution~~ funds shall give bond for the  
 5640 | faithful performance of their contracts in such amount and for  
 5641 | such purposes as prescribed by s. 255.05 or by rules of the  
 5642 | State Board of Education relating to the type of contract  
 5643 | involved. It shall be the duty of the district school board ~~or~~  
 5644 | ~~Florida College System institution board of trustees~~ to require  
 5645 | from construction contractors a bond adequate to protect the  
 5646 | board and the board's funds involved.

5647 | (b) Contractors paid from university funds shall give bond  
 5648 | for the faithful performance of their contracts in such amount  
 5649 | and for such purposes as prescribed by s. 255.05 or by  
 5650 | regulations of the Board of Governors relating to the type of

5651 contract involved. It shall be the duty of the university board  
 5652 of trustees to require from construction contractors a bond  
 5653 adequate to protect the board and the board's funds involved.

5654 (c) Contractors paid from Florida Community College System  
 5655 institution funds shall give bonds for the faithful performance  
 5656 of their contracts in such amount and for such purposes as  
 5657 prescribed by s. 255.05 or by rules of the State Board of  
 5658 Community Colleges relating to the type of contract involved. It  
 5659 is the duty of the Florida Community College System institution  
 5660 board of trustees to require construction contractors to provide  
 5661 a bond adequate to protect the board and the board's funds  
 5662 involved.

5663 Section 87. Section 1010.08, Florida Statutes, is amended  
 5664 to read:

5665 1010.08 Promotion and public relations; funding.—

5666 (1) Each district school board ~~and Florida College System~~  
 5667 ~~institution board of trustees~~ may budget and use a portion of  
 5668 the funds accruing to it from auxiliary enterprises and  
 5669 undesignated gifts for promotion and public relations as  
 5670 prescribed by rules of the State Board of Education. Such funds  
 5671 may be used to provide hospitality to business guests in the  
 5672 district or elsewhere. However, such hospitality expenses may  
 5673 not exceed the amount authorized for such contingency funds as  
 5674 prescribed by rules of the State Board of Education.

5675 (2) Each Florida Community College System institution

5676 board of trustees may budget and use a portion of the funds  
 5677 accruing to it from auxiliary enterprises and undesignated gifts  
 5678 for promotion and public relations as prescribed by rules of the  
 5679 State Board of Community Colleges. Such funds may be used to  
 5680 provide hospitality to business guests in the district or  
 5681 elsewhere. However, such hospitality expenses may not exceed the  
 5682 amount authorized for such contingency funds as prescribed by  
 5683 rules of the State Board of Community Colleges.

5684 Section 88. Subsection (1) of section 1010.09, Florida  
 5685 Statutes, is amended and subsection (3) is added to that  
 5686 section, to read:

5687 1010.09 Direct-support organizations.—

5688 (1) School district ~~and Florida College System institution~~  
 5689 direct-support organizations shall be organized and conducted  
 5690 under the provisions of ss. 1001.453 and 1004.70 and rules of  
 5691 the State Board of Education, as applicable.

5692 (3) Florida Community College System institution direct-  
 5693 support organizations shall be organized and conducted under the  
 5694 provisions of s. 1004.70 and rules of the State Board of  
 5695 Community Colleges.

5696 Section 89. Section 1010.22, Florida Statutes, is amended  
 5697 to read:

5698 1010.22 Cost accounting and reporting for workforce  
 5699 education.—

5700 (1) (a) Each school district ~~and each Florida College~~

5701 ~~System institution~~ shall account for expenditures of all state,  
 5702 local, federal, and other funds in the manner prescribed by the  
 5703 State Board of Education.

5704 (b) Each Florida Community College System institution  
 5705 shall account for expenditures of all state, local, federal, and  
 5706 other funds in the manner prescribed by the State Board of  
 5707 Community Colleges.

5708 (2)(a) Each school district ~~and each Florida College~~  
 5709 ~~System institution~~ shall report expenditures for workforce  
 5710 education in accordance with requirements prescribed by the  
 5711 State Board of Education.

5712 (b) Each Florida Community College System institution  
 5713 shall report expenditures for workforce education in accordance  
 5714 with requirements prescribed by the State Board of Community  
 5715 Colleges.

5716 (3) The Department of Education, in cooperation with  
 5717 school districts and Florida Community College System  
 5718 institutions, shall develop and maintain a database of valid  
 5719 comparable information on workforce education which will meet  
 5720 both state and local needs.

5721 Section 90. Subsection (1) of section 1010.30, Florida  
 5722 Statutes, is amended to read:

5723 1010.30 Audits required.—

5724 (1) School districts, ~~Florida College System institutions,~~  
 5725 and other institutions and agencies under the supervision of the

5726 | State Board of Education, Florida Community College System  
 5727 | institutions under the supervision of the State Board of  
 5728 | Community Colleges, and state universities under the supervision  
 5729 | of the Board of Governors are subject to the audit provisions of  
 5730 | ss. 11.45 and 218.39.

5731 | Section 91. Section 1010.58, Florida Statutes, is amended  
 5732 | to read:

5733 | 1010.58 Procedure for determining number of instruction  
 5734 | units for Florida Community College System institutions.—The  
 5735 | number of instruction units for Florida Community College System  
 5736 | institutions shall be determined from the full-time equivalent  
 5737 | students in the Florida Community College System institution,  
 5738 | provided that full-time equivalent students may not be counted  
 5739 | more than once in determining instruction units. Instruction  
 5740 | units for Florida Community College System institutions shall be  
 5741 | computed as follows:

5742 | (1) One unit for each 12 full-time equivalent students at  
 5743 | a Florida Community College System institution for the first 420  
 5744 | students and one unit for each 15 full-time equivalent students  
 5745 | for all over 420 students, in other than career education  
 5746 | programs as defined by rules of the State Board of Community  
 5747 | Colleges ~~Education~~, and one unit for each 10 full-time  
 5748 | equivalent students in career education programs and  
 5749 | compensatory education programs as defined by rules of the State  
 5750 | Board of Community Colleges ~~Education~~. Full-time equivalent

5751 students enrolled in a Florida Community College System  
 5752 institution shall be defined by rules of the State Board of  
 5753 Community Colleges ~~Education~~.

5754 (2) For each 8 instruction units in a Florida Community  
 5755 College System institution, 1 instruction unit or proportionate  
 5756 fraction of a unit shall be allowed for administrative and  
 5757 special instructional services, and for each 20 instruction  
 5758 units, 1 instruction unit or proportionate fraction of a unit  
 5759 shall be allowed for student personnel services.

5760 Section 92. Section 1011.01, Florida Statutes, is amended  
 5761 to read:

5762 1011.01 Budget system established.—

5763 (1) The State Board of Education shall prepare and submit  
 5764 a coordinated K-20 education annual legislative budget request  
 5765 to the Governor and the Legislature on or before the date  
 5766 provided by the Governor and the Legislature. The board's  
 5767 legislative budget request must clearly define the needs of  
 5768 school districts, Florida Community College System institutions,  
 5769 universities, other institutions, organizations, programs, and  
 5770 activities under the supervision of the board and that are  
 5771 assigned by law or the General Appropriations Act to the  
 5772 Department of Education.

5773 (2) (a) There is ~~shall be~~ established in each school  
 5774 district ~~and Florida College System institution~~ a budget system  
 5775 as prescribed by law and rules of the State Board of Education.

5776 (b) There is ~~shall be~~ established in each state university  
 5777 a budget system as prescribed by law and rules of the Board of  
 5778 Governors.

5779 (c) There is established in each Florida Community College  
 5780 System institution a budget system as prescribed by law and  
 5781 rules of the State Board of Community Colleges.

5782 (3) (a) Each district school board ~~and each Florida College~~  
 5783 ~~System institution board of trustees~~ shall prepare, adopt, and  
 5784 submit to the Commissioner of Education an annual operating  
 5785 budget. Operating budgets must ~~shall~~ be prepared and submitted  
 5786 in accordance with the provisions of law, rules of the State  
 5787 Board of Education, the General Appropriations Act, and for  
 5788 district school boards in accordance with the provisions of ss.  
 5789 200.065 and 1011.64.

5790 (b) Each state university board of trustees shall prepare,  
 5791 adopt, and submit to the Chancellor of the State University  
 5792 System for review an annual operating budget in accordance with  
 5793 provisions of law, rules of the Board of Governors, and the  
 5794 General Appropriations Act.

5795 (c) Each Florida Community College System institution  
 5796 board of trustees shall prepare, adopt, and submit to the State  
 5797 Board of Community Colleges an annual operating budget in  
 5798 accordance with provisions of law, rules of the State Board of  
 5799 Community Colleges, and the General Appropriations Act.

5800 (4) The State Board of Education shall coordinate with the

5801 Board of Governors and the State Board of Community Colleges to  
 5802 facilitate the budget system requirements of this section. The  
 5803 State Board of Community College exclusively retains the review  
 5804 and approval powers of this section for Florida Community  
 5805 College System institutions. The Board of Governors exclusively  
 5806 retains the review and approval powers of this section for state  
 5807 universities.

5808 Section 93. Section 1011.011, Florida Statutes, is amended  
 5809 to read:

5810 1011.011 Legislative capital outlay budget request.—The  
 5811 State Board of Education shall submit an integrated,  
 5812 comprehensive budget request for educational facilities  
 5813 construction and fixed capital outlay needs for school  
 5814 districts, and, in conjunction with the State Board of Community  
 5815 Colleges for Florida Community College System institutions, ~~and,~~  
 5816 ~~in conjunction~~ with the Board of Governors for state,  
 5817 universities, pursuant to this section and s. 1013.46 and  
 5818 applicable provisions of chapter 216.

5819 Section 94. Section 1011.30, Florida Statutes, is amended  
 5820 to read:

5821 1011.30 Budgets for Florida Community College System  
 5822 institutions.—Each Florida Community College System institution  
 5823 president shall recommend to the Florida Community College  
 5824 System institution board of trustees a budget of income and  
 5825 expenditures at such time and in such form as the State Board of

5826 | Community Colleges ~~Education~~ may prescribe. Upon approval of a  
 5827 | budget by the Florida Community College System institution board  
 5828 | of trustees, such budget must ~~shall~~ be transmitted to the State  
 5829 | Board of Community Colleges ~~Department of Education~~ for review.  
 5830 | Rules of the State Board of Community Colleges ~~must~~ ~~Education~~  
 5831 | ~~shall~~ prescribe procedures for effecting budget amendments  
 5832 | subsequent to the final approval of a budget for a given year.

5833 | Section 95. Section 1011.32, Florida Statutes, is amended  
 5834 | to read:

5835 | 1011.32 Florida Community College System Institution  
 5836 | Facility Enhancement Challenge Grant Program.—

5837 | (1) The Legislature recognizes that ~~the~~ Florida Community  
 5838 | College System institutions do not have sufficient physical  
 5839 | facilities to meet the current demands of their instructional  
 5840 | and community programs. It further recognizes that, to  
 5841 | strengthen and enhance Florida Community College System  
 5842 | institutions, it is necessary to provide facilities in addition  
 5843 | to those currently available from existing revenue sources. It  
 5844 | further recognizes that there are sources of private support  
 5845 | that, if matched with state support, can assist in constructing  
 5846 | much needed facilities and strengthen the commitment of citizens  
 5847 | and organizations in promoting excellence at each Florida  
 5848 | Community College System institution. Therefore, it is the  
 5849 | intent of the Legislature to establish a program to provide the  
 5850 | opportunity for each Florida Community College System

5851 institution through its direct-support organization to receive  
5852 and match challenge grants for instructional and community-  
5853 related capital facilities within the Florida Community College  
5854 System institution.

5855 (2) There is established the Florida Community College  
5856 System Institution Facility Enhancement Challenge Grant Program  
5857 for the purpose of assisting the Florida Community College  
5858 System institutions in building high priority instructional and  
5859 community-related capital facilities consistent with s. 1004.65,  
5860 including common areas connecting such facilities. The direct-  
5861 support organizations that serve the Florida Community College  
5862 System institutions shall solicit gifts from private sources to  
5863 provide matching funds for capital facilities. For the purposes  
5864 of this section, private sources of funds shall not include any  
5865 federal or state government funds that a Florida Community  
5866 College System institution may receive.

5867 (3) The Florida Community College System Institution  
5868 Capital Facilities Matching Program shall provide funds to match  
5869 private contributions for the development of high priority  
5870 instructional and community-related capital facilities,  
5871 including common areas connecting such facilities, within the  
5872 Florida Community College System institutions.

5873 (4) Within the direct-support organization of each Florida  
5874 Community College System institution there must be established a  
5875 separate capital facilities matching account for the purpose of

5876 providing matching funds from the direct-support organization's  
5877 unrestricted donations or other private contributions for the  
5878 development of high priority instructional and community-related  
5879 capital facilities, including common areas connecting such  
5880 facilities. The Legislature shall appropriate funds for  
5881 distribution to a Florida Community College System institution  
5882 after matching funds are certified by the direct-support  
5883 organization and Florida Community College System institution.  
5884 The Public Education Capital Outlay and Debt Service Trust Fund  
5885 shall not be used as the source of the state match for private  
5886 contributions.

5887 (5) A project may not be initiated unless all private  
5888 funds for planning, construction, and equipping the facility  
5889 have been received and deposited in the direct-support  
5890 organization's matching account for this purpose. However, this  
5891 requirement does not preclude the Florida Community College  
5892 System institution or direct-support organization from expending  
5893 available funds from private sources to develop a prospectus,  
5894 including preliminary architectural schematics or models, for  
5895 use in its efforts to raise private funds for a facility and for  
5896 site preparation, planning, and construction. The Legislature  
5897 may appropriate the state's matching funds in one or more fiscal  
5898 years for the planning, construction, and equipping of an  
5899 eligible facility. Each Florida Community College System  
5900 institution shall notify all donors of private funds of a

5901 substantial delay in the availability of state matching funds  
 5902 for this program.

5903 (6) To be eligible to participate in the Florida Community  
 5904 College System Institution Facility Enhancement Challenge Grant  
 5905 Program, a Florida Community College System institution, through  
 5906 its direct-support organization, shall raise a contribution  
 5907 equal to one-half of the total cost of a facilities construction  
 5908 project from private sources which shall be matched by a state  
 5909 appropriation equal to the amount raised for a facilities  
 5910 construction project, subject to the General Appropriations Act.

5911 (7) If the state's share of the required match is  
 5912 insufficient to meet the requirements of subsection (6), the  
 5913 Florida Community College System institution shall renegotiate  
 5914 the terms of the contribution with the donors. If the project is  
 5915 terminated, each private donation, plus accrued interest,  
 5916 reverts to the direct-support organization for remittance to the  
 5917 donor.

5918 (8) By October 15 of each year, the State Board of  
 5919 Community Colleges ~~Education~~ shall transmit to the Governor and  
 5920 the Legislature a list of projects that meet all eligibility  
 5921 requirements to participate in the Florida Community College  
 5922 System Institution Facility Enhancement Challenge Grant Program  
 5923 and a budget request that includes the recommended schedule  
 5924 necessary to complete each project.

5925 (9) In order for a project to be eligible under this

5926 | program, it must be survey recommended under the provisions of  
5927 | s. 1013.31 and included in the Florida Community College System  
5928 | institution's 5-year capital improvement plan, and it must  
5929 | receive approval from the State Board of Community Colleges  
5930 | ~~Education~~ or the Legislature.

5931 |       (10) A Florida Community College System institution  
5932 | project may not be removed from the approved 3-year PECO  
5933 | priority list because of its successful participation in this  
5934 | program until approved by the Legislature and provided for in  
5935 | the General Appropriations Act. When such a project is completed  
5936 | and removed from the list, all other projects shall move up on  
5937 | the 3-year PECO priority list.

5938 |       (11) Any private matching funds for a project which are  
5939 | unexpended after the project is completed shall revert to the  
5940 | Florida Community College System institution's direct-support  
5941 | organization capital facilities matching account. The balance of  
5942 | any unexpended state matching funds shall be returned to the  
5943 | fund from which those funds were appropriated.

5944 |       (12) The surveys, architectural plans, facility, and  
5945 | equipment shall be the property of the participating Florida  
5946 | Community College System institution. A facility constructed  
5947 | under this section may be named in honor of a donor at the  
5948 | option of the Florida Community College System institution  
5949 | district board of trustees. A facility may not be named after a  
5950 | living person without prior approval by the State Board of

5951 | Community Colleges Education.

5952 |       (13) Effective July 1, 2011, state matching funds are  
 5953 | temporarily suspended for donations received for the program on  
 5954 | or after June 30, 2011. Existing eligible donations remain  
 5955 | eligible for future matching funds. The program may be restarted  
 5956 | after \$200 million of the backlog for programs under this  
 5957 | section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

5958 |       Section 96. Subsection (2), paragraph (b) of subsection  
 5959 | (5), and subsections (8), (9), and (11) of section 1011.80,  
 5960 | Florida Statutes, are amended to read:

5961 |       1011.80 Funds for operation of workforce education  
 5962 | programs.—

5963 |       (2) Any workforce education program may be conducted by a  
 5964 | Florida Community College System institution or a school  
 5965 | district, except that college credit in an associate in applied  
 5966 | science or an associate in science degree may be awarded only by  
 5967 | a Florida Community College System institution. However, if an  
 5968 | associate in applied science or an associate in science degree  
 5969 | program contains within it an occupational completion point that  
 5970 | confers a certificate or an applied technology diploma, that  
 5971 | portion of the program may be conducted by a school district  
 5972 | career center. Any instruction designed to articulate to a  
 5973 | degree program is subject to guidelines and standards adopted by  
 5974 | the State Board of Community Colleges Education pursuant to s.  
 5975 | 1007.25.

5976 (5) State funding and student fees for workforce education  
 5977 instruction shall be established as follows:

5978 (b) For all other workforce education programs, state  
 5979 funding shall equal 75 percent of the average cost of  
 5980 instruction with the remaining 25 percent made up from student  
 5981 fees. Fees for courses within a program shall not vary according  
 5982 to the cost of the individual program, but instead shall be  
 5983 based on a uniform fee calculated and set at the state level, as  
 5984 adopted by the State Board of Education, for school districts  
 5985 and the State Board of Community Colleges, for Florida Community  
 5986 College System institutions, unless otherwise specified in the  
 5987 General Appropriations Act.

5988 (8) The State Board of Education, the State Board of  
 5989 Community Colleges, and CareerSource Florida, Inc., shall  
 5990 provide the Legislature with recommended formulas, criteria,  
 5991 timeframes, and mechanisms for distributing performance funds.  
 5992 The commissioner shall consolidate the recommendations and  
 5993 develop a consensus proposal for funding. The Legislature shall  
 5994 adopt a formula and distribute the performance funds to the  
 5995 State Board of Community Colleges ~~Education~~ for Florida  
 5996 Community College System institutions and to the State Board of  
 5997 Education for school districts through the General  
 5998 Appropriations Act. These recommendations shall be based on  
 5999 formulas that would discourage low-performing or low-demand  
 6000 programs and encourage through performance-funding awards:

6001 (a) Programs that prepare people to enter high-wage  
 6002 occupations identified by the Workforce Estimating Conference  
 6003 created by s. 216.136 and other programs as approved by  
 6004 CareerSource Florida, Inc. At a minimum, performance incentives  
 6005 shall be calculated for adults who reach completion points or  
 6006 complete programs that lead to specified high-wage employment  
 6007 and to their placement in that employment.

6008 (b) Programs that successfully prepare adults who are  
 6009 eligible for public assistance, economically disadvantaged,  
 6010 disabled, not proficient in English, or dislocated workers for  
 6011 high-wage occupations. At a minimum, performance incentives  
 6012 shall be calculated at an enhanced value for the completion of  
 6013 adults identified in this paragraph and job placement of such  
 6014 adults upon completion. In addition, adjustments may be made in  
 6015 payments for job placements for areas of high unemployment.

6016 (c) Programs that are specifically designed to be  
 6017 consistent with the workforce needs of private enterprise and  
 6018 regional economic development strategies, as defined in  
 6019 guidelines set by CareerSource Florida, Inc. CareerSource  
 6020 Florida, Inc., shall develop guidelines to identify such needs  
 6021 and strategies based on localized research of private employers  
 6022 and economic development practitioners.

6023 (d) Programs identified by CareerSource Florida, Inc., as  
 6024 increasing the effectiveness and cost efficiency of education.

6025 (9) School districts shall report full-time equivalent

6026 students by discipline category for the programs specified in  
6027 subsection (1). There shall be an annual cost analysis for the  
6028 school district workforce education programs that reports cost  
6029 by discipline category consistent with the reporting for full-  
6030 time equivalent students. The annual financial reports submitted  
6031 by the school districts must accurately report on the student  
6032 fee revenues by fee type according to the programs specified in  
6033 subsection (1). The Department of Education and the State Board  
6034 of Community Colleges shall develop a plan for comparable  
6035 reporting of program, student, facility, personnel, and  
6036 financial data between the Florida Community College System  
6037 institutions and the school district workforce education  
6038 programs.

6039 (11) The State Board of Education and the State Board of  
6040 Community Colleges may adopt rules to administer this section.

6041 Section 97. Section 1011.801, Florida Statutes, is amended  
6042 to read:

6043 1011.801 Workforce Development Capitalization Incentive  
6044 Grant Program.—The Legislature recognizes that the need for  
6045 school districts and Florida Community College System  
6046 institutions to be able to respond to emerging local or  
6047 statewide economic development needs is critical to the  
6048 workforce development system. The Workforce Development  
6049 Capitalization Incentive Grant Program is created to provide  
6050 grants to school districts and Florida Community College System

6051 institutions on a competitive basis to fund some or all of the  
6052 costs associated with the creation or expansion of workforce  
6053 development programs that serve specific employment workforce  
6054 needs.

6055 (1) Funds awarded for a workforce development  
6056 capitalization incentive grant may be used for instructional  
6057 equipment, laboratory equipment, supplies, personnel, student  
6058 services, or other expenses associated with the creation or  
6059 expansion of a workforce development program. Expansion of a  
6060 program may include either the expansion of enrollments in a  
6061 program or expansion into new areas of specialization within a  
6062 program. No grant funds may be used for recurring instructional  
6063 costs or for institutions' indirect costs.

6064 (2) The State Board of Education shall accept applications  
6065 from school districts, and the State Board of Community Colleges  
6066 shall accept applications from ~~or~~ Florida Community College  
6067 System institutions, for workforce development capitalization  
6068 incentive grants. Applications from school districts or Florida  
6069 Community College System institutions must ~~shall~~ contain  
6070 projected enrollments and projected costs for the new or  
6071 expanded workforce development program. The State Board of  
6072 Education or the State Board of Community Colleges, as  
6073 appropriate, in consultation with CareerSource Florida, Inc.,  
6074 shall review and rank each application for a grant according to  
6075 subsection (3) and shall submit to the Legislature a list in

6076 | priority order of applications recommended for a grant award.

6077 |       (3) The State Board of Education or the State Board of  
 6078 | Community Colleges, as appropriate, shall give highest priority  
 6079 | to programs that train people to enter high-skill, high-wage  
 6080 | occupations identified by the Workforce Estimating Conference  
 6081 | and other programs approved by CareerSource Florida, Inc.;  
 6082 | programs that train people to enter occupations under the  
 6083 | welfare transition program; or programs that train for the  
 6084 | workforce adults who are eligible for public assistance,  
 6085 | economically disadvantaged, disabled, not proficient in English,  
 6086 | or dislocated workers. The State Board of Education or the State  
 6087 | Board of Community Colleges, as appropriate, shall consider the  
 6088 | statewide geographic dispersion of grant funds in ranking the  
 6089 | applications and shall give priority to applications from  
 6090 | education agencies that are making maximum use of their  
 6091 | workforce development funding by offering high-performing, high-  
 6092 | demand programs.

6093 |       Section 98. Section 1011.81, Florida Statutes, is amended  
 6094 | to read:

6095 |       1011.81 Florida Community College System Program Fund.—

6096 |       (1) There is established a Florida Community College  
 6097 | System Program Fund. This fund shall comprise all appropriations  
 6098 | made by the Legislature for the support of the current operating  
 6099 | program and shall be apportioned and distributed to the Florida  
 6100 | Community College System institution districts of the state on

6101 the basis of procedures established by law and rules of the  
6102 State Board of Education. The annual apportionment for each  
6103 Florida Community College System institution district shall be  
6104 distributed monthly in payments as nearly equal as possible.

6105 (2) Performance funding for industry certifications for  
6106 Florida Community College System institutions is contingent upon  
6107 specific appropriation in the General Appropriations Act and  
6108 shall be determined as follows:

6109 (a) Occupational areas for which industry certifications  
6110 may be earned, as established in the General Appropriations Act,  
6111 are eligible for performance funding. Priority shall be given to  
6112 the occupational areas emphasized in state, national, or  
6113 corporate grants provided to Florida educational institutions.

6114 (b) The Chancellor of the Florida Community College  
6115 System, for the Florida Community College System institutions,  
6116 shall identify the industry certifications eligible for funding  
6117 on the CAPE Postsecondary Industry Certification Funding List  
6118 approved by the State Board of Community Colleges ~~Education~~  
6119 pursuant to s. 1008.44, based on the occupational areas  
6120 specified in the General Appropriations Act.

6121 (c) Each Florida Community College System institution  
6122 shall be provided \$1,000 for each industry certification earned  
6123 by a student. The maximum amount of funding appropriated for  
6124 performance funding pursuant to this subsection shall be limited  
6125 to \$15 million annually. If funds are insufficient to fully fund

6126 | the calculated total award, such funds shall be prorated.

6127 |       (3) None of the funds made available in the Florida  
 6128 | Community College System Program Fund, or funds made available  
 6129 | to Florida Community College System institutions outside the  
 6130 | Florida Community College System Program Fund, may be used to  
 6131 | implement, organize, direct, coordinate, or administer, or to  
 6132 | support the implementation, organization, direction,  
 6133 | coordination, or administration of, activities related to, or  
 6134 | involving, travel to a terrorist state. For purposes of this  
 6135 | section, "terrorist state" is defined as any state, country, or  
 6136 | nation designated by the United States Department of State as a  
 6137 | state sponsor of terrorism.

6138 |       (4) State funds provided for the Florida Community College  
 6139 | System Program Fund may not be expended for the education of  
 6140 | state or federal inmates.

6141 |       Section 99. Section 1011.82, Florida Statutes, is amended  
 6142 | to read:

6143 |       1011.82 Requirements for participation in Florida  
 6144 | Community College System Program Fund.—Each Florida Community  
 6145 | College System institution district which participates in the  
 6146 | state appropriations for the Florida Community College System  
 6147 | Program Fund shall provide evidence of its effort to maintain an  
 6148 | adequate Florida Community College System institution program  
 6149 | which shall:

6150 |       (1) Meet the minimum standards prescribed by the State

6151 Board of Community Colleges ~~Education~~ in accordance with s.  
 6152 1001.602(5) ~~s. 1001.02(6)~~.

6153 (2) Effectively fulfill the mission of the Florida  
 6154 Community College System institutions in accordance with s.  
 6155 1004.65.

6156 Section 100. Section 1011.83, Florida Statutes, is amended  
 6157 to read:

6158 1011.83 Financial support of Florida Community College  
 6159 System institutions.—

6160 (1) Each Florida Community College System institution that  
 6161 ~~has been approved by the Department of Education and~~ meets the  
 6162 requirements of law and rules of the State Board of Community  
 6163 Colleges ~~Education~~ shall participate in the Florida Community  
 6164 College System Program Fund. However, funds to support workforce  
 6165 education programs conducted by Florida Community College System  
 6166 institutions shall be provided pursuant to s. 1011.80.

6167 (2) A student in a baccalaureate degree program approved  
 6168 pursuant to s. 1007.33 who is not classified as a resident for  
 6169 tuition purposes pursuant to s. 1009.21 may not be included in  
 6170 calculations of full-time equivalent enrollments for state  
 6171 funding purposes.

6172 Section 101. Section 1011.84, Florida Statutes, is amended  
 6173 to read:

6174 1011.84 Procedure for determining state financial support  
 6175 and annual apportionment of state funds to each Florida

6176 Community College System institution district.—The procedure for  
 6177 determining state financial support and the annual apportionment  
 6178 to each Florida Community College System institution district  
 6179 authorized to operate a Florida Community College System  
 6180 institution under the provisions of s. 1001.61 shall be as  
 6181 follows:

6182 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA  
 6183 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING  
 6184 PROGRAM.—

6185 (a) The State Board of Community Colleges ~~Department of~~  
 6186 ~~Education~~ shall determine annually, from an analysis of  
 6187 operating costs, ~~prepared in the manner prescribed by rules of~~  
 6188 ~~the State Board of Education,~~ the costs per full-time equivalent  
 6189 student served in courses and fields of study offered in Florida  
 6190 Community College System institutions. This information and  
 6191 current college operating budgets shall be submitted to the  
 6192 Executive Office of the Governor with the legislative budget  
 6193 request prior to each regular session of the Legislature.

6194 (b) The allocation of funds for Florida Community College  
 6195 System institutions must ~~shall~~ be based on advanced and  
 6196 professional disciplines, developmental education, and other  
 6197 programs for adults funded pursuant to s. 1011.80.

6198 (c) The category of lifelong learning is for students  
 6199 enrolled pursuant to s. 1004.93. A student shall also be  
 6200 reported as a lifelong learning student for his or her

6201 enrollment in any course that he or she has previously taken,  
6202 unless it is a credit course in which the student earned a grade  
6203 of D or F.

6204 (d) If an adult student has been determined to be a  
6205 disabled student eligible for an approved educational program  
6206 for disabled adults provided pursuant to s. 1004.93 and rules of  
6207 the State Board of Community Colleges ~~Education~~ and is enrolled  
6208 in a class with curriculum frameworks developed for the program,  
6209 state funding for that student shall be provided at a level  
6210 double that of a student enrolled in a special adult general  
6211 education program provided by a Florida Community College System  
6212 institution.

6213 (e) All state inmate education provided by Florida  
6214 Community College System institutions shall be reported by  
6215 program, FTE expenditure, and revenue source. These enrollments,  
6216 expenditures, and revenues shall be reported and projected  
6217 separately. Instruction of state inmates may ~~shall~~ not be  
6218 included in the full-time equivalent student enrollment for  
6219 funding through the Florida Community College System Program  
6220 Fund.

6221 (f) When a public educational institution has been fully  
6222 funded by an external agency for direct instructional costs of  
6223 any course or program, the FTE generated may ~~shall~~ not be  
6224 reported for state funding.

6225 (g) The State Board of Education shall adopt rules to

6226 | implement s. 9(d)(8)f., Art. XII of the State Constitution.  
6227 | These rules shall provide for the use of the funds available  
6228 | under s. 9(d)(8)f., Art. XII by an individual Florida Community  
6229 | College System institution for operating expense in any fiscal  
6230 | year during which the State Board of Education has determined  
6231 | that all major capital outlay needs have been met. Highest  
6232 | priority for the use of these funds for purposes other than  
6233 | financing approved capital outlay projects shall be for the  
6234 | proper maintenance and repair of existing facilities for  
6235 | projects approved by the State Board of Education. However, in  
6236 | any fiscal year in which funds from this source are authorized  
6237 | for operating expense other than approved maintenance and repair  
6238 | projects, the allocation of Florida Community College System  
6239 | institution program funds shall be reduced by an amount equal to  
6240 | the sum used for such operating expense for that Florida  
6241 | Community College System institution that year, and that amount  
6242 | shall not be released or allocated among the other Florida  
6243 | Community College System institutions that year.

6244 |       (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL  
6245 | OUTLAY AND DEBT SERVICE.—The amount included for capital outlay  
6246 | and debt service shall be as determined and provided in s. 18,  
6247 | Art. XII of the State Constitution of 1885, as adopted by s.  
6248 | 9(d), Art. XII of the 1968 revised State Constitution and State  
6249 | Board of Education rules.

6250 |       (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6251 (a) By December 15 of each year, the State Board of  
6252 Community Colleges ~~Department of Education~~ shall estimate the  
6253 annual enrollment of each Florida Community College System  
6254 institution for the current fiscal year and for the 3 subsequent  
6255 fiscal years. These estimates shall be based upon prior years'  
6256 enrollments, upon the initial fall term enrollments for the  
6257 current fiscal year for each college, and upon each college's  
6258 estimated current enrollment and demographic changes in the  
6259 respective Florida Community College System institution  
6260 districts. Upper-division enrollment shall be estimated  
6261 separately from lower-division enrollment.

6262 (b) The apportionment to each Florida Community College  
6263 System institution from the Florida Community College System  
6264 Program Fund shall be determined annually in the General  
6265 Appropriations Act. In determining each college's apportionment,  
6266 the Legislature shall consider the following components:

6267 1. Base budget, which includes the state appropriation to  
6268 the Florida Community College System Program Fund in the current  
6269 year plus the related student tuition and out-of-state fees  
6270 assigned in the current General Appropriations Act.

6271 2. The cost-to-continue allocation, which consists of  
6272 incremental changes to the base budget, including salaries,  
6273 price levels, and other related costs allocated through a  
6274 funding model approved by the Legislature which may recognize  
6275 differing economic factors arising from the individual

6276 | educational approaches of the various Florida Community College  
 6277 | System institutions, including, but not limited to:  
 6278 |       a. Direct Instructional Funding, including class size,  
 6279 | faculty productivity factors, average faculty salary, ratio of  
 6280 | full-time to part-time faculty, costs of programs, and  
 6281 | enrollment factors.  
 6282 |       b. Academic Support, including small colleges factor,  
 6283 | multicampus factor, and enrollment factor.  
 6284 |       c. Student Services Support, including headcount of  
 6285 | students as well as FTE count and enrollment factors.  
 6286 |       d. Library Support, including volume and other  
 6287 | materials/audiovisual requirements.  
 6288 |       e. Special Projects.  
 6289 |       f. Operations and Maintenance of Plant, including square  
 6290 | footage and utilization factors.  
 6291 |       g. District Cost Differential.  
 6292 |       3. Students enrolled in a recreation and leisure program  
 6293 | and students enrolled in a lifelong learning program who may not  
 6294 | be counted as full-time equivalent enrollments for purposes of  
 6295 | enrollment workload adjustments.  
 6296 |       4. Operating costs of new facilities adjustments, which  
 6297 | shall be provided, from funds available, for each new facility  
 6298 | that is owned by the college and is recommended in accordance  
 6299 | with s. 1013.31.  
 6300 |       5. New and improved program enhancements, which shall be

6301 | determined by the Legislature.

6302 |

6303 | Student fees in the base budget plus student fee revenues  
 6304 | generated by increases in fee rates shall be deducted from the  
 6305 | sum of the components determined in subparagraphs 1.-5. The  
 6306 | amount remaining shall be the net annual state apportionment to  
 6307 | each college.

6308 |         (c) A ~~No~~ Florida Community College System institution may  
 6309 | not ~~shall~~ commit funds for the employment of personnel or  
 6310 | resources in excess of those required to continue the same level  
 6311 | of support for either the previously approved enrollment or the  
 6312 | revised enrollment, whichever is lower.

6313 |         (d) The apportionment to each Florida Community College  
 6314 | System institution district for capital outlay and debt service  
 6315 | shall be the amount determined in accordance with subsection  
 6316 | (2). This amount, less any amount determined as necessary for  
 6317 | administrative expense by the State Board of Education and any  
 6318 | amount necessary for debt service on bonds issued by the State  
 6319 | Board of Education, shall be transmitted to the Florida  
 6320 | Community College System institution board of trustees to be  
 6321 | expended in a manner prescribed by rules of the State Board of  
 6322 | Education.

6323 |         (e) If at any time the unencumbered balance in the general  
 6324 | fund of the Florida Community College System institution board  
 6325 | of trustees approved operating budget goes below 5 percent, the

6326 | president shall provide written notification to the State Board  
6327 | of Education.

6328 |       (f) Expenditures for apprenticeship programs must ~~shall~~ be  
6329 | reported separately.

6330 |       (g) Expenditures for upper-division enrollment in a  
6331 | Florida Community College System institution that grants  
6332 | baccalaureate degrees must ~~shall~~ be reported separately from  
6333 | expenditures for lower-division enrollment, in accordance with  
6334 | law and State Board of Education rule.

6335 |       (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated  
6336 | herein to any Florida Community College System institution must  
6337 | ~~shall~~ be expended only for the purpose of supporting that  
6338 | Florida Community College System institution.

6339 |       (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida  
6340 | Community College System institution board of trustees shall  
6341 | report, as a separate item in its annual cost accounting system,  
6342 | the volume and cost of developmental education options provided  
6343 | to help students attain the communication and computation skills  
6344 | that are essential for college-level work pursuant to s.  
6345 | 1008.30.

6346 |       Section 102. Section 1011.85, Florida Statutes, is amended  
6347 | to read:

6348 |       1011.85 Dr. Philip Benjamin Matching Grant Program for  
6349 | Florida Community College System Institutions.—

6350 |       (1) There is created the Dr. Philip Benjamin Matching

6351 Grant Program for Florida Community College System Institutions  
6352 as a single matching gifts program that encompasses the goals  
6353 originally set out in the Academic Improvement Program, the  
6354 Scholarship Matching Program, and the Health Care Education  
6355 Quality Enhancement Challenge Grant. The program shall be  
6356 administered according to rules of the State Board of Community  
6357 Colleges ~~Education~~ and used to encourage private support in  
6358 enhancing Florida Community College System institutions by  
6359 providing the Florida Community College System with the  
6360 opportunity to receive and match challenge grants. Funds  
6361 received prior to the effective date of this act for each of the  
6362 three programs shall be retained in the separate account for  
6363 which it was designated.

6364 (2) Each Florida Community College System institution  
6365 board of trustees receiving state appropriations under this  
6366 program shall approve each gift to ensure alignment with the  
6367 unique mission of the Florida Community College System  
6368 institution. The board of trustees must link all requests for a  
6369 state match to the goals and mission statement. The Florida  
6370 Community College System Institution Foundation Board receiving  
6371 state appropriations under this program shall approve each gift  
6372 to ensure alignment with its goals and mission statement. Funds  
6373 received from community events and festivals are not eligible  
6374 for state matching funds under this program.

6375 (3) Upon approval by the Florida Community College System

6376 | institution board of trustees and the State Board of Community  
 6377 | Colleges ~~Education~~, the ordering of donations for priority  
 6378 | listing of unmatched gifts should be determined by the  
 6379 | submitting Florida Community College System institution.

6380 |         (4) Each year, eligible contributions received by a  
 6381 | Florida Community College System institution's foundation or the  
 6382 | State Board of Community Colleges ~~Education~~ by February 1 shall  
 6383 | be eligible for state matching funds.

6384 |         (a) Each Florida Community College System institution  
 6385 | board of trustees and, when applicable, the Florida Community  
 6386 | College System Institution Foundation Board, receiving state  
 6387 | appropriations under this program shall also certify in an  
 6388 | annual report to the State Board of Community Colleges ~~Education~~  
 6389 | the receipt of eligible cash contributions that were previously  
 6390 | unmatched by the state. The State Board of Education shall adopt  
 6391 | rules providing all Florida Community College System  
 6392 | institutions with an opportunity to apply for excess funds  
 6393 | before the awarding of such funds.

6394 |         (b) Florida Community College System institutions must  
 6395 | submit to the State Board of Community Colleges ~~Education~~ an  
 6396 | annual expenditure report tracking the use of all matching  
 6397 | funds.

6398 |         (c) The audit of each foundation receiving state funds  
 6399 | from this program must include a certification of accuracy in  
 6400 | the amount reported for matching funds.

6401 (5) The matching ratio for donations that are specifically  
6402 designated to support scholarships, including scholarships for  
6403 first-generation-in-college students, student loans, or need-  
6404 based grants shall be \$1 of state funds to \$1 of local private  
6405 funds.

6406 (6) Otherwise, funds must ~~shall~~ be proportionately  
6407 allocated to the Florida Community College System institutions  
6408 on the basis of matching each \$6 of local or private funds with  
6409 \$4 of state funds. To be eligible, a minimum of \$4,500 must be  
6410 raised from private sources.

6411 (7) The Florida Community College System institution board  
6412 of trustees, in conjunction with the donor, shall determine ~~make~~  
6413 ~~the determination of~~ whether scholarships established pursuant  
6414 to this program are endowed.

6415 (8) (a) Funds sufficient to provide the match shall be  
6416 transferred from the state appropriations to the local Florida  
6417 Community College System institution foundation or the statewide  
6418 Florida Community College System institution foundation upon  
6419 notification that a proportionate amount has been received and  
6420 deposited by a Florida Community College System institution in  
6421 its own trust fund.

6422 (b) If state funds appropriated for the program are  
6423 insufficient to match contributions, the amount allocated must  
6424 ~~shall~~ be reduced in proportion to its share of the total  
6425 eligible contributions. However, in making proportional

6426 reductions, every Florida Community College System institution  
 6427 shall receive a minimum of \$75,000 in state matching funds if  
 6428 its eligible contributions would have generated an amount at  
 6429 least equal to \$75,000. All unmet contributions must ~~shall~~ be  
 6430 eligible for state matching funds in subsequent fiscal years.

6431 (9) Each Florida Community College System institution  
 6432 entity shall establish its own matching grant program fund as a  
 6433 depository for the private contributions and matching state  
 6434 funds provided under this section. Florida Community College  
 6435 System institution foundations are responsible for the  
 6436 maintenance, investment, and administration of their matching  
 6437 grant program funds.

6438 (10) The State Board of Community Colleges ~~Education~~ may  
 6439 receive submissions of requests for matching funds and  
 6440 documentation relating to those requests, may approve requests  
 6441 for matching funds, and may allocate such funds to the Florida  
 6442 Community College System institutions.

6443 (11) The board of trustees of the Florida Community  
 6444 College System institution and the State Board of Community  
 6445 Colleges ~~Education~~ are responsible for determining the uses for  
 6446 the proceeds of their respective trust funds. Such use of the  
 6447 proceeds shall include, but not be limited to, expenditure of  
 6448 the funds for:

- 6449 (a) Scientific and technical equipment.
- 6450 (b) Scholarships, loans, or need-based grants.

6451 (c) Other activities that will benefit future students as  
6452 well as students currently enrolled at the Florida Community  
6453 College System institution, will improve the quality of  
6454 education at the Florida Community College System institution,  
6455 or will enhance economic development in the community.

6456 (12) Each Florida Community College System institution  
6457 shall notify all donors of private funds of a substantial delay  
6458 in the availability of state matching funds for this program.

6459 (13) Effective July 1, 2011, state matching funds are  
6460 temporarily suspended for donations received for this program on  
6461 or after June 30, 2011. Existing eligible donations remain  
6462 eligible for future matching funds. The program may be restarted  
6463 after \$200 million of the backlog for programs under this  
6464 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6465 Section 103. Subsection (1) of section 1012.01, Florida  
6466 Statutes, is amended to read:

6467 1012.01 Definitions.—As used in this chapter, the  
6468 following terms have the following meanings:

6469 (1) SCHOOL OFFICERS.—The officers of the state system of  
6470 public K-12 ~~and Florida College System institution~~ education  
6471 shall be the Commissioner of Education and the members of the  
6472 State Board of Education; for the Florida Community College  
6473 System, the officers shall be the Chancellor of the Florida  
6474 Community College System and the members of the State Board of  
6475 Community Colleges; for each district school system, the

6476 officers shall be the district school superintendent and members  
 6477 of the district school board; and for each Florida Community  
 6478 College System institution, the officers shall be the Florida  
 6479 Community College System institution president and members of  
 6480 the Florida Community College System institution board of  
 6481 trustees.

6482 Section 104. Paragraph (a) of subsection (1) of section  
 6483 1012.80, Florida Statutes, is amended to read:

6484 1012.80 Participation by employees in disruptive  
 6485 activities at public postsecondary educational institutions;  
 6486 penalties.—

6487 (1) (a) Any person who accepts the privilege extended by  
 6488 the laws of this state of employment at any Florida Community  
 6489 College System institution shall, by working at such  
 6490 institution, be deemed to have given his or her consent to the  
 6491 policies of that institution, the policies of the State Board of  
 6492 Community Colleges ~~Education~~, and the laws of this state. Such  
 6493 policies shall include prohibition against disruptive activities  
 6494 at Florida Community College System institutions.

6495 Section 105. Subsection (1) of section 1012.81, Florida  
 6496 Statutes, is amended to read:

6497 1012.81 Personnel records.—

6498 (1) The State Board of Community Colleges ~~Education~~ shall  
 6499 adopt rules prescribing the content and custody of limited-  
 6500 access records that a Florida Community College System

6501 institution may maintain on its employees. Limited-access  
6502 employee records are confidential and exempt from ~~the provisions~~  
6503 ~~of~~ s. 119.07(1). Limited-access records include only the  
6504 following:

6505 (a) Records containing information reflecting academic  
6506 evaluations of employee performance; however, the employee and  
6507 officials of the institution responsible for supervision of the  
6508 employee shall have access to such records.

6509 (b) Records maintained for the purposes of any  
6510 investigation of employee misconduct, including, but not limited  
6511 to, a complaint against an employee and all information obtained  
6512 pursuant to the investigation of such complaint; however, these  
6513 records become public after the investigation ceases to be  
6514 active or when the institution provides written notice to the  
6515 employee who is the subject of the complaint that the  
6516 institution has either:

6517 1. Concluded the investigation with a finding not to  
6518 proceed with disciplinary action;

6519 2. Concluded the investigation with a finding to proceed  
6520 with disciplinary action; or

6521 3. Issued a letter of discipline.

6522

6523 For the purpose of this paragraph, an investigation shall be  
6524 considered active as long as it is continuing with a reasonable,  
6525 good faith anticipation that a finding will be made in the

6526 | foreseeable future. An investigation shall be presumed to be  
 6527 | inactive if no finding is made within 90 days after the  
 6528 | complaint is filed.

6529 |         Section 106. Subsection (1) of section 1012.83, Florida  
 6530 | Statutes, is amended to read:

6531 |             1012.83 Contracts with administrative and instructional  
 6532 | staff.—

6533 |             (1) Each person employed in an administrative or  
 6534 | instructional capacity in a Florida Community College System  
 6535 | institution shall be entitled to a contract as provided by rules  
 6536 | of the State Board of Community Colleges ~~Education~~.

6537 |         Section 107. Section 1012.855, Florida Statutes, is  
 6538 | amended to read:

6539 |             1012.855 Employment of Florida Community College System  
 6540 | institution personnel; discrimination in granting salary  
 6541 | prohibited.—

6542 |             (1) (a) Employment of all personnel in each Florida  
 6543 | Community College System institution shall be upon  
 6544 | recommendation of the president, subject to rejection for cause  
 6545 | by the Florida Community College System institution board of  
 6546 | trustees; to the rules of the State Board of Community Colleges  
 6547 | ~~Education~~ relative to certification, tenure, leaves of absence  
 6548 | of all types, including sabbaticals, remuneration, and such  
 6549 | other conditions of employment as the State Board of Community  
 6550 | Colleges ~~Education~~ deems necessary and proper; and to policies

6551 of the Florida Community College System institution board of  
 6552 trustees not inconsistent with law.

6553 (b) Any internal auditor employed by a Florida Community  
 6554 College System institution shall be hired by the Florida  
 6555 Community College System institution board of trustees and shall  
 6556 report directly to the board.

6557 (2) Each Florida Community College System institution  
 6558 board of trustees shall undertake a program to eradicate any  
 6559 discrimination on the basis of gender, race, or physical  
 6560 handicap in the granting of salaries to employees.

6561 Section 108. Section 1012.86, Florida Statutes, is amended  
 6562 to read:

6563 1012.86 Florida Community College System institution  
 6564 employment equity accountability program.—

6565 (1) Each Florida Community College System institution  
 6566 shall include in its annual equity update a plan for increasing  
 6567 the representation of women and minorities in senior-level  
 6568 administrative positions and in full-time faculty positions, and  
 6569 for increasing the representation of women and minorities who  
 6570 have attained continuing-contract status. Positions shall be  
 6571 defined in the personnel data element directory of the  
 6572 Department of Education. The plan must include specific  
 6573 measurable goals and objectives, specific strategies and  
 6574 timelines for accomplishing these goals and objectives, and  
 6575 comparable national standards as provided by the Department of

6576 Education. The goals and objectives shall be based on meeting or  
6577 exceeding comparable national standards and shall be reviewed  
6578 and recommended by the State Board of Community Colleges  
6579 ~~Education~~ as appropriate. Such plans shall be maintained until  
6580 appropriate representation has been achieved and maintained for  
6581 at least 3 consecutive reporting years.

6582 (2) (a) On or before May 1 of each year, each Florida  
6583 Community College System institution president shall submit an  
6584 annual employment accountability plan to the Chancellor of the  
6585 Florida Community College System and the State Board of  
6586 Community Colleges ~~Commissioner of Education and the State Board~~  
6587 ~~of Education~~. The accountability plan must show faculty and  
6588 administrator employment data according to requirements  
6589 specified on the federal Equal Employment Opportunity (EEO-6)  
6590 report.

6591 (b) The plan must show the following information for those  
6592 positions including, but not limited to:

- 6593 1. Job classification title.
- 6594 2. Gender.
- 6595 3. Ethnicity.
- 6596 4. Appointment status.
- 6597 5. Salary information. At each Florida Community College  
6598 System institution, salary information shall also include the  
6599 salary ranges in which new hires were employed compared to the  
6600 salary ranges for employees with comparable experience and

6601 qualifications.

6602         6. Other comparative information including, but not  
6603 limited to, composite information regarding the total number of  
6604 positions within the particular job title classification for the  
6605 Florida Community College System institution by race, gender,  
6606 and salary range compared to the number of new hires.

6607         7. A statement certifying diversity and balance in the  
6608 gender and ethnic composition of the selection committee for  
6609 each vacancy, including a brief description of guidelines used  
6610 for ensuring balanced and diverse membership on selection and  
6611 review committees.

6612         (c) The annual employment accountability plan shall also  
6613 include an analysis and an assessment of the Florida Community  
6614 College System institution's attainment of annual goals and of  
6615 long-range goals for increasing the number of women and  
6616 minorities in faculty and senior-level administrative positions,  
6617 and a corrective action plan for addressing underrepresentation.

6618         (d) Each Florida Community College System institution's  
6619 employment accountability plan must also include:

6620             1. The requirements for receiving a continuing contract.

6621             2. A brief description of the process used to grant  
6622 continuing-contract status.

6623             3. A brief description of the process used to annually  
6624 apprise each eligible faculty member of progress toward  
6625 attainment of continuing-contract status.

6626 (3) Florida Community College System institution  
6627 presidents and the heads of each major administrative division  
6628 shall be evaluated annually on the progress made toward meeting  
6629 the goals and objectives of the Florida Community College System  
6630 institution's employment accountability plan.

6631 (a) The Florida Community College System institution  
6632 presidents, or the presidents' designees, shall annually  
6633 evaluate each department chairperson, dean, provost, and vice  
6634 president in achieving the annual and long-term goals and  
6635 objectives. A summary of the results of such evaluations shall  
6636 be reported annually by the Florida Community College System  
6637 institution president to the Florida Community College System  
6638 institution board of trustees. Annual budget allocations by the  
6639 Florida Community College System institution board of trustees  
6640 for positions and funding must take into consideration these  
6641 evaluations.

6642 (b) Florida Community College System institution boards of  
6643 trustees shall annually evaluate the performance of the Florida  
6644 Community College System institution presidents in achieving the  
6645 annual and long-term goals and objectives. A summary of the  
6646 results of such evaluations shall be reported to the State Board  
6647 of Community Colleges ~~Commissioner of Education and the State~~  
6648 ~~Board of Education~~ as part of the Florida Community College  
6649 System institution's annual employment accountability plan, and  
6650 to the Legislature as part of the annual equity progress report

6651 submitted by the State Board of Community Colleges ~~Education~~.

6652 (4) The State Board of Community Colleges ~~Education~~ shall  
 6653 submit an annual equity progress report to the President of the  
 6654 Senate and the Speaker of the House of Representatives on or  
 6655 before January 1 of each year.

6656 (5) Each Florida Community College System institution  
 6657 shall develop a budgetary incentive plan to support and ensure  
 6658 attainment of the goals developed pursuant to this section. The  
 6659 plan shall specify, at a minimum, how resources shall be  
 6660 allocated to support the achievement of goals and the  
 6661 implementation of strategies in a timely manner. After prior  
 6662 review and approval by the Florida Community College System  
 6663 institution president and the Florida Community College System  
 6664 institution board of trustees, the plan shall be submitted as  
 6665 part of the annual employment accountability plan submitted by  
 6666 each Florida Community College System institution to the State  
 6667 Board of Community Colleges ~~Education~~.

6668 (6) Subject to available funding, the Legislature shall  
 6669 provide an annual appropriation to the State Board of Community  
 6670 Colleges ~~Education~~ to be allocated to Florida Community College  
 6671 System institution presidents, faculty, and administrative  
 6672 personnel to further enhance equity initiatives and related  
 6673 priorities that support the mission of colleges and departments  
 6674 in recognition of the attainment of the equity goals and  
 6675 objectives.

6676 Section 109. Subsection (3) of section 1013.01, Florida  
 6677 Statutes, is amended to read:

6678 1013.01 Definitions.—The following terms shall be defined  
 6679 as follows for the purpose of this chapter:

6680 (3) "Board," unless otherwise specified, means a district  
 6681 school board, a Florida Community College System institution  
 6682 board of trustees, a university board of trustees, and the Board  
 6683 of Trustees for the Florida School for the Deaf and the Blind.  
 6684 The term "board" does not include the State Board of Education,  
 6685 ~~or the Board of Governors,~~ or the State Board of Community  
 6686 Colleges.

6687 Section 110. Subsection (2) of section 1013.02, Florida  
 6688 Statutes, is amended to read:

6689 1013.02 Purpose; rules and regulations.—

6690 (2) (a) The State Board of Education shall adopt rules  
 6691 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~  
 6692 ~~provisions of this chapter for school districts and Florida~~  
 6693 ~~College System institutions.~~

6694 (b) The Board of Governors shall adopt regulations  
 6695 pursuant to its regulation development procedure to implement  
 6696 ~~the provisions of this chapter for state universities.~~

6697 (c) The State Board of Community Colleges shall adopt  
 6698 rules pursuant to ss. 120.536(1) and 120.54 to implement this  
 6699 chapter for Florida Community College System institutions.

6700 Section 111. Section 1013.03, Florida Statutes, is amended

6701 to read:

6702           1013.03 Functions of the department, the State Board of  
6703 Community Colleges, and the Board of Governors.—The functions of  
6704 the Department of Education as it pertains to educational  
6705 facilities of school districts, of the State Board of Community  
6706 Colleges as it pertains to educational facilities of ~~and~~ Florida  
6707 Community College System institutions, and of the Board of  
6708 Governors as it pertains to educational facilities of state  
6709 universities shall include, but not be limited to, the  
6710 following:

6711           (1) Establish recommended minimum and maximum square  
6712 footage standards for different functions and areas and  
6713 procedures for determining the gross square footage for each  
6714 educational facility to be funded in whole or in part by the  
6715 state, including public broadcasting stations but excluding  
6716 postsecondary special purpose laboratory space. The gross square  
6717 footage determination standards may be exceeded when the core  
6718 facility space of an educational facility is constructed or  
6719 renovated to accommodate the future addition of classrooms to  
6720 meet projected increases in student enrollment. The department,   
6721 the State Board of Community Colleges, and the Board of  
6722 Governors shall encourage multiple use of facilities and spaces  
6723 in educational plants.

6724           (2) Establish, for the purpose of determining need,  
6725 equitably uniform utilization standards for all types of like

6726 space, regardless of the level of education. These standards  
6727 shall also establish, for postsecondary education classrooms, a  
6728 minimum room utilization rate of 40 hours per week and a minimum  
6729 station utilization rate of 60 percent. These rates shall be  
6730 subject to increase based on national norms for utilization of  
6731 postsecondary education classrooms.

6732 (3) Require boards to submit other educational plant  
6733 inventories data and statistical data or information relevant to  
6734 construction, capital improvements, and related costs.

6735 (4) Require each board and other appropriate agencies to  
6736 submit complete and accurate financial data as to the amounts of  
6737 funds from all sources that are available and spent for  
6738 construction and capital improvements. The commissioner shall  
6739 prescribe the format and the date for the submission of this  
6740 data and any other educational facilities data. If any district  
6741 does not submit the required educational facilities fiscal data  
6742 by the prescribed date, the Commissioner of Education shall  
6743 notify the district school board of this fact and, if  
6744 appropriate action is not taken to immediately submit the  
6745 required report, the district school board shall be directed to  
6746 proceed pursuant to s. 1001.42(13)(b). If any Florida Community  
6747 College System institution or university does not submit the  
6748 required educational facilities fiscal data by the prescribed  
6749 date, the same policy prescribed in this subsection for school  
6750 districts shall be implemented.

6751 (5) Administer, under the supervision of the Commissioner  
 6752 of Education, the Public Education Capital Outlay and Debt  
 6753 Service Trust Fund and the School District and Community College  
 6754 District Capital Outlay and Debt Service Trust Fund.

6755 (6) Develop, review, update, revise, and recommend a  
 6756 mandatory portion of the Florida Building Code for educational  
 6757 facilities construction and capital improvement by Florida  
 6758 Community College System institution boards and district school  
 6759 boards.

6760 (7) Provide training, technical assistance, and building  
 6761 code interpretation for requirements of the mandatory Florida  
 6762 Building Code for the educational facilities construction and  
 6763 capital improvement programs of ~~the Florida College System~~  
 6764 ~~institution boards and~~ district school boards and, upon request,  
 6765 approve phase III construction documents for remodeling,  
 6766 renovation, or new construction of educational plants or  
 6767 ancillary facilities, except that Florida Community College  
 6768 System institutions and university boards of trustees shall  
 6769 approve specifications and construction documents for their  
 6770 respective institutions pursuant to guidelines of the Board of  
 6771 Governors or State Board of Community Colleges, as applicable.  
 6772 The Department of Management Services may, upon request, provide  
 6773 similar services for the Florida School for the Deaf and the  
 6774 Blind and shall use the Florida Building Code and the Florida  
 6775 Fire Prevention Code.

6776 (8) Provide minimum criteria, procedures, and training to  
6777 boards to conduct educational plant surveys and document the  
6778 determination of future needs.

6779 (9) Make available to boards technical assistance,  
6780 awareness training, and research and technical publications  
6781 relating to lifesafety, casualty, sanitation, environmental,  
6782 maintenance, and custodial issues; and, as needed, technical  
6783 assistance for survey, planning, design, construction,  
6784 operation, and evaluation of educational and ancillary  
6785 facilities and plants, facilities administrative procedures  
6786 review, and training for new administrators.

6787 (10) (a) Review and validate surveys proposed or amended by  
6788 the boards and recommend to the Commissioner of Education, the  
6789 Chancellor of the Florida Community College System, or the  
6790 Chancellor of the State University System, as appropriate, for  
6791 approval, surveys that meet the requirements of this chapter.

6792 1. The term "validate" as applied to surveys by school  
6793 districts means to review inventory data as submitted to the  
6794 department by district school boards; provide for review and  
6795 inspection, where required, of student stations and aggregate  
6796 square feet of inventory changed from satisfactory to  
6797 unsatisfactory or changed from unsatisfactory to satisfactory;  
6798 compare new school inventory to allocation limits provided by  
6799 this chapter; review cost projections for conformity with cost  
6800 limits set by s. 1013.64(6); compare total capital outlay full-

6801 time equivalent enrollment projections in the survey with the  
6802 department's projections; review facilities lists to verify that  
6803 student station and auxiliary facility space allocations do not  
6804 exceed the limits provided by this chapter and related rules;  
6805 review and confirm the application of uniform facility  
6806 utilization factors, where provided by this chapter or related  
6807 rules; use ~~utilize~~ the documentation of programs offered per  
6808 site, as submitted by the board, to analyze facility needs;  
6809 confirm that need projections for career and adult educational  
6810 programs comply with needs documented by the Department of  
6811 Education; and confirm the assignment of full-time student  
6812 stations to all space except auxiliary facilities, which, for  
6813 purposes of exemption from student station assignment, include  
6814 the following:

- 6815 a. Cafeterias.
- 6816 b. Multipurpose dining areas.
- 6817 c. Media centers.
- 6818 d. Auditoriums.
- 6819 e. Administration.
- 6820 f. Elementary, middle, and high school resource rooms, up  
6821 to the number of such rooms recommended for the applicable  
6822 occupant and space design capacity of the educational plant in  
6823 the State Requirements for Educational Facilities, beyond which  
6824 student stations must be assigned.
- 6825 g. Elementary school skills labs, up to the number of such

6826 rooms recommended for the applicable occupant and space design  
6827 capacity of the educational plant in the State Requirements for  
6828 Educational Facilities, beyond which student stations must be  
6829 assigned.

6830 h. Elementary school art and music rooms.

6831  
6832 The Commissioner of Education may grant a waiver from the  
6833 requirements of this subparagraph if a district school board  
6834 determines that such waiver will make possible a substantial  
6835 savings of funds or will be advantageous to the welfare of the  
6836 educational system. The district school board shall present a  
6837 full statement to the commissioner which sets forth the facts  
6838 that warrant the waiver. If the commissioner denies a request  
6839 for a waiver, the district school board may appeal such decision  
6840 to the State Board of Education.

6841 2. The term "validate" as applied to surveys by Florida  
6842 Community College System institutions and universities means to  
6843 review and document the approval of each new site and official  
6844 designation, where applicable; review the inventory database as  
6845 submitted by each board to the department, including noncareer,  
6846 and total capital outlay full-time equivalent enrollment  
6847 projections per site and per college; provide for the review and  
6848 inspection, where required, of student stations and aggregate  
6849 square feet of space changed from satisfactory to  
6850 unsatisfactory; use ~~utilize~~ and review the documentation of

6851 programs offered per site submitted by the boards as accurate  
6852 for analysis of space requirements and needs; confirm that needs  
6853 projected for career and adult educational programs comply with  
6854 needs documented by the Department of Education; compare new  
6855 facility inventory to allocations limits as provided in this  
6856 chapter; review cost projections for conformity with state  
6857 averages or limits designated by this chapter; compare student  
6858 enrollment projections in the survey to the department's  
6859 projections; review facilities lists to verify that area  
6860 allocations and space factors for generating space needs do not  
6861 exceed the limits as provided by this chapter and related rules;  
6862 confirm the application of facility utilization factors as  
6863 provided by this chapter and related rules; and review, as  
6864 submitted, documentation of how survey recommendations will  
6865 implement the detail of current campus master plans and  
6866 integrate with local comprehensive plans and development  
6867 regulations.

6868 (b) Recommend priority of projects to be funded.

6869 (11) Prepare the commissioner's comprehensive fixed  
6870 capital outlay legislative budget request and provide annually  
6871 an estimate of the funds available for developing required 3-  
6872 year priority lists. This amount shall be based upon the average  
6873 percentage for the 5 prior years of funds appropriated by the  
6874 Legislature for fixed capital outlay to each level of public  
6875 education: public schools, Florida Community College System

6876 | institutions, and universities.

6877 |         (12) Perform any other functions that may be involved in  
6878 | educational facilities construction and capital improvement  
6879 | which shall ensure that the intent of the Legislature is  
6880 | implemented.

6881 |         Section 112. Section 1013.28, Florida Statutes, is amended  
6882 | to read:

6883 |             1013.28 Disposal of property.—

6884 |             (1) REAL PROPERTY.—

6885 |             (a) Subject to rules of the State Board of Education, a  
6886 | district school board or, the Board of Trustees for the Florida  
6887 | School for the Deaf and the Blind, ~~or a Florida College System~~  
6888 | ~~institution board of trustees~~ may dispose of any land or real  
6889 | property to which the board holds title which is, by resolution  
6890 | of the board, determined to be unnecessary for educational  
6891 | purposes as recommended in an educational plant survey. A  
6892 | district school board or, the Board of Trustees for the Florida  
6893 | School for the Deaf and the Blind, ~~or a Florida College System~~  
6894 | ~~institution board of trustees~~ shall take diligent measures to  
6895 | dispose of educational property only in the best interests of  
6896 | the public. However, appraisals may be obtained by the district  
6897 | school board or, the Board of Trustees for the Florida School  
6898 | for the Deaf and the Blind before, ~~or the Florida College System~~  
6899 | ~~institution board of trustees prior to~~ or simultaneously with  
6900 | the receipt of bids.

6901 (b) Subject to regulations of the Board of Governors, a  
 6902 state university board of trustees may dispose of any land or  
 6903 real property to which it holds valid title which is, by  
 6904 resolution of the state university board of trustees, determined  
 6905 to be unnecessary for educational purposes as recommended in an  
 6906 educational plant survey. A state university board of trustees  
 6907 shall take diligent measures to dispose of educational property  
 6908 only in the best interests of the public. However, appraisals  
 6909 may be obtained by the state university board of trustees prior  
 6910 to or simultaneously with the receipt of bids.

6911 (c) Subject to rules of the State Board of Community  
 6912 Colleges, a Florida Community College System institution board  
 6913 of trustees may dispose of any land or real property to which it  
 6914 holds valid title which is, by resolution of the Florida  
 6915 Community College System institution board of trustees,  
 6916 determined to be unnecessary for educational purposes as  
 6917 recommended in an educational plant survey. A Florida Community  
 6918 College System institution board of trustees shall take diligent  
 6919 measures to dispose of educational property only in the best  
 6920 interests of the public. However, appraisals may be obtained by  
 6921 the Florida Community College System institution board of  
 6922 trustees prior to or simultaneously with the receipt of bids.

6923 (2) TANGIBLE PERSONAL PROPERTY.—

6924 (a) Tangible personal property that has been properly  
 6925 classified as surplus by a district school board ~~or Florida~~

6926 ~~College System institution board of trustees~~ shall be disposed  
6927 of in accordance with the procedure established by chapter 274.  
6928 However, the provisions of chapter 274 shall not be applicable  
6929 to a motor vehicle used in driver education to which title is  
6930 obtained for a token amount from an automobile dealer or  
6931 manufacturer. In such cases, the disposal of the vehicle shall  
6932 be as prescribed in the contractual agreement between the  
6933 automotive agency or manufacturer and the board.

6934 (b) Tangible personal property that has been properly  
6935 classified as surplus by a state university board of trustees  
6936 shall be disposed of in accordance with the procedure  
6937 established by chapter 273.

6938 (c) Tangible personal property that has been properly  
6939 classified as surplus by a Florida Community College System  
6940 institution board of trustees shall be disposed of in accordance  
6941 with the procedure established by chapter 273.

6942 Section 113. Subsection (1) of section 1013.31, Florida  
6943 Statutes, is amended to read:

6944 1013.31 Educational plant survey; localized need  
6945 assessment; PECO project funding.—

6946 (1) At least every 5 years, each board shall arrange for  
6947 an educational plant survey, to aid in formulating plans for  
6948 housing the educational program and student population, faculty,  
6949 administrators, staff, and auxiliary and ancillary services of  
6950 the district or campus, including consideration of the local

6951 comprehensive plan. The Department of Education, for school  
6952 districts, and the State Board of Community Colleges, for the  
6953 Florida Community College System, shall document the need for  
6954 additional career and adult education programs and the  
6955 continuation of existing programs before facility construction  
6956 or renovation related to career or adult education may be  
6957 included in the educational plant survey of a school district or  
6958 Florida Community College System institution that delivers  
6959 career or adult education programs. Information used by the  
6960 Department of Education or State Board of Community Colleges to  
6961 establish facility needs must include, but need not be limited  
6962 to, labor market data, needs analysis, and information submitted  
6963 by the school district or Florida Community College System  
6964 institution.

6965 (a) *Survey preparation and required data.*—Each survey  
6966 shall be conducted by the board or an agency employed by the  
6967 board. Surveys shall be reviewed and approved by the board, and  
6968 a file copy shall be submitted to the Department of Education,  
6969 the Chancellor of the Florida Community College System, or the  
6970 Chancellor of the State University System, as appropriate. The  
6971 survey report shall include at least an inventory of existing  
6972 educational and ancillary plants, including safe access  
6973 facilities; recommendations for existing educational and  
6974 ancillary plants; recommendations for new educational or  
6975 ancillary plants, including the general location of each in

6976 coordination with the land use plan and safe access facilities;  
6977 campus master plan update and detail for Florida Community  
6978 College System institutions; the use ~~utilization~~ of school  
6979 plants based on an extended school day or year-round operation;  
6980 and such other information as may be required by the Department  
6981 of Education. This report may be amended, if conditions warrant,  
6982 at the request of the department or commissioner.

6983 (b) *Required need assessment criteria for district,*  
6984 *Florida Community College System institution, state university,*  
6985 *and Florida School for the Deaf and the Blind plant surveys.—*  
6986 Educational plant surveys must use uniform data sources and  
6987 criteria specified in this paragraph. Each revised educational  
6988 plant survey and each new educational plant survey supersedes  
6989 previous surveys.

6990 1. The school district's survey must be submitted as a  
6991 part of the district educational facilities plan defined in s.  
6992 1013.35. To ensure that the data reported to the Department of  
6993 Education as required by this section is correct, the department  
6994 shall annually conduct an onsite review of 5 percent of the  
6995 facilities reported for each school district completing a new  
6996 survey that year. If the department's review finds the data  
6997 reported by a district is less than 95 percent accurate, within  
6998 1 year from the time of notification by the department the  
6999 district must submit revised reports correcting its data. If a  
7000 district fails to correct its reports, the commissioner may

7001 direct that future fixed capital outlay funds be withheld until  
 7002 such time as the district has corrected its reports so that they  
 7003 are not less than 95 percent accurate.

7004 2. Each survey of a special facility, joint-use facility,  
 7005 or cooperative career education facility must be based on  
 7006 capital outlay full-time equivalent student enrollment data  
 7007 prepared by the department for school districts and Florida  
 7008 Community College System institutions and by the Chancellor of  
 7009 the State University System for universities. A survey of space  
 7010 needs of a joint-use facility shall be based upon the respective  
 7011 space needs of the school districts, Florida Community College  
 7012 System institutions, and universities, as appropriate.  
 7013 Projections of a school district's facility space needs may not  
 7014 exceed the norm space and occupant design criteria established  
 7015 by the State Requirements for Educational Facilities.

7016 3. Each Florida Community College System institution's  
 7017 survey must reflect the capacity of existing facilities as  
 7018 specified in the inventory maintained and validated by the  
 7019 Chancellor of the Florida Community College System ~~by the~~  
 7020 ~~Department of Education~~. Projections of facility space needs  
 7021 must comply with standards for determining space needs as  
 7022 specified by rule of the State Board of Community Colleges  
 7023 ~~Education~~. The 5-year projection of capital outlay student  
 7024 enrollment must be consistent with the annual report of capital  
 7025 outlay full-time student enrollment prepared by the Department

7026 | of Education.

7027 |         4. Each state university's survey must reflect the  
 7028 | capacity of existing facilities as specified in the inventory  
 7029 | maintained and validated by the Chancellor of the State  
 7030 | University System. Projections of facility space needs must be  
 7031 | consistent with standards for determining space needs as  
 7032 | specified by regulation of the Board of Governors. The projected  
 7033 | capital outlay full-time equivalent student enrollment must be  
 7034 | consistent with the 5-year planned enrollment cycle for the  
 7035 | State University System approved by the Board of Governors.

7036 |         5. The district educational facilities plan of a school  
 7037 | district and the educational plant survey of a Florida Community  
 7038 | College System institution, state university, or the Florida  
 7039 | School for the Deaf and the Blind may include space needs that  
 7040 | deviate from approved standards for determining space needs if  
 7041 | the deviation is justified by the district or institution and  
 7042 | approved by the department, the State Board of Community  
 7043 | Colleges, or the Board of Governors, as appropriate, as  
 7044 | necessary for the delivery of an approved educational program.

7045 |         (c) *Review and validation.*—The Department of Education  
 7046 | shall review and validate the surveys of school districts, the  
 7047 | Chancellor of the Florida Community College System shall review  
 7048 | and validate the surveys of ~~and~~ Florida Community College System  
 7049 | institutions, and the Chancellor of the State University System  
 7050 | shall review and validate the surveys of universities, and any

7051 amendments thereto for compliance with the requirements of this  
7052 chapter and shall recommend those in compliance for approval by  
7053 the State Board of Education, the State Board of Community  
7054 Colleges, or the Board of Governors, as appropriate. Annually,  
7055 the department shall perform an in-depth analysis of a  
7056 representative sample of each survey of recommended needs for  
7057 five districts selected by the commissioner from among districts  
7058 with the largest need-to-revenue ratio. For the purpose of this  
7059 subsection, the need-to-revenue ratio is determined by dividing  
7060 the total 5-year cost of projects listed on the district survey  
7061 by the total 5-year fixed capital outlay revenue projections  
7062 from state and local sources as determined by the department.  
7063 The commissioner may direct fixed capital outlay funds to be  
7064 withheld from districts until such time as the survey accurately  
7065 projects facilities needs.

7066 (d) *Periodic update of Florida Inventory of School*  
7067 *Houses.*—School districts shall periodically update their  
7068 inventory of educational facilities as new capacity becomes  
7069 available and as unsatisfactory space is eliminated. The State  
7070 Board of Education shall adopt rules to determine the timeframe  
7071 in which districts must provide a periodic update.

7072 Section 114. Subsections (1) and (3) of section 1013.36,  
7073 Florida Statutes, are amended to read:

7074 1013.36 Site planning and selection.—

7075 (1) Before acquiring property for sites, each district

7076 school board and Florida Community College System institution  
7077 board of trustees shall determine the location of proposed  
7078 educational centers or campuses. In making this determination,  
7079 the board shall consider existing and anticipated site needs and  
7080 the most economical and practicable locations of sites. The  
7081 board shall coordinate with the long-range or comprehensive  
7082 plans of local, regional, and state governmental agencies to  
7083 assure the consistency of such plans. Boards are encouraged to  
7084 locate district educational facilities proximate to urban  
7085 residential areas to the extent possible, and shall seek to  
7086 collocate district educational facilities with other public  
7087 facilities, such as parks, libraries, and community centers, to  
7088 the extent possible and to encourage using elementary schools as  
7089 focal points for neighborhoods.

7090 (3) Sites recommended for purchase or purchased must meet  
7091 standards prescribed in law and such supplementary standards as  
7092 the State Board of Education or State Board of Community  
7093 Colleges, as appropriate, prescribes to promote the educational  
7094 interests of the students. Each site must be well drained and  
7095 suitable for outdoor educational purposes as appropriate for the  
7096 educational program or collocated with facilities to serve this  
7097 purpose. As provided in s. 333.03, the site must not be located  
7098 within any path of flight approach of any airport. Insofar as is  
7099 practicable, the site must not adjoin a right-of-way of any  
7100 railroad or through highway and must not be adjacent to any

7101 factory or other property from which noise, odors, or other  
 7102 disturbances, or at which conditions, would be likely to  
 7103 interfere with the educational program. To the extent  
 7104 practicable, sites must be chosen which will provide safe access  
 7105 from neighborhoods to schools.

7106 Section 115. Subsections (3) and (4) of section 1013.37,  
 7107 Florida Statutes, are amended to read:

7108 1013.37 State uniform building code for public educational  
 7109 facilities construction.—

7110 (3) REVIEW PROCEDURE.—The Commissioner of Education and  
 7111 the Chancellor of the Florida Community College System, as  
 7112 appropriate, shall cooperate with the Florida Building  
 7113 Commission in addressing all questions, disputes, or  
 7114 interpretations involving the provisions of the Florida Building  
 7115 Code which govern the construction of public educational and  
 7116 ancillary facilities, and any objections to decisions made by  
 7117 the inspectors or the department must be submitted in writing.

7118 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The  
 7119 department, for school districts, and the State Board of  
 7120 Community Colleges, for Florida Community College System  
 7121 institutions, shall biennially review and recommend to the  
 7122 Florida Building Commission updates and revisions to the  
 7123 provisions of the Florida Building Code which govern the  
 7124 construction of public educational and ancillary facilities. The  
 7125 department, for school districts, and the State Board of

7126 | Community Colleges, for Florida Community College System  
 7127 | institutions, shall publish and make available to each board at  
 7128 | no cost copies of the State Requirements for Educational  
 7129 | Facilities and each amendment and revision thereto. The  
 7130 | department and state board shall make additional copies  
 7131 | available to all interested persons at a price sufficient to  
 7132 | recover costs.

7133 | Section 116. Section 1013.40, Florida Statutes, is amended  
 7134 | to read:

7135 | 1013.40 Planning and construction of Florida Community  
 7136 | College System institution facilities; property acquisition.—

7137 | (1) The need for Florida Community College System  
 7138 | institution facilities shall be established by a survey  
 7139 | conducted pursuant to this chapter. The facilities recommended  
 7140 | by such survey must be approved by the State Board of Community  
 7141 | Colleges Education, and the projects must be constructed  
 7142 | according to the provisions of this chapter and State Board of  
 7143 | Community Colleges Education rules.

7144 | (2) A ~~No~~ Florida Community College System institution may  
 7145 | not expend public funds for the acquisition of additional  
 7146 | property without the specific approval of the Legislature.

7147 | (3) A ~~No~~ facility may not be acquired or constructed by a  
 7148 | Florida Community College System institution or its direct-  
 7149 | support organization if such facility requires general revenue  
 7150 | funds for operation or maintenance upon project completion or in

7151 subsequent years of operation, unless prior approval is received  
7152 from the Legislature.

7153 (4) The campus of a Florida Community College System  
7154 institution within a municipality designated as an area of  
7155 critical state concern, as defined in s. 380.05, and having a  
7156 comprehensive plan and land development regulations containing a  
7157 building permit allocation system that limits annual growth, may  
7158 construct dormitories for up to 300 beds for Florida Community  
7159 College System institution students. Such dormitories are exempt  
7160 from the building permit allocation system and may be  
7161 constructed up to 45 feet in height if the dormitories are  
7162 otherwise consistent with the comprehensive plan, the Florida  
7163 Community College System institution has a hurricane evacuation  
7164 plan that requires all dormitory occupants to be evacuated 48  
7165 hours in advance of tropical force winds, and transportation is  
7166 provided for dormitory occupants during an evacuation. State  
7167 funds and tuition and fee revenues may not be used for  
7168 construction, debt service payments, maintenance, or operation  
7169 of such dormitories. Additional dormitory beds constructed after  
7170 July 1, 2016, may not be financed through the issuance of a  
7171 bond.

7172 Section 117. Section 1013.47, Florida Statutes, is amended  
7173 to read:

7174 1013.47 Substance of contract; contractors to give bond;  
7175 penalties.—Each board shall develop contracts consistent with

7176 | this chapter and statutes governing public facilities. Such a  
7177 | contract must contain the drawings and specifications of the  
7178 | work to be done and the material to be furnished, the time limit  
7179 | in which the construction is to be completed, the time and  
7180 | method by which payments are to be made upon the contract, and  
7181 | the penalty to be paid by the contractor for a failure to comply  
7182 | with the terms of the contract. The board may require the  
7183 | contractor to pay a penalty for any failure to comply with the  
7184 | terms of the contract and may provide an incentive for early  
7185 | completion. Upon accepting a satisfactory bid, the board shall  
7186 | enter into a contract with the party or parties whose bid has  
7187 | been accepted. The contractor shall furnish the board with a  
7188 | performance and payment bond as set forth in s. 255.05. A board  
7189 | or other public entity may not require a contractor to secure a  
7190 | surety bond under s. 255.05 from a specific agent or bonding  
7191 | company. A person, firm, or corporation that constructs any part  
7192 | of any educational plant, or addition thereto, on the basis of  
7193 | any unapproved plans or in violation of any plans approved in  
7194 | accordance with the provisions of this chapter and rules of the  
7195 | State Board of Education or State Board of Community Colleges or  
7196 | regulations of the Board of Governors relating to building  
7197 | standards or specifications is subject to forfeiture of the  
7198 | surety bond and unpaid compensation in an amount sufficient to  
7199 | reimburse the board for any costs that will need to be incurred  
7200 | in making any changes necessary to assure that all requirements

7201 are met and is also guilty of a misdemeanor of the second  
 7202 degree, punishable as provided in s. 775.082 or s. 775.083, for  
 7203 each separate violation.

7204 Section 118. Section 1013.52, Florida Statutes, is amended  
 7205 to read:

7206 1013.52 Cooperative development and joint use of  
 7207 facilities by two or more boards.—

7208 (1) Two or more boards, including district school boards,  
 7209 Florida Community College System institution boards of trustees,  
 7210 the Board of Trustees for the Florida School for the Deaf and  
 7211 the Blind, and university boards of trustees, desiring to  
 7212 cooperatively establish a common educational facility to  
 7213 accommodate students shall:

7214 (a) Jointly request a formal assessment by the  
 7215 Commissioner of Education, ~~or~~ the Chancellor of the State  
 7216 University System, or the Chancellor of the State Board of  
 7217 Community Colleges, as appropriate, of the academic program need  
 7218 and the need to build new joint-use facilities to house approved  
 7219 programs. Completion of the assessment and approval of the  
 7220 project by the State Board of Education, the State Board of  
 7221 Community Colleges, the Chancellor of the Florida Community  
 7222 College System, the Board of Governors, the Chancellor of the  
 7223 State University System, or the Commissioner of Education, as  
 7224 appropriate, should be done prior to conducting an educational  
 7225 facilities survey.

7226 (b) Demonstrate the need for construction of new joint-use  
7227 facilities involving postsecondary institutions by those  
7228 institutions presenting evidence of the presence of sufficient  
7229 actual full-time equivalent enrollments in the locale in leased,  
7230 rented, or borrowed spaces to justify the requested facility for  
7231 the programs identified in the formal assessment rather than  
7232 using projected or anticipated future full-time equivalent  
7233 enrollments as justification. If the decision is made to  
7234 construct new facilities to meet this demonstrated need, then  
7235 building plans should consider full-time equivalent enrollment  
7236 growth facilitated by this new construction and subsequent new  
7237 program offerings made possible by the existence of the new  
7238 facilities.

7239 (c) Adopt and submit to the Commissioner of Education, the  
7240 Chancellor of the Florida Community College System, or ~~and~~ the  
7241 Chancellor of the State University System, as appropriate, if  
7242 the joint request involves a state university, a joint  
7243 resolution of the participating boards indicating their  
7244 commitment to the utilization of the requested facility and  
7245 designating the locale of the proposed facility. The joint  
7246 resolution shall contain a statement of determination by the  
7247 participating boards that alternate options, including the use  
7248 of leased, rented, or borrowed space, were considered and found  
7249 less appropriate than construction of the proposed facility. The  
7250 joint resolution shall contain assurance that the development of

7251 the proposed facility has been examined in conjunction with the  
7252 programs offered by neighboring public educational facilities  
7253 offering instruction at the same level. The joint resolution  
7254 also shall contain assurance that each participating board shall  
7255 provide for continuity of educational progression. All joint  
7256 resolutions shall be submitted by August 1 for consideration of  
7257 funding by the subsequent Legislature.

7258 (d) Submit requests for funding of joint-use facilities  
7259 projects involving state universities and Florida Community  
7260 College System institutions for approval by the Chancellor of  
7261 the Florida Community College System ~~Commissioner of Education~~  
7262 and the Chancellor of the State University System. The  
7263 Chancellor of the Florida Community College System ~~Commissioner~~  
7264 ~~of Education~~ and the Chancellor of the State University System  
7265 shall jointly determine the priority for funding these projects  
7266 in relation to the priority of all other capital outlay projects  
7267 under their consideration. To be eligible for funding from the  
7268 Public Education Capital Outlay and Debt Service Trust Fund  
7269 under the provisions of this section, projects involving both  
7270 state universities and Florida Community College System  
7271 institutions shall appear on the 3-year capital outlay priority  
7272 lists of Florida Community College System institutions and of  
7273 universities required by s. 1013.64. Projects involving a state  
7274 university, a Florida Community College System institution, and  
7275 a public school, and in which the larger share of the proposed

7276 facility is for the use of the state university or the Florida  
7277 Community College System institution, shall appear on the 3-year  
7278 capital outlay priority lists of the Florida Community College  
7279 System institutions or of the universities, as applicable.

7280 (e) Include in their joint resolution for the joint-use  
7281 facilities, comprehensive plans for the operation and management  
7282 of the facility upon completion. Institutional responsibilities  
7283 for specific functions shall be identified, including  
7284 designation of one participating board as sole owner of the  
7285 facility. Operational funding arrangements shall be clearly  
7286 defined.

7287 (2) An educational plant survey must be conducted within  
7288 90 days after submission of the joint resolution and  
7289 substantiating data describing the benefits to be obtained, the  
7290 programs to be offered, and the estimated cost of the proposed  
7291 project. Upon completion of the educational plant survey, the  
7292 participating boards may include the recommended projects in  
7293 their plan as provided in s. 1013.31. Upon approval of the  
7294 project by the commissioner, the Chancellor of the Florida  
7295 Community College System, or the Chancellor of the State  
7296 University System, as appropriate, 25 percent of the total cost  
7297 of the project, or the pro rata share based on space utilization  
7298 of 25 percent of the cost, must be included in the department's  
7299 legislative capital outlay budget request as provided in s.  
7300 1013.60 for educational plants. The participating boards must

7301 include in their joint resolution a commitment to finance the  
 7302 remaining funds necessary to complete the planning,  
 7303 construction, and equipping of the facility. Funds from the  
 7304 Public Education Capital Outlay and Debt Service Trust Fund may  
 7305 not be expended on any project unless specifically authorized by  
 7306 the Legislature.

7307 (3) Included in all proposals for joint-use facilities  
 7308 must be documentation that the proposed new campus or new joint-  
 7309 use facility has been reviewed by the State Board of Education,  
 7310 the State Board of Community Colleges, or the Board of  
 7311 Governors, as appropriate, and has been formally requested for  
 7312 authorization by the Legislature.

7313 (4) A ~~No~~ district school board, Florida Community College  
 7314 System institution, or state university may not ~~shall~~ receive  
 7315 funding for more than one approved joint-use facility per campus  
 7316 in any 3-year period.

7317 Section 119. Subsection (1) of section 1013.65, Florida  
 7318 Statutes, is amended to read:

7319 1013.65 Educational and ancillary plant construction  
 7320 funds; Public Education Capital Outlay and Debt Service Trust  
 7321 Fund; allocation of funds.—

7322 (1) The commissioner, through the department, shall  
 7323 administer the Public Education Capital Outlay and Debt Service  
 7324 Trust Fund. The commissioner shall allocate or reallocate funds  
 7325 as authorized by the Legislature. Copies of each allocation or

7326 reallocation shall be provided to members of the State Board of  
7327 Education, the State Board of Community Colleges, and the Board  
7328 of Governors and to the chairs of the House of Representatives  
7329 and Senate appropriations committees. The commissioner shall  
7330 provide for timely encumbrances of funds for duly authorized  
7331 projects. Encumbrances may include proceeds to be received under  
7332 a resolution approved by the State Board of Education  
7333 authorizing the issuance of public education capital outlay  
7334 bonds pursuant to s. 9(a)(2), Art. XII of the State  
7335 Constitution, s. 215.61, and other applicable law. The  
7336 commissioner shall provide for the timely disbursement of moneys  
7337 necessary to meet the encumbrance authorizations of the boards.  
7338 Records shall be maintained by the department to identify  
7339 legislative appropriations, allocations, encumbrance  
7340 authorizations, disbursements, transfers, investments, sinking  
7341 funds, and revenue receipts by source. The Department of  
7342 Education shall pay the administrative costs of the Public  
7343 Education Capital Outlay and Debt Service Trust Fund from the  
7344 funds which comprise the trust fund.

7345 Section 120. The State Board of Community Colleges, in  
7346 collaboration with the Board of Governors, shall evaluate and  
7347 report on the status of Florida's "2+2" system of articulation  
7348 using the accountability measures required pursuant to s.  
7349 1008.38, Florida Statutes, and any other applicable state law.  
7350 By December 31, 2017, the state board and the Board of Governors

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7351 shall submit their report to the Governor, the President of the  
7352 Senate, and the Speaker of the House of Representatives. The  
7353 report must include findings regarding the effectiveness of  
7354 Florida's "2+2" system of articulation and recommendations for  
7355 improvement.

7356       Section 121. The Division of Law Revision and Information  
7357 is directed to prepare a reviser's bill for the 2018 Regular  
7358 Session to substitute the term "Florida Community College  
7359 System" for "Florida College System" and the term "Florida  
7360 Community College System institution" for "Florida College  
7361 System institution" where those terms appear in the Florida  
7362 Statutes.

7363       Section 122. Except as otherwise expressly provided in  
7364 this act, this act shall take effect October 1, 2017.